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Academic Freedom Isn't for Me

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In his talk in this room an hour ago [on June 11, 2015, at the AAUP Conference on the State of Higher Education held in Washington, DC], John Wilson spoke against “civility,” especially as it is often used today, as a tool for silencing people. I was happy to hear that for a number of reasons and not simply because I have no plan on being civil to Stanley Fish here. I remember, too, the first time I saw Fish, on an MLA panel in the early 1980s where, as respondent, he took apart the views of one of the speakers, making mincemeat of him joyously. Fish could easily do the same to me, so I have no sense that I need to be easy on him. I am not fair to Fish here, and I admit that, but fairness to Fish is not something that will help me make my point. Treating him with a bit of incivility, however, may. Sometimes, as John says, incivility can be a good thing. Fish is one of the most able and intelligent academics of his generation but that does not mean he is always right.

Academic Freedom Isn't for Me

It's for us. All of us. Faculty, administration, staff and students. The country. A minor mistake of the 1940 Statement of Principles on Academic Freedom and Tenure of the AAUP is that it focuses on teachers, leaving the value of academic freedom to others unsaid. Point 1: “Teachers are entitled to full freedom in research.” Point 2: “Teachers are entitled to freedom in the classroom.” Point 3: “College and university teachers... should be free from institutional censorship or discipline” (<http://aaup.org/report/1940-statement-principles-academic-freedom-and-tenure>).

Fortunately, as J. Peter Byrne says, few really see it that as restrictive or exclusionary: “The term ‘academic freedom’ should be reserved for those rights necessary for the preservation of the unique functions of the university.” Academic Freedom, in other words, is necessary for continuation of the institution, not the individual.

Stanley Fish quotes that line of Byrne's in his recent book, *Versions of Academic Freedom*, using it to set in opposition what he imagines are two views of academic freedom, one that he calls “modest”

and associates with Byrne. The other, to Fish, sees Academic Freedom as “a general, overriding, and ever-expanding value, and the academy is just one of the places that house it.”

What Fish apparently—and willingly—does not understand is that there’s nothing “modest” about Byrne’s definition. ‘The unique functions of the university’ covers quite a bit of ground. What Fish has done is place his own meager view of education itself over the concept of Academic Freedom, transferring his own meager vision to Byrne. His view of higher education is of a guild of specialists, one awaiting customers. Though he tries to place the onus for that on Byrne, he really should keep it to himself.

If we go back to John Dewey’s vision of education, however, we see that there is nothing modest about it, or about the “university” that Byrne assumes. Dewey writes, at the end of “My Pedagogic Creed”:

I believe it is the business of every one interested in education to insist upon the school as the primary and most effective instrument of social progress and reform in order that society may be awakened to realize what the school stands for, and aroused to the necessity of endowing the educator with sufficient equipment properly to perform his task.

I believe that education thus conceived marks the most perfect and intimate union of science and art conceivable in human experience.

I believe that the art of thus giving shape to human powers and adapting them to social service, is the supreme art; one calling into its service the best of artists; that no insight, sympathy, tact, executive power is too great for such service.

I believe that with the growth of psychological science, giving added insight into individual structure and laws of growth; and with growth of social science, adding to our knowledge of the right organization of individuals, all scientific resources can be utilized for the purposes of education.

I believe that when science and art thus join hands the most commanding motive for human action will be reached; the most genuine springs of human conduct aroused and the best service that human nature is capable of guaranteed.

I believe, finally, that the teacher is engaged, not simply in the training of individuals, but in the formation of the proper social life.

I believe that every teacher should realize the dignity of his calling; that he is a social servant set apart for the maintenance of proper social order and the securing of the right social growth.

I believe that in this way the teacher always is the prophet of the true God and the usherer in of the true kingdom of God. (<http://dewey.pragmatism.org/creed.htm>)

Providing an opening for Fish, our mistake, today, when we defend Academic Freedom, is that we defend it too narrowly—though we often extol it as the savior of higher education. This allows people like Fish to claim that, “Although academic freedom is often celebrated in grand, indeed grandiose, terms, it is at base a guild slogan that speaks to the desire of the academic profession to run its own shop,” cynically narrowing Academic Freedom and setting up what Fish imagines is a new debate on Academic Freedom, one in which he defines the discussion.

Fish provides what he calls five “schools” of academic freedom:

1. “It’s just a job.” This one reflects Fish’s own vision. “Those who work in higher education are trained to impart... knowledge, demonstrate... skills and engage in research.” They are paid for this and nothing more. “When engaged in those activities, they should be accorded the latitude—call it freedom if you like—necessary to their proper performance.” Though Fish does not say it, this view reduces education to a commodity. However, as Hunter Rawlings argued in *The Washington Post* this week:

college is *not* a commodity. It’s a challenging engagement in which both parties have to take an active and risk-taking role if its potential value is to be realized. Professors need to inspire, to prod, to irritate, to create engaging environments that enable learning to take place that can’t happen simply from reading books or watching films or surfing the Web. <http://www.washingtonpost.com/posteverything/wp/2015/06/09/college-is-not-a-commodity-stop-treating-it-like-one/>

Fish says he may be the only one supporting this version, and he may be right—within academia, that is.

2. This version of academic freedom, that it is “For the common good,” is the one Fish associates historically with the AAUP. In this one, “professional values are subordinated to the higher values of democracy or justice or freedom; that is, to the common good.” To me, this is a reductive view of the AAUP position and of Dewey’s vision of education. It reflects his narrow assumption about the scope of educational endeavors.
3. Fish’s third version is, he says, an extension of the second. In his rather snide depiction, its proponents see themselves as “*uncommon*, not only intellectually but morally.” They are the elite and must have special rights. He transfers a view of institutions of higher

education onto the educators. It is the colleges and universities that are uncommon—in the sense that they are not “free market” entities.

4. In this version, academic freedom is important because “academics have the special capacity to see through the conventional public wisdom and expose its contradictions.” Here again, Fish is simply being snide. This “school” sees academic freedom “as a protection for dissent and the scope of dissent must extend to the very distinctions and boundaries the academy presently enforces.” In reality, it is a protection for institutions through the individuals involved.
5. In this version, much of what is implicit in #2 and #3 becomes explicitly revolutionary, its protection a protection for the genesis of necessary social change. Here, Fish sees the institutions of higher education as envisioned as the laboratories for social change, a simplistic vision of what is actually a much more complex relationship between the university and society.

It seems to me that Fish, in his presentation of these “versions” of academic freedom, is a deliberate narrowing of any definition of the role of the faculty and, by extension, of institutions of higher education, moving all of it down to “service” alone by ridiculing the other versions. He never substantively addresses the needs lying behind academic freedom, the cultural needs for vibrant institutions of higher education. In fact, he reduces everything to the terms of his first version, which is, of course, the one he likes best.

What has made this possible is a diversion of the debate over academic freedom made possible by the newer vision of the university as a corporate-style entity producing and marketing something of demand. Period. End of story. The idea that universities do more than the equivalent of making and selling televisions is, to the Fish vision, laughable.

Thing is, we on the faculty—along with our institutions—do a lot more than that, much of which Fish makes it hard to defend as a result of his veiled sarcasm.

We don't need to go as far as Dewey's vision of the role of the school to justify academic freedom. All we need to do is define higher education adequately. And that definition, of course, does not reflect a business model. Frankly, education was never meant to be a business and, when it is so defined and constricted, it begins to fail. Fish's meager vision of academic freedom is a contributor to that failure, so it has to be rejected. His other four versions are couched in similar terms—or in terms of the rights of the individual, also a bankrupt model for academic freedom as it is for higher education in general. He further limits his discussion of academic freedom:

I do not... say much about tenure, unionization, the rise of contingent faculty, the decline in the funding of state universities, the rewards and perils of partnerships with industry, the impact of technology, the changes in the world of publishing, the culture wars, terrorism, or globalism. Each of these has a relationship to academic freedom that deserves, and has often received, extended attention. But not here.

This exclusion is not justified, not here and not in his book. Academic freedom is part and parcel of what makes American colleges and universities as a whole successful. To limit discussion as he does is to deny not only the fullness of academic freedom but to limit it by definition, not by actual usage, to what he has already decided is simply a guild right.

Just as the fourth estate grew over the nineteenth century into a model that managed to keep its business aspects separate—to at least some degree—from its journalistic side, a model of higher education also developed in American society, though more so in the latter part of the century. In those days, not everything had to be based on a “free market” model. Over the past few years, both journalism and academia have succumbed to pressures from what some call the neoliberal forces of

modern society. Academic freedom, in the current environment, is protection for an institution of grand tradition from market forces. It's also a necessary cultural force combatting the laziness of unexamined belief, something stultifying for all cultures and certainly, as Lee McIntyre writes in *The Chronicle of Higher Education*, is a growing part of American culture. McIntyre writes that, today:

The real enemy is not ignorance, doubt, or even disbelief. It is false knowledge. When we profess to know something even in the face of absent or contradicting evidence, that is when we stop looking for the truth. If we are ignorant, perhaps we will be motivated to learn. If we are skeptical, we can continue to search for answers. If we disbelieve, maybe others can convince us. And perhaps even if we are honestly wrong, and put forward a proposition that is open to refutation, we may learn something when our earlier belief is overthrown. (Lee McIntyre, <http://chronicle.com/article/The-Attack-on-Truth/230631/>)

Academic freedom is an institutional motivation for continuing to learn. It's not an individual right at all. As Larry Gerber said this morning, it—like the closely connected “tenure”—is a right designed for the public good, not simply the private good, as Fish seems to assume.

In general, over the past generation, we have moved away from idealism to a slavish obedience to another myth, that of the triumphal efficacy of “market forces.” Anything else is now seen as naïve and antique. In his determination to see academic freedom as a personal right for guild members, Fish buys into the commodification of education, to its reduction to an item for trade. We have seen where this goes. Corinthian Colleges and the Pakistani company Axact. What these corporations have been doing is only the logical extension of modeling our colleges and universities on neoliberal corporatist paradigms of the sort Fish, consciously or not, promotes.