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Academic Freedom

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Academic freedom is the freedom to teach and do research in any area without constraint, to discover and promulgate new ideas no matter how controversial. Like other accepted freedoms, academic freedom requires individuals, authorities, and governments not only to allow scholars to work without restraint but also to prevent any interference with this freedom. In addition, academic freedom seems to require something more: that society provide conditions in which new ideas can be generated, nurtured and freely exchanged.

Historical examples show the need for academic freedom. Socrates (c. 470-399 B.C.) was put to death for corrupting the youth of Athens with his ideas. Galileo (1564-1642) was sentenced to life imprisonment for advocating the Copernican view of the solar system. Descartes (1596-1650) suppressed his own writing to avoid similar trouble. Teachers were fired for telling their students about Darwin's (18-90-1882) views. The ideas of these great thinkers have survived, but we will never know how many others were completely suppressed.

Recognizing the need to protect controversial ideas, nineteenth century German universities affirmed the ideal of academic freedom. During the modern era, the US Supreme Court reaffirmed academic freedom in *Sweezy versus New Hampshire* (1957): "to impose any straitjacket upon the intellectual leaders in our colleges and universities would imperil the future of the nation."

Academic freedom can be justified in two ways. First, one can appeal to a higher value—the pursuit of Truth—to argue that we must protect ideas that may be unpopular, controversial or without immediate practical benefit in order to support Truth. Second, one can argue that academic freedom is necessary to benefit human welfare which depends on the discovery and propagation of new knowledge. Since we cannot predict which knowledge will be helpful in the future, all new knowledge should be protected.

The first justification seems to be the simpler. If we take the pursuit of Truth as a higher value, then no knowledge should be suppressed. Even harmful truths are truths nonetheless. But there is a problem. If the discovery and promulgation of Truth is our primary aim, it might be acceptable or even desirable to suppress false information that threatens to displace true information. The problem is the difficulty in determining what new information is true. Who decides what is true and what is false? Historically, those who tried to suppress new information usually believed they were trying to preserve the truth. Now we know that they were mistaken. We might assume that, given enough intellectual scrutiny, true information will eventually defeat false information. Then we can decide the best policy is to suppress *no* information. However there is no guarantee that true information will always displace false or that this system is an efficient way to establish Truth.

Consider now the second justification: that human welfare is primary. This justification seems to allow limits on academic freedom. Some things that are discovered and taught might be

harmful, might even endanger the future of our species. False information is more likely to be harmful, but true information might also be harmful. Some argue that academic freedom must be limited when there is a serious threat to human welfare. They cite examples such as the danger caused by radioactivity from nuclear weapons research or the danger of biological “wildfire” from accidents in recombinant genetic engineering.

Even if we take human welfare to be primary, we can still defend the *principle* of academic freedom. It is too difficult to anticipate what knowledge will turn out to be harmful. It is too dangerous to allow some people to decide what may be studied and what may not, what information should be available and what should be suppressed. In general, the larger benefit of supporting the principle of unconstrained research and teaching seems to be worth the risk of occasional harmful effects. Therefore, we should support the principle of academic freedom.

Academic Freedom: Privilege or Right

The exercise of academic freedom depends on resources that are not available to everyone. Teaching requires access to students; research requires libraries, laboratories and other facilities. Modern scholars need access to photocopy machines, computer databases, colleagues to consult, journal and book editors willing to publish their work. These resources are limited. Not everyone can be accommodated. The difficulty of deciding how to distribute these limited resources raises serious questions about academic freedom.

Educational institutions are the primary providers of scholarly resources. Therefore the protection of academic freedom is usually thought to be the responsibility of colleges and universities. However, academic institutions are meritocracies, not democracies. They make no attempt to distribute their resources to everyone. Instead, they try to reserve these resources for people whom they judge can best make use of them. But how do educational institutions judge who is most suitable?

The freedom to develop and teach new ideas can be encouraged or discouraged in many ways. The most prominent way that educational institutions encourage academic freedom is the granting of tenure. Tenure provides job security for teachers and scholars. It is usually granted after a period of probation, as a symbol of merit. This reinforces the idea that academic freedom is a privilege.

The tenure system has been criticized because it can be easily abused. People with tenure can hold their positions and do very little work. They cannot be fired for being lazy teachers, poor researchers or uncooperative employees. Defenders of the tenure system, like defenders of other protective systems, argue that protecting the work of original, unpopular thinkers is more important than preventing the “deadwood” in academic departments from slacking off.

Tenure has also been criticized because its protection of academic freedom is withheld from the people who may need it the most—younger scholars who are more likely to innovate and to challenge established paradigms. Untenured scholars may be fired unless their senior colleagues support them enthusiastically, no matter how excellent or original their teaching or research. Many junior scholars lose their jobs because their senior colleagues do not approve of their research or the material they teach.

There is usually a six-year probation period before tenure is granted at the university level; it is often less for secondary school teachers. In higher education the average period a junior scholar must work before receiving tenure is increasing in length as the supply of academic jobs decreases. Many scholars go from one untenured position to another. Scholars who do get tenure may wait twelve or more years. During this time they work under conditions of restricted academic freedom. They must be cautious about expressing scholarly or personal views that may of-

fend senior faculty members and cost them their jobs. The pressure to “publish or perish” also discourages innovation because innovation requires taking chances that may not result in a publication. Many of those who are finally granted tenure after this long period have learned to avoid daring or controversial research and teaching. Ironically, those who finally receive tenure’s protection of academic freedom may be the ones who need it least.

Some hold that tenure should be restricted, that full academic freedom is a privilege to be granted only after the new scholar demonstrates a record of extraordinary contributions. Untenured status is an apprenticeship that allows the university to identify the most talented scholars. The more untenured scholars an institution has, the more easily it can replace them with people who have new ideas. Unfortunately this view offers no protection to untenured scholars who have new ideas that displease senior colleagues or that fall outside established paradigms.

Others believe that it is young scholars with new ideas who are most in need of protection. They see scholars who do original work being dismissed for irrelevant reasons and want junior scholars to have the same job security as their seniors. They argue that the quality of research and teaching would be improved if working conditions were more secure and the power differences between tenured and untenured faculty members were lessened. This system is generally followed in Britain and some other countries. Opponents point out that in countries where job security is granted to new scholars, there are fewer academic jobs available and fewer scholars can find any academic employment. To compromise, institutions might give longer contracts to all scholars but eliminate tenure.

Many who have discussed academic freedom equate it with tenure. Yet the job security that tenure provides is not enough. Tenure may increase the academic freedom of some scholars, but it does not guarantee the ability to teach or study freely. Tenured faculty members have been fired for their political beliefs or private indiscretions. Tenured faculty members with controversial ideas have been given undesirable teaching assignments, burdened with tedious administrative jobs, or denied research facilities. While tenure is the main formal protection for academic freedom offered by educational institutions, not all institutions offer it.

Educational institutions have the power to foster academic freedom in many ways besides tenure: for example, reducing teaching loads, granting travel funds and sabbatical leaves so that faculty members can develop new ideas and exchange ideas with colleagues at other institutions. Many institutions extend the academic freedom of their students by allowing a wide choice of courses. They extend academic freedom outside the institution by giving members of the public access to their libraries and some research facilities.

In some fields, other resources are more important to academic freedom than tenure—access to artifacts, special libraries, private collections, laboratory space and equipment. These resources can be denied to scholars whose views threaten the people who control access. And even if the research is successfully completed, it still needs to be made public. Journal editors and referees are less likely to recommend publication of articles that challenge their own ideas. Publishing houses have been pressured by academics not to produce certain books. Libraries and bookstores have been pressured to withdraw offending books from circulation. Government and industry keep secret the results of research done under their auspices, even when conducted in institutions of higher education.

Teachers, especially those whose evaluations are based on class size and student opinion surveys, feel pressure to please their audiences, sometimes at the expense of educational goals. Teaching curricula are affected by ideology, politics, and current intellectual fashions. Researchers feel pressure to focus on subjects supported by grants from government, industry, and foundations.

Research and teaching will always be constrained by outside pressures. The means for exercising academic freedom—tenure, research support and publication space—will always be relatively scarce resources. We should evaluate how these resources are presently distributed. We must consider who should choose the recipients of these resources. It may seem that those who have demonstrated competence in a scholarly discipline are best able to make the decisions. However established scholars are intellectually, emotionally, and financially invested in certain theories, approaches, and dogma. Given human nature, it is difficult for judges to accept a new idea that challenges what they themselves believe, especially when they know that their views are shared by other leading scholars in a field. We should recognize the dangers of self-perpetuating paradigms and try to discover ways of overcoming them.

We can look beyond tenure for means of preserving academic freedom and ask whether the resources for academic freedom should be distributed more widely or more narrowly; whether these resources should be distributed to encourage merit, diversity or some other property; and whether the creative thinking and hard work that results in new knowledge is more likely to be inspired by pressure of regular evaluation or the freedom from job insecurity.

Bibliography

- Atherton, M., S. Morgenbesser and R. Schwartz, "On Tenure," *Philosophical Forum*, 10, Winter-Summer 1978-79, pp. 341-352. Junior scholars need protection too.
- Brubacher, J. S. *On the Philosophy of Higher Education*, San Francisco, Jossey-Bass, Inc., 1977. Chapter Three presents a thorough discussion of academic freedom, its justification, limits and relation to other rights.
- Cahn, S. M. *Education and the Democratic Ideal*, Chicago, Nelson-Hall, 1979. Argues that tenure is necessary to protect academic freedom but that it should be granted less often and terminated more frequently.
- Hook, S. *In Defense of Academic Freedom*, New York: Pegasus, 1971. Student challenges to university traditions in the 1960's are seen as a threat to academic freedom.
- Hook, S., P. Kurtz and M. Todorovich, *The Ethics of Teaching and Scientific Research*, Buffalo: Prometheus Books, 1977. Hook argues that academic freedom (which he equates with tenure) is a privilege. Kurtz examines claims that some scientific research should not be done because of dangers or possible misuses.
- Jaggar, A., "Tenure, Academic Freedom and Professional Competence," *Philosophical Forum*, 10, Winter-Summer 1978-79, pp. 360-370. Political and personal factors affect judgments of who deserves tenure.
- Robinson, G. M., and J. Moulton, *Ethical Problems in Higher Education*, Prentice Hall/Simon Schuster (1985). Chapter Three treats the hiring and evaluation of faculty; Chapter Five covers ethical problems in teaching.
- Schneewind, J., "On 'On Tenure'," *Philosophical Forum*, 10, Winter-Summer 1978-79, pp. 353-359. A defense of the tenure system.