ON THE RISKS OF IMPLEMENTATION OF CODES OF ETHICS IN ACADEMIC ENVIRONMENT*

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Abstract. The paper deals with the analysis of the implementation process of code of ethics into an academic workplace. The paper aims at delineating basic practical advice, how to carry out the implementation in order to be successful. The paper aspires for identification of potential mistakes regarding the process of implementation. It should serve as a manual for accomplishment regarding code of ethics as a specific tool for institutionalization of ethical conduct within a university workplace. It should provide academic personnel with useful information on what risks should be anticipated when implementing a code of ethics. As it is vital to behave in concordance with certain ethical principles, norms and values in the academic workplace, we assume that the code of ethics can serve as a supportive instrument.

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Its acceptance is influenced by diverse personal as well as situational variables. Hence, to be able to prepare and implement one unifying value regulator into the daily operations for diverse personalities within one workplace is a complex task to accomplish.

**Keywords:** code of ethics, code of ethics of university, academic workplace, academic organizational culture, implementation of code of ethics.

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**Introduction**

The aim of this paper is to unfold important potential risks, which rise in the process of implementation of code of ethics in a public university. The findings of the authors have theoretical, methodological as well as practical implications to application of codes of ethics in an academic environment.

In the theory of business ethics, it is well known that the code of ethics is an integral part of the human resource management system. This proposition applies for all organizations in each sphere of social life. Although literature deals with the implementation of codes of ethics, mainly in the sphere of economy, and within it, mostly with private-owned business, the basic theoretical and methodological knowledge as well as some generalizations from this sphere will be valid also in state-owned and public organizations, for the scope of jurisdiction and non-governmental organizations, too. Each of these social spheres has got own specifics regarding the human resource management, being manifested in the process of implementation of codes of ethics on the level of organizations. Disregard or underestimation of these specialities leads mostly to the failure of implementation of code of ethics.

1. **General Starting-Points for the Implementation of Code of Ethics at a University**

We assume that code of ethics of a public university has to be analogous to a code of ethics of any business organization, truly unique, so as every university is matchless, too. Code of ethics of a university should become a key internal document and fundament of its organizational culture.

1.2. **Functions of the Code of Ethics at a University**

Code of ethics represents the sum of ethical principles and norms, which are obligatory for every employee of an organization independently from his or her position in the organizational hierarchy. Similarly, to other spheres, the code of ethics fulfils

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1 Under the expression “university” either the faculty as a self-contained unit or the university which divides into separate faculties is understood in this paper.
mostly the regulatory function. It means that all members of the organization have the obligation to promote in their action certain ethical standards, and at the same time they have the right to require those standards from other members of a particular organization. In relation to this, a question is being raised, whether university students should follow the same code of ethics as teachers and other university employees, or do they have to have their own code of ethics. There are many diverse opinions regarding these questions. The authors of this paper suppose that students should have their own code of ethics. However, it should derive from the same values as the code of the university employees does.

Other functions of the code of ethics are of great importance, too: the code helps to solve complex situations, in which an employee might find him or herself regarding pedagogical, scientific or work life. The code of ethics serves as a compass that indicates the course of action which should be taken.

Further, the code of ethics supports the development of ethical self-reflection, which is or should be inseparable part of the work and personal life of a university teacher. To be a university teacher means to bear responsibility for one’s own deeds also in the private sphere of life.

Code of ethics is a substantial supporter of solving various conflict situations in the academic environment which could arise from the interactions between colleagues, in teacher-student relations, among students as well as between superiors and subordinates or in teacher-administration employee relations. University employees have to do everything they can to prevent conflicts. If, however, a conflict arises, the code of ethics implies that all interested parties should solve it in a cultivated and just manner.

2. The Sequence of Steps Regarding the Creation and Implementation of Code of Ethics at a University

Although the university leaders, due to the intellectual potential of their employees, may assume they are capable of design and implementation of code of ethics, it is widely recommended to include a professional with code of ethics-related know-how into the work group which is recognized for preparation of the code. The members of the work group are being appointed by the highest elected official of the university, mostly the dean or rector. In case the work group lacks the professional with code of ethics-related know-how, it is suggested to, at least, consult with him/her, or if appropriate, with colleagues from other universities, which had code of ethics adopted already.

The work in the group should comply with a certain sequence of phases. The most important stages of this process are:

1. Definition of the aim of adoption of the code of ethics.
2. Analysis of the ethical environment at the university.

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3 Remišová, A., supra note 2, p. 207.
4. Specification of the mode of implementation of the code of ethics.
5. Description of the control mechanisms regarding the adherence to the code of ethics.

2.1. Definition of the Aim of Adoption of the Code of Ethics

In advance of the affirmation from the university managers of such an important mechanism as the code of ethics certainly is, managers should clarify the objectives of the code. Tangible clarification of the aims and their acquisition by the university management is the fundamental prerequisite for the code adoption by other members of the university. The management has to delineate basic values and vision of the university. The value dimension could be built upon traditional values of university education, such as truthfulness, scientific honesty, promotion of good on the one side and the definition of contemporary values, such as excellence, social responsibility, sustainability, and tolerance on the other side. The definition of the university vision is mostly based on the uniqueness of university education that the university provides and if appropriate, together with a delineation of space and time scopes in which this vision ought to be fulfilled.

2.2. Analysis of the Ethical Environment in the University

One of the most complex as well as time consuming tasks of the work group is to gain a truthful picture of the ethical situation at the university. This picture is a synthesis of knowledge derived from various activities. We think that following activities should not be missed out:

– critical ethical analysis of the university annual report and comparison of these results with information from other parts of the university,
– critical ethical analysis of publicly accessible university documents,
– critical ethical examination of the running of current ethical or anti-corruptional mechanisms,
– critical ethical analysis of articles published in media regarding the university and the positioning of the university within the society,
– critical ethical analysis of a questionnaire designed by the members of the work group which should assess the actual ethical problems of university employees,
– critical ethical review of a questionnaire designed by the members of the work group which should assess actual moral issues held by university students,
– delineation of the main stakeholders of the university,
– critical ethical analysis of the relations between the university and its stakeholders in a given time scope.

2.2.1. Stakeholders Specification

We consider the university stakeholders specification as one of the basic methodological problems regarding the assessment of the ethical situation at the
university. Today a clear-cut demand of the whole society is stated, that universities should comply with the corporate social responsibility, or to be more exact, with the university social responsibility. If the university has not got lucid understanding of who are the university stakeholders, specification of responsibilities cannot be outlined. The identification and acceptance of ethical responsibilities toward all stakeholders are the core of university code of ethics. Authors of this paper assume that the university stakeholders can be specified as follows:

- Internal university stakeholders: university of which the faculty is being part, students, employees, management of the university, employee unions, student unions, and
- External university stakeholders: graduates, competitors, potential students who are interested in studies at the university, region, ministry of education, society as a whole, non-governmental organizations, student organizations at the whole-societal level, business partners, academic partners from home and abroad, research and development institutions.

2.3. Specification of the Approach to the Preparation of the Code of Ethics

Similar to the creation of codes of ethics in business organizations, a principle within the formulation of university code of ethics is valid, that the university management has to decide upon the means of arrangement of the code content. Either the management approves the code content itself or the code will undergo examination across the whole university. The management has to decide also whether the students will take part in the discussion or only the employees will examine the code content. Furthermore, the discussion could be joined by the wider public, for instance, by the university graduates. In general, both approaches, acceptance of the code content with or without discussion, are legitimate. However, it is less probable that a code of ethics could have been successfully implemented without a discussion at least among university employees. University employees have the mental potential to discuss issues on the bases of argumentation. By the decision of the management to discuss the code content, or to create an ethical committee or another form of successful institutionalization of code of ethics, a strong respect from the managers toward other employees is being shown.

2.4. Specification of the Mode of Implementation of the Code of Ethics

As the praxis shows, even the most appropriately designed code of ethics can be unsuccessful due to the implementation process itself. One of the least appropriate
ways is to disseminate the code of ethics among employees without any explanations and let them sign a statement that they are familiar with and comprehend the content of the code of ethics.

A broad information campaign has to precede the implementation process. It should be organized under the clear and active support of the whole university management. The management has to be involved in the process of convey of the code toward employees, too. In general, the code of ethics should be conveyed in an atmosphere of transparency and responsibility, which is relevant to the position of a university as an educational institution. All attempts to question or discredit the code of ethics from the side of individuals as well as groups should be publicly and openly discussed. Implementation of the code of ethics should be accompanied by ethical trainings, round tables, discussions with students and campaign in media. The more university employees join the process of design and implementation of the code of ethics, the more effective is the functioning of the code.

2.5. Description of the Control Mechanisms Regarding the Adherence to the Code of Ethics

In the implementation process, an especially sensitive domain is the control of employee adherence to the content of the code of ethics. On the one side, the creation of an institution on which employees, students or external stakeholders could count on in situations of violation of the code by anybody from the university, belongs to basic requirements when creating a code of ethics. On the other side, there is a natural aversion of academic personnel and scientists toward any form of screening and control of behavior. It interferes with their autonomy and authority. It is a common praxis to establish ethical councils, ethical committees or ethical ombudsman positions in business organizations. Concurrently, mechanisms are being developed by the means of which every employee can report on code of ethics violation. At universities, the control mechanisms should be designed in a manner, which disconfirms any uncertainty that these mechanisms could be misused against an individual or a group.

It is inevitable to inform employees that in the scope of morale, two basic types of sanctions are present: the conscience and public opinion. The violation of a code of ethics can lead to sanctions like caution, warning, reprehension, repulsion, etc. Reprehension by the public opinion applied onto university employees is considered to be extraordinary effective, because it is assumed that these employees possess higher moral authority.

Basic standards derived from praxis regarding the implementation of business codes of ethics can be applied onto the design and execution of university codes of ethics, too. These standards are as follows:

1. The implementation of code of ethics is in the competence of the university management.
2. Every university code of ethics has to be authentic and unique.
3. In case the management, even in a slight manner discredits the need to comply with ethical rules, which the code contains, the prospects on the creation of the most-above-standard moral workplace are irrelevant.

3. Potential Risks of Code of Ethics Implementation Inherent in the Academic Environment

3.1. Diversity of University Employees and Specific Character of Academic Work

University employees represent a diverse community with a variety of work habits, ways of executing jobs and routine organization of work. The collective of university employees consists mainly of university teachers, scientific personnel, administrative personnel at departments for student issues, other administrative personnel, and technical employees.

The spine of an academic working environment is composed by university teachers with variously differentiated pedagogical and scientific degrees. These degrees influence further differentiation and range of pedagogical, scientific and professional work of every single individual within this employee group. It alike influences the hierarchy of their positions. Natural respect is being evolved in relation toward associate professors and professors as well as toward elected university officials in the academic environment.

Pedagogical and scientific employees at universities represent such a profession, which cannot survive without autonomy and freedom of work. University teachers and scientific personnel are a priori afraid of any interference with their autonomy, might it be of an administrative, political or ideological character. It can be concluded that pedagogical and scientific employees at universities will be probably, mostly in the initial period of the code implementation, suspicious about this form of institutionalization of ethics.

Work habits of this key group of employees differ greatly from routines of other university personnel. For instance, universities focused on humanities do not offer sufficient technical, scientific nor spatial conditions for scientific work at the workplace.

Pedagogical and scientific employees are used to work at home, to use own technical and technological tools, buy materials and scientific literature on their own because of the longitudinal financial underestimation of university education from the state. Economic restriction, which many years accompanied pedagogical and scientific employees, was solved on the behalf of their home budgets.

The second indicator of serious barrier toward acceptance of code of ethics among pedagogical and scientific employees is their tendency to critical reflection of any text. At universities work groups authorized for the design of code of ethics has got often a tough position hindered by opposite opinions and reluctance to admit a differing opinion. Reaching a consensus at academic work environment, where metaphorically sad, everybody is a general, is an extremely demanding task.
3.2. Elected Management

University management is usually elected by the academic senate. This means that managerial positions are occupied with people who might be accepted authorities in their scientific fields, but usually they have not sufficient economic, legal or leadership knowledge and skills. Although legislative and economic departments might be a part of organizational structure, the cardinal decisions have to be made by the elected university officials. It is in hands of the managers alone, whether they will be aware of their gaps in management of an organization and consequently, they decide to gain at least a minimal knowledge substantial for management of a university institution. Besides this, for university management today it is also significant to have knowledge related to the sphere of corporate governance.

Leadership remains to be a central issue. University officials, who were by now concerned only with scientific and pedagogical work, often do not comprehend the complexity of interpersonal communication with employees, who require competent instructions and cultivated communication style. Although it is always possible to supplement one’s knowledge in the scope of interpersonal communication, the basic question still remains, whether the university offers sufficient time-bound and financial opportunities to make up interpersonal skills of its managers in a form of seminars or trainings. Time after time it is can be stated that an elected university official is “a good man and outstanding scientist, but an awful manager.”

Potential gap in managerial skills of elected university managers as a factor is not a barrier, if the managers alone realize own deficiencies and compensate these gaps based on further education and consultations with professionals. However, if these deficiencies are being ignored, the implementation of code of ethics could be seriously damaged.

Successful application of code of ethics in the academic environment needs support of the whole university management from the very first step until the last phase of the process. It is inevitable for the academic official to be aware of what the code of ethics represents, what are its purposes and which ethical mechanisms have to be applied in order to have a functional code not just a marketing tool. Code of ethics has not a chance to function successfully and longitudinally if the whole university management does not support it.

Besides this, it is the management of a university which has to have enough curage to acknowledge also the unpopular sanctions for violation of the code.

Important fact is that university managers have to be role models for others in accepting, and compliance with the ethical responsibilities included in the code of ethics.

3.3. The Quality of the University Organizational Culture

Both the content and implementation of the code of ethics are deeply wedded to the organizational culture of the university. In the process of implementation of codes of ethics into business organizations, a widely assumed starting point is to proceed with

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7 For instance, see Wieland, J. *Normativität und Governance*. Marburg: Metropolis, 2005.
an organizational culture audit before and after the implementation. The reason is that the organizational culture functions are especially important factors, which influence the acceptance and running of the code of ethics. Organizational culture “programmes” the mind of employees. They are exposed to organizational values often more than one-third of the workday. Organizational values are integrated in a longitudinal horizon into the personal values system of employees, this process running mostly on an unconscious basis. The values are the key elements of every cultural system and stand for a substantial part of individual as well as social identity of people. Hence organizational values represent a linkage between identities of employees and the culture of their organization. If the code of ethics will not become an integral part of organizational culture, that means, if the values and principles included in the code do not transform into daily operations, as well as into organizational values and assumptions, the whole process can be labeled as unsuccessful.

Organizational culture can be apprehended as a tool by the means of which employees regulate their own behavior, control and solve conflict situations, and reduce uncertainty through shared norms of behavior and assumptions. These assumptions regard many parts of work life, for instance, who is the leader, who are the followers, which style of communication and interpersonal interaction are perceived as accepted and not acceptable, which norms of behavior are used in contact with external stakeholders, etc. All these elements of organizational culture and more should be covered by the code of ethics. So, clearly, the content of the code of ethics should be in concordance with the content of organizational culture.

Organizational culture at universities is more or less taboo both in the academic and public discussions. That might be due to the commonly assumed idea that individuals working at universities are all considerably educated and moral and therefore, there cannot be raised any ethical issue in such a highly cultivated environment.

In this paper, we want to discuss shortly the selected aspects of organizational culture, which strongly influence both the process and the results of the implementation of code of ethics in an academic environment. These aspects are:

- underestimation of ethics in general,
- leader figures in the university organizational culture, and
- subcultures within the university organizational culture.

3.3.1. Underestimation of Ethics as a Scientific Discipline

Underestimation of ethics as a scientific discipline is a severe risk while implementing the code of ethics. The majority of academic personnel did not attend any subject focused on ethics during their formal education, or they have certain cognitive insufficiencies regarding the ethics. Due to the ill comprehension to specifics of ethics as a discipline a misunderstanding occurs that all academic personnel understands ethics, because it is synonymous with morale itself.

8 see Geertz, C. Interpretace kultur: Vybrané eseje. Praha: Slon, 2000
Tied with this fact is also another phenomenon which Spanish philosopher Ortega Y Gasset in his book, *The revolt of the Masses (La rebelión de las masas)*, labeled as the „barbarism of specialization“. A specialist from a certain field of science assumes that he or she can understand on an expert basis any other scientific and societal issues. In this sense, ethics belongs to academic disciplines to which many regard themselves as “experts”. Such an approach might have a negative influence onto the quality of the content of the code of ethics. The content of the code then can devaluate to a construct of legal or psychological norms, or moreover, to a breviary of etiquette.

### 3.3.2. Dominant Influence of Leader Figures in the University Organizational Culture

In a university organizational culture the influence of pedagogic and scientific employees is usually ample. This impact is created through their patterns of behavior which they apply in communication with students or other university personnel. They are the key actors in the university organizational culture, so their potential to form organizational values and assumptions is significant. These key actors are highly educated people, often with reasoned opinions and strong tendencies toward autonomy of work. The most influential are the managers, or better to say, elected officials of the university, its faculties or departments.

Through decision-making on how to solve problems of internal integration and external adaptation university leaders apply their moral assumptions, values and traits of own moral character\(^\text{10}\). Many organizational culture researchers note that there is a substantial leader-culture link\(^\text{11}\). The way leaders act and behave shapes the values and assumptions of their employees considerably. For instance, as Schein noted earlier\(^\text{12}\), leaders shape the organizational culture through their behavior in informal situations, though assessment and evaluation of certain aspects of jobs, through the way they behave in situations of crisis as well as through setting the reasons for dismissal and promotion of employees. If their decisions and behavior show remarkable and longitudinal disproportions in comparison to manifested vision, values or norms (the code of ethics), the organizational culture will not survive in a competitive advantage, but a fragment form with many countercultures fighting one with another. This state-of-the-art will end in failure to achieve the set up goals and strategic aims of the university.

According to Goffee and Jones\(^\text{13}\) the two of the most popular myths about leadership are that „everyone can be a leader“ and „people who get to the top are leaders“. Both assertions are false. Not everybody has accurate skills and abilities to be an effective leader of people. To be a good leader means to have the right intellectual, social and


\(^{12}\) Schein, E. H., *ibid*.

psychological mix of characteristics. The scientific-oriented background of academic personnel itself cannot be taken as a guarantee of successful leadership. And to the second assertion, which Gofee and Jones specified as a myth, as we have noted already, people who manage and lead universities got sometimes on the top not only because of their leadership potential but because of their positive impact on people who voted for them.

These two myths imply for the university environment fully. To adhere to them is a mistake. To try to avoid them leads to improvements in university management.

3.3.2.1. Highest Elected Official of the University Being not a Leader

One of the important factors which influences the success of implementation of the code of ethics is the relation between the top manager, as the highest elected official at the university, and the leader of university employees. In case both sides of this coin are taken by the same person, the code of ethics has a better chance to be successfully established into practice. Similar situation regarding the odds of a successful implementation are in case when both, the manager and the leader, share the same values. However, if the two people are in a relationship which is hostile or marked with some implicit rivalry, the accomplishment of the code of ethics is strongly in question.

3.3.3. The Character of Subcultures within the University Organizational Culture

Due to the varied types of jobs, the organizational culture of almost every university has developed some subcultures, which are more or less reflections of the main, dominant culture. These subcultures exercise various levels of influence onto the dominant culture within each organization. A self-contained subculture is often formed out from the young generation of academic personnel, being more flexible and open to potential changes and innovations. This particular group of employees could gain the most influential role in the process of implementation of the code of ethics. However, this mostly depends on the opinion and coercive and persuasive power of colleagues with higher seniority, because many young academic employees at universities respect their senior colleagues, who might have been their teachers in the past. Now they will not disregard them by asserting own opinion against their will.

A self-contained subculture might be formed by academics, whose work habits have been influenced by some foreign experience. If proper work conditions are created for them, these employees could act as strong supporters of innovations at the university. Contrary to the subculture of young employees, they do not suffer by excessive respect in regard to higher-seniority employees and consider others on the behalf of work results. They should be open to the acception of the code of ethics. However, in case this group of employees has not the support of the university top management, they will probably lose their interests in university issues and fucuse on own pedagogical and scientific goals.
Potential negative impact on the implementation of the code of ethics may be executed by subcultures of teachers and scientific personnel that are bounded with common history or common interests, mostly latent. For instance, often the strongest position at the university is occupied by individuals who were together in the university foundation years. They invested a lot of personal energy and enthusiasm, but as the time passed along, they lost the professional distance and regard the university as “their own”. They are not accepting any innovations or changes, especially from employees with lower seniority.

A distinct subculture could be formed by people who were in command in past few years. Now, under the new establishment, they lost their power positions. This group might be in strong opposition with current university officials. In such a case, this particular group of employees can have a negative influence onto the process of code of ethics implementation.

Almost at every university a self-contained subculture of administrative workers takes part in daily operations. This group tends to hold a certain distance from pedagogical as well as technical university personnel. It can be assumed, that in the process of implementation of the code of ethics, this group of employees will develop an opinion affirmative to the university leaders’ attitude, eventually.

**Conclusion**

In this paper, we focused on the principles of creation and implementation of code of ethics at a public university. We derived our understanding of these processes from theoretical knowledge and literature as well as from our personal practical experiences concerning implementation of codes of ethics and organizational culture assessments. In this paper, we came to a conclusion that at one hand, the universities establish a suitable intellectual environment for the design and application of a code of ethics. On the other hand, there is a lot of unique specifics, which can slow down or even stop the implementation process of the code of ethics. Understanding these risk factors is necessary for all who intend to implement code of ethics into a concrete university institution.

**References**


Anotācija. Strādām analizēt etikas kodeksu veiksmīgu izpildi akademēmu procesā. Rezultātu izpratni par to, kā tīkla un situācijas ietekmē izpildi, dzirdiemēm un inercei, kā arī etikas kodeksa izpildi par to, kā to izpildīt. Strādām arī arī etikas kodeksa izpildīšanas iespēju un iespējām, kā to izpratni par to, kā to izpildīt.
dyti etikos kodekso diegimo procesą universitете. Šių rizikos faktorių suvokimas yra būtinas visiems, kas ketina diegti etikos kodeksus konkrečių universitetų sąlygomis.

Reikšminiai žodžiai: etikos kodeksas, universiteto etikos kodeksas, akademinė institucija, organizacinė kultūra, kodekso diegimas.

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