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Vincentian Leadership – Advocating for Justice

BY
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Courtesy of The Hay-Vincentian Leadership Project

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DePaul University's Board of Trustees has endorsed a Mission that calls for the University to pursue "the preservation, enrichment, and transmission of knowledge and culture...."² Its core mission, "motivated by the example of Saint Vincent, who instilled a love of God by leading his contemporaries in serving urgent human needs... is above all characterized by ennobling the God-given dignity of each person. This religious personalism is manifested by the members of the DePaul community in a sensitivity to and care for the needs of each other and of those served, with a special concern for the deprived members of society."³ But a University called to expand educational access to the under-served, to educate for the good of the community, and to serve the poor and marginalized requires thousands of employees, faculty, independent contractors and volunteers. Indeed, recent years have witnessed tremendous growth in programs, faculty and staff at DePaul.⁴ To continue to do justice to those we seek to serve necessitates that we do justice to those who engage in our work.

As one response to the strains and pressures that growth has placed on all administrative structures, DePaul University established the office of University Ombudsperson in 2001. Developed as a traditional Ombudsperson,⁵ the university designated the office as an independent, neutral, and confidential resource for faculty and staff. DePaul's Ombudsperson, located within DePaul's Office of Mission and Values, subscribes to The Ombudsman Association's Code of

² *The Mission of DePaul University* (November 1991), page 1. Available online at http://www.depaul.edu/about_DP/mission.asp. Hereinafter, *Mission*.

³ *Ibid.*, 4. See also J. Patrick Murphy, C.M., *Vision and Values in Catholic Education* (Kansas City: 1991), 150. Quoting Richard Meister, he wrote, "The core values can be clustered into three groups: 1) academic quality, an emphasis on teaching and a high regard for academic freedom; 2) religious or Vincentian personalism, respect for the individual and human dignity; and 3) an urban characteristic that values diversity and endeavors to serve the underprivileged."

⁴ See Edward R. Udovic, C.M., "Translating Vincent de Paul for the 21st Century: A Case Study of Vincentian-Mission Effectiveness Efforts at DePaul University," found in this issue of *Vincentian Heritage* (2005), 2-3.

⁵ Derived from a Swedish word designating a person as an "agent for justice" or a voice for the people to investigate complaints against government, corporations, universities, colleges and government agencies currently employing Ombudspersons. Different organizations may also use the words "Ombuds" or "Ombudsman" for the same position. See, e.g., William C. Warters, "The History of Campus Mediation Systems, Research and Practice," Georgia State Consortium on Negotiation and Conflict Resolution (May 1998). Available online at <http://law.gsu.edu/cncr/pdf/papers/99-1Warterspap.pdf>.

Ethics and Standards of Practice.⁶ Specifically, Standard of Practice 5.2 states, “We do not serve as advocates for any person in a dispute within the organization; however we do advocate for fair processes and their fair administration.”⁷ Many Ombuds have paraphrased this standard as not being an advocate for any side in a dispute, but rather as an advocate for justice.⁸ This poses the question of how one advocates for justice in a Vincentian institution when not representing specific parties or without specific management or decision-making authority.

This paper proposes that Vincentian leadership principles provide a meaningful resource to enable both a Vincentian institution and an Ombuds to be an advocate for justice without representing a specific party in a dispute, especially in situations where power imbalances may skew the mutual resolution of an issue. Moreover, this paper asserts that the legacy of Saint Vincent and Vincentian principles of justice call all members of the DePaul community to be advocates of justice, both within the DePaul workplace and in serving the greater community, including the poor. Part I will explore the

⁶ For a complete version of the Code of Ethics and Standards of Practice, see <http://www.ombuds-toa.org/downloads/TOA%20code-sop.pdf>. To date, from my limited review of other university and college ombuds offices, DePaul may be unique in locating this office within the Office of Mission and Values.

⁷ *Ibid.* See also, American Bar Association: Section of Administrative Law and Regulatory Practice, Section on Business Law, Section on Dispute Resolution, Government and Public Sector Lawyers Division, *Report to the House of Delegates, Revised Standards for the Establishment and Operation of Ombuds Offices* (May 13, 2003), 4. “An ombuds uses the powers of reason and persuasion to help resolve matters. The goal of the ombud’s efforts is to provide a path to fairness and justice. Therefore, the ombuds’ quest is to seek the fair and just resolution of the matter.” This standard derives, in part, from the independence and neutrality of the Ombuds position. Although an employee of the organization, the Ombuds has no line management responsibilities, does not set policies, nor does the Ombuds engage in fact-finding procedures. To ensure neutrality and independence, the Ombuds cannot be the author of a particular policy or procedure, nor can the Ombuds make decisions about the “correct” answer to a particular dispute. Rather, the Ombuds encourages parties to work toward resolution by employing the various tools of mediation, facilitation, shuttle diplomacy, and raising questions about policies or procedures to further explore the just resolution of a dispute. Confidentiality requirements, likewise, also limit disclosure of the identity of parties unless specifically agreed upon by the individuals seeking assistance. Thus, confidentiality requirements place particular restraints on how the Ombuds operates within the university.

⁸ The ABA Standards suggest, “An ombuds works outside of line management structures and has no direct power to compel any decision,” and “While an ombuds may expedite and facilitate the resolution of a complaint and recommend individual and systemic changes, an ombuds cannot compel an entity to implement the recommendation.” *Ibid.*, 8.

centrality of work in contemporary society with the concomitant necessity of justice in the workplace. It will further explore justice in the employment context, especially in light of how national and global forces have transformed the workplace in the last several decades. Part II will then examine historical concepts of justice to understand what an advocate for justice works toward in a Vincentian institution. Part III will investigate whether Vincentian leadership principles bring additional resources to employment decisions. It will explore particular Vincentian understandings of justice that encourage the Ombudsperson or other advocates of justice at Vincentian institutions to call upon its legacy for further justice. It will focus on Saint Vincent's emphasis on Luke 4:18, where Jesus inaugurates his ministry, including proclaiming the acceptable year of the Lord. This reference to the Jubilee Year of Leviticus 25 will serve as a metaphor for particular Vincentian justice in the work environment as well as in society. Finally, Part IV will examine a few specific employment issues through the lens of just how Vincentian justice impacts employment.

I. The Centrality of Work to Life and Mission

As the work of staff and faculty remains central to any university fulfilling its Mission, for those fortunate to be employed, work also fulfills a central purpose and mission in individual lives. Both religious and secular authorities agree that one's employment satisfies critical elements of self-worth and personal dignity. Frederick Ozanam, the founder of the St. Vincent de Paul Society, centered many of his writings and social action on articulating and fighting for the self-worth of workers. Fifty years prior to the encyclical *Rerum Novarum*, Ozanam provided "his students clear teachings about the social problems of his time as they related on the one hand to Political Economics and on the other to the Truths of the Gospel.... [H]e taught a Christian social doctrine applicable to the questions of just salaries, Sunday rest, the limitations of the workday, the association of salaried workers, work legislation, and of all those problems which, then and especially after the encyclical *Rerum Novarum* of Leo XIII, would be clarified by the social doctrine of the Church."⁹ Catholic social teaching has long upheld the interweaving of human dignity and

⁹ Ambrosio Romero Carranza, "The Vincentian Charism in the Laity: Frederick Ozanam," *Vincentian Heritage* 7:1 (1986): 79-80.

work. *Rerum Novarum* recognized the inherent dignity in the work of the individual.¹⁰ Almost a century later, Pope John Paul II stressed “[t]he Church is convinced that work is a fundamental dimension of human life on earth.”¹¹ Subsequently, in celebrating *Rerum Novarum* Pope John Paul II wrote, “[w]ork thus belongs to the vocation of every person; indeed, man expresses and fulfills himself by working.”¹² The workplace in contemporary society “has become a place where people pursue meaning and identity.”¹³ Jürgen Moltmann asserts that employees’ “self-images, social recognition, worth, and therewith, plainly, even their essence depend on their work and are measured by the results of their work.”¹⁴ Similarly, James Murphy and David Pyke call work a “unique source of human fulfillment” that serves as a “basic good of human life.”¹⁵

Not only is work critical for the individual in our society, but how work is done impacts the greater community. The Pope reminds, however, “at the same time, work has a ‘social’ dimension through its intimate relationship not only to the family, but also to the common good.”¹⁶ The American Bishops in their 1986 Pastoral Letter on *Economic Justice for All*, stressed, moreover, that “human dignity can be realized and protected only in community.”¹⁷ In stressing the tragedy of inequality and injustice in the world, Pope John Paul II emphasized that “human work is a key, probably *the essential key*, to the

¹⁰ *Rerum Novarum*, Encyclical of Pope Leo XIII On Capital and Labor (15 May 1891), 6. Online at http://www.vatican.va/holy_father/leo_xiii/encyclicals/documents/hf_l-xiii_enc_15051891_rerum_novarum_en.html.

¹¹ *Laborem Exercens*, Encyclical Letter of Pope John Paul II (14 September 1981), 4. Online at http://www.vatican.va/edocs/ENG0217/_INDEX.HTM. See also, National Association of Church Personnel Administrators, “The Individual and the Institution: Strengthening Working Relationships in the Church,” A Position Paper, Approved by the Board of Directors (August 1994), 7. “A fundamental principle of the institution/worker relationship calls for work to reflect the intrinsic value and dignity of every person.”

¹² *Centesimus Annus*, Encyclical Letter of Pope John Paul II (May 1, 1991), 5. Online at http://www.vatican.va/edocs/ENG0214/_INDEX.HTM.

¹³ Parker Palmer, quoted in James M. Kouzes and Barry Z. Posner, *Academic Administrators Guide to Exemplary Leadership* (San Francisco: 2003), 45.

¹⁴ Jürgen Moltmann, *On Human Dignity, Political Theology and Ethics*, trans. M. Douglas Meeks (Philadelphia: 1984), 37.

¹⁵ James P. Murphy and David F. Pyke, “Humane Work and the Challenges of Design” in S.A. Cortwright and Michael J. Naughton, eds., *Rethinking the Purpose of Business, Interdisciplinary Essays from the Social Catholic Tradition* (Notre Dame: 2002), 289.

¹⁶ *Centesimus Annus*, 5.

¹⁷ U.S. Catholic Bishops, *Economic Justice for All: Pastoral Letter on Catholic Social Teaching and the U.S. Economy* (Washington, D.C.: U.S. Catholic Conference, 1986), ix.

whole social question.... And if the solution – or rather the gradual solution – of the social question... must be sought in the direction of ‘making life more human,’ then the key, namely human work, acquires fundamental and decisive importance.”¹⁸ Earlier, Ozanam named justice in employment as the key to resolving the social questions of poverty and other social problems of his day.¹⁹

Surprisingly, although institutions often structure the workplace on hierarchical systems with little or no internal democracy, in the United States at least, the workplace has become, outside of the family, the prime location for social interaction between adults regarding life, politics, religion and personal discussions.²⁰ Cynthia Estlund observes that anti-discrimination laws and labor legislation encourage persons who might live in segregated communities to work together. She writes, “indeed, the workplace can perform a once crucial function – that of fostering communication, connectedness, and empathy among individuals from different racial and ethnic groups in a diverse citizenry – precisely because it is subject to state regulation in the form of the employment discrimination laws.”²¹ Significantly, even prior to the federal legislation, DePaul’s Mission called it to employ a diverse workforce.²² Estlund further notes the paradox between a society that stakes its founding principles on equality and freedom and the workplace that frequently fails to be democratic, equal or free. Yet the workplace often remains the only place where people gather and communicate in relative freedom and equality.²³ The university, moreover, with its multiple sites of power and shared governance between Boards of Trustees, administrators, faculty and staff councils

¹⁸ Pope John Paul II, *Laborem Exercens*, 4 (emphasis in original, footnote omitted). See also, Pope John Paul II, *Centesimus Annus*, 5; and U.S. Catholic Bishops, *Economic Justice*, 50. “All work has a threefold moral significance [including] the distinctive human capacity for self-expression and self-realization.... [to] fulfill their material needs.... [and] to contribute to the well-being of the larger community.”

¹⁹ Carranza, “The Vincentian Charism,” 79-80.

²⁰ Cynthia L. Estlund, “Working Together: The Workplace, Civil Society, and the Law,” *Georgetown Law Journal* 89:1 (2000): 3.

²¹ *Ibid.*, 5.

²² DePaul’s Mission states of the university, “[f]rom its first charter, DePaul has supported a philosophy which now is expressed as being an equal opportunity employer. DePaul continues to provide equal opportunities to students and employees without regard to age, national origin, race, sex, handicap, creed or color. Moreover, it strives to recruit faculty and staff who reflect the diverse mix of the student body.” Mission, 3.

²³ Estlund, “Working Together,” 5.

may provide the opportunity for even greater communication than within other traditional workplaces.²⁴

But despite the potential of being a place for making life more fully human, the workplace can also destroy dignity and become a setting wherein life loses meaning. Too often throughout history the workplace has been the site of loss of dignity and exploitation. Some suggest that the modern workplace, with its premium on productivity and competition for reduced labor costs in a global market, diminishes worker dignity. David Gregory points out, "The capitalist managerial paradigm to maximize profitability, however, is effectuated through the imperative to achieve more, qualitatively and quantitatively, with fewer resources" which leads to an "increasingly and highly stratified 'winner-take-all' dynamic."²⁵ Despite the aspirations of Catholic social teachings, many workers in society face "deep dissatisfaction and often unarticulable impoverishment of purpose."²⁶ Furthermore, according to Gregory, middle managers, without benefit of collective representation and employed at the will of the employer, "are especially vulnerable to the psychological and economic devastation that can result when they involuntarily are separated from the world of work."²⁷ Universities have not been immune to these very pressures.²⁸

²⁴ See, Marsha Wagner, "The Ombudsman's Roles in Changing the Conflict Resolution System in Institutions of Higher Education" (1998), 7. Online at <http://law.gsu.edu/cncr/pdf/papers/Wagner.paper.pdf>. "Even for students, and certainly for employees, the university is a workplace. All the members of this organization are part of a community of people with a shared history, whose transcripts and résumés, careers and life history will always bear the mark of this association."

²⁵ David Gregory, "Catholic Social Teaching and the Welfare Workforce," *Vincentian Chair of Social Justice* 4 (1998): 98-9. See also, William Di Fazio, "Techno-Science and the Labor Process," *Vincentian Chair of Social Justice* (Vincentian Center for Church and Society, St. John's University: Spring 1995 Presentations), 22-9; T. Shawn Taylor, "Productivity up as fear motivates workforce, Uneasy Americans giving up time off," *Chicago Tribune* (9 November 2003), Sec. 1, 13. "Many workers still fear for their jobs as companies do more with fewer people and jobs go overseas."

²⁶ David Gregory, "Catholic Labor Theory and the Transformation of Work," *Washington and Lee Law Review* 45:1 (1988): 122. See also, U.S. Catholic Bishops, *Economic Justice*, 3, 8, 11.

²⁷ Gregory, "Catholic Social Teaching," 138; U.S. Catholic Bishops, *Economic Justice*, 8-9.

²⁸ Barbara Ehrenrich, "Class Struggle 101," *The Progressive* 67:11 (November 2003): 12 (Discussing labor disputes, and the great wage disparities between the highest paid administrators and lowest paid staff members at several universities). See also, Very Rev. Robert P. Maloney, C.M., *He Hears the Cry of the Poor, On the Spirituality of Vincent de Paul* (Brooklyn, N.Y.: 1995), 44. "Unfortunately, oppressive ideologies can be present not only in civil societies, but in the Church and religious life as well."

The workplace within the United States has experienced significant transformation within the last few decades. David Gregory asserts, “[f]or most of the past century, work routinized in the industrial model has been a defining thread of the social contract. The conventional understanding of work is now increasingly frayed, and, perhaps, obsolete.”²⁹ Katherine Van Wezel Stone describes how employers are “moving away from long-term employment relationships and are establishing instead flexible work relationships in which individuals are given responsibility for their own careers.”³⁰ She adds that “work has thus become contingent, not only in the sense that it is formally defined as short-term... but in the sense that the attachment between the firm and the worker has been loosened.”³¹ Although employers previously were viewed as caretakers for the employees, a new “psychological contract” has emerged, which Van Wezel Stone defines as “an employee’s perceptions of the terms of a bilateral, reciprocal exchange. The reciprocal nature of the belief distinguishes a psychological contract from mere expectations, which reflect an employee’s hopes and aspirations but not beliefs in the existence of mutual obligation.”³² For Van Wezel Stone, increased focus on the psychological contract arose following the recent massive layoffs due to corporate down-sizing and restructuring throughout the United States economy. Sociologists studying both the “layoff survivors” and reemployed managers at new firms found both groups “experienced an intense sense of unfairness and anger.”³³ Employers, pursuant to these new psychological contracts, seek commitment without loyalty, encouraging “employability security” rather than job security – developing employee’s human capital through training, networking, and innovative work experiences.³⁴

DePaul does not remain immune from these many transitions and challenges of the national and university economy. These challenges face not only the leaders of the university, but all employees. DePaul University has experienced significant growth over the last

²⁹ Gregory, “Catholic Social Teaching,” 98 (footnote omitted).

³⁰ Katherine Van Wezel Stone, “Dispute Resolution in the Boundaryless Workplace,” *Ohio State Journal on Dispute Resolution* 16 (2001): 471.

³¹ *Ibid.*

³² Katherine Van Wezel Stone, “The New Psychological Contract: Implications of the Changing Workplace for Labor and Employment Law,” *UCLA Law Review* 48:3 (2001): 550.

³³ *Ibid.*, 551.

³⁴ Van Wezel Stone, “Dispute Resolution,” 475-79.

decade.³⁵ It has offered many employees an intellectually stimulating and ambitious environment. That growth, however, when challenged by economic constraints impacts how employees can fulfill the Mission. The changes in the workplace and the university's growth invite examination of the role of Vincentian leadership principles as applied to employment within the university.

To assist in understanding that influence, J. Patrick Murphy, C.M., provided one helpful picture of a Vincentian environment when he reminded that, "Vincent turned the church upside down (we truly can think of it as an inverted pyramid) to put the poor on top with the rest of us in service and support, evangelizing them."³⁶ *Figure 1* presents the picture of how a university can fulfill that Mission through this Vincentian lens. The Mission focuses on all three constituencies: students, the community and the poor that form the large top of the inverted pyramid.³⁷ This group remains very fluid as DePaul expands access to the poor, both through increasing educational opportunities to the poor and through students who work with the poor and community based organizations that serve them through Community

³⁵ Udovic, "Translating Vincent de Paul," 2-3.

³⁶ J. Patrick Murphy, C.M., "Servant Leadership in the Manner of Saint Vincent DePaul," *Vincentian Heritage* 19:1 (1996): 124. Robert Maloney, in writing about Saint Vincent's transformation of institutions recalls that, "In the homily at his [Saint Vincent's] funeral the preacher said, 'He just about transformed the face of the Church.'" Very Rev. Robert P. Maloney, C.M., "The Justice Challenge in a Vincentian University," *Vincentian Chair of Social Justice* (Vincentian Center for Church and Society, St. John's University: Spring 1995 Presentations).

³⁷ The religious institution is not the only place where the inverted pyramid makes sense. James Hunter suggests that it also works in commercial organizations: "Let's imagine an organization where the focus was serving the customer on top. Imagine, as the upside-down pyramid depicts, an organization where the front-line employees are truly serving the customers and ensuring that their legitimate needs are being met. And just suppose the front-line supervisors began seeing their employees as their customers and set about the task of identifying and meeting their needs. And so on down the pyramid. That would require each manager to take on a new mind-set, a new paradigm and recognize that the role of the leader is not to rule and lord over the next layer down. Rather, the role of the leader is to serve." James C. Hunter, *The Servant, A Simple Story About the True Essence of Leadership* (Roseville, Ca.: 1998), 62. The essence of a new paradigm might simply reflect the culture one lives within. On a 1991 DePaul University faculty and staff trip to El Salvador, we met with recently returned refugees building a new community in Ciudad Romero. As they described their new life and new institutions, they placed the organizational structure of the community on the announcement board of the community center. The structure revealed an inverted pyramid with the elected leaders at the bottom, administrators in between and the community people on top.

Based Service Learning courses.³⁸ At the bottom, the members of the Board of Trustees form the point. Then, we find those religious who have taken vows and are life-time members of the Vincentian family. The next group of people holding up the Mission, although not members of religious communities, also have chosen life-time employment – the tenured faculty who belong to a relatively small club, yet necessarily serve the Mission. Another group involves individuals in different capacities, non-tenured faculty working to join the club below them, and mostly part-time adjunct faculty and independent contractors. Finally, the largest group fills the middle – the staff, part-time faculty and non-tenured track faculty. At this university, moreover, the line between students and employees is often

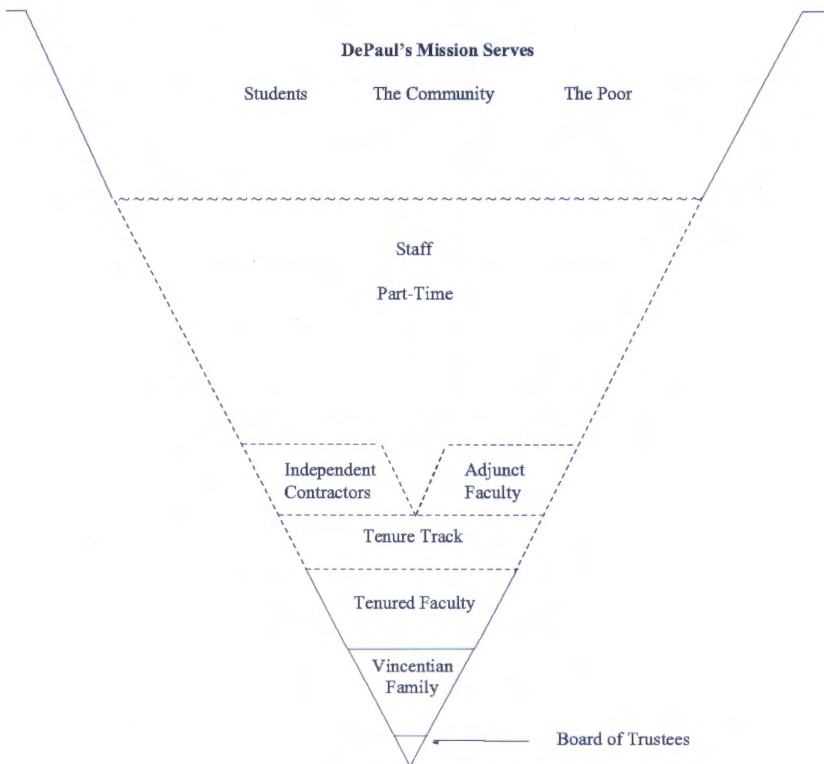


Figure One

³⁸ DePaul's Steans Center for Community-based Service Learning & Community Service Studies fosters education through students working with community based organizations. Faculty plan courses that involve students with community organizations in partnerships seeking to benefit the Chicago community and fulfill DePaul's Mission. See <http://cbsl.depaul.edu>.

a broken one as many students find part-time work at the university and many employees take advantage of lifetime learning and tuition reimbursement to pursue additional education while working full time.

On the one hand, *Figure 1* demonstrates how we are all gathered to fulfill the challenging Mission we have adopted for ourselves.³⁹ On the other hand, it reveals the distinctively different employment relationships necessary to fulfill the Mission within this community.⁴⁰ It further suggests that if we fail to treat all within the pyramid with justice consistent with Vincentian principles, there will be a disconnect between the members of this community and those we serve – the poor, our students, our alumni, our city and world, and perhaps the whole inverted pyramid could come tumbling down. I am not predicting this end, but I am raising a question of justice for all, as well as how we communicate our Mission and Values to our employees, and ensuring that when we gather for the sake of the Mission we invite them to participate in defining and implementing this Mission of justice. To advocate for justice, both within and outside the university, requires investigations of justice, Saint Vincent's legacy and how Vincentian leadership principles may guide those who gather for the sake of the Mission.

II: Understanding Justice

Although Saint Vincent, Saint Louise and Frederick Ozanam were committed to justice, we find little to define justice in their writings. Certainly, they knew justice, or perhaps more accurately, they

³⁹ Udovic, "Translating Vincent de Paul," 3. Rev. Udovic suggests that the literal definition of the Latin title for Congregation of the Mission would be "a community gathered for the sake of the Mission." He challenges all involved with Vincentian institutions to consider themselves as "Vincentians" who not only gather, but continue to work and define the Mission. *Ibid.*, 28. See also, Edward R. Udovic, C.M., *About Saint Vincent de Paul and DePaul University's Vincentian Catholic and Urban Identity* (Chicago, DePaul University, 2003), 4.

⁴⁰ The pyramid is not the only model of corporate structure. I apply it here not only to emphasize the continuing need to reexamine the structures we employ to fulfill the Mission, but also to represent the different employment relationships that by their nature establish distinctive relationships that are not equal, and thus, increase the burden of accomplishing justice in the workplace.

knew injustice and sought to relieve that wherever found.⁴¹ Today, to be an advocate for justice in a Vincentian institution that calls upon its Vincentian legacy, we first need to seek an understanding of justice which enables all in this great community to work toward justice in our dealings with each other.

William Hartenbach, C.M., reminds us “the classic definition of ‘justice’ is ‘fidelity to the obligations of one’s relationships’.... justice is giving to each person what is due him or her.”⁴² This certainly echoes the traditional western understanding of justice, *suum cuique* – giving to each what is due has influenced philosophers and theologians from the Greeks, to the Romans, Roman Catholics and Protestants.⁴³ Among the cardinal virtues, justice ranks highest based on its orientation towards others.⁴⁴ Without justice in relationships decisions become based solely on power, or simply “small-minded wealth – or interest – maximizers, incapable of fruitful participation

⁴¹ See, e.g., John Rybolt, C.M., “Saint Vincent de Paul and Money,” in this volume of *Vincentian Heritage* (2005): 18. “Although a strict employer and manager, his spiritual instincts led him to just wages, and even to charity about what was due in justice.” See also, Louise Sullivan, D.C., “God Wants First the Heart and Then the Work,” *Vincentian Heritage* 19:1 (1996): 173. “Louise de Marillac tried to foster ‘families of faith’ among those who shared the common Vincentian Mission. The Vincentian institution, whatever its form, was to be a place where each individual felt respect and was valued and where every task, big or small was important.” See also, Margaret John Kelly, D.C., “Saint Vincent de Paul: A Creative Reconciler,” *Vincentian Heritage* 12:1 (1991): 8-9.

⁴² William Hartenbach, C.M., “Vincentian Spirituality,” *Vincentian Heritage* 17:1 (1996): 47.

⁴³ Josef Piper, *The Four Cardinal Virtues* (South Bend: 1966), 44. See also, Robin W. Lovin, *Reinhold Niebuhr and Christian Realism* (Cambridge: 1995), 202.

⁴⁴ Helen J. Alford, O.P., and Michael J. Naughton, *Managing As If Faith Mattered: Christian Social Principles in the Modern Organization* (Notre Dame, Indiana: 2001), 91. Alford and Naughton add, “Justice, magnanimity, benevolence... are the outward and other-regarding: their exercise and perfection are motivated and inspired by community life. The realms of fully human action are the realms of community, of common ends and goods....” *Ibid.*, 232. The four cardinal virtues – prudence, temperance, justice and courage – all impact a manager’s decisions. This paper, however, will limit discussion to the virtue of justice. For further discussion of the virtues and their relationship to the contemporary workplace environment, see Alford, Naughton, *Managing as if Faith Mattered*, 70-96, 125-151; see also, James Gordley, “Virtue and the Ethics of Profit Seeking,” in *Rethinking the Purpose of Business, Interdisciplinary Essays from the Catholic Social Tradition*, S.A. Cortright and Michael J. Naughton, eds. (Notre Dame, In.: 2002), 65-80. Catholic social teaching also “distinguishes three dimensions of basic justice: commutative justice, distributive justice, and social justice.” U.S. Catholic Bishops, *Economic Justice*, 24. For further discussion of these dimensions of justice, see *Ibid.*, pars. 69-71: 24; Pieper, *The Four Cardinal Virtues*, 70-5; Alford, *Managing as if Faith Mattered*, 88-95.

in the common good."⁴⁵ Thus, according to Alford and Naughton, "managers need to be 'entirely possessed by justice,' so that their intentions are in accord with the common good."⁴⁶

History teaches, however, that neither biblical nor idealistic visions of justice can ever be fully achieved in society. Despite individual efforts to achieve justice in one's personal life, the necessity of social order and human finitude sabotage absolute justice in society. Catholic social theory recognizes the "reality of personal sin, a just society is not the ordinary human condition."⁴⁷ Reinhold Niebuhr, perhaps more pessimistically, confesses that "one of the tragedies of the human spirit [is] its inability to conform its collective life to individual ideals."⁴⁸ For Niebuhr, individuals might believe they ought to "establish justice between each other," but when organized as groups, "they take for themselves, whatever their power can command."⁴⁹ Ozanam similarly criticized the legal system of his day and the inability of lawyers to fully seek justice.⁵⁰ Moreover, to survive, institutions require stewardship of resources which inherently leads to accumulation of power. Niebuhr points out, however, that "any kind of significant social power develops social inequality."⁵¹ Such inequality is one reason that Glen Tinder argues that a just society is an impossibility. Although Tinder notes that the first principle of justice is equality, including equality before the law, society faces the mutually irreconcilable goal of a "just distribution of values, such as wealth and honor [where] the actual inequalities of human beings

⁴⁵ Alford, *Managing as if Faith Mattered*, 91, citing Servais Pinckaers, *The Sources of Christian Ethics*, translated from the third edition by Sr. Mary Thomas Noble, O.P. (Washington, D.C.: The Catholic University of America Press, 1995), 35-38.

⁴⁶ *Ibid.*, 91.

⁴⁷ Robert G. Kennedy, "The Virtue of Solidarity and the Purpose of the Firm," in Cortright, Naughton, *Rethinking the Purpose of Business*, 59.

⁴⁸ Reinhold Niebuhr, *Moral Man and Immoral Society, A Study in Ethics and Politics* (New York: 1932), 9.

⁴⁹ *Ibid.* Niebuhr also points out that "One need only consider how every privileged class, nation, or group of history quickly turns privileges into rights, to be stubbornly defended against other claimants in the name of justice...." Niebuhr, *Faith and History, A Comparison of Christian and Modern Views of History* (New York: 1949), 186. Theologians are not alone in recognizing this historical reality. Thomas Shaffer argues that lawyers, for example, tend not to want to seek justice because "we manage the system that we benefit from." Thomas Shaffer, "Lawyers as Prophets," *St. Thomas Law Review* 15 (2003): 474.

⁵⁰ Msgr. Louis Baunard, *Ozanam in His Correspondence* (Dublin: Veritas Publications, 1925), 132, 134.

⁵¹ Niebuhr, *Moral Man*, 8.

cannot be ignored."⁵² Tinder's other basis for concluding on the impossibility of a just society rests upon what he calls the "physical necessities underlying society."⁵³ To maintain peace and order and provide economic efficiency, society must infringe on individual justice, including the tension that tends to make individuals the means of production rather than the ends of production.⁵⁴ Clearly in a Catholic and Vincentian institution that tension runs squarely into Catholic social teaching which always places priority on the person as an ends to be served, rather than simply as the means of production.⁵⁵ Catholic Doctrine emphasizes that the value of the dignity of the individual ranks over the value of capital or production.⁵⁶

Such tension, however, should not paralyze the effort to seek justice in the workplace. Despite the impossibility of a just society, neither Kennedy, Niebuhr or Tinder forsake the call to justice. The Christian ethicist Robin Lovin recalls that Niebuhr did not let that impossibility preclude working toward a more just society: "there is an absolute justice which renders to each person what is required for full participation in the human good, but this justice is never realized in history. There is also a justice that is relevant for social choices, that turns on good and evil, but this justice is always a relative justice."⁵⁷ For Kennedy, the just society "must be laboriously built and continuously sustained."⁵⁸ He points out that constant attention to seeking a just society necessitates solidarity.⁵⁹ For Tinder, justice "has represented, rather than a vision of perfect order, the intense desire that particular, immediate wrongs be righted. The cry of justice has been a summons to piecemeal action. The spirit has not been visionary, but practical,

⁵² Glen Tinder, *The Political Meaning of Christianity, An Interpretation* (Baton Rouge: 1989), 62. He further states, "It seems that the phrase 'just society,' as common and apparently unchallengeable as it is, does not represent a coherent and practicable ideal. The term *just* comprises discordant standards or else comes into conflict with different, but no less compelling standards; the term *society* designates a source of practical necessities incompatible with justice." *Ibid.*, 63.

⁵³ *Ibid.*

⁵⁴ *Ibid.*

⁵⁵ U.S. Catholic Bishops, *Economic Justice*, 15; Pope John Paul II, *Laborem Exercens*, 13-14; Gregory, "Catholic Social Teaching," 913.

⁵⁶ Pope John Paul II, *Laborem Exercens*, 13-14.

⁵⁷ Lovin, *Niebuhr and Christian Realism*, 207-08. Lovin writes "the 'condition of sin' thus defines relative justice in the sense that every attempt to do justice must struggle against specific evils, and every achievement of justice will be limited by other evils which it leaves untouched, and perhaps unnoticed."

⁵⁸ Kennedy, "The Virtue of Solidarity," 59.

⁵⁹ *Ibid.*

and the aim less the attainment of imagined perfection than the elimination of palpable and present imperfections."⁶⁰ Like Vincent and Ozanam, Niebuhr did not despair of working for justice in an imperfect society, but rather, "justice... requires us to align ourselves in certain ways in the dynamics of historical conflicts, choosing loyalties and policies that make for greater equality, rather than widening the differences between individuals and groups; and choosing greater liberty, rather than policies that limit persons to preassigned social roles and possibilities. These 'regulative principles' of liberty and equality provide the principal norms of justice."⁶¹ We are called to resist specific evils, all the while recognizing our sinfulness precludes perfect justice.⁶² Indeed, although Vincent, as a man of his times, has been criticized or at least recognized as failing to view the social structures that contributed to poverty, his tactics of seeking particular solutions to the immediate problems in his midst fit well into this model.⁶³

In addition to these Christian understandings, democratic institutions have attempted to address these irreconcilable goals by inviting participation through providing citizens with the franchise to vote and subsequently encouraging access to elected representatives. Our nation further established constitutional checks and balances on power, while fragmenting power through different voluntary and public institutions to avoid abuses of it. Yet the very necessity of developing those institutions reflects the inability to achieve perfect justice.⁶⁴ In addition, procedural justice and due process become the surrogate for a perfectly just society. If society itself cannot be fully just, its rules and procedures attempt to offer access and fairness when questions of justice arise.

The workplace, moreover, possesses these problems, but in some respects it is even less just or fair. Employees rarely elect or choose their leadership. Authority frequently is hierarchical and limited. Power tends to be concentrated in a few hands, and transparency in decision making or compensation varies greatly. Max Stackhouse notes that although we may choose the place where we

⁶⁰ Tinder, *Political Meaning*, 65-6.

⁶¹ Lovin, *Niebuhr and Christian Realism*, 217.

⁶² Tinder, *Political Meaning*, 66.

⁶³ See Maloney, *The Way*, 24, n.2.

⁶⁴ Compare to, Alexander Hamilton, James Madison, and John Jay, *The Federalist Papers*, #51 (New York: 1961), 324.

want to work, we usually have no say in electing our work leadership as “the internal patterns of governance in these institutions are rarely democratic, and the theological or ethical principles by which they are ordered are seldom articulated.”⁶⁵ Indeed, if an organization does not articulate its theological or ethical principles, the intervention of the state through anti-discrimination and fair labor laws may provide the most important regulating influence in providing fairness, if not justice, in the workplace. Such laws, therefore, provide a minimum threshold that an institution’s mission and values should surpass.

III. Vincentian Resources For Seeking Justice in the Workplace

Fortunately, DePaul University has articulated its Mission and core values.⁶⁶ Furthermore, Saint Vincent, Saint Louise, Frederick Ozanam and all who gathered for the sake of the Mission have left us additional resources for seeking justice in the workplace. In investigating Vincentian resources to sustain and support advocates for justice in the workplace, a prefatory explanation is necessary. One can not merely call upon biblical references or texts from seventeenth or nineteenth century France to justify contemporary policies. Aidan Rooney quite correctly asserts, “[t]o be in *search* of Vincentian Mission Values is a far cry from believing we can *extract* them from a bygone age and transplant their ideas into contemporary society. What we can do is adapt the tools of another age, the tools of our tradition, that are appropriate to the post-modern context in which we live.”⁶⁷ Patrick Murphy refers to the constitutions of the Congregation of the Mission that calls all members to “take care to open new ways and use new means adapted to the circumstances of time and place.”⁶⁸ Similarly, Robert P. Maloney emphasizes the need not only to

⁶⁵ Max L. Stackhouse, “Spheres of Management, Social, Ethical, and Theological Reflections,” *Theology Today* 60 (2003): 371. See also, Estlund, “Working Together,” 3.

⁶⁶ DePaul University, *The Mission of DePaul*; Udovic, “About Saint Vincent de Paul.”

⁶⁷ Aidan Rooney, C.M., “Wherever your treasure lies, there also will your heart be. Vincentian Mission values: Crossing the post-modern divide,” *Vincentian Heritage* 19:1 (1998): 159. Pope John Paul II, in celebrating the pioneering ideas of *Rerum Novarum*, recognized that time brings new problems to justice issues in the workplace, and therefore, the human situation in the modern world, “calls for the discovery of the *new meanings of human work*. It likewise calls for the formulation of the *new tasks* that... face each individual, the family, each country, the whole human race, and finally, the Church, herself.” Pope John Paul II, *Laborem Exercens*, 2 (emphasis in original); see also Ringe, *Biblical Jubilee*, 34-6. See also, Kelly, “Creative Reconciler,” 2-5.

⁶⁸ Murphy, “Servant Leadership,” 124, quoting from the constitutions of the Congregation of the Mission, 2:27.



Frederick Ozanam, founder of the St. Vincent de Paul Society. Etching.
Image collection of the Vincentian Studies Institute

understand Vincent, Louise or Ozanam in the context of their time, but also to translate their teachings to our contemporary period.⁶⁹ We can read Vincent's interpretation of biblical texts, yet today examine those same texts in light of more recent biblical scholarship⁷⁰ and the subsequent Vincentian heritage. In addition, we must interpret that heritage within the context of transformations in the workplace, society and the United States legal system, all of which present distinctly different challenges to those Saint Vincent faced. Part of the greatness of Ozanam stemmed from his use of sacred Christian texts, combined with Vincentian humility, in analyzing developments in revolutionary France of the mid-19th Century.⁷¹ Contemporary social forces facing our world call for no less intensity in interpreting

⁶⁹ Very Rev. Robert P. Maloney, C.M., *The Way of Vincent de Paul, A Contemporary Spirituality in the Service of the Poor* (Brooklyn, N.Y.: 1992), 90-7.

⁷⁰ See, e.g., Warren Dicharry, C.M., "Saint Vincent and Sacred Scripture," *Vincentian Heritage* 10:2 (1989): 139, 143.

⁷¹ See, e.g., Carranza, "The Vincentian Charism," 77.

that legacy in today's society.⁷² Despite the difference of centuries between Vincent, Louise, Ozanam and today, the social tragedy of poverty remains. The Vincentian heritage necessitates reinterpreting our legacy within this contemporary context.

Early on Frederick Ozanam recognized that unequivocal social justice would be impossible to attain on earth. Yet this did not stop him from seeking social improvement for the working people of France.⁷³ Ozanam, according to Thomas Auge, never let the impossibility of the goal undercut the call to work for social reform and progress just as "conscientiously and wholeheartedly" as one would strive for personal and moral improvement.⁷⁴ Indeed, the St. Vincent de Paul Society continues to recognize that social justice remains of paramount importance to the followers of Ozanam.⁷⁵

Significantly, however, Vincent and Ozanam knew that justice by itself could not solve society's problems and tragedies. Indeed, its recourse to procedures, laws and penalties for violations, while necessary, might also lead to excessive legalism and a reliance on procedural defenses that limit employees' ability to achieve justice, whether it be in society or the workplace.⁷⁶ Fear of anarchy, or in the current climate, terrorism, frequently leads to harsher laws, less trust of individual human choices, and loss of liberty, both in society and the workplace. On a smaller scale, universities have experienced many of the same procedural issues. In the 1970s, excessive reliance on procedural policies also led to a loss of civility on college campuses.⁷⁷

⁷² Indeed, Ozanam faced a society divided by poverty, the gap growing between the rich and the poor. Similarly, the United States has seen this gap between rich and poor expand over the last several decades. U.S. Catholic Bishops, *Economic Justice*, 8. See also, Economic Policy Institute, Briefing Paper (September, 2000), 1. Online at http://www.epinet.org/content.cfm//briefingpapers_inequality_inequality. "Any way you cut it, Income inequality is on the rise regardless of how it is measured." The report states: "income inequality – the gap between those at the top, middle, and bottom of the income scale – has grown significantly throughout the past two decades and remains higher than at any other time in the post-war era."

⁷³ Thomas E. Auge, *Frederic Ozanam and His World* (Milwaukee: 1966), 92.

⁷⁴ *Ibid.*

⁷⁵ Frederick J. Easterly, C.M., "Frederick Ozanam: A Layman For Now," *Vincentian Heritage* 4:2 (1983): 141.

⁷⁶ See, e.g., Baunard, *Ozanam in His Correspondence*, 132-34. See also, Mary P. Rowe, "Options and Choice for Conflict Resolution in the Workplace," in *Negotiation Strategies for Mutual Gain*, Lavinia Hall, ed. (Newbury Park, Ca.: 1993), 105. According to Rowe, if the alleged victim in a workplace believes the dispute resolution procedure is too complicated or calls for substantial evidence in a rights-based system, to the detriment of the individual and the institution the actual dispute may never be resolved.

⁷⁷ See Warters, "The History of Campus Mediation Systems," 9.

To overcome these difficulties, Catholic and Vincentian doctrine distinguish between human justice and God's justice. Abraham Heschel reminds us that biblical "justice is... a transcendent demand, freighted with divine concern."⁷⁸ He notes, however, that biblical understanding also spawns righteousness, for "righteousness goes beyond justice. Justice is strict and exact, giving each person his due. Righteousness implies benevolence, kindness, generosity.... Justice may be legal, righteousness is associated with a burning compassion for the oppressed."⁷⁹ These are words that resonate with Saint Vincent's teachings through and through – like a great fire, possessing a burning compassion for the oppressed.⁸⁰ The American Bishops similarly distinguish biblical justice, asserting that "biblical justice is more comprehensive than subsequent philosophical definitions. It is not concerned with a strict definition of rights and duties, but with the rightness of the human condition before God and within society."⁸¹ Exploring Vincentian visions of justice, therefore, must necessarily find grounding in the source of justice – God.⁸²

Both Vincent and Ozanam drew upon the teachings of their faith when justice alone would not suffice. Hugh O'Donnell points out that for "Vincent a practical action is one that flows from God's wisdom and love."⁸³ The Vincentian tradition raises charity as the necessary complement to justice. While acknowledging that Saint Vincent's numerous acts of charity dwarfed the recognition of his works of justice, Margaret John Kelley affirmed that "it was

⁷⁸ Abraham J. Heschel, *The Prophets* (Peabody, Ma.: 2000), 198.

⁷⁹ *Ibid.*, 201.

⁸⁰ *Like a Great Fire, Vincent de Paul*, Edward Udovic, C.M., ed., English edition (Strasbourg, France: Editions du Signe, 1995), 25.

⁸¹ U.S. Catholic Bishops, *Economic Justice*, 22.

⁸² Much of western political philosophy defines the source of justice without reference to God. In exploring Vincentian leadership principles, however, one must recognize that they initially stem from Saint Vincent's faith in the sovereignty of God. Therefore, this paper's study of Vincentian values invokes this theological understanding of justice. See, e.g., Franklin I. Gamwell, *Democracy on Purpose, Justice and the Reality of God* (Washington, D.C.: 2002), 256. Gamwell argues, though, "...separating justice from the good subverts the commitment to justice, even in the nonteleological sense of greater equality among diverse preferential interests." *Ibid.*, 323. Nonetheless, despite this understanding of Vincentian justice, these principles apply to all regardless of faith or non-belief in a divine presence. As discussed below, part of the attraction of the Jubilee metaphor stems from its call for justice for everyone, regardless of an individual's religion or a belief in God.

⁸³ Hugh O'Donnell, C.M., "Vincentian Discernment," *Vincentian Heritage* 15:1 (1994): 22.

the combination of the two that made his ministry effective."⁸⁴ In attacking the social question posed by the chasm between the rich and poor in France, Ozanam wrote that he and his followers had to "throw ourselves between those two camps, in order to accomplish through Charity what Justice cannot do."⁸⁵ He further stressed the relationship between justice and charity: "The order of society is based on two virtues: justice and charity. However, justice presupposes a lot of love already, for he needs to love a man a great deal in order to respect his rights, which limit our rights, and his liberty, which hampers our liberty. Justice has its limits whereas charity knows none."⁸⁶ Thus, Vincentians are called to rely on the twin resources of charity and justice.⁸⁷

Charity, unfortunately, is sometimes written off as utopian first aid instead of as an ally equal to justice in effectuating social change in society and institutions. Vincent, Louise and Ozanam knew the trap of relegating charity to feel good escapism, but all vigorously called upon charity as an indispensable source of power to confront the poverty and injustice of their day. In 17th Century France the great power of the state and its supporting institutions was marshaled against the poor. The Rev. Edward Udovic, C.M., describes how the state declared war against the poor, establishing, in effect, a system of apartheid between rich and poor during the "War of the Great Confinement."⁸⁸ In response to all the powers of government and society, "there emerged, under the collaborative leadership of Louise de Marillac and Vincent de Paul, a parallel and contradictory world of charity."⁸⁹ Two centuries later, Ozanam saw "charity" as the only

⁸⁴ Kelly, "Creative Reconciler," 8-9.

⁸⁵ Baunard, *Ozanam in His Correspondence*, 257. See also, Shaun McCarty, S.T., "Frederick Ozanam: Lay Evangelizer," *Vincentian Heritage* 17:1 (1996): 23. ("That equality may operate as much as possible among men... that charity may do what alas justice knows not to do.")

⁸⁶ Pierre Pierrand et al, *Ozanam, Husband and Father, Champion of Truth and Justice, Lover of the Poor, Founder of the Society of St Vincent de Paul* (Albagraf, Pomezia Italy: 1997), 35.

⁸⁷ Indeed, with groundings in biblical justice, charity and justice have frequently been linked as necessary components for the common good. Josef Pieper quotes St. Thomas Aquinas, "For it is true... that 'mercy without justice is the mother of dissolution'; but also that 'justice without mercy is cruelty.'" Pieper, *The Four Cardinal Virtues*, 112. In the twentieth century, Reinhold Niebuhr described the connection similarly, stating that the "norm of justice is the law of love." Lovin, *Niebuhr and Christian Realism*, 213.

⁸⁸ Edward R. Udovic, C.M., "'Caritas Christi Urget Nos': The Urgent Challenges of Charity in Seventeenth-Century France," *Vincentian Heritage* 12:2 (1991): 86.

⁸⁹ *Ibid.*, 102.

effective means that his colleagues could “interpose” between the warring camps of the rich and the poor.⁹⁰ Thus, Vincentian charity sought not simply to place a healing balm on the wounds of society, but through active engagement brought parties together to mediate and build a more just society. Moreover, Vincent, Louise and Ozanam all argued that effective charity could not be provided if it simply left the poor powerless. Vincentians should work in solidarity with the poor rather than simply helping the privileged share the gleanings of their wealth with the poor.⁹¹ They all sought personal involvement with the poor, not just basic philanthropy.⁹² All three not only recruited individuals to join in the mission, but built social institutions based on this understanding of charity.⁹³

Vincentians continue to call institutions and communities to justice. In describing a central tenet of Vincentian justice, Robert Maloney focused on Saint Vincent de Paul’s contemplation of Jesus Christ’s invitation for all to serve the poor:

Vincentians are called to enter into the Lucan journey of the following of Christ in the very terms with which in Luke’s gospel (4:18), Jesus opens his public ministry: ‘The Spirit of the Lord is upon me; therefore, he has anointed me. He has sent me to bring glad tidings to the poor, to proclaim liberty to the captives, recovery of sight to the blind and release to the prisoners, to announce a year of favor from the Lord.’⁹⁴

Maloney unequivocally asserts, “The Christ of Luke 4:18 stands at the center of the spirituality of the members of the Vincentian family,

⁹⁰ Edward R. Udovic, C.M., “‘What About the Poor?’ Nineteenth-Century Paris and the Revival of Vincentian Charity,” *Vincentian Heritage* 14:1 (1993): 81, quoting from a letter of Frederick Ozanam in 1836.

⁹¹ Thomas Esselman, C.M., “‘Who Do You Say That I Am?’ Christological Perspectives on Leadership in the Vincentian Tradition,” *Vincentian Heritage* 19:1 (1998): 7.

⁹² McCarty, “Lay Evangelizer,” 21.

⁹³ *Ibid.*, 34; Esselman, “Who Do You Say,” 7.

⁹⁴ Maloney, *The Way*, 14. See also, *Common Rules* of the Congregation of the Mission referring to Luke 4:18 in Chapter 1, Rule 1: “We read in sacred scripture that our Lord, Jesus... did not begin by teaching; he began by doing. And what he did was to integrate fully into his life every type of virtue. He then went on to teach, by preaching the good news of salvation to poor people, and by passing on to his apostles and disciples what they needed to know to become guides for others.” See also, Dicharry, “Sacred Scripture,” 139, 143.

calling them to walk with him on this journey."⁹⁵ Although Jesus' initial words suggest simply Jesus' personal mission, the last phrase, "to announce a year of favor from the Lord" suggests an institutional or societal commitment to justice that transcends particular religious faiths by mandating justice for all regardless of belief or status in society or within an institution. Scholars have suggested that phrase hearkens back to the Jubilee year of Leviticus 25.⁹⁶ Saint Vincent characterized the biblical Jubilee Year as:

Before the coming of Our Lord it occurred every fifty years. In the year of Jubilee God commanded that the earth should not be tilled; people lived on the goods amassed in the preceding years. Nobody worked; everybody rested during the year of the Jubilee. In the second place, property was restored to those who had pledged it; they enjoyed it once more and were released from their debts! Slaves were liberated. So everybody participated in the benefits of the Jubilee during that year.... [s]laves who had been sold were set at liberty and were no longer subject to those who held them captive.... That is what the Jubilee led people to hope for: rest, the recovery of their goods and the emancipation of slaves.⁹⁷

Initially referring to Isaiah 61:1-2, which itself points back to the Jubilee Year found in Leviticus 25, this remarkable passage calls the community to be just. Every fifty years, all debts are to be canceled, the land restored to its rightful owners, the community made

⁹⁵ *Ibid.*, 15. See also, Esselman, "Who Do You Say," 4.

⁹⁶ See, e.g., Walter Brueggemann, *Theology of the Old Testament, Testimony, Dispute, Advocacy* (Minneapolis: 1997), 190; John Howard Yoder, *The Politics of Jesus* (Grand Rapids, Michigan: 1987), 36; also see, Sharon H. Ringe, *Jesus, Liberation, and the Biblical Jubilee, Images for Ethics and Christology* (Philadelphia: 1985), 34-5 (encouraging caution when attempting to analogize Luke 4:18 to Leviticus 25, but nevertheless finding "at its root, the Jubilees is about liberty"). *Ibid.*, 36. Although scholars debate whether ancient Israel actually implemented the Jubilee year, Saint Vincent's reference to this passage as key to his work remains significant for all who walk with him. See, Maloney, *The Way*, 22, n.4.

⁹⁷ Saint Vincent de Paul, "On the Jubilee, April 17, 1653," *The Conferences of St. Vincent de Paul to the Daughters of Charity*, Joseph Leonard, C.M., trans. (Norwich, Great Britain: 1979), 543. See also, *Ibid.*, "On the Jubilee, December 14, 1656," 834, and "On the Jubilee, October 15, 1641," 42.

whole – the poor restored. It suggests a social duty of ‘making right’ amongst our members. It recognizes in the nitty gritty of life there will be winners and losers. Some will lose much, and children and children of children will lose inheritance rights to property no longer within family control. But once every fifty years, the community will make right relationships among its members. Moreover, scholars have called this Jubilee metaphor the paradigm for social justice.⁹⁸ Sharon Ringe emphasizes that this message was not meant simply as a spiritual one, but is grounded in our daily lives within the institutions where we gather and work.⁹⁹ She asserts, “[t]he message is not a safe one, confined to an other-worldly or religious sphere of life, but rather strikes us now, as it did those who first heard it, in the midst of the institutions and assumptions by which our lives are organized.”¹⁰⁰ If Maloney correctly describes the centrality of this Lucan passage to the Spirituality of all who gather for the sake of the Vincentian Mission, then it can be a helpful guide for decisions on institutional life. The societal impact of the Jubilee year provides a framework for understanding the employment context of a Vincentian institution, and a powerful guide for thinking about serving those who serve the Mission.

This journey with the Lucan passage, although grounded in the Torah and Christian Scriptures, nevertheless offers a universal message that provides a resource for a university that “respects the religiously pluralistic composition of its members and endorses the interplay of diverse value systems beneficial to intellectual inquiry.”¹⁰¹ The Jubilee did not limit liberation only to the Israelites – indeed the liberation of slaves demonstrated that even the lowest person within the social hierarchy was treated with equality. The Jubilee recognized that notwithstanding the relative effectiveness of society to grant justice, over time, free wage earners became indebted and returned to the status equivalent of a slave, or to an actual slave in a society that still permitted slavery. The Jubilee marked not just an individual forgiveness of debts and restoration of persons to their full human

⁹⁸ André LaCocque, personal correspondence with the author dated September 7, 2003, on file with the author. See also, Brueggemann, *Theology*, 189. (“It is difficult to image a more radical social possibility than the sabbatic principle, particularly as it leads to the Jubilee year.”)

⁹⁹ Ringe, *Biblical Jubilee*, 31.

¹⁰⁰ *Ibid.*, 93.

¹⁰¹ DePaul University, *The Mission of DePaul*, 4.

dignity, but public laws that necessitated the whole nation engage in this act of liberation.¹⁰² Moreover, according to Brueggemann, “[i]t is clear that *this tradition of command intends that social power must be in the service of justice... whereby the community has the active responsibility for the well-being of each of its members.*”¹⁰³ Saint Vincent celebrated this liberating freedom of the Jubilee.¹⁰⁴

The Jubilee, besides, does not simply call for greater charity or kindness, but provides for the liberation of individuals as well as societal institutions.¹⁰⁵ The Jubilee provides a powerful foundation for exploring how this metaphor sets a high standard for the treatment of employees. Frank Cruesseman points out that “something important in the history of law happens here. This is the first step in the process of the elimination of slavery altogether and its change into paid labor.”¹⁰⁶ The Jubilee’s liberation, according to Cruessman, eliminates “the distinction between slave and free... with respect to their relation to God. God’s demands upon his people apply to all, independent of their social or legal status.”¹⁰⁷ Although human resource issues in this nation no longer confront the specific issue of slavery, we still need to exercise vigilance in ensuring that working people receive just wages and adequate rest.¹⁰⁸ It is more important to restore the dignity of the individual wage earner than for society to ensure through its legal or procedural mechanisms that debts and other incidences of loss of autonomy be enforced.¹⁰⁹ For those endorsing Vincentian understandings of justice, this calls us to work towards the well-being of all our members. Justice is not reserved for members of the community who happen upon good fortune, but for all who gather

¹⁰² Ringe, *Biblical Jubilee*, 27.

¹⁰³ Brueggemann, *Theology*, 189 (emphasis in the original).

¹⁰⁴ Saint Vincent de Paul, “On the Jubilee, April 17, 1653,” *The Conferences of St. Vincent de Paul*, 543. See also, *Ibid.*, “On the Jubilee, December 14, 1656,” 834, and “On the Jubilee, October 15, 1641,” 42.

¹⁰⁵ Ringe, *Biblical Jubilee*, 16.

¹⁰⁶ Frank Cruessman, *The Torah, Theology and Social History of Old Testament Law*, trans. Allan W. Mahnke (Minneapolis: 1996), 304.

¹⁰⁷ *Ibid.*

¹⁰⁸ Ozanam wrote in 1834, “Exploitation occurs when the master considers his worker not as a partner nor even as an assistant, but as an instrument out of which he must extract as much service as possible at the smallest possible price. Yet the exploitation of a man by another man is slavery.” Pierrand, *Ozanam, Husband and Father*, 35.

¹⁰⁹ See, e.g., Brueggemann, *Theology*, 189 (emphasis in the original): “this is a remarkable provision, for it relativizes all economic transactions for the sake of rootage in the community.”

for the sake of the Mission within a Vincentian institution, and for those we serve.

The Jubilee's self-correcting mechanism also forces us to examine whether procedures and the impact of time have diminished justice for all who work at the university, or at any Vincentian institution. The Jubilee metaphor teaches that all our procedures, even ones initially established fairly, may become skewed over time. Economic rationales that incrementally neglected individual dignity may eventually result in unfair procedures. Specifically, as Brueggemann interprets the Jubilee, "maintenance of viable community and protection of the dignity of each of its members are more important to this community of obedience than is the fat reality of an economic transaction. The economic transaction is submitted to the viability of the social fabric."¹¹⁰ The Jubilee urges us to constantly review and respond to the consequences of all our procedures.

How would Vincent respond to this metaphor in the twenty-first century? We know that his writings on Jubilee exclaimed the joy of liberation, but to be fair he concentrated more of his writings on following the existing Roman Catholic custom surrounding the Pope's designation of a Jubilee year.¹¹¹ But we do know that the eradication of oppression and all things unjust remained central to his calling. The reforming nature of the Jubilee would also correspond to the changes Vincent sought for the Church and society. The Jubilee calls for institutional awareness and not just personal spirituality. The self-correcting goals of the Jubilee call institutions to justice each year, mediating between disproportionate centers of power, recognizing the dignity of each individual, regardless of gifts that are brought to the Mission by individual skills, education, training or experience. It further honors dignity regardless of faith or lack of faith, thus encouraging Catholic and Vincentian institutions to celebrate in their

¹¹⁰ Brueggemann, *Theology*, 188 (footnote omitted).

¹¹¹ Saint Vincent's writings concentrated on educating the Daughters on what was the contemporary understanding of the Jubilee Year as established by the Pope. Since 1300, the Pope has designated specific Jubilee Years tied to the Holy Year as especially significant for pilgrims making their way to Rome to fulfil their desire to grow in holiness. Although initially celebrated every one hundred years, over time celebrations have occurred every twenty five years. See *The Harper Collins Encyclopedia of Catholicism*, Richard P. McBrien, gen. ed. (San Francisco: 1995), 637, 720. Saint Vincent knew and wrote about these Jubilee Years in his correspondence. See, e.g., *The Conferences of St. Vincent De Paul*, 42, 543, 834. I am indebted to Betty Ann McNeil, D.C., and John Rybolt, C.M., for pointing out this distinction.

diversity and pluralism by treating all with equality and justice. In addition, the Jubilee metaphor reminds that economic transactions are not the only transactions that count in decision making.¹¹² Thomas McKenna, C.M., observes that Vincent would concur because “individual charity not only meant serving poor people, but also setting up new structures of service and reforming the social fabric to reflect more fully the values of the Gospel.”¹¹³ How then would those new structures follow in the spirit of adapting this key periscope of Vincent’s to our times, to assist not only the Ombudsperson but all who advocate for justice pursuant to the Mission?

IV: Explorations of Vincentian justice in the 21st Century workplace

In many ways Catholic social teaching, with its emphasis on human dignity, coincides with Vincentian understanding of the employment relationship. What additional resources will Vincentian leadership principles bring to an Ombuds or to those engaged in the Mission of a Vincentian institution? Vincent, Louise and Ozanam offer powerful companions for exploring new models in the fast changing workplace of the 21st Century. Indeed, in many ways they lived what Kouzes and Posner name as the essential elements of effective leadership in academic administration: 1) model the way; 2) inspire a shared vision; 3) challenge the process; 4) enable others to act; and 5) encourage the heart.¹¹⁴ All three certainly shared a vision, modeled a way and inspired generations of individuals to respond to that vision. As the workplace and society change, those who participate in the legacy need to challenge procedures and systems that were developed for an outdated understanding of the employment relationship while simultaneously inviting others to act.¹¹⁵

¹¹² See, e.g., Brueggemann, *Theology*, 189: “In the end, the exposition of this command departs from the detail of the act itself and makes a more general statement about care for the poor and the needs of neighbors (v. 11). This command is a radical proposal for the economic administration of an alternative community.”

¹¹³ Thomas McKenna, C.M., *Praying with Vincent de Paul* (Winona, Mn.: 1994), 65. See also, Most Rev. Howard J. Hubbard, “Charity and Justice within the Gospel and the Church’s Social Teaching,” *Vincentian Chair of Social Justice* 4 (1990): 7.

¹¹⁴ Kouzes, *Exemplary Leadership*, 3. See also, J.Patrick Murphy, C.M., “We Want the Best,” *Vincentian Heritage* [this volume.]

¹¹⁵ Pope John Paul II writes that we are continually called to seek new understandings of work in human life. Pope John Paul II, *Laborem Exercens*, 2.

Vincent was ahead of his time and saw the importance and necessity of providing just wages and medical benefits for his employees.¹¹⁶ Ozanam and others provided spiritual and intellectual leadership in pinpointing resolutions of social questions through more just treatment of working people. His writings on justice for workers anticipated *Rerum Novarum* by 50 years.¹¹⁷ Vincent mediated between warring parties.¹¹⁸ Louise always kept the idea of gentle persuasion foremost, a concept not foreign to Vincent.¹¹⁹ Ozanam urged those engaged in Vincentian Missions to be mediators between the rich and the poor.¹²⁰ Mediation, encouraging voluntary transformation of interests to reach mutually satisfactory goals, goes to the heart of an Ombud's mission, and thus, provides basic foundation of Vincentian resources for the Ombuds and a Vincentian institution.

Vincentians are challenged to interpret each of those resources in light of current circumstances. Although this is only a brief investigation of such capital, this paper will offer some practical applications of Vincentian resources and the Jubilee metaphor by briefly discussing two issues where this legacy can serve both Ombuds and the institution. I recognize there are many areas to investigate, but I raise these two initially in order to commence discussion. First, by combining the concept of a community gathered for the sake of the Mission with the research and scholarship capabilities of a university, contemporary Vincentians can further Ozanam's pioneering work in seeking justice in the workplace by developing new understandings of the employer-employee relationship within the parameter of Vincentian Mission. Second, I will explore Vincent and Ozanam's mediation ideas in developing conflict resolution and mediation possibilities through an integrated conflict resolution system.

¹¹⁶ See, Rybolt, "Saint Vincent de Paul and Money," *Vincentian Heritage* [this volume].

¹¹⁷ Carranza, "The Vincentian Charism," 79. See also, Auge, *Ozanam and His World*, 90.

¹¹⁸ McKenna, *Praying with Vincent*, 89. See also, Kelly, "Creative Reconciler," 11-2.

¹¹⁹ Louise Sullivan, D.C., "'God Wants First the Heart and Then the Work:' Louise de Marillac and Leadership in the Vincentian Tradition," *Vincentian Heritage* 19:1 (1998): 170.

¹²⁰ Baunard, *Ozanam in His Correspondence*, 257; See also, McCarty, "Lay Evangelizer," 22-3, 25 ("In a letter... on 5 November 1836, Ozanam... articulates for the first time the primacy of the social question and the duty of Christians to mediate between the rich and the poor").

A. Pioneering new understandings of employment in a Vincentian institution

DePaul University provides thousands of persons with employment and many substantial benefits. But both the rapid growth of the university and the financial constraints raised by that growth pose challenging questions as to how the university defines employment. In addition, in the United States, society today has experienced a major transformation in the work environment that continues to reverberate in all settings. Vincent and Ozanam, when faced with similar challenges, provided new insights that challenged contemporary understandings of the relationship of worker to employer. Thereby, they invite us to begin to explore new meanings of employment within the context of Vincentian Mission.

A university dedicated to Vincentian Mission provides fertile ground for solidarity in constantly working for justice in an imperfect world. Ozanam knew he could not solve France's social problems alone. He sought to evangelize like-minded lay people to engage in the mission of the organization that became the St. Vincent de Paul Society.¹²¹ Catholic social teaching claims that those who seek justice work in solidarity.¹²² DePaul University has been building that Mission consensus for over a century. To be effective, that consensus needs to be nurtured and it must grow. As Kouzes and Posner stress, effective academic leadership requires that "social capital joins intellectual and financial capital as the necessary pillars to institutional greatness."¹²³ In Vincentian terms, social capital can be analogized to what Edward Udovic calls "mission capital."¹²⁴ That mission capital, when properly deployed, enriches the workplace. Robin Lovin states in Vincentianesque language: "[p]eople thrive in community that provides them with opportunities for creative work and that rewards them for their efforts, rather than exploiting their abilities."¹²⁵ Or as David Gregory asserts, "Catholics and all other people of good will should be daily invigorated by the vocation to participate in the transformation and in the redemption of their work and their workplaces.... Ultimately, work should facilitate the achievement and enhancement of virtues and of the virtuous life;

¹²¹ Carranza, "The Vincentian Charism," 89.

¹²² Kennedy, "The Virtue of Solidarity," 59.

¹²³ Kouzes and Posner, *Exemplary Leadership*, 2.

¹²⁴ Udovic, "Translating Vincent de Paul," 8.

¹²⁵ Lovin, *Niebuhr and Christian Realism*, 221.

work is good when the work we do makes it easier for the workers to be good people."¹²⁶ Vincentian institutions need to continue to tend to that social or mission capital as a necessary element in decision making. Mission capital does not trump the other necessary elements of effective leadership, intellectual and financial capital, or in providing effective leadership. But neither should it be ignored as a necessary element of great leadership. As a practical matter it brings out the best in employees who participate in leadership.

Given that Mission focus, additionally, a university offers great resources for research and investigation of whether Vincentian leadership principles suggest understandings of employment distinctive from traditional employers. As the workplace continues to evolve, scholars and human resource experts propose many secular suggestions for seeking justice in the workplace.¹²⁷ The question remains, however, whether Vincentian leadership principles can add to that conversation? Two sub-issues provide examples of how Vincentian principles might lead to new concepts: first by suggesting that in advocating for justice Vincentian institutions can help reconcile issues where Catholic social teaching results in internal conflict; and second, by examining a Vincentian response to the United States legal system.

1. Responding to conflicting ideals

The vast resources of social, mission and intellectual capital in a university suggest that research and scholarship may contribute in the difficult areas where Catholic social teaching conflicts with other social teachings and therefore the Mission of the institution. Equality is one element of justice. In workplaces dedicated to diversity, equality may be difficult to achieve. Differences in education and experience, combined with different employment relationships within the university such as tenure and at-will employment, lead to great inequalities in power. Benefit costs vary greatly between single employees and families. Cost of benefits, with lower paid employees generally bearing a greater percentage of costs, also raise equality issues. Modern families no longer simply reflect the nuclear families made famous by 1950s television. Single parent families with many

¹²⁶ Gregory, "Catholic Social Teaching," 106.

¹²⁷ Van Wezel Stone, "The New Psychological Contract," 539-60.

responsibilities raise childcare and flex-time issues. Also, domestic partners and long-term part-time members of the community, to name just a few, pose questions of equality within the workplace that are not easily resolved. Outsourcing of work to independent contractors evokes questions of employment relationships. Some challenges, such as ‘domestic partner’ benefits, directly confront Catholic doctrine, while other issues raise difficult questions of how the workplace maintains equality.

As the institution seeks answers, Thomas McKenna reminds us that “Vincent remained constant in his ends, but flexible in his means.”¹²⁸ Educational institutions dedicated to human dignity can call upon these mission and social resources to explore how to reconcile equality with Church teachings. How will equality lead to justice in the 21st Century? Much like Vincent saw the need in the 17th Century to provide just wages and medical care, should we not draw upon the many resources of scholars of theology, employee relations and benefits professionals, to articulate a philosophy of benefits based on Vincentian principles that seeks to reconcile these challenging issues? The issue is not just determining a specific benefit package or how expensive benefits might be, but also asking what philosophy guides decisions determining what benefits to offer in light of the changing workplace? Ozanam found new language and metaphors to address the difficult issues of his day. Can we do no less in developing this Mission-based philosophy of benefits?

2. *The employee-at-will doctrine and the United States legal system*

In administering an institution in the United States the university faces a concern which Vincent, Louise, or Ozanam never provided guidance for: how to deal with a legal system which requires certain policies and yet threatens all decisions made by management with great risk and expensive litigation. To be a good steward of resources, management frequently requires lawyers to advise and ensure that their decisions are lawful and not risky. Employment decisions, especially hiring and termination, raise these concerns. Many employers designate their employees as ‘at-will.’ These at-will employees are distinguished from employees who have contracts stating terms of employment, including length of

¹²⁸ McKenna, *Praying with Vincent*, 105. See also, O’Donnell, “Vincentian Discernment,” 23. (“We must always be firm regarding the goal but gentle and flexible regarding the means.”)

service and benefits. In an academic setting, tenure provides another guarantee of employment under specific terms as set forth in the Faculty Handbook. State laws frequently permit termination of at-will employees for any reason, as long as there is no violation of state or federal anti-discrimination laws or public policy concerns. Many DePaul employees are employees-at-will.

Catholic social teaching discourages the employee-at-will concept.¹²⁹ In advising on the merits of a particular employment decision, however, lawyers rarely, if ever, provide advice based on biblical concepts of justice and charity. Rather, the competent attorney will suggest alternative scenarios based on applicable law. In seeking legal advice on the termination of an employee, for example, how does the employer bring its Mission into the conversation? Of more importance, once a decision is made to terminate or suspend an employee, what can Vincentian leadership principles contribute in determining procedures the employee may access? These are typically legal questions that are difficult to infuse with Mission and Vincentian values. Thus, modern law adds a third level to Niebuhr's absolute and relative justice: the American system of justice.

Although it often appears prudent to let legal advice prevail in making a difficult decision, Catholic and Vincentian institutions need to bring another voice to the table. James Serritella and Martin Marty remind religious institutions to instruct their attorneys on the values they hold most dear and central to their Mission. They must ask their attorneys to consider legal advice within the parameters of those values.¹³⁰ Saint Vincent, famously did not choose the middle road but the extremes – letting “love be effective and affective”¹³¹ – and modeled a decision-making approach that held together both the practical side of the law with the aspirations of his mission. He might teach us to reconcile the competing demands of law and Mission. From a practical perspective, the failure to articulate values in decision-making has been faulted as one reason many corporations have fallen prey to scandals and corruption. Max Stackhouse points

¹²⁹ National Association of Church Personnel Administrators, “The Individual,” 21.

¹³⁰ Martin E. Marty and James A. Serritella, “Religious Polity” in *Religious Organizations in the United States, A Study of Identity, Religious Liberty and the Law*, James A. Serritella et al, eds. (Durham, N.C., forthcoming 2004). The National Association of Church Personnel Administrators concurs, stressing that “Church organizations must keep in mind that they determine the nature of the workplace, not their attorneys.” National Association of Church Personnel, “The Individual,” 28.

¹³¹ O'Donnell, “Vincentian Discernment,” 23.

to a lack of trust in leadership because of the corporate corruption that engulfed the biggest companies in the world, asserting that “we are in a complex of crises that demand ethical and theological attention.... We must inquire into the principles, values and constraints that should guide management.”¹³² Thus, the legal system alone is a necessary but insufficient guide to implementing a Vincentian understanding of employment in the midst of the many changes of the 21st Century.

Vincentian leadership principles could provide a forum to choose neither at-will nor contractual relationships, but to seek a distinctive new understanding of employment. Labor lawyers advise not to take any action that might be construed as a contract thereby facing increased liability for damages based on contractual remedies. Stewardship of institutional resources will require difficult decisions, but have we been inventive to infinity in thinking of new rules and understandings for those gathered in the name of the Mission, risking that an American court would find it a contract, but developing new relationships, partnerships, participation, and promise of a vigorous and renewed Vincentian Mission in the world? Certainly, at a minimum, a university should never neglect to remind its attorneys of the institution’s Mission and values. By reminding lawyers that a community upholds human dignity, Catholic social teaching, justice, and charity, a university poses a challenge to its attorneys to minimize risk, yet uphold Mission. The community gathered for the sake of Mission could boldly explore new definitions of employment relationships – employee rights merged with recognized responsibilities that encourage a Mission-inspired workplace. If not formal contractual relationships, might new definitions provide the conceptual framework for investigating what additional resources or benefits are needed in this new workplace, such as expanded educational opportunities and enhanced dispute resolution procedures for employees?

The legal system will place challenging demands on such a goal. A plaintiff’s attorneys will seek to find formal contracts in all of the writings and programs of an employer. This presents no easy resolution. Prudent stewardship of resources and United States law may ultimately require at-will employment. Nonetheless, the challenge remains to define the employment relationship within the new parameters of the evolving workplace and Mission. The ongoing metamorphosis of the workplace within this nation will

¹³² Stackhouse, “Spheres of Management,” 380.

require employers to redefine work. If change faces all employers, the principles of Vincentian justice in every Vincentian institution should become part of that defining process. Moreover, after a thorough review, if the institution decides that it must continue the at-will concept, that decision only prompts the next question of what procedures should be implemented to ensure the full dignity of the at-will employee?

B. Integrated Conflict Resolution System

Ozanam's call to all who follow in his footsteps, to mediate between the rich and the poor, further fits the Jubilee metaphor. Each of the biblical events encompassed in the Jubilee Year underscores the need to reverse the gap between the powerful and the marginalized, the rich and the poor, and those who for whatever reasons sold, gave away, or lost the resources necessary to restore the dignity of each human in society or a given institution. Grounded in the belief that all property, indeed, all humans are ultimately gifts of God, the Jubilee restores to each individual the dignity of equality.¹³³ The biblical poet stresses mediation with the goal of achieving a fresh start.¹³⁴

Likewise, mediation in an employment dispute recognizes the possibility of finding reconciliation outside the normal supervisor-employee hierarchy, balancing the power differences that typically exist between supervisor and employee while simultaneously providing an opportunity to explore solutions that serve the interests of both parties, thus serving the overall concerns of the institution. DePaul University currently has several procedures for resolving disputes. Human Resources have developed policies for individuals to raise issues of justice. The university offers faculty and staff an informal grievance procedure. The Faculty Handbook lists several procedures dependent upon the issues. A Sexual Harassment Program provides formal policy for complaints and investigation of complaints based on sex or gender discrimination. The office of the University Ombudsperson provides an alternative channel for concerns and issues at the university. The Senior Officer for Diversity provides a resource for those concerned about the diversity of the university community. Yet gaps remain and perceived feelings of

¹³³ I am grateful to André LaCocque for pointing out the emphasis on mediation between the rich and the poor in the Jubilee context. (Personal correspondence with the author dated September 7, 2003, on file with the author.)

¹³⁴ *Ibid.*

power imbalance or futility in accessing such procedures hinder full participation. For example, conflicts between a student and a faculty member or between faculty members themselves lack clear dispute resolution procedures. Mary Rowe points out that diversity in the workplace calls for diverse programs enabling individuals to file complaints and seek justice in different forums.¹³⁵ Not all concerns fit best within a formal grievance procedure, nor should all issues be pigeonholed into one procedure. Different cultures may respond to conflict differently, thus requiring multiple channels for dispute resolution.¹³⁶ Bringing together these different avenues of conflict resolution within an integrated system would provide a diverse workplace the options necessary for employees to address their needs. Indeed, it is not just diverse employees, but the diversity of problems that contemporary employees face that call for instituting new ways of conflict resolution.

One benefit of expanding procedures may come in providing lawful alternatives to the legal system and reducing legal costs to both employees and the institution.¹³⁷ Currently, aggrieved or former employees who seek out legal assistance when they have no alternative experience high legal costs, long periods during which their cases work through the judicial system, and all the uncertainty that such cases entail. By developing trustworthy integrated conflict resolution systems that include formal grievance and mediation programs, peer review, and decision makers who are outside of the employee's chain of command, employees may find that they can avoid all the uncertainties and costs of the legal system.¹³⁸ Indeed, studies show that fair process is often a more sought after goal than the actual resolution of an issue.¹³⁹

Studies show, moreover, that not only will such programs serve the Mission, but in honoring dignity and ensuring fairness, greater employee commitment and motivation will be fostered.¹⁴⁰ In addition, the institution benefits as "[r]epeated studies confirm that power

¹³⁵ Mary P. Rowe, "The Ombudsman's Role in a Dispute Resolution System," *Negotiation Journal* 359 (October 1991). See also, Mary P. Rowe, "An Effective, Integrated Complaint Resolution System," in Bernice R. Sandler and Robert J. Shoop, eds., *Sexual Harassment on Campus* (Boston: Allyn and Bacon, 1997), 202-03.

¹³⁶ Rowe, "Options and Choice," 107, 109.

¹³⁷ CPR Institute for Dispute Resolution, *How Companies Manage Employment Disputes, A Compendium of Leading Corporate Employment Programs* (2002), 5.

¹³⁸ Van Wezel Stone, "The New Psychological Contract," 559-60.

¹³⁹ *Ibid.*

¹⁴⁰ *Ibid.*

symmetry, rather than disproportionate power is the most favorable condition for reaching an agreement."¹⁴¹ Finally, Mary Rowe reports that the systems that "work most effectively are explicitly grounded in the core values of the institution."¹⁴² Thus, basing such systems on Mission and Values can strengthen procedures. By establishing multiple dispute resolution procedures, we can also strengthen and support diversity in the continuing struggle for justice.

V. Conclusion

In their day, Saint Vincent, Saint Louise and Frederick Ozanam fought for justice for workers and pioneered new justice-based relationships between employers and employees. We have been given a great gift in their legacy of Vincentian leadership principles. Surrounded by great social instability and poverty, they found innovative policies and theories that contributed to greater justice. Saint Vincent grounded much of his ministry on the Lucan passage that concluded by celebrating the coming of the Jubilee Year. The Jubilee metaphor teaches fresh starts and new relationships based on justice and equality. Significantly, the beauty of the Jubilee metaphor stems not just in providing the gifts of charity and kindness to the less powerful, but in the vigor and in the liberating meaning it brings to Vincentian institutions and individuals themselves. By recognizing human dignity through procedures and actions, and offering multiple means of mediating conflict, we can liberate not just individuals, but institutions and all of society to be better than we are. All benefit when we liberate this spirit and invite the workplace to become more than secular law or principles would ever achieve. The Jubilee metaphor, additionally, acknowledges the difficulty of building just societies amidst the daily grind of administering institutions, notwithstanding best intentions. As well as providing a resource to the Ombuds, it invites all who accept Vincent's call to build mediating procedures and to seek a fresh start. Vincentian institutions, in general, and DePaul, specifically, can call upon this great legacy to live and evangelize the principles of advocating for justice so that employees gathered for the Mission of serving the poor, educating our youth, and providing community service will receive justice as well.

¹⁴¹ Robert S. Adler and Elliot M. Silverstein, "When David Meets Goliath: Dealing with Power Differentials in Negotiations," *Harvard Negotiation Law Review* 5 (2000): 16-17.

¹⁴² Rowe, "An Effective, Integrated Complaint Resolution System," 209.