

Joan W. Scott

Knowledge, Power, and Academic Freedom

ALTHOUGH THE TERM “ACADEMIC FREEDOM” HAS COME TO SEEM SELF-evident—so often is it invoked to condemn egregious violations of the perceived rights of members of university communities—it is, in fact, a complicated idea with limited application. In its origins in the United States at the turn of the last century, academic freedom pertained only to faculty—to those who produced and transmitted the knowledge necessary for the advancement of the common good. And not necessarily to tenured faculty, since the practice was virtually unknown then. Academic freedom was aimed at resolving conflicts about the relationship between power and knowledge, politics and truth, action and thought by positing a sharp distinction between them, a distinction that has been difficult to maintain. Rather than offer a pat definition, I want to look at some of the tensions that bedevil the concept of academic freedom, both as a theory of faculty rights and as a practice that can defend them.

THE BUSINESS OF THE UNIVERSITY

The American version of the doctrine of academic freedom, codified in the 1915 “Declaration of Principles” of the American Association of University Professors (AAUP), was formulated during the Progressive era at a crucial moment in the history of higher education, one that saw the coming into prominence of the research university (AAUP, 1915). The idea of academic freedom was premised not only on a sharp distinction between religious and secular institutions, but also on the autonomy

of the faculty of the new research university from the very forces that supported it: state legislatures and philanthropic businessmen. If the tension between what John Dewey referred to as sectarian discipleship and intellectual discipline seemed relatively easy to resolve (by the time of the AAUP's declaration, colleges were no longer exclusively training grounds for the ministry), the antagonism between corporate America and the American university persists to this day. As early as 1902 (in an essay called "Academic Freedom"), Dewey warned of the erosion of the educational mission by the need to curry favor with funders: "The great event in the history of an institution is now likely to be a big gift rather than a new investigation or the development of a strong and vigorous teacher" (Dewey, 1902: 62-3).

Dewey was not alone in his worry about the effects of money on the production of knowledge. Thorstein Veblen's trenchant critique of the business methods of universities, *The Higher Learning in America*, was published in 1916, followed in 1923, by Upton Sinclair's denunciation of the close ties between corporate America and universities: *The Goose-Step: A Study in American Education*. The passion and polemical tone of these books attest to the intensity of the conflict as it was felt in those years. These authors were responding to pressure from financial backers such as Clarence Birdseye, a lawyer and the father of the future frozen food magnate who, in 1907, compared "college standards" unfavorably with "business principles." He urged faculty and administrators to imitate "a good manufacturer," and alumni to "help introduce business methods into the work of your alma mater." Andrew Carnegie had no use for humanistic training, arguing that it was "fatal" to "the future captain of industry." And Frederick Winslow Taylor offered models of corporate efficiency for the reorganization of university life (Donoghue, 2008: 4-5, 7-8, 1-23). Businessmen and politicians, then as now, have had little patience with the ideal of learning for its own sake and even less respect for faculty who often espouse ideas at odds with their views of the purpose and value of higher education. Today the sums may be larger and their impact

on university research operations greater, but the pressure to bring universities in line with corporate styles of accounting and management persists.

The principle of academic freedom articulated a vision of the university that was at once immune to these powerful interests and that promised to serve them, however indirectly, by producing new knowledge for the common good. Indeed, academic freedom rested on the assumption that knowledge and power were separable; the pursuit of truth ought to have nothing to do with public conflicts of interest, even if new knowledge could weigh in on one side or another of one of those conflicts. The university was defined as "an inviolable refuge from [the] tyranny [of public opinion] . . . an intellectual experiment station, where new ideas may germinate and where their fruit, though distasteful to the community as a whole, may be allowed to ripen" (AAUP, 1915: 32). Scientific and social progress depended on the nonconformity protected, indeed fostered, by the university. The "well-being" of the place came from its ability to support critical thinkers, those who would challenge prevailing orthodoxy and stir students to think differently, to become "more self-critical," hence more likely to bring about change.

The AAUP declaration cited a university president who had eloquently stated this view: "Certain professors have been refused reelection lately, apparently because they set their students to thinking in ways objectionable to the trustees. It would be well if more teachers were dismissed because they fail to stimulate thinking of any kind." The professor, the declaration continued, ought to be "a contagious center of intellectual enthusiasm": "It is better for students to think about heresies than not to think at all; better for them to climb new trails and stumble over error if need be, than to ride forever in upholstered ease on the overcrowded highway" (AAUP, 1915: 36). The university's function was to offer shelter to these intrepid explorers, to protect them from the cold winds of disapproval that inevitably greeted dissenting ideas.

The faculty considered to be at greatest risk were those in the emerging social science and humanities disciplines. In his 1902 essay, Dewey suggested that these areas most needed the protection of academic freedom:

The sphere of ideas which has not yet come under recognized scientific control is, moreover, precisely that which is bound up most closely with deep-rooted prejudice and intense emotional reaction. These, in turn, exist because of habits and modes of life to which the people have accustomed themselves. To attack them is to appear to be hostile to institutions with which the worth of life is bound up (Dewey, 1902: 58).

It was precisely because they addressed the question of the moral and social needs of society, because their studies might be disturbing and transformative, that the social sciences most needed the protection of academic freedom. Unlike the mathematical and physical sciences, which, Dewey pointed out, "have secured their independence through a certain abstractness, a certain remoteness from matters of social concern, political economy, sociology, historical interpretation, psychology . . . deal face-to-face with problems of life, not problems of technical theory. Hence the right and duty of academic freedom are even greater here than elsewhere" (Dewey, 1902: 57).

Academic freedom, then, formulated as it was in the heyday of Progressivism, aimed to protect those perceived to be most radical, those who were on the front lines of movements of social criticism and social reform. For them, expert knowledge necessarily had an instrumental purpose. The historian/philosopher Michel de Certeau put it this way: "the social sciences born in modern times form a set of institutions that express ethical postulates through technical operations. For a long period, these special institutions organized 'new crusades' of a technical nature to perform ethical tasks" (Certeau, 1986: 199). In the

early twentieth century, the "crusaders" were (ironically from today's perspective) overwhelmingly in the field of economics, making readily apparent the tension between critical professorial thinking (knowledge) and business-minded trustees (power). Two examples dramatically illustrate the tension: the experiences of Edward Ross at Stanford and Scott Nearing at the University of Pennsylvania's Wharton School of Business.

Ross was secretary of the American Economic Association when he arrived at Stanford. He believed that "the aim of big business was to throttle social criticism" of the kind he and his fellow Progressives practiced and his encounters there proved his point (Metzger, 1955: 438). Stanford's founder, Leland Stanford, had been a Republican and a railroad magnate whose business relied on cheap Chinese immigrant labor. Ross quickly (and probably deliberately) incurred the wrath of the founder's widow by supporting socialist Eugene Debs, advocating municipal ownership of utilities, calling for an end to Chinese immigration, and defending the free silver platform of the Democratic party. Mrs. Stanford wrote to the university's president, David Jordan, that Ross's political associations, which "play into the hands of the lowest and vilest elements of socialism," bring "tears to my eyes." Later she insisted that "Professor Ross cannot be trusted, and he should go." Jordan's attempts at negotiation and his appeals to Ross for restraint came to naught and, in 1900, he acquiesced to Mrs. Stanford's wishes by dismissing Ross. In response, seven other faculty members resigned and a group of members of the American Economic Association launched an investigation into the case, "the first professorial inquiry into an academic freedom case," according to historian Walter Metzger, "and a predecessor, if not directly the parent, of the proceedings of Committee A [the Committee on Academic Freedom and Tenure] of the AAUP" (Metzger, 1955: 442-3).

More than a decade later economist Scott Nearing was forced to leave the Wharton School after being attacked by influential alumni. An outspoken socialist whose work addressed the abuses of industrial

capitalism, Nearing was let go in 1915 by the president and the board of trustees despite positive recommendations from his department, his chairman, and his dean. He was considered an exceptional teacher, a good administrator, and someone skilled in "the maintenance of student discipline." Although his dean conceded that he had "not been so tactful as he might be," there was no question either about the fulfillment of his duties or of his "moral worthiness" (*Bulletin*, 1916: 132). Nor was he said to be lacking in "professorial gumption"—an ambivalent comment, damning in the eyes of a trustee, but praising in the opinion of colleagues and students. Nearing's removal was at least in part the result of three years of campaigning by a group of influential alumni who objected to "the bizarre and radical theories . . . advanced by enthusiastic young instructors . . . [that] are likely to have a poor effect upon Freshmen" (*Bulletin*, 1916: 135). These instructors, the alumni went on, "seek publicity by discussion of various public topics in a manner which is likely to arouse class prejudice and fallacious conclusions" (*Bulletin*, 1916: 138). Their doctrines, moreover, were "wholly at variance with those of the founder of the Wharton School." The charges became more inflated as they focused on Nearing himself. He was said to have talked "wildly and in a manner wholly inconsistent with Mr. Wharton's well-known views," his "intemperate, persistent and astonishing expressions of untested theories, and . . . [his] unrestrained condemnations of institutions and rules which form the basis of civilized society, passed the most generous bounds of freedom of speech allowed by any institution" (*Bulletin*, 1916: 139).

Ross's case precipitated the founding of the AAUP; Nearing's was one of the first cases investigated by the fledgling organization. In neither instance did formal protest by colleagues manage to keep the professor in his job. Both cases starkly posed the problem of knowledge and power: How to protect faculty from the wrath of those upon whom they necessarily depended for financial support?

The AAUP sought to answer that question in at least three ways: by defining the faculty as self-regulating, independent "appointees" (akin

to judges in a federal court); by insisting on the knowledge-producing mission of the university itself; and by clarifying the role of its trustees. Since, according to the AAUP's declaration, it is faculty who are trained to produce knowledge—whether as researchers, teachers, or technical experts—it is they who *embody* the function of the university and so warrant the protection of academic freedom.

A university is a great and indispensable organ of the higher life of a civilized community, in the work of which the trustees hold an essential and highly honorable place, but in which the faculties hold an independent place, with quite equal responsibilities—and in relation to purely scientific and educational questions, the primary responsibility (AAUP, 1915: 27).

If the function of the university is critical thinking, it is the job of trustees to protect it. The AAUP's 1915 declaration compares proprietary institutions (the old model) whose purpose is "not to advance knowledge . . . but rather to subsidize the promotion of the opinions of persons, usually not of the scholar's calling, who provide the funds for their maintenance," with colleges and universities (the modern kind) "not strictly bound . . . to a propagandist duty." These latter are devoted to the public interest, to advancing the common good. They constitute a public trust and so the "trustees are trustees for the public" whether the university is supported by state funds or by private endowment (AAUP, 1915: 22). The trustees' job from this perspective was all-important, according to the "Declaration of Principles," for it involved guaranteeing the upkeep of the university and the autonomy of the faculty. This was a matter not of exercising private proprietorship, but of fulfilling a "public trust"; it was a commitment to securing the common good through the advancement of knowledge. "Trustees of . . . universities and colleges have no moral right to bind the reason or the conscience of

any professor" (AAUP, 1915: 23). Indeed, they must use their power to insulate free inquiry from powerful interests that might corrupt it. Being "trustees for the public" does not mean directly reflecting public opinion, since it is likely to be a set of "hasty and unconsidered impulses" (AAUP, 1915: 32) based on orthodoxy or ignorance. Rather, it is the protection of the faculty from outside meddling that is the calling of the trustees; only in this way will knowledge be advanced and society improved. Protection meant that trustees must defer to faculty on substantive matters for they had no competence to judge them. Boards that violate this precept by "exercising an arbitrary power of dismissal" are "barbarous" since they fail to understand "the full implications of the distinction between private proprietorship and a public trust" (AAUP, 1915: 24). The public trust is that of keeping the "indispensable organ" alive, providing for its physical and financial upkeep, while allowing the faculty to breathe freely so that society may progress. This was the "essential nature of a university": it was "a place dedicated to openness of mind" (AAUP, 1915: 38-9). Here the AAUP founders offer a model for university governance that makes protection of academic freedom a moral, indeed almost a physical, obligation of any board of trustees. "In all . . . domains of knowledge, the first condition of progress is complete and unlimited freedom to pursue inquiry and publish its results. Such freedom is the breath in the nostrils of all scientific activity" (AAUP, 1915: 28).

The biological analogy continues with faculty's teaching function—one that reproduces not orthodoxy, but the propensity for new thinking in the next generation. Students, the authors insist, must be provided not "ready-made conclusions"; they must be trained "to think for themselves" (AAUP, 1915: 34). Even as the anxieties of some of the founding fathers get articulated in the declaration—the need, for example, to treat with great care "immature students," who may be unready to form opinions of their own—the document returns repeatedly to the instructor's "duty" to "give to any students old enough to be in college a

genuine intellectual awakening" (AAUP, 1915: 35)—an awakening that depends on the student's confidence in the intellectual integrity of the teacher.¹

It is clear, however, that this confidence will be impaired if there is suspicion on the part of the student that the teacher is not expressing himself fully or frankly, or that college and university teachers in general are a repressed and intimidated class who dare not speak with that candor and courage which youth always demands in those whom it is to esteem. . . . There must be in the mind of the teacher no mental reservation. He must give the student the best of what he has and what he is (AAUP, 1915: 28).

Of course, the freedom being claimed for faculty entailed "correlative obligations." As researchers, teachers, and expert consultants they must be trained and credentialed according to the rules of their disciplines; without such training their "science" would have no legitimacy. But the articulation and enforcement of professional standards must be left in the hands of the professionals. "It is, in any case, unsuitable to the dignity of a great profession that the initial responsibility for the maintenance of its professional standards should not be in the hands of its own members. It follows that university teachers must be prepared to assume this responsibility for themselves" (AAUP, 1915: 34).

The theory of academic freedom goes even further, insisting not only on the moral principle of nonintervention by trustees in faculty work, but also on the incompetence of these people to judge the value of the work produced. Academic freedom thus demands extraordinary restraint from those used to exercising power based on judgments they themselves make and outcomes they project and pay for. So it ought not to be surprising that the principle is often ineffective in eliciting that restraint in practice. The long history of AAUP investigations as well as a number of historical studies provide ample documentation of

this point (Schrecker, 1986: 198). We might say then that the theory of academic freedom as it was articulated by Progressives continues to be useful and important because it addresses, although it does not resolve, a tension at the heart of the modern university: that between corporate power and intellectual inquiry, between instrumental knowledge production and open-ended inquiry.

DISCIPLINARY POLITICS

The principle of academic freedom was not, as critics sometimes describe it, an endorsement of the idea that in the university anything goes. The call for faculty autonomy rested on the guarantee of quality provided by disciplinary bodies whose role is to establish and implement norms and standards and so to certify their members' professional competence. Disciplinary associations were depicted as uncorrupted by the play of interests that shaped the world outside the academy, even if the scholars they licensed dealt, as Dewey put it, with "face-to-face problems of life, not with problems of technical theory." Dewey wrote about "an organized society of truth-seekers" by which he meant the newly created disciplinary associations of his day, those intercollegiate bodies that set standards of inquiry and assessed the validity (the apparent scientific quality or truthfulness) of the ideas offered by their members. In return for fulfilling one's responsibilities to the discipline, one received protection from outside intervention. It was, wrote Arthur Lovejoy in the 1937 edition of the *Encyclopedia of the Social Sciences*, "qualified bodies of his own profession" that protected an individual scholar from interference by "political or ecclesiastical authority, or from the administrative officials of the institution in which he is employed" (Lovejoy, 1937: 384). Glenn Morrow in the 1968 edition of the *International Encyclopedia of the Social Sciences* echoed his forebearers:

Even after prolonged examination and testing, the claim [to truth] can be accorded only a high degree of probabil-

ity; and its status is never immune to later criticism. These conditions imply a community of scholars and scientists cooperating with one another through mutual criticism and selecting and recruiting new members through disciplined and systematic training. These very requirements tended to produce such a community, animated by a professional spirit and resentful of any attempts by incompetent outside authorities to control its activities or judge its results (Morrow, 1968: 5-6).

Disciplinary authorization was meant to defend those whose work was unavoidably controversial against charges of partisanship and from political retribution. If their colleagues attested to the soundness of their methods and the plausibility of their interpretations, these faculty could be represented not as interested parties, but as objective seekers after truth.

Yet, as is well known to all of us, disciplinary communities are hierarchical and with a power dynamic of their own. If the community certifies the competence of its members and protects them from external meddling, it also establishes methods of inquiry ("disciplined and systematic training") and standards of judgment ("selecting and recruiting new members") as well as behavioral norms ("cooperating through mutual criticism"). Those who write the history of disciplines and those of us who have broken new ground in our fields know that discipline and disciple can be synonyms as well as antonyms and that punishment is not always the alternative to discipline, but often its regulatory tool. The devastating review, the charges of incomplete research, mockery by one's elders can bring an end to a promising academic career, especially one that engages in a critique of disciplinary premises. These are not external interventions by the incompetent into the workings of the academy; they are internal conflicts, involving not public morality or conventional social belief, but disciplinary *politics*. And, of course, even the line drawn between disciplin-

ary politics and those of the “outside world” is not a clear one, since, as Dewey and his colleagues recognized a century ago, research in the human sciences especially is often inspired by contemporary concerns with inevitable political ramifications.

Those of us historians who challenged prevailing views in the name of disciplinary redefinition well remember the kind of opposition we faced when we asked who got to count as a historian, what got to count as history, and how those determinations were made. The critique—and it was a critique in the technical philosophical sense of the term: an interrogation of founding premises, an illumination of methodological and interpretive blind spots—aimed at the very grounds on which the field was based and at the notion that there could be a single prototype of a disciplinary subject. A woman historian was not just an historian with female genitals, but someone who might bring different perspectives to her work. How did those perspectives affect the idea of an appropriate historical inquiry? Women’s history was not just another topic, a minor theme in the exalted stories of nations and their leaders; it was for many of us an inquiry into the founding assumptions of so-called mainstream history. (African-American history, postcolonial history, Queer history offered similar interrogations.)

The reply was often furious and it wielded the weapons of the strong in a defense of scholarship against corruption by politics. They were professionals—we were politicizing history by exposing the ways in which standards of inclusion effectively discriminated on the basis of gender or race. They were defending the terrain of disinterested history; we were substituting ideology for scholarly rigor. Reviewing a book on nineteenth-century French women, Norman Hampson dismissed it as “uterine history” and Lawrence Stone, offering his ten commandments to historians of women, warned of the dangers of “distorting evidence” to “support modern feminist ideology”—as if the meaning of evidence were unequivocal and otherwise presented no problems about the position, point of view, and interpretations

of historians (Hampson, 1982: 18; Stone, 1985: 21-27; Scott, 2001). Accusations from feminists of male bias were greeted as political and ideological; the men's rejection of women's history was taken as a defense of the integrity of the field.

Poststructuralism met an even more vehement refusal, the intensity of which differed according to discipline. Lawrence Stone (erstwhile champion of History) denounced Foucault as a failed or *faux* historian. Some literary critics (and many others, of course) used Paul De Man's early Nazi writings to call the entire "linguistic turn" into question. The charges of nihilism and moral relativism, of destruction (a play on Derrida's deconstruction) and irrelevance portrayed the struggle in Manichaeian terms. The guardians of orthodoxy were defending mastery and excellence against those who, they claimed, were directly or indirectly bringing political considerations into a hitherto purely objective arena. Hence John Searle:

The biggest single consequence of the rejection of the Western Rationalistic Tradition is that it makes possible an abandonment of traditional standards of objectivity, truth, and rationality, and opens the way for an educational agenda one of whose primary purposes is to achieve social and political transformation (Searle, 1992: 72).

In 1985, as these struggles were unfolding, a report of AAUP's Committee A warned that orthodoxy might endanger academic freedom, in effect acknowledging the existence of power dynamics internal to disciplinary communities. The report came in response to an inquiry from Stanford law school professor Paul Brest about a comment by Paul Carrington, then dean of the Duke law school. Carrington had written that those who identified with "critical legal studies" disqualified themselves from any law school faculty appointment. The report rejected Carrington's statement, maintaining that belief in the governing principles of a discipline ought not to be a condition of employment:

In many instances a show of disrespect for a discipline is, at the very same time, an expression of dissent from the prevailing doctrines of that discipline. There is more than a sonant connection between respectfulness and respectability; there is no wide gap between respectability and ideological conventionalism. Thus, while a litmus test of belief in the worth of a subject as a minimum qualification for appointment to a position where one is expected to teach it or teach about it may seem modest in the abstract, on reflection it may prove to be very mistaken; it may end by barring those most like to have remade the field. . . . It is not merely that the long history of academic freedom teaches that charges of irreverence can readily serve as covers to objections to unorthodoxy; rather, it is that it is all but impossible to extenuate the one without abetting the other (AAUP, 1986).

The internal/external, thought/action contrast, which makes power and politics the activity of threatening outsiders has, on the one hand, been taken as the necessary condition for faculty and university autonomy, yet—as the AAUP statement makes clear—it also masks the challenge posed by the legitimating disciplinary authority to the free exercise of critical thought. Disciplinary communities provide the consensus necessary to justify academic freedom as a special freedom for faculty. But the inseparable other side of this regulatory and enabling authority is that it can suppress innovative thinking in the name of defending immutable standards. Paradoxically, the very institutions that are meant to legitimize faculty autonomy can also function to undermine it.

ACADEMIC RESPONSIBILITY

There is another area of tension that academic freedom addresses, but does not resolve. Like the first two issues I have discussed, it is also

the source of controversy and adjudication that never ends. This is the notion of academic responsibility. Conceived as the correlative of academic freedom ("there are no rights without corresponding duties," reads the 1915 "Declaration of Principles" [AAUP, 1915: 33]), it was in fact an attempt to bring into being in the very person of the professor the boundary between knowledge and power, thought and action, truth and politics upon which the principle of academic freedom rested. Academic responsibility referred to the deportment of a faculty member, his performance as an academic subject; it was no longer attached explicitly to the motivation for truth-seeking (that was taken to be a freely performed activity, not the fulfillment of a responsibility). Responsibility somehow meant a commitment to keeping thought and politics distinct, or at least to maintaining the appearance of such a distinction and that in two ways: in the manner or style of one's academic conduct and in the spatial separation between the world of ideas and the world at large.

The early attempts to separate knowledge and power appealed to the idea of objectivity. The closer scholars could come to it, the more legitimate their work would be, the more the inside could be protected from the outside. The problem, of course, was that—as Dewey and the AAUP founders well knew—work in the human sciences could never claim the objective status of pure science. So, one way of keeping the taint of politics away from scholarship was to displace the problem onto the *manner* in which ideas were articulated. In the heat of public controversies about the undeniably political ideas of Progressive social scientists, the founders of the AAUP suggested that a faculty member's demeanor could affect the reception of his work. Thus Dewey noted in 1902 (and the AAUP founders again in 1915) that the deportment of critical scholars could make all the difference. Indeed, they went further, maintaining that academic responsibility demanded that professors set forth their views in "a scholar's spirit," "with dignity, courtesy, and temperateness of language." (AAUP, 1915: 33). "It is the manner of conveying the truth," Dewey insisted, that can provoke censure or

toleration. (The example he chose is telling for its acknowledgment of the political import of a scholar's ideas and of the challenge they might pose to conventional wisdom.)

One might, for example, be scientifically convinced of the transitional character of the existing capitalistic control of industrial affairs and its reflected influences upon political life; one might be convinced that many and grave evils and injustices are incident to it, and yet never raise the question of academic freedom. . . . He might go at the problem in such an objective, historic, and constructive manner as not to excite the prejudices or inflame the passions even of those who thoroughly disagreed with him. On the other hand, views at the bottom exactly the same can be stated in such a way as to grasp the feelings of everyone exercising the capitalistic function. What will stand or fall upon its own scientific merits, if presented as a case of objective social evolution, is mixed up with all sorts of extraneous and passion-inflaming factors when set forth as the outcome of the conscious and aggressive selfishness of a class. As a result of such influences the problem of academic freedom becomes to a very large extent a personal matter (Dewey, 1902: 59).

In the classroom, the teacher must be patient, considerate, wise, even as he challenges convention and sparks new thought. Outside the classroom, he is "under a peculiar obligation to avoid hasty or unverified or exaggerated statements and to refrain from intemperate or sensational modes of expression," even as he exercises "the political rights vouchsafed to every citizen" (AAUP, 1915: 37). Recognizing the difficulties of laying down rules for personal conduct ("such rules are likely to be innocuous truisms"), Dewey proceeds, Polonius-like, nonetheless: loyalty to truth, the courage of one's convictions, respect in

the face of controversy are positive traits; conceit, "bumptiousness," "lack of reverence for the things that mean much to humanity," and a "craving for public notoriety" are negative (Dewey, 1902: 60). The aim was not to compromise one's beliefs in order to win public approval, but rather to embody something of the "scientific" auspices of ideas in one's very demeanor ("objective, historic, constructive," dispassionate, calm). The notion that personal style might mitigate the impact of one's ideas was, of course, futile.

As the case of Wharton's Scott Nearing suggests, radical substance and radical style were often read as interchangeable, the one implying the other. In the statements I cited from the Wharton School alumni, it is hard to distinguish between "intemperate," "wildly," "astonishing," and "unrestrained" on the one side, and "untested theories" and "fallacious conclusions" on the other. Was Nearing let go because he questioned "the institutions and rules which form the basis of civilized society," or because he lacked the restraint associated with objectivity? Weren't his ideas proof enough that he didn't have the appropriate demeanor? When the trustees came to justify firing Nearing, they were more careful about distinguishing between freedom of expression ("there is not and never will be the slightest wish on the part of the board or of a single of one the trustees to restrict the broadest latitude of opinions, research, and discussion" [AAUP, 1916: 146]) and style ("when individual opinions of members of the teaching staff are expressed in a proper manner, upon proper occasions, and with proper respect for the dignity of their relationship to the university . . . such opinions and utterances are welcomed as indicative of progressive growth—no matter how divergent they may be from current or general beliefs" [146]). "Proper" is invoked as something entirely self-evident ("proper manner," "proper occasions," "proper respect"), though, of course, its meaning is completely obscure. Or, at least, it assumes a shared understanding of what constitutes propriety: commitment to a set of norms that set boundaries both for gentlemanly decorum and gentlemanly ideas, the one being the measure of the other. According to this notion

of propriety, it doesn't seem possible that Nearing's manner, however dispassionate, could have offset the objections to his ideas.

Recent controversies about teachers of Middle Eastern studies are only the latest example of the fact that those who disagree with the content of one's teaching often hear it as intemperate, dangerous, and wild, even if the demeanor of the teacher is careful and courteous. It is not easy to separate the contents of the teaching from judgments about the character of the scholar. Still the emphasis on good manners has never been dropped entirely in AAUP documents and elsewhere in the academy. It stands in the much-cited 1940 statement—in effect a “constitution” for academia. And it has had something of a resurgence these days in administrators' pleas for “civility” and in tests for “collegiality” that, despite AAUP warnings about the discriminatory impact such tests can have, are included in standards for tenure at some universities (AAUP, 1940). The idea that academic deportment ought not to seem political or, better, that the political resonances of academic work can be made acceptable by one's “civility” is still there to be drawn on. As such it constitutes a check on the notion that academic freedom is about the unqualified autonomy of scholars in their writing and teaching, or at least it poses a serious challenge to that idea.

The second area of academic responsibility is about the spatial separation of activity, captured in the distinction between legitimate scholarly work and “extramural” expression, between acceptable classroom discourse and opinions offered outside that protected space that are not necessarily related to a faculty member's expertise. Was there a responsibility to behave in a certain “academic” manner even when one was exercising one's rights as a citizen? Did the special right of academic freedom entail limits on the public right of free speech? Surely outrageous opinions uttered to the public could redound negatively to the university, imperiling academic freedom within its walls by tarring with the brush of politics the professor's scholarly reputation (and so the university's neutral standing). The 1915 declaration went back and forth. On the one hand, “academic teachers are under a peculiar obli-

gation to avoid hasty or unverified or exaggerated statements, and to refrain from intemperate or sensational modes of expression." On the other hand, they should not have "their freedom of speech, outside the university, . . . limited to questions falling within their own specialties." Nor should they be "prohibited from lending their active support to organized movements which they believe to be in the public interest." "It is neither possible nor desirable to deprive a college professor of the political rights vouchsafed to every citizen" (AAUP, 1915: 37).

But what of cases of extramural utterance that "raise grave doubts concerning [a faculty member's] fitness for his position?" Should these be treated as a matter of individual conscience or submitted to collective institutional judgment? The question was the subject of much discussion in the drafting of the 1940 statement—a joint endeavor of AAUP (representing faculty) and the Association of American Colleges (AAC) (representing administrators). The result was a compromise. Paragraph C of the document addressed the issue, but it was followed by an interpretive footnote, so vexed was the problem. The paragraph took the language of the 1915 declaration: the faculty member's "special position in the community imposes special obligations." "He should at all times be accurate, should exercise appropriate restraint, should show respect for the opinions of others, and [this was an addition that imposed a new obligation and suggested that faculty autonomy and university autonomy might be at odds] should make every effort to indicate that he is not an institutional spokesman" (AAUP, 1940: 36). The interpretive note actually muddled the issue while exposing the basted seams of compromise. It granted the right of administrators to file charges in an appropriate manner against a faculty member whom they considered to have violated the "admonitions" of paragraph C, but cautioned that teachers were also citizens and "should be accorded the freedom of citizens."

What this said was that "academic responsibility," as a standard for faculty deportment off campus, could not provide an entirely effective barrier between knowledge and politics. Academic freedom has come to mean the absolute right of a faculty member to "the freedom

of citizens" off-campus, but restrictions on those rights of expression in the classroom. That the matter has not, however, been resolved is indicated by the fact that the vast number of cases investigated by AAUP involve the relationship between a faculty member's extramural speech and his or her fitness as a scholar and teacher. A series of cases illustrates this point.

The first case actually occasioned a debate among AAUP leaders about the value of invoking "academic responsibility" as a test of professorial merit. It concerned an assistant professor of biology at the University of Illinois in 1963 who wrote a letter to the editor of the student newspaper that so outraged public opinion that he was dismissed by the president. Leo Koch's letter was about sex. In response to an article by two students complaining about the ritualized nature of relations between men and women on campus, Koch counseled greater freedom. Arguing that the students treated the issue too narrowly, he diagnosed a "serious social malaise . . . caused . . . by the hypocritical and downright inhumane moral standards engendered by a Christian code of ethics which was already decrepit in the days of Queen Victoria" (AAUP, 1963: 26). The cure was to end the psychological inhibition of healthy needs by condoning sexual intercourse "among those sufficiently mature to engage in it without social consequences [that is, by using modern contraceptives and with good medical advice] and without violating their own codes of morality and ethics."

The response, as one can imagine, was explosive. It was led by the Rev. Ira Latimer, a member of the University of Illinois' Dad's Association who (following the double standard of the day) wrote to parents of *women* students. He called Koch's letter "an audacious attempt to subvert the religious and moral foundations of America" and identified it as the "standard operating procedure of the Communist conspiracy" (AAUP, 1963: 27). Letters of protest poured in to university administrative offices. Following the recommendations of the executive committee of the College of Liberal Arts and Sciences, the president decided that "Professor Koch's published letter constitutes a breach of

academic responsibility so serious as to justify his being relieved of his University duties." He went on that "the views expressed are offensive and repugnant, contrary to commonly accepted standards of morality and their public espousal may be interpreted as encouragement of immoral behavior. It is clear that Mr. Koch's conduct has been prejudicial to the best interests of the university" (28).

Here was a statement that called for condemnation if one took critical thinking to be the mission of the university and if the free speech rights of citizens were to be respected. There was never evidence presented that either Koch (a botanist) uttered these views in his classroom or that he was unfit to teach his subject. Indeed, his colleagues on the faculty senate committee on academic freedom concluded that at most his letter deserved a reprimand. The AAUP investigating committee agreed, concluding that there were administrative violations both procedural and principled and it called upon the board of trustees to resist public pressure, to "take a broader view of the function of the university and the value of academic freedom . . . to recognize [the university's] maturity, its ability to absorb a few gadflies and its need for uninhibited freedom of discussion"(34).

The investigating committee went on at some length about the utility of the notion of academic responsibility, arguing, in effect, that in cases of extramural utterance an individual faculty member's rights as a citizen could not be limited by such a vague and ambiguous term. Citing a passage from John Stuart Mill's *On Liberty*, they maintained that "any serious application of the standard would tend to eliminate or discourage any colorful or forceful utterance. More likely . . . the standard would be reserved as a sanction only for the expression of unorthodox opinion" (37). These comments gave rise to heated debate among the members of Committee A (which receives and acts on these investigatory reports) and to the publication, along with the report, of two statements on "Academic Responsibility," one the majority view, the other, a dissent. While not disagreeing with the investigators' conclusion that Professor Koch had been denied due process and while conced-

ing that "academic responsibility is admittedly very difficult to define," the majority nonetheless insisted that academic responsibility was a standard worth enforcing because "we can hardly expect academic freedom to endure unless it is matched by academic responsibility" (40). The notion might, of course, be abused, but this was not grounds for denying its importance. "The remedy is, instead, insistence on proper procedural safeguards, a highly significant role for the faculty, . . . and a vigilant oversight by this Association" (41).

The dissenters were not convinced. They insisted that the majority had misinterpreted the 1940 statement, which, on the question of speech outside the classroom, was unambiguous: "by law, in the expression of his opinions, the teacher is no less free than other citizens" (42). The only legitimate ground for dismissal was—historically and in the present—"demonstrated unfitness to teach." "To speak of 'academic responsibility' as a standard or test for dismissal because a teacher has expressed an unpopular opinion without anchoring it to unmistakable particulars is to waver on a floating bog of semantics" (43).

A special standard of academic responsibility, the dissenters continued, not only treated teachers differently from other citizens, but it opened

a Pandora's box of all the coercive and compulsive crusades of sectarian, political, and economic pressure groups together with consequent attempts at dismissal by administrators who are unable to resist the public pressure engendered by such groups whose causes often contain more heat than light (43).

Oberlin College English Professor Warren Taylor, the author of the dissent, undoubtedly had the previous decade's experience in mind. During the McCarthy period, many faculty were fired, some for having admitted to membership in the Communist Party, some for simply having been accused of such membership, some for having declined

to name names, and others for having taken the Fifth Amendment (Schrecker, 1986). "Academic responsibility" was directly or indirectly used as a justification for these firings. Sometimes the need to protect the university from legislative intervention was the reason, sometimes the refusal of the professor to come clean with his colleagues inside the university was the issue, sometimes it was that communism was by definition antithetical to free thought. Thus the American Committee for Cultural Freedom (the group of Cold War intellectuals founded in 1951) argued that "a member of the Communist Party has transgressed the canons of academic responsibility, has engaged his intellect to servility, and is therefore professionally disqualified from performing his functions as a teacher" (Lasch, 1969: 83). This logic substituted for any need to provide concrete evidence of scholarly or pedagogic unfitness. And it ruled out the possibility that, for some faculty at least, communism was more about developing a critical theory of society than it was about offering unquestioned obeisance to the Soviet state.

Most often, as Warren Taylor had predicted, academic responsibility was invoked when administrators or trustees were unable to resist public pressure to punish a professor whose off-campus speech had offended their sensibilities. In these cases, the responsibility was not to think freely (not to exemplify the function of the university), but to protect the public reputation of the university (by refraining from the expression of critical ideas). AAUP investigators found themselves time and again arguing against administrative judgments "in applying what are necessarily somewhat imprecise standards for the limits of propriety of extramural controversy" (AAUP, 1971: 398). In most of these instances in fact, faculty committees (and AAUP investigators) made a case for a professor whose extramural speech was deemed outrageous based not on the content or style of that speech, but on the fairness (according to AAUP recommendations) of procedures followed in judging the individual and, usually more importantly, on the quality of his or her professional standing as a scholar and teacher. In this they carefully restricted "academic responsibility" to the fulfillment of teach-

ing and disciplinary requirements, thereby reinforcing the distinction between knowledge production and politics as forms of activity, not as personal qualities that separated professors from ordinary people. That they did not usually prevail is an indication, I think, of the difficulty of maintaining the distinction in practice.

The case of Angela Davis provides another illustration of the way in which "academic responsibility" could be used. When Davis was not renewed as a lecturer in philosophy at UCLA in 1970 because of her membership in the Communist Party and because in public speeches she attacked police as "pigs" and maintained that academic freedom was an "'empty concept' if divorced from freedom of political action or if 'exploited' to maintain such views as the genetic inferiority of black people" (AAUP, 1971: 391), her colleagues argued that nothing in her lectures or classroom behavior indicated dereliction of duty.² Students talked about her courses as rigorous and open-minded; they were not expected to parrot her conclusions, which were, in any case, offered as tentative interpretations. If her off-campus rhetoric was inflated, inaccurate, and even "distasteful and reprehensible," it had not spilled over into her research and teaching. One of the few regents who opposed her firing noted that "in this day and age when the decibel level of political debate . . . has reached the heights it has, it is unrealistic and disingenuous to demand as a condition of employment that the professor address political rallies in the muted cadences of scholarly exchanges. Professors are products of their times even as the rest of us" (417).

Absent here was the idea that "academic responsibility" extended beyond one's purely academic responsibilities. Although the style and manner of one's performance still counted (Davis was said to be as calm in the classroom as she was outrageous in public), it did so only within the walls of academe. Though this was the dissenting opinion of a regent in the Davis case, it came increasingly to characterize the restriction of the notion of academic responsibility to things academic. There was indeed a separation between knowledge and politics, but

an academic could participate in both as long as she distinguished between her roles as a scholar and a citizen. Academic freedom was meant to guarantee this separation in theory, difficult as it might be to maintain in practice.

But what if a professor's political engagement led to revelations about the quality of his scholarship? This is what happened in the case of Ward Churchill at the University of Colorado. Churchill's reference to the World Trade Tower September 11, 2001 victims as "little Eichmanns" who deserved their fate, infuriated the regents of the university. In response to demands from the regents and the governor that he be fired immediately, the administration of the university (following AAUP procedures) asked a faculty committee to examine his professional competence. The inquiry into his work produced information about "research misconduct" considered so damning that neither the committee nor the AAUP felt they could come to his rescue. It was certainly true, his colleagues conceded, that there would have been no examination of his scholarly opus if the political charges hadn't been made, yet given the questionable nature of his academic credentials and the extensive criticism that came from within his own field of American Indian studies, it was extremely difficult to make a strong bid for his retention.

Although the Churchill and Davis cases differed on the question of the scholarly integrity and teaching performance of the professor, both were fired and for the same reasons: their extramural speech incurred the wrath of outside groups whose power influenced the decisions of university administrators. These were cases that revealed the weakness of the notion that a full separation was in fact possible between thought and action, scholarship and politics. Academic freedom was easily compromised by a notion of academic responsibility that could be extended to include the responsibility to protect the university from exactly those forces that Dewey and his colleagues in 1915, and Warren Taylor and his fellow dissenters in 1963, warned would compromise its mission of free and critical inquiry.

BLURRED BOUNDARIES

In 1970, in the context of the heated politics of the Vietnam War, the AAUP issued a statement on “academic responsibility” that, while recognizing how politics had become part of campus life, insisted on what had by then become the classic distinction between the scholar and the citizen. “Because academic freedom has traditionally included the instructor’s full freedom as a citizen, most faculty members face no insoluble conflicts between the claims of politics, social action, and conscience, on the one hand, and the claims and expectations of their students, colleagues, and institutions on the other” (AAUP, 1970: 136).

As the subsequent years of political and epistemological turmoil (identity politics, culture wars and science wars, linguistic and cultural turns, structuralism and poststructuralism) would reveal, however, what is missing in those sharp distinctions between outside/inside, power/knowledge, action/thought, politics/truth is, ironically, the idea that one’s sense of responsibility as a citizen could legitimately affect one’s scholarship—ironically because among the members of AAUP were many who, like the founding Progressive fathers, were motivated by concerns about the direction of society, the organization of the economy, and the conduct of politics to undertake the research and teaching that earned them scholarly distinction. As in the attempt to mask with good manners the political implications of academic research, so the consignment of politics to “extramural” speech, while it offered an important way of defending a professor’s rights as a citizen, left aside the more difficult question of how and whether contemporary concerns (the stuff of political contests) might legitimately and explicitly be addressed by scholars in their capacity as teachers and researchers.

Where is the line between polemical advocacy and critical scholarship in work that rereads the history of democracy as a story of the exclusion of differences based on ethnicity, gender and race? It may be relatively simple to decide that a teacher of women’s studies who requires that students share her outrage at all things “patriarchal” is

unwisely polemical in her pedagogy, or that a chemistry professor's use of class time to denounce the war in Iraq is inappropriate, but the tougher questions involve scholarly interpretations—what might be called the point of view that necessarily informs research, writing, and teaching in the humanities and social sciences. In a recent book, the literary scholar and academic administrator Stanley Fish has cautioned academics to “save the world on your own time,” urging us to teach the facts or the texts in our chosen fields without taking a position on them (Fish, 2008). Fish adheres to the idea that politics and scholarship are entirely separable entities. But the separation between them is easier in theory than in practice since taking positions—on the quality of evidence used to support interpretations, on the reliability of certain methods of investigation, on the premises of the writers of texts and textbooks, on the ethical issues—is part of the scholar's job, part of what makes her a compelling and inspiring teacher. Moreover, those positions are not neutrally arrived at by, say, balancing all sides until an objective view emerges; rather they are the result of some kind of deeply held political or ethical commitment on the part of the professor. The tension between professorial commitments and academic responsibility is an ongoing one that the principle of academic freedom is meant to adjudicate.

In recent years, the blurring of the lines between politics and scholarship, the acknowledgment that there is some connection, has opened the way for full-fledged political assaults on university teachers: from the Israel lobby on Middle Eastern studies courses that address the ethics of the Occupation and the rights of Palestinians or that simply employ professors whose loyalty to current Israeli policy is in question; from evangelical Christians on evolution in the biology curriculum or on classes that question their views of sexual morality; from organized student groups—right and left—who find themselves made “uncomfortable” by readings assigned in courses; from right-wing trustees and alumni who feel that “public tax dollars should not be used to promote political, religious, ideological or cultural beliefs or values as truth

when such values are in conflict with the values of American citizenship and the teaching of Western Civilization" (Arizona Legislature, 2008). Despite the valiant efforts of some administrators to resist the pressure, these groups have had an impact (a "chilling effect") on the organization of the curriculum, on the hiring and firing of faculty, and on the kinds of speakers and conferences permitted on campuses.

When administrators do resist the pressure, it is in the name of academic freedom—the right, indeed the necessity of autonomy for a self-regulating faculty—and this is a demonstration of the continuing value of the concept, whatever its inherent tensions and limitations. In pointing out the ongoing tensions that the principle of academic freedom mediates, I do not mean to call its utility into question. On the contrary, it seems to me that it is precisely because the tensions evident a century ago continue to trouble the relationships among faculty, administrators, and boards of trustees; because the value of critical thinking is regularly under siege in the disciplines, the universities, and the nation; and because the tensions I have been describing are not susceptible to final resolution, that we need this principle in our ongoing struggle to preserve that which is best about universities and university education—the commitment to free and unfettered inquiry as an ideal we reach for, even as its attainment never seems quite complete.

NOTES

1. Here the declaration reads like a conversation among the authors, with the majority conceding some points to more conservative colleagues, while returning again and again to the main point: the need for absolute freedom in the classroom.
2. Note that this took place before Davis was indicted in the jailbreak attempt of George Jackson.

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