What would it mean to be a "just university"?

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I want to begin with some words of W. H. Auden written shortly before September 1,1939:

> I sit in one of the dives
> On Fifty-Second Street
> Uncertain and afraid
> As the clever hopes expire
> Of a low dishonest decade:
> Waves of anger and fear
> Circulate over the bright
> And darkened lands of the earth,
> Obsessing our private lives:
> The unmentionable odour of death
> Offends the September night.
>
> Accurate scholarship can
> Unearth the whole offence
> From Luther until now
> That has driven a culture mad
> …….
> I and the public know
> What all schoolchildren learn,
> Those to whom evil is done
> Do evil in return.
> …….
> Into this neutral air
> Where blind skyscrapers use
> Their full height to proclaim
> The strength of Collective Man,
> Each language pours its vain
> Competitive excuse:

But who can live for long
In an euphoric dream;
Out of the mirror they stare,
Imperialism's face
And the international wrong.

……
Defenceless under the night
Our world in stupour lies;
Yet, dotted everywhere,
Ironic points of light
Flash out wherever the Just
Exchange their messages:
May I, composed like them
Or Eros and of dust,
Beleaguered by the same
Negation and despair,
Show an affirming flame.[1]

Dare we imagine that even Auden could emerge from the negation and despair of September 11, 2001, to show an affirming flame? I cannot, and thus my remarks tonight necessarily reflect something of my own despair, uncertainty and irresolution in the wake of the terrorist attacks. After September 11, however, the sorts of things that I had been considering and researching as I prepared my speech began to seem inadequate. I learned of the attack on the World Trade Center just after getting off an Amtrak train in Union Station in Washington, D.C. I had reviewed my notes for this speech on the way down, and was planning to begin writing on the train back, but it was more than a week before I was able to set pen sensibly to paper. When I was revising this speech last Sunday, a colleague asked what I was writing about, and I said my topic was "What would it mean to be a 'just' university?" His immediate response was: "Well, I guess we have to put that off for the moment." As I am trying to recover from my own sense of despair, I would

[1] W.H. Auden, *Another Time: Poems* (New York: Random House, 1940), pp. 98-101.

like to argue to you that we should not set aside our reconsideration of the just university for even a moment.

Even with so little space between ourselves and the tragedies of September 11, I have come to think that this question as I originally understood it and intended to try to answer it remains interesting and provocative, even that it is more deserving of our attention than ever. On the other hand, though, I think that what would have been a complete answer to it a month ago would no longer be complete today. What I want to talk about, then, is both the ways in which the answer to the question is the same, and the ways in which it must be different. Let me begin by saying some of the things I would have said had I been talking to you on the 3rd of September instead of the 3rd of October.

There are two inflections the question, "what would it mean to be a 'just' university," might be given. First, it might be taken to be a question about what it would mean for the processes and practices within a university to take place justly. I think that it is fairly clear that in order for it to be just, a university, as a social institution, would have to ensure that the way it behaved satisfied the minimal threshold of justice that we expect of all our social institutions.

What I mean should become clear if we consider some university processes and practices. To start with, consider simply that the university is a place where the process of employment takes place. Just as for any other employer, it would be unjust for a university to discriminate on the basis of race, ethnicity, gender or religion against faculty and staff in hiring and promotion practices. It would be unjust of a university not to ensure a work environment free from sexual harassment and threats. It would be unjust

for a university to refuse adequate health benefits to its employees. We demand of corporations that they do these things, so there is no reason to exempt universities from these demands. The university is, after all, a legal corporation, though of a very special sort, and at the least it must be a just corporation.

Or, consider that universities are frequented by all sorts of people, some with disabilities. It would be unjust for universities not to make reasonable efforts to allow the disadvantaged full access to their facilities: there is no reason to exempt universities from a demand we make of city buses. And so forth. Or, finally, consider the equally uncontroversial notion that a university is a place where research takes place -- and I will focus tonight on research universities such as Texas A&M. It would be unjust for a university to allow its researchers to conduct experiments on human subjects without informing them of the risks they run: there is no reason to exempt universities from a demand we make even of tobacco companies. There is, in other words, a minimal threshold of justice which universities must satisfy as must all other social institutions in civilized societies. This way of interpreting the question focuses on what one might call a procedural notion of justice in the university. Many university issues evoke this procedural notion of justice. I want to give just two examples, both of which might be familiar to you from the media coverage they have attracted in the past few months and years.

The first is the campaign waged by university students and some others from about 1996 onwards against the sale of insignia apparel manufactured in sweatshops. The anti-sweatshop movement had its beginnings in 1996 and 1997, when sweatshops came to public notice after the revelation that Kathie Lee Gifford's line of clothing was made

in Honduran sweatshops, and after Thai immigrants were discovered working in a sweatshop in El Monte, California. Initial organization around the issue was fairly sporadic: students at UNC-Chapel Hill, Michigan and UC-Irvine challenged their universities about their relationships with Nike, as did students at Wisconsin-Madison about their university's link to Reebok. But the movement quickly spread to other campuses, and by 1997 had achieved some prominence as the Sweat-Free Campus Campaign. In July of the following year, students from about thirty universities met in New York City, and established United Students Against Sweatshops (USAS), which described itself as "an informal but cohesive international coalition of campuses and individual students working on anti-sweatshop and Code of Conduct campaigns," and specifically for "sweatshop free labor conditions and workers' rights." Texas A&M University, among many others, has gone on record as saying that it "recognizes that all people have rights at work, including the right to be treated with respect and dignity, the right to be recognized and rewarded fairly for performance, and the right to a work environment free from discrimination and harassment. The university is committed to these rights. All people at Texas A&M University are expected to treat each other in accordance with these rights."[2]

The second instance has been in the news even more recently. Once again, the issue is a student concern with social justice, this time for university staff. At several universities, my own amongst them, student protests reminiscent of the late 'sixties and early 'seventies have been staged in order to urge universities to treat their lowest-paid employees better. At Princeton, the Workers' Rights Organizing Committee (WROC)

[2] 'Our Statement of Vision and Values,' from *About Texas A&M University*, available at

mounted a campaign to secure “respect, a fair wage, an end to outsourcing and casualization, and the provision of fair and affordable benefits for all of Princeton's employees.” At Harvard, students pointed out that while theirs may be the greatest university in America workers “can’t eat prestige,” and struggled alongside them for a living wage, calculated at $10.25 in the Cambridge area.

Both movements had an impact. On several campuses, students have managed to persuade university administrators to make public the names of companies producing insignia clothing, and even to implement codes of conduct requiring these companies to disclose information about their employment practices. In March 2000, Duke ended contracts with 28 companies that didn’t fulfill the terms of its code of conduct. When the Clinton administration established the Fair Labor Association (FLA) in 1998, intended to deal with the sweatshop problem on a “voluntary company monitoring” basis, USAS began to develop a more demanding alternative, called the Workers’ Rights Consortium. When it was launched in late 1999, students pushed their universities to join it instead of the FLA. Many did, and some universities at considerable cost: Brown and Michigan lost millions of dollars of sponsorship from Nike, and Phil Knight, Nike’s CEO, cancelled a personal $30 million donation to the University of Oregon when it joined the WRC -- although I believe that just last week he indicated he would be willing to resume his benefactions to his alma mater. At Harvard, my alma mater, it took three weeks of sitting-in in venerable Massachusetts Hall, but by the end of May student protesters had forced the university to endorse a $10.25 minimum wage. At Princeton we have made some progress, but still have some way to go.

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www.tamu.edu/00/data/about.html.

Both of these examples, I think, illustrate how paying attention to the procedural conception of justice leads to changes in the way universities do some of the things they do. Admittedly, selling clothing and employing non-academic workers are not central to what universities do in the same way that teaching and research are, but they are things that universities should do justly nonetheless. But I think there is perhaps something more to be said here as well. I would argue that universities need to be vigilant in determining what it means for a process or practice to take place justly and in expanding the range of processes and practices that must be governed by precepts of minimal procedural justice. Universities should be held to a higher standard than that to which corporations, and perhaps even governments, are held. It is this notion that Princeton's former President Harold Shapiro was indirectly giving voice to when he wrote in January 1999 that "one aspect of a student's moral education lies not in the curriculum but in the behavior of the faculty, staff, and administration and in the policies of the institution. Students will observe … how the University treats its employees … Students will be smart enough to discern if the University remains a symbol of enlightenment or an institution whose defining ambition is to sustain the status quo and its own special privileges."[3]

That, then, is where I think the question of procedural justice in the university leads. The answer we get, however, -- that is, to be a just university, a university must adhere to minimal internal norms of justice -- is a rather narrow. Although I have just noted that we expect universities to be fairer than other institutions, this procedural approach does not do much to distinguish universities from other social institutions, or to

[3] Harold Shapiro, 'Liberal Education, Moral Education: Can- and should- a university teach its

explain the special resonance the question “What would it mean to be a just university?” has for us. Most of us associated with universities are believe that they are special institutions with unique virtues and roles. This is because we think that the university is in manifold ways the provider of common benefits and the doer of social good.

This suggests the second question -- not simply to ask what it would mean for a university to do the things it does justly (that is, meet the minimal internal norms of justice), but to ask what further sorts of things it would be just for a university to do in pursuit of its basic mission. Or, as Aristotle would have put it, what would it mean to do justly those things that are inherent in the very nature of a university. In other words, I now want to ask about what one might call the substantive notion of justice in the university -- what sorts of things would it be normatively just for a university to do? One might take one of two broad approaches in trying to answer this question.

The first approach points to the sorts of things that societies need done if they are to survive and prosper and progress, and says that the proper role of a just university is, in so far as it is capable, to do or help to achieve those social goals. Society needs a strong economy; let universities give people the skills to build it, and make the technological advances it depends on for expansion. Society needs to cure diseases; let universities investigate their causes and find cures for them. Society needs affordable energy; let universities discover how to provide it. And so forth. Although I am told that the "A&M" in this university's title no longer stands for "Agricultural and Mechanical," it is a land grant university, and I feel certain that the people of Texas look to you for the

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students to be better citizens and better people?’ *Princeton Alumni Weekly*, January 27, 1999.

knowledge and training that will make the state prosper. According to your own statutes, after all:

> Texas A&M University is dedicated to the discovery, development, communication and application of knowledge in a wide variety of academic and professional fields. Its mission of providing the highest quality undergraduate and graduate programs is inseparable from its mission of developing new understandings through research ad creativity. It prepares students to assume roles of leadership, responsibility, and service to society. Texas A&M . . . addresses the needs of an increasingly diverse population and a global economy.[4]

The production of such public goods is probably the demand of universities most commonly heard, though not everyone is as blunt about it as Frances D. Ferguson, speaking at a 1988 panel on "Keeping America Competitive: The Role of Education": "A liberal arts education emphasizes the creative thinking needed to produce new technologies and marketing strategies, the global perspective that explains the cultural differences costing America its competitive edge, and the ethical responsibility that will help companies produce products to meet human needs."[5] Arthur Cohen has observed, however that such claims are a double-edged sword:

> Higher education's requests for continually increased funding rest on a combination of premises: direct contributions to the economy, enhanced productivity yielded by trained workers, and progress toward an equitable society by providing everyone with opportunity to advance. Its weakest arguments from an economic perspective are that it should be supported because of the intrinsic educational value that its students gain. Education for its own sake is perceived as a consumption item. Institutions and programs showing measurable economic and social benefits are much easier to defend than are those claiming to have value in and of themselves. Many scholars have contended that higher education is more than an engine of economic activity, that it is the home of ideas, the archive of a people's culture. But those arguments have few friends in the legislatures.[6]

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[4] 'Our Mission,' from *About Texas A&M University*, available at www.tamu.edu/00/data/about.html.
[5] Quoted in Mortimer R. Kadish, *Toward an Ethic of Higher Education* (Stanford: Stanford University Press, 1991), Note 3 to Ch. 1, p. 191.
[6] Arthur M. Cohen, *The Shaping of American Higher Education: Emergence and Growth of the Contemporary System* (San Francisco: Jossey-Bass Publishers, 1998), pp. 432-433.

For me, the larger and more important point, one Cohen hints at but doesn't fully develop, is that American higher education has gone too far in the direction of such functionalism. The most powerful recent critique of this trend has been the late Bill Readings' brilliant and eccentric 1996 book, The University in Ruins. I do not have time to rehearse even the broadest contours of Readings' argument this evening, but I urge you all to read the book. Readings begins by arguing that . . . the wider social role of the University as an institution is now up for grabs. It is no longer clear what the place of the University is within Society nor what the exact nature of that society is [so that] the changing institutional form of the University is something that intellectuals cannot afford to ignore." His basic argument is that the university has become "a transnational bureaucratic corporation," and that "[t]he current crisis of the University in the West proceeds from a fundamental shift in its social role and internal systems, one which means that the centrality of the traditional humanistic disciplines to the life of the University is no longer assured." What has happened, then, is that the modern institution of research education has become the University of Excellence: "Excellence exposes the pre-modern traditions of the University to the force of market capitalism. . . . This classic free-market maneuver guarantees that the only criterion of excellence is performativity in an expanded market." Readings contends that all that the new educational system requires "is for activity to take place, [for] the empty notion of excellence refers to nothing other than the optimal input/output ratio in matters of information." It would be easy to reject Readings as a very radical critic of Western higher education, but I think he is fundamentally correct in his identification of the problematic character of the

University of Excellence. For me, as for Readings, the problem is one of reconceiving the university " . . .once the story of liberal education has lost its organizing center -- has lost, that is, the idea of culture as the object . . . of the human sciences."[7] I will return to this theme in my conclusion.

But to return to the contemporary social functionality of the university, even a utilitarian understanding of what it would mean to be a just university does not necessarily imply that universities alone can provide society with all its needs nor solve all social problems. Many things are simply beyond the university's capacities, and what it cannot do, it should not be accused of being unjust for not doing. Nonetheless, a university will be a minimally just one to the extent that it does what it can to serve its society. And, on the whole, universities accept this assessment of their role.

The second approach to fulfilling the substantive justice obligation of the university is quite different. Those in this camp explicitly reject the idea that a university should serve its community in anything like the direct way I have just sketched out. Kenneth Minogue puts this rejection particularly forcefully.

> It is of the essence of public discussion that, beginning with some such entity as the state or the nation, it takes the form of fitting whatever it deals with into some larger harmony. The very form of the discussion impels us to regard as fundamental the question: what is the function (or place, role, or purpose) of the university? We begin, in other words, by preparing a Procrustean bed for the luckless object of our thought. And the result is that universities are required to fit a variety of functions sponsored by a variety of political and cultural interests: advocacy or prediction has recently taken them to be powerhouses of industrial society, institutions of 'social criticism,' promoters of the rate of industrial growth, 'society's response to its troubled sense of something profoundly wrong,' and much else.[8]

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[7] Bill Readings, *The University in Ruins* (Cambridge, MA: Harvard University Press, 1996), pp. 2, 3, 38, 39, 10.

[8] Kenneth R. Minogue: *The Concept of a University* (Berkeley and Los Angeles: UCLA Press, 1973), pp. 1-2.

Therefore, ". . . to treat universities simply as institutions which provide educational services for society is like treating a Ming vase as a cut glass flower bowl: plausible, but crass."[9] And here is my friend the late Edward Shils in similar vein, denouncing it as a dangerous mistake for universities to try "to be all things to all men, more pleasing and accommodating to the external world, or more preoccupied with changing or abolishing the condition of the external society."[10] Both of these are views of the 1970s, in reaction against what their writers took to be the perversion of the fundamental role of the university by anti-war and social activists, those supporting the diversification of everything in the university and advocating the conversion of the university to a self-conscious promoter of radical social change. But more recent student social action agendas have mainly been focused on the internal, procedural justice of the university; recently we have seen rather fewer pressures on the universities to be proactive politically outside their institutional walls. The Closing of the American Mind seems a bit quaint and old fashioned with respect to American universities at the beginning of the twenty-first century.

But it may be that the more helpful question to ask about a university at this troubled point in our history is not what it would mean to be a just one, but rather what it would mean to be a *good* one -- not good in Readings' sense of Excellence, but rather good or virtuous in the Greek philosophical sense of fulfilling the inherent purpose of the institution. For Shils, academic goodness would be "improving the stock of ordered

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[9] Minogue, *Concept of a Univesity*, p. 78.
[10] Edward Shils, *The Order of Learning*, ed. Philip G Altbach (New Brunswick and London: Transaction Publishers, 1997), p. 68.

knowledge and rational judgment."[11] For, Minogue goodness would be the idea that "in the academic world, the only relevant criterion is that of truth or falsity. "Effectiveness" would no longer be the academic norm:

> Truth is very frequently a part of effectiveness, but by no means the only part (or indeed, in many cases, the main part). In practice, it is often worthwhile to judge a statement as mean or generous, consoling or hurtful, reactionary or progressive, helpful or harmful: academically speaking, such things are irrelevant. If this is so, then there will be many circumstances in which it will be beside the point -- "academic" is the word commonly used -- to spend time arguing about the falsity of a belief that obviously serves us perfectly well.'[12]

For Minogue and Shils universities must centrally concern themselves with the things the doing of which leads to their being derisively called "ivory towers" -- teaching and researching for the sake of passing on what is already known and disinterestedly learning more. John Rawls has observed that "Justice is the first virtue of social institutions, as truth is of systems of thought."[13] But for academic conservatives, he is wrong: truth and its pursuit are the first (and possibly the only) virtues for universities.

I am aware, of course, that I have caricatured these two approaches to the question of substantive justice and the university. Sophisticated defenders of either position will concede something to those holding the other position, and all would probably accept that universities should meet standards of procedural justice I outlined earlier.

What are we to make of this broad divergence in approaches? One answer would be to split the difference, and I would hazard the guess that most educators take some

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[11] Shils, *Order of Learning*, p. 68.
[12] Minogue, *Concept of a University*, p. 84.
[13] John Rawls, *A Theory of Justice*, revised edition (Cambridge, MA: The Belknap Press of Harvard University Press, 1999), p. 3.

such position. That the just university is one that plays some role in serving its society seems self-evidently right. Universities have always understood that justice demands that they must perform a variety of socially beneficial tasks, ranging from the training of workers to the archiving of cultural knowledge, and from the production of useful technology to social criticism. But when universities have refused to discharge some alleged social responsibility, this has generally been a refusal to perform specific actions -- such as undertaking classified government research or the training of ROTC students -- the doing of which universities believe to be at odds with a specific institutional sense of substantive justice. At the same time, though, universities -- especially the research universities with which I am concerned -- can only do so much in the name of justice before they cease to be universities and become something else. There are some demands made of universities, typically in the name of someone's version of social justice that, if fully satisfied, would either deform the shape of the university and distort its mission, or expose it to political reaction and- ultimately render it incapable of serving society at all. We all believe this, even if we disagree as to when the requested social action is institutionally inappropriate. Universities must tread the fine line between the giving of themselves that makes them just, and the reserving of themselves that keeps them universities.

But there is another approach to the question of the just university. It has to do with students, but not with student demands for the university to be more just. When we think about research universities in these times we commonly focus on research more than teaching, and on graduate rather than undergraduate instruction. This is, I think, one of the consequences of the University of Excellence. Julie Reuben has, however, made

the point that higher education in America, in its transition from the moral education of nineteenth century colleges to the scientific-utilitarian university of the twentieth century, has lost its commitment to the place of moral values in the education of undergraduates. She argues that:

> The separation of fact and value became both a powerful and a problematic concept in twentieth century intellectual life. It has often been invoked as a normative guide for scholars. Its normative status is reinforced by the structure of modern higher education, which makes the separation of morality and knowledge seem a "natural" part of intellectual life.[14]

But it is not just that the moral-religious purpose of higher education has all but disappeared in secular universities; the fundamental focus of the enterprise has shifted from the instruction of the young to the creation of useful knowledge.

It need not have been so. In his inaugural address to the University of St. Andrews in 1867, John Stuart Mill asserted that there is " . . . a tolerably general agreement about what an university is not. It is not a place of professional education." Mill believed that the university was a place of liberal education, a site where literature and science could both flourish, a training ground for the elite, " . . .a system of education . . . not intended for the many [since] it has to kindle the aspirations and aid the efforts of those who are destined to stand forth as thinkers about the multitude." It was a place which fostered moral and religious values, though " . . . the moral or religious influence which an university can exercise, consists less in any express teaching, than in the pervading tone of the place."

> The proper business of an University [is] not to tell us from authority what we ought to believe, and make us accept the belief as a duty, but to give us information and training, and help us form our own belief in a manner worthy of

[14] Julie A. Reuben: The Making of the Modern University: Intellectual Transformation and the Marginalization of Morality (Chicago and London: University of Chicago Press, 1996), p. 268.

> intelligent beings, who seek for truth at all hazards, and demand to know all the difficulties, in order that they may be better qualified to find, or recognize, the most satisfactory mode of resolving them.[15]

A more recent gloss on the same idea is reflected in Donald Kennedy's praise of Edward Shils:

> A clearly discernible theme in Shils's book is that the primary ethical test is the teacher's capacity to put the student's interests first. Its basis is the presumption, which I believe is beyond argument, that members of the professoriate are following a calling in which the central purpose is generational improvement. The university is an institution that exists to advance the culture, both by acquiring new knowledge and by disseminating received knowledge in ways that inspire young people to use it -- both creatively and constructively. In that way professors are agents for making society better than it was, generation by generation.[16]

I hope my point begins to come clear. If we are to be just in our substantive educational purposes, our first responsibility is to be just in our teaching of students, especially undergraduates, and to inculcate in them the capacity to determine what, by their own lights, justice is. This is what the University of Excellence does not do well, and without the recovery of this essential Anglo-American tradition in higher education, I think we will fail in our basic commitment to educational justice.

I began my reflections tonight by quoting a secular poet, and I would like to conclude them by quoting a secular saint. Albert Schweitzer addressed much the same problem as Auden in his Autobiography, published eight years earlier than Auden's poem.

> I am pessimistic because I feel the full weight of what we conceive to be the absence of purpose in the course of world events. . . .Even while I was a boy at

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[15] John Stuart Mill: *Inaugural Address Delivered to the University of St. Andrews* (London and Tokyo: Routledge/Thoemmes Press, 1994), pp. 5, 65, 76, 80.

[16] Donald Kennedy: *Academic Duty* (Cambridge, MA and London: Harvard University Press, 1997), p. 68.

> school it was clear to me that no explanation of the evil in the world could ever satisfy me; all explanations, I felt, ended in sophistries, and at bottom had no other object than to minimize our sensitivity to the misery around us…
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> But however concerned I was with the suffering in the world, I never let myself become lost in brooding over it. I always held firmly to the thought that each one of us can do a little to bring some portion of it to an end…
>
> I am also pessimistic about the current world situation . . . I feel that we are on a fatal road, that if we continue to follow it, it will bring us into a new "Dark Ages." I see before me, in all its dimensions, the spiritual and material misery to which mankind has surrendered . . .
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> And yet I remain optimistic… I am confident that the spirit generated by truth is stronger than the force of circumstances. In my view no other destiny awaits mankind than that which, through its mental and spiritual disposition, it prepares for itself. Therefore I do not believe that it will have to tread the road to ruin right to the end.
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> . . . . . .
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> Because I have confidence in the power of truth and of the spirit, I believe in the future of mankind.[17]

Tonight we are gathered here as university people, scholars and students, and our calling no longer requires us to be secular saints. Auden, you will remember, spoke cynically of the "accurate scholarship [that] can unearth the whole offence from Luther until now that has driven a culture mad," but he also noted that "ironic points of light flash out wherever the Just exchange their messages," and concluded that this might lead us to "show an affirming flame."

The question put is whether we, for we are collectively the universities, can and should be "the Just [who] exchange their messages"? Can we indeed "show an affirming flame"? Do we believe that we have a mission beyond the functional, that we need to aspire to more than Excellence? I hope the events of September 11th lead us seriously to

[17] Albert Schweitzer, *Out of My Life and Thought: An Autobiography*, translated by A. B. Lemke

reconsider the extent to which, higher education in the 21st century may fail to achieve its highest goals if we do not aspire to substantive conceptions of university justice. We must, in Schweitzer's words, nurture our students' "mental and spiritual disposition" in order to "spread the ideals of ethical progress" so that we will not have to " to tread the road to ruin right to the end." If we are to emerge from the slough of despair, we must be prepared to think together about whether we can create an educationally just university and to consider what institutional moral chances that will require.

(New York: Henry Holt and Company, 1990), pp. 279-280.