

On Professionalization and Academic Freedom

"Professionalization means disciplinary autonomy. A field of study (or any line of work) is a profession when its practitioners are answerable for the content of their work only to fellow practitioners, and not to persons outside the field. One of the things that had held back scientific education in American colleges (there were no graduate schools, strictly speaking, before the Civil War) was the dominance of theology in the curriculum, which obliged scholars in every field to align their work with Christian orthodoxy. Theology was the academic trump card" (Louis Menand, *The Metaphysical Club*:100).

"The creation of the AAUP was the capstone event in the professionalization of the university that got under way after the Civil War, and in which Charles William Eliot, Daniel Coit Gilman, and William Rainey Harper played leading roles. And as it turned out, the concept of academic freedom was the key to the whole development. For professions, unlike other types of occupations, are self-regulating. No professional, no doctor or lawyer or architect, wants to have the terms of his or her practice dictated by someone other than his or her peers, people who have the interests of the profession, rather than the interests of some group outside the profession, at heart. Doctors don't want insurance companies to decide what constitutes good medical practice; architects don't want developers to determine who is qualified to practice architecture; lawyers don't want politicians to define legal ethics. . . .

"American universities became modern when they finally arrived, around the time the AAUP came into existence, at an institutional structure designed to make academic work self-regulating. This meant making the Ph.D. the normal requirement for employment at a university—since people with Ph.D.s have been credentialed by established experts in their fields. It meant requiring publication in peer-reviewed journals for professional advancement—since, again, peer review is a way of maintaining professional control over the kind of scholarship that gets produced and rewarded. It meant establishing the department as the basic administrative unit of the university—since departments hire, promote, tenure, and fire their own members and set their own curricula.

"All these mechanisms are ways of ensuring that only specialists get to judge the work of other specialists, and of insulating the content of academic work from the political, financial, and personal interests of administrators, trustees, legislators, alumni, and amateurs. Academic freedom is a freedom specifically for academics: it can be enjoyed only by people already admitted to the club. Professions are democratic in the sense that they are open to anyone with talent, but they are guilds in the sense that they protect their members from market forces with which all nonprofessionals have to cope. The tenured professor not only has access to resources—libraries, students, scholarly networks—almost entirely off-limits to the independent scholar; he or she has a lifetime guaranteed income as well. Professionalization is a system of market control.

"Academic freedom for a professor is therefore, actually or potentially, a restriction on everyone who is not a professor. But what is the social good? Why should society prefer that Edward Ross, an employee of a private institution, be permitted to say whatever he chooses, but that Jane Stanford, who pays his salary, be prevented from trying to shape the intellectual content of her own university? She (with her husband) had created Stanford; she was free to close it down whenever she liked. But she could not fire Edward Ross.

"The AAUP's answer to this question appeared in a document called the 'Report on Academic Freedom and Tenure,' drawn up by Committee A of the Association—the committee charged with investigating violations of academic freedom—and printed in the first volume of the Association's *Bulletin*, in December 1915. The reason administrators and trustees should have no power to sanction professors for their views, the statement said, was because professors did not work for the trustees. They worked for the public.

The responsibility of the university teacher is primarily to the public itself, and to the judgment of his own profession; and while, with respect to certain external conditions of his vocation, he accepts a responsibility to the authorities of the institution in which he serves, in the essentials of his professional activity his duty is to the wider public to which the institution itself is morally amenable. . . .

University teachers should be understood to be, with respect to the conclusions reached and expressed by them, no more subject to the control of the trustees, than are judges subject to the control of the President, with respect to their decisions.

"Whether Dewey wrote these sentences is not known, but they plainly express his own rationale for academic freedom. During Dewey's year as president of the AAUP, the trustees of the University of Pennsylvania refused to renew the contract of the economist

Scott Nearing . . . because of his reformist views. . . . The incident got a lot of attention, and the *New York Times* published an editorial, under the headline, 'The Philadelphia Martyr,' maintaining that the trustees had the right to dismiss anyone they saw fit, and no obligation to provide their reasons for doing so.

"Dewey's letter to the editor in reply was unusually pointed. 'It is doubtless fitting and natural that the *New York Times* should find university professors "chartered libertines of speech," given to "too much foolish babbling," whenever the results of the investigation of university scholars lead them to question any features of the existing economic order,' he began. The *Times* was perfectly entitled, in other words, to express opinions flattering to its constituency. But it misunderstood the nature of academic work. 'You apparently take the ground that a modern university is a personally conducted institution like a factory,' Dewey explained,

and that if for any reason the utterances of any teacher, within or without the university walls, are objectionable to the Trustees, there is nothing more to be said. This view virtually makes the Trustees owners of a private undertaking. . . . [But] the modern university is in every respect, save its legal management, a public institution with public responsibilities. [Professors] have been trained to think of the pursuit and expression of truth as a public function to be exercised on behalf of the interests of their moral employer—society as a whole. . . . They ask for no social immunities or privileges for themselves. They will be content, for their own protection, with any system which protects the relation of the modern university to the public as a whole

"The Dartmouth College case is often cited as the foundation for academic freedom in the United States; but the argument the Supreme Court rejected in that case in 1819 is precisely the argument Dewey and the AAUP advanced, almost a century later, as academic freedom's rationale. The Court took Dartmouth College away from a state legislature and returned it to its 'owners' on the grounds that it was a private corporation immune from public control. In rescuing private colleges from the politicians, the Court effectively turned them over to the trustees. It did not turn them over to the professors. What Dewey and the AAUP accomplished was therefore a rather remarkable end run around *Dartmouth College*; they created a nongovernmental organization, the AAUP, that claimed to represent the public interest against the university's own benefactors, and they defined that interest as a need for disinterested scholarship. The deal they offered was that in return for exemption from ordinary market conditions, professors would

commit themselves to the unselfish and disinterested pursuit of truth. Implicit in the argument they made was that the public—though supposedly the real 'owners' of universities—would abstain from interference in university affairs out of its own self-interest. Edward Ross's freedom from Jane Stanford would have been worth nothing, after all, if the voters of California could have fired him instead. And the most remarkable thing about this deal was that American society—with, to be sure, many reservations and regrets along the way—bought it" (414-417).

"In Dewey's conception, the principle of academic freedom was far from absolute. 'We may insist that a man needs tact as well as scholarship,' he wrote, about the idea of academic freedom, in 1902, in the aftermath of the Ross case;

or, let us say, sympathy with human interests—since 'tact' suggests perhaps too much a kind of juggling diplomacy with the questions at issue. . . . Lack of reverence for the things that mean much to humanity, joined with a craving for public notoriety, may induce a man to pose as a martyr to truth when in reality he is a victim of his own lack of mental and moral poise.

"Dewey felt that Cattell had behaved less than tactfully. . . . and he was not sorry to see him suffer the consequences of his obstreperousness. But he thought that in writing to the congressmen, Cattell had 'merely exercised the right of every American citizen, to give his opinion on matters pending before the legislative branch of government,' and that in giving disloyalty as the reason for his removal, the trustees had acted improperly.

"In October, on the heels of the dismissal of Cattell, and, on similar grounds, of a junior professor in the English department . . . , Charles Beard resigned. Dewey issued a statement to the press. After the firing of Cattell, he announced, he was not surprised by Beard's action. 'To my mind this college is nothing but a factory, and a badly run factory at that,' he said. 'It is factory tactics that enable a professor to be expelled from a university on the recommendation of men who know nothing about his work and who are not his associates'—and that was what had happened to Cattell. The criticism was blunt but the wording was circumspect. Dewey was not saying that Cattell should not have been dismissed, only that his dismissal was the business of his professional peers, not of the

president or the trustees. Academic freedom is a privilege enjoyed at the pleasure of a community; fights over academic freedom are, at bottom, fights over how that community should be defined. It is all a question of who gets to decide" (419 f.).

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"Attacks on academic freedom . . . rouse no well-organized pressure group; the teachers themselves, who are too impotent to win their profession a living wage, can be kicked around with impunity.

"As a consequence, some universities have been increasingly hard put to defend the right of professors to hold unpopular ideas. . . . And colleges and universities are in a better position to defend themselves, of course, than the secondary and elementary schools. . . .

"The deeper issue is the freedom of the teacher to teach his subject according to his most responsible understanding of it, and not according to the ukase of a board of trustees, a legislature, a political party or a foreign country.

"President [James B.] Conant has well said that unmolested inquiry is essential: 'on this point there can be no compromise even in the days of an armed truce [*sc.* the Cold War].' The fight to maintain freedom of discussion, Conant adds, will not be easy. 'Reactionaries are going to use the tensions inherent in our armed truce as an excuse for attacking a wide group of radical ideas and even some which are in the middle of the road.' But a free society must dedicate itself to the protection of the unpopular view. 'Those who worry about radicalism in our schools and colleges are often either reactionaries who themselves do not bear allegiance to the traditional American principles or defeatists who despair of the success of our own philosophy in an open competition.' They fail to recognize, Conant observes, 'that diversity of opinion within the framework of loyalty to our free society is not only basic to a university but to the entire nation. For in a democracy without traditions only those reasoned convictions which emerge from

diversity of opinion can lead to the unity and national solidarity so essential for the welfare of the country.'

"Conant makes here, I believe, the basic point. Popular ignorance about civil liberties is jeopardizing free discussion for everybody. It is threatening to turn us all into frightened conformists; and conformity can lead only to stagnation. We need courageous men to help us recapture a sense of the indispensability of dissent, and we need dissent if we are to make up our minds equably and intelligently. For freedom of discussion is an organic part of the process by which a democracy wins consent for its great decisions. No surgery can amputate it without crippling the system.

"Hysteria is thus a useful secret weapon for the enemies of free society. . . . The non-Communist left and the non-fascist right must collaborate to keep free society truly free" (Arthur M. Schlesinger, Jr., *The Vital Center: The Politics of Freedom*: 205-209).