

Conversations on Jesuit Higher Education

Volume 28

Article 10

10-1-2005

Shared Governance: The Elusive Role of Jesuit as Trustee

Kevin P. Quinn

Follow this and additional works at: <https://epublications.marquette.edu/conversations>

Recommended Citation

Quinn, Kevin P. (2005) "Shared Governance: The Elusive Role of Jesuit as Trustee," *Conversations on Jesuit Higher Education*: Vol. 28 , Article 10.

Available at: <https://epublications.marquette.edu/conversations/vol28/iss1/10>

SHARED GOVERNANCE: THE ELUSIVE ROLE OF JESUIT AS TRUSTEE

By Kevin P. Quinn, S.J.

The lofty status of the Jesuits in the Catholic firmament has always been supported by their remarkable universities... [T]he Jesuit order, despite sharp declines in the number of priests in recent decades, is very much a player in the battle over the future of the Catholic Church... [T]heir traditions remain an engine for intellectual and spiritual renewal." This is high praise from an unlikely source—David Gibson's article on the proposed merger of Boston College and Weston School of Theology in *The New York Times* (12 December 2004); but it raises an important question. Who ensures that a Jesuit university reflects its specifically Jesuit character? In other words, who is guarding the Jesuit, Catholic character of Jesuit higher education? While the president, senior administrators, and full-time faculty are important stakeholders, it is the university's governing board, with its unique fiduciary responsibilities as the institution's legal owner and final authority, which has the ultimate responsibility for setting and clarifying institutional mission and identity. With the expansion of governing boards to include lay trustees that began in the late 1960s, lay men and women, Catholic and non-Catholic, have become (as Martin Stamm would call them) the "new guardians" of Jesuit higher education.

As guardians of institutions they now hold "in trust," their success as fund-raisers is celebrated. Over the last 35 years, independent governing boards at many Jesuit colleges and universities have created substantial endowments *ex nihilo*, enabling these institutions to move up in the ranks of American higher education. On the other hand, many lay board members

seem reluctant to pursue mission and identity issues. As Richard T. Ingram says, the reasons for this are several: (1) most Catholic trustees still tend to defer to Church leaders on matters regarding faith and spirituality; (2) many lay trustees are not well informed about Jesuit and Catholic intellectual traditions; and (3) lay trustees find it easier to address money issues than those of mission and identity. This is all problematic. More is at stake in guarding Jesuit higher education than securing its financial position. So what is to be done? Presuming strong leadership from the university president and board chair, I shall describe and defend a more robust role for the *Jesuit* trustee in shared governance.

In the late 1960s, congregation-controlled governance at most Catholic colleges and universities gave way to structures of shared governance with newly independent, lay-controlled governing boards. By separately incorporating the local religious community from its sponsored college or university, most congregations simply turned over ownership of their schools to these boards. Yet the congregations continued to share governance under institutional bylaws and statutes whose details, and corporate governance models, varied considerably.

Kevin P. Quinn, S.J., is a professor of law at Georgetown University Law Center, a trustee at two Jesuit universities, and a past member of the seminar. The Ingram and Gallin citations are from Mission and Identity: A Handbook for Trustees of Catholic Colleges and Universities, AJCU, 2003.

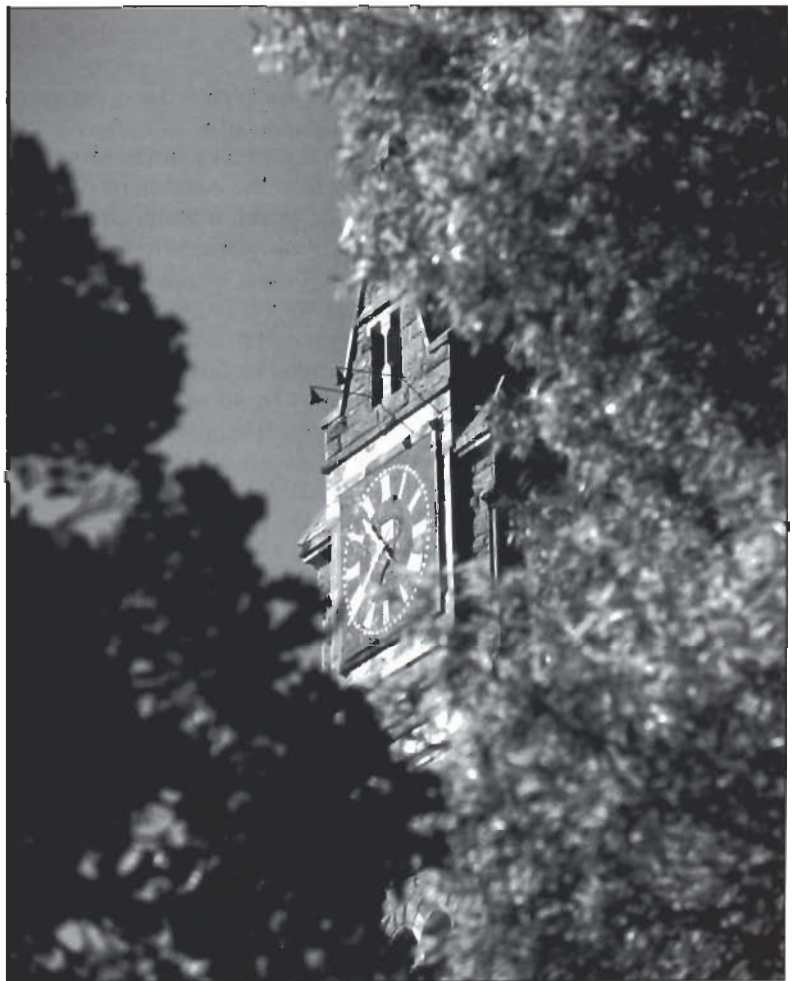
The Jesuits are not possessors of secret knowledge which is incommunicable

The model most often found today in Jesuit institutions is one in which a legally distinct governing body has full authority to carry out the commonly accepted functions of corporate boards in American higher education, including to change the college or university's mission and purpose. Jesuit representation on these governing boards is either statutorily guaranteed (as a specific membership percentage or number), or simply customary. To the point, several Jesuit institutions—most notably, Boston College, Georgetown, and Holy Cross—do not guarantee Jesuit inclusion on their boards. In 2002-03, the average size of a Jesuit college or university board was 35 members, seven of whom were Jesuits (AJCU 2002-03, Trustee Profile). Details aside, we are left with this issue. But for Jesuit presidents and “sponsorship contracts” between several campus Jesuit communities and their colleges, the only *formal* connection between the Jesuit order and its sponsored institutions is a few Jesuit trustees.

It need hardly be said that university and congregational leaders ushered in a new era for Jesuit higher education with mixed motives: Alice P. Gallin mentions several: to empower the laity in the spirit of Vatican Council II, to secure eligibility for government and foundation funding, and to encourage academic freedom and institutional autonomy on Jesuit campuses. Whatever the past motives were, the current reality is that Jesuit colleges and universities are in the hands of lay guardians. So who will guard the guardians themselves? Pace Roman satirist Juvenal, these guardians of Jesuit higher education will do just fine, ably assisted by their Jesuit colleagues.

But if that is so, what are these Jesuit trustees to do? It is worth pausing a moment to consider that only the Chicago Province, among the ten Jesuit provinces in the United States, “missions” Jesuits as trustees of Jesuit institutions (2005 USA Jesuit Catalog, pp. 91-92). While Jesuits themselves often guffaw at the use of this verb, their Chicago brothers are on to something here. There is, or there should be, a special role or mission for Jesuit trustees. Without structural arrangements that ensure their authoritative participation in shared governance (e.g., reserved powers or bloc-voting provisions), Jesuit trustees affect decision making through informal relationships with their lay colleagues on governing boards. These connections are clear and casual. It is clear that Jesuit trustees should provide continuing education to their lay col-

leagues concerning the vision and philosophy of Jesuit education. To invite governing boards into a process of self-definition and self-assessment, to facilitate a conversation about institutional mission and identity, is appropriate. It is also casual, for, as Thomas P. O'Malley, S.J. said at the Boston College School of Education in 1985, “Jesuit trustees are not possessors of secret knowledge, which is incommunicable.” Rather, always mindful of the particular *ethos* of their institution and its history, Jesuit trustees should “talk to their trustee colleagues about the aims of Jesuit education as they conceive them, as they have experienced them,” in a way that brings “the whole board, Jesuit and lay, to a new shared vision of what the institution has been, its present situation, and what the new formulation of that mission must be, in order to keep it faithful to its past.” This is a conversation in which lay and Jesuit trustees truly are partners, and it facilitates the mutuality so essential for true shared governance, before the law and in reality.



The clock tower of Healy Hall can be seen and heard throughout the Georgetown community.