

**UNIVERSITIES AS CRITIC AND CONSCIENCE OF SOCIETY:  
THE ROLE OF ACADEMIC FREEDOM**

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# Universities as Critic and Conscience of Society: The Role of Academic Freedom

## Contents

1. Introduction	1
2. Critic and Conscience of Society - The Basis	2
3. Academic Freedom	5
3.1 What is academic freedom?	5
3.2 Academic freedom and freedom of speech	7
3.3 The limits of academic freedom	8
3.4 The freedom of academics	10
3.5 Academic freedom in teaching	12
3.6 Academic freedom and students	14
3.7 Academic freedom in research and publication	15
3.8 What responsibilities does academic freedom confer?	19
3.9 Perceived threats to academic freedom	20
4. Critic and Conscience of Society - The Relevance	23
5. References	24
Appendix: Auditing an institution's fulfilment of the role of Critic & Conscience of Society	25

## 1. Introduction

Of all the issues about which university academic staff feel strongly, that of academic freedom tends to appear towards the top of most priority lists. Is this just a result of the traditional individualism of academic staff, or is academic freedom integral to the ability to function within academia? Is academic freedom a crucial characteristic of academia? Indeed, what is meant by academic freedom, over and above freedom in more general terms?

Academic freedom is inseparable from a university's role as critic and conscience of society. This is because academic freedom can only exist within an environment that encourages creativity, radical ideas and criticism of the status quo; and conversely, freedom is needed to express criticism. Since a university's performance in its role as critic and conscience of society is one aspect of its overall performance as an academic institution, the Academic Audit Unit (AAU) has an interest in monitoring it. A further reason for the AAU's interest is the link to academic freedom: if academic freedom is as important as generally assumed, a university's poor performance in supporting and encouraging it, will have detrimental consequences for teaching, research, and that institution's contribution to the community.

In this monograph, an attempt is made to illustrate the importance of academic freedom within contemporary New Zealand universities. We discuss the importance of fostering academic freedom within universities in order for them to better exercise the role of critic and conscience of society. Consideration is given to the implications that this may have for academics and students alike, and also for those scholarly duties that form an integral part of university life. These duties, namely, teaching, research and publication, are each addressed separately. It is our intention to provide clarification of some of the dilemmas which may arise in relation to the issue of academic freedom and the role of critic and conscience of society. Such dilemmas may originate when the responsibilities conferred by academic freedom are overlooked or when their limits are breached. We also discuss the more serious matter of the perceived threats to academic freedom, and the consequences this may have for universities' role as critic and conscience of society.

## 2. Critic and Conscience of Society - The Basis

According to Section 162 (4) (a) (v) of the Education Amendment Act, New Zealand universities are to be characterised by an acceptance of "the role of critic and conscience of society." This suggests that universities are to provide an environment within which academic staff can state and publish ideas and conclusions without fear of retribution or persecution, either within or beyond the walls of the universities. For this to happen, university authorities must be prepared to tolerate deviations from conventional wisdom by their academic staff, and to defend these staff when adverse pressures are brought to bear on them from sources outside the university.

These aspirations are based upon a number of features. The first is that universities have a responsibility towards society, to work for what they view as the good of society, even at the cost of passing judgement on aspects of that society. To function in this manner, dialogue has to occur between universities and society, dialogue that will only be possible if university staff act with integrity and if this integrity is widely respected outside universities. Implicit within this role of universities is the freedom of academic staff to critique ideas both within and beyond the universities themselves. This freedom is to be exercised by academic staff, both directly and indirectly: directly, for the good of their academic disciplines, and indirectly, for the good of society. As such, it appears to be a highly specific kind of freedom, with clearly articulated boundaries, determined by the academic expertise of the staff and the close relationship between this and their areas of responsibility within the university.

Academic freedom is integral to the role of critic and conscience of society, since freedom of this nature enables academics to voice their opinions and ideas, and publish their findings, without fear of reprimand. When this is the case, and when academics utilise the channels of publication, speech making, and teaching open to them, they place themselves in a position where they can have a profound influence on the way in which those around them think and respond to the world. In this manner, academic staff and the university system as a whole can function as critic and conscience of society.

If universities are to function effectively in this manner, it is imperative that they encourage academic staff to exercise this freedom. The desired result should be the establishment of an ethos of creativity and open investigation, leading to the development of new areas within both research and teaching. These, in turn, may have implications for society, either directly through the application of research findings or indirectly through the production of graduates replete with innovative ideas and expectations.

When looked at in this way, it becomes evident that the critic and conscience role of universities should be closely tied in with other features of universities, namely, the centrality of research, and the close interrelationship between research and teaching - the research-teaching nexus. It should not be an add-on or a peripheral characteristic that can be safely marginalised in practice. However, universities may not be consistent, encouraging staff to carry out research in some apparently abstruse areas of physics or medieval English, but subtly discouraging research into social or political issues having a bearing on university perspectives or relationships with outside funding bodies. If this has been the case, it is time to reassess the critic and conscience role, in an

effort to explore the benefits that would accrue to universities, their academic staff and society in general if it was accepted as a core value of universities.

In the first cycle of AAU audits, limited attention was paid to the critic and conscience role. In responding to questions regarding the role of critic and conscience of society, it was generally pointed out that academic staff are free to write what they wish, the evidence for this statement being found in the variety of research papers, press articles and media comment emanating from staff. It was also asked whether universities would reject proffered grants on the basis that they came with unacceptable requirements attached. This is fair as far as it goes, but it fails to address issues such as self-censorship, lack of time, competing priorities, or even the subtle danger of being seen to be too involved in controversial areas.

One would like to know whether staff are actually encouraged to act in this manner. For instance, are there expectations in job offers, that staff will take opportunities that arise to speak or write for a wider audience, addressing issues of concern to that audience? Are staff positively supported to act as critic and conscience of society? It might be asked whether the university provides explicit financial support for staff to work in this way, and/or on focused projects that may impact on social concerns. Quite apart from such support, are staff protected from any retribution that might ensue from acting in this way; if this is claimed, what is the evidence for it?

Beyond this it might be asked whether staff are rewarded for acting as critic and conscience of society. Is this taken into account in promotion decisions? Do the latter include, as one of their criteria, excellence in acting in this manner? Are there special rewards for extension work, or any incentives for staff to see this function as central to their work? Traditionally in research universities, little emphasis has been placed on activities aimed at popularising ideas, whether through writing books or articles for a general audience, or appearing regularly on television or radio. In fact, some academics who are successful in these ventures may find they are regarded negatively by their colleagues, while their universities do no more than acquiesce in these ventures. One gains the impression that the majority of academic staff tend to be locked in to highly focused specialised areas, with little interest beyond those areas. For some, such excessive specialisation may prevent achieving a broader perspective necessary to function as critic and conscience of society. Yet, for others, excessive specialisation may endow them with the knowledge or wisdom to criticise validly.

In asking whether the university corporately encourages its critic and conscience role, it is instructive to examine what units have been established to facilitate this function. For instance, is there a Bioethics Institute, or Centres for Business Ethics or Labour Studies, or a Social Policy Unit? If such units do exist, what degree of support do they receive, to enable them to function effectively as centres of academic excellence? Are they seen as integral to the academic endeavours of the university, rather than as optional add-ons? One would expect such units to participate fully in undergraduate and postgraduate teaching, as well as in research and community activities.

To what extent does the university encourage research that is on unglamorous or uncomfortable topics? A major driving force at present is grant funding success, and this in turn drives staff away from unglamorous areas, which by definition tend to be unfundable. This is a major factor in the

sciences, and may be a pertinent, if unintentional, factor in downgrading the role of critic and conscience of society. In expensive research areas, this becomes a matter of survival, its thrust being a pragmatic rather than philosophical one. Uncomfortable topics, such as the relationship between IQ and race, may also be unfundable. At any one time, there are acceptable and unacceptable theories in any branch of knowledge, and while this distinction may be made on sound academic grounds, a fine line is frequently walked between stifling genuine reservations and shoddy thinking.

### 3. Academic Freedom

#### 3.1 What is academic freedom?

In New Zealand, the Education Amendment Act 1990, no. 60, part XIV, section 161 (2) (a) states that academic freedom in relation to an institution such as a university means:

"The freedom of academic staff and students, within the law, to question and test received wisdom, to put forward new ideas and to state controversial or unpopular opinions".

The definition propounded by Lord Jenkins, Chancellor of Oxford University, and now enshrined in British law, probably served as the basis of the one in the New Zealand Education Amendment Act :

"the freedom within the law to question and test received wisdom, and to put forward new ideas and controversial or unpopular opinions without placing themselves in jeopardy of losing their jobs or privileges they may have at their institution." (in Swinnerton-Dyer, 1995)

At first glimpse, the breadth and perhaps even the vagueness of these similar definitions is surprising. Do they give academic staff the freedom to question and test received wisdom across the whole of the intellectual or political spectrum, or only within those areas encompassed by their own expertise?

Despite or perhaps by means of this vagueness, the aim of these definitions is to support the notion of academic freedom, and ensure that it is not lost sight of in the midst of numerous other competing demands on the time and commitments of academic staff within universities.

In 1997, UNESCO published its recommendations concerning the status of higher education teaching personnel. These recommendations expanded upon the definition of academic freedom outlined above, specifying that academics should be given these rights in the realms of both teaching and research. In part, this definition reads:

"the right, without constriction by prescribed doctrine, to freedom of teaching and discussion, freedom to express freely their opinion about the institution or system in which they work, freedom from institutional censorship and freedom to participate in professional or representative academic bodies."

Reference to teaching serves as a reminder that research and teaching are closely related, with research informing teaching. To the extent that this occurs in any institution, it comes as no surprise that any staff member involved in teaching, especially advanced teaching, should have the same freedom enjoyed by a research worker. The implications for academic freedom in regard to both teaching and research will be discussed in a later section.



Criticism of one's own institution is one of the most contentious facets of academic freedom as propounded by this UNESCO definition. If it is granted that such criticism is implicit within academic freedom, it gives to academic staff an apparent right denied most employees in other organisations. This may be of considerable symbolic value, although the boundaries of this freedom have to be worked out very precisely before it can be developed as a workable notion within university communities and hence employed usefully in auditing universities. If not exercised judiciously, it will readily degenerate into licence to attack university authorities. Use of academic freedom as an excuse to criticise routine aspects of university spending or management structure, or to carry out character attacks on senior university personnel is a travesty of the notion of academic freedom. Indeed, by bringing the notion into disrepute, it weakens the notion itself. On the other hand, if it is valid to criticise the poor environmental behaviour of a company, it is equally valid to criticise the poor environmental behaviour of one's own institution. Both criticisms are examples of academic freedom.

Participation in professional or representative academic bodies is usually taken as a given, and would not normally prove a point of contention. Nevertheless, the stress on 'professional' and 'academic' bodies is useful, since it protects academic freedom, by limiting it to that which is within the province of a staff member's strict academic credentials. But is this stricture as definitive as it might be? Take a medical doctor in a university department. Her speciality is heart disease, giving her credentials to comment on the effects of smoking, diet, and exercise (or lack of it) on the incidence of heart disease. This will take her into many aspects of life-style within modern societies. Academic freedom should ensure that her expertise is put to good use in these areas, even when she makes contentious statements. But how broadly can this freedom be extended? One imagines she should be able to comment with a degree of expertise on other health-related areas, although her expertise on degenerative neurological conditions will be far less than on cardiovascular conditions. Nevertheless, her views even here should be given priority over those of a historian. What about her political views on trade embargoes against certain countries, especially when these include medical supplies? These views are less dependent on her expertise, although her medical knowledge may well inform her concerns for the health of children and the elderly in these situations.

As one considers these examples, one encounters a continuum, from a well-defined professional realm, through areas where professional expertise informs viewpoints, to others where it has little influence. When in this latter sphere, academic staff members are speaking and commenting as members of the general public, having moved outside the territory where academic freedom applies for them. Consequently, a historian discussing the needs of the demented in society, is speaking as an informed member of society rather than as an academic, as is a health professional discussing military and trade embargoes.

Additional aspects of the notion are provided by a definition and rationale ascribed to Tight (1988):

"Academic freedom refers to the freedom of individual academics to study, teach, research and publish without being subject to or causing undue interference. Academic freedom is granted in the belief that it enhances the pursuit and application of worthwhile knowledge, and as such is supported by society through the funding of academics and their institutions. Academic freedom embodies an acceptance by

academics of the need to encourage openness and flexibility in academic work, and of their accountability to each other and to society in general."

The virtue of this quote is that it provides a reason why academic freedom is important, namely, to "enhance the pursuit and application of worthwhile knowledge". In other words, the intellectual process of increasing knowledge is dependent upon the freedom to investigate widely, without arbitrary built-in constraints and boundaries, and without externally applied presuppositions about where the investigations will lead. This applies particularly to external restraints that emanate from sources outside the academic area in question. Inherent within approaches of this nature are openness and flexibility. These are ideals which are not always attained, even when a loss of academic freedom is not at stake. Nevertheless, it is important to be reminded of them.

Accountability to each other and to society is not a self-evident component of academic freedom. To the extent that it encourages academic excellence, it is to be welcomed. However, accountability itself does not enshrine this factor, since it may actually be associated with a loss of academic freedom.

Is academic freedom supported by society through the funding of academics and their institutions? It may be difficult to demonstrate a direct relationship between the two. Public money poured into academic research and scholarship is an attractive picture to academics, as long as they have the freedom to follow their interests and hunches. However, is this a realistic expectation when universities are private or partially private institutions? It may even be that public funding will restrict academic freedom, if governments expect funding to have pre-determined outcomes. What the definition of academic freedom demands is that, regardless of where funding comes from, academic staff in universities should enjoy the benefits of academic freedom in order to push back the frontiers of knowledge.

### **3.2 Academic freedom and freedom of speech**

What is it that distinguishes academic freedom from the basic right of freedom of speech? Inclusion of the word 'academic' offers an intimation, since this confines it to a university context, suggesting that it is a value that pertains directly to the university (O'Hear 1988). Consequently, academic freedom is something granted to academics within a university setting. It is to the academic profession what judicial independence is to judges, freedom of conscience to the clergy, the protection of sources of information to the journalist, parliamentary privilege to the member of parliament, and the exercise of clinical judgement to the doctor (Turner 1988).

These comparisons are instructive, but none of these privileges is absolute. Important as each of them is, and wide-ranging as each is, there are also built-in limitations. If a doctor's clinical judgement is impaired through illness, or the essential doctrinal beliefs of clergy have changed radically, one would expect other members of those professions to bring certain pressures to bear upon the doctor or clergy concerned. Similarly, one would expect to encounter limits to academic freedom, in that this does not denote the freedom to neglect the basic obligations of the employer-employee relationship, or express publicly, forceful opinions in areas far removed from that in which one is employed by a university. Hence, academic freedom cannot be used by full-time

academic staff to justify working four-hour days, or by a lecturer in physics for castigating the publisher of a salacious novel (although this is acceptable as a private citizen).

In many countries, freedom of speech is a basic human right that is guaranteed to every citizen. By contrast, academic freedom is limited to scholars. One perspective is that of Turner (1988), who has argued as follows:

"everyone has free speech within the law, but nobody expects this to extend to public criticism of employers, sponsors, patrons or customers. As the nation's industries, government, and indeed the whole of the nation are the sponsors, customers and patrons of the university, additional freedom is required if the academic profession is to be exercised freely, openly and without corruption".

If this argument is accepted, academic freedom is an *extra degree* of freedom of expression, above and beyond that associated with freedom of speech. This concept is provocative, since it gives to academics something beyond what is available to most, although a number of other professions have their own special privileges, as with judges, clergy, and doctors. Its importance lies in the part it plays in the process of increasing knowledge, since without academic freedom, the process itself would be hindered.

Academic freedom, then, is not merely an extension of freedom of speech, since it extends to the activities of academics lying outside the realm of guardianship offered by freedom of speech. These activities include research, teaching and scholarship, and administration. Each one of these activities is important in terms of freedom and each one raises a variety of different freedom-related issues. These will be dealt with in more detail in later sections.

### **3.3 The limits of academic freedom**

The entitlement of individual academics to academic freedom is a freedom within bounds, determined principally by the scope of their expertise. This is based on the premise that, if academics show competency in certain fields, their opinion within these fields is worthy of protection. Hence, academics engaged in teaching, scholarship, research, publication, administration and learning are granted academic freedom within well-defined limits. Conversely, whenever academics speak out on issues in which they have no academic grounding, they cannot expect to hide behind the shield of academic freedom. According to Swinnerton-Dyer (1995), the confinement of academic freedom to those with expertise "exists because experience has shown that to allow experts to challenge received wisdom is a major engine of progress".

Academics are protected by academic freedom even if, in the words of Stark (1997), "we hold and voice dissenting, controversial, outlandish or near-psychotic views". This may be so, and yet as we have seen, there are clearly defined boundaries to the notion of academic freedom. We cannot do, say or write whatever we want (Stark 1997), since academic freedom is not absolute and cannot be expected to override all constraints. It only applies to academics or scholars, and even then only in ones' own field of authority or expertise.

The law provides a constraint to academic freedom, in the sense that an academic who breaks the law cannot seek sanctuary behind the defence of academic freedom. Russel (1993) states that:

"a profession which justifies itself by its duty to search for the truth cannot claim any legal immunity from action for wilful breaches of that duty"

The dissemination of knowledge demands academic freedom, and this in turn demands the highest standards of integrity. Consequently, academic freedom confers no exemption from the laws of libel and slander (Russel 1993). For instance, if allegations are rife that Professor X falsifies examination results for money, the party behind such allegations must expect them to be tested by the law of libel. From this it can be seen that, by exercising ones' academic freedom, academics must be willing to be placed under scrutiny and have their own characters questioned.

This insistence on integrity leads on to another constraint, namely, the necessity that the highest ethical standards apply in academic work. Any hint of fraud is the clearest indication that academic freedom is being abused, and that the academics concerned are failing to comply in their duty as academic staff. Plagiarism is one example of a serious breach of academic standards, so much so that anyone guilty of this misdemeanour is not protected by the notion of academic freedom. To quote from Russel (1993)

"anyone who claims to have done a piece of research is claiming trust, and it is an abuse of that trust, as well as an injury to a third party, if he simply lifts the findings from someone else....it is not academic work but theft".

Plagiarism enables one person to take from another the credit for original ideas as well as the end result of painstaking experimentation, data collection, and the mustering of arguments. In taking away that which belongs to others, it also destroys the freedom they should enjoy as academics. Plagiarism is, therefore, the antithesis of what academic freedom aims at making possible.

In broader terms, plagiarism is one in a constellation of forms of academic misconduct, debated so frequently these days in the scientific arena. This form of scientific misconduct includes fabrication or deliberate falsification of data, research procedures, or data analysis, wilful error, and unwarranted use or interpretation of data, all of which are examples of deception. In contrast, academic freedom is restricted by truth and integrity, and by the requirement that its exercise should do no harm. It does not endow academics with the right to impose any risk of harm on others, in the name of freedom of inquiry (Regulations Governing Research on Human Subjects 1981).

In even broader terms, the New Zealand Education Amendment Act affirms that in exercising their academic freedom and autonomy, institutions shall act in a manner that is consistent with the need for the maintenance of the highest of ethical standards. This extends to a respect for the different cultural and religious beliefs and practices of others. The avoidance of harassment is also non-negotiable and academics have an obligation to be sensitive to what other members of society may consider degrading or insulting and act accordingly, no matter what their personal beliefs (Gunn 1998). In no case, should academic freedom be interpreted as a right to intimidate or discriminate against those who hold dissenting or non-conforming views or opinions.

### 3.4 The freedom of academics

Academic freedom ensures that academic activities, even ones of potential threat to interest groups within society, are neither curtailed nor dictated to by outside influences. For some, the legitimisation of this protection is akin to arguments used to protect the freedom of other professionals. Menand (1996), for instance, writes that:

"no professional, no lawyer or doctor 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 interest of the profession, rather than the interest of some group outside the profession at heart."

This is useful up to a point, but it ignores a possible difference between a well-defined profession and a far more disparate body like a university. The latter includes within its boundaries many different professions, with different expectations, different etiquette, and different bonds. Linked they may be by their existence within academia; nevertheless, some of them may have conflicting agendas. Hence, constraining interests - not unlike those within society - may exist within universities themselves, even though the *raison d'être* of academic freedom is located within universities.

This is illustrated by the freedom academics have in determining the breadth of their work. The divisions between teaching, research and administration are far from water tight. The boundaries are flexible, depending on many factors - the abilities and preferences of the staff member, the balance that can be achieved between staff, and the requirements of the department or university. These factors may be amicably worked out, or they may cause considerable strife. What is significant is the flexibility that is expected by most staff, including relatively junior ones. In this, universities differ sharply from many other institutions, where such flexibility is rarely found.

Take Dr D, who up to now has carried on his own research, and undertakes the teaching required of him. He does little administration, since he has shown himself to be poor in this area. He has now decided to edit a book series in his area of research. This will involve him in considerable editorial work, but he is committed to this project which fits within his research profile. As the series develops he discovers that it is taking up far more of his time than he had bargained for; this leads him to skimp on some of his teaching, and to withdraw yet further into his research-focused shell. In spite of discussions with his Head of Department, it appears that Dr D has over-committed himself, and Dr E is asked to fill in the gaps in the teaching area. This she does at the expense of her own research time. What now becomes of academic freedom? Dr D is utilising his to the full, but this has been accomplished at the expense of the freedom Dr E could have expected to enjoy.

As a result of the discussions with the Head of Department, Dr D is instructed to participate more fully in the teaching duties of the department in future, in order to protect Dr E's on-going research time. Would such an instruction be contravening Dr D's academic freedom, or would it be a means of restoring a balance between the conflicting demands on the time and energy of both Drs D and E?

In this instance, no-one wishes to prevent Dr D from editing the book series because of any views that might be expressed in the volumes; it is simply a question of time and priorities. Academics may be accustomed to enjoying the freedom to engage in projects that appeal to them intellectually, but is this essentially what academic freedom is about? Is it the freedom to engage in whatever academic pursuits appeal to them?

Consider a university which has made the decision to set research priorities, and thereby direct its research funds into certain pre-determined areas. Where does this leave academic staff who are outside these areas? If its consequence is a complete lack of research funding for them, and if it is unreasonable for these staff to attempt to redirect their research efforts, their future as academic staff will be bleak. Their academic freedom will have been transgressed. However, such a scenario will not eventuate if the university retains some research funds for the support of research outside its priority areas. In this case, academic freedom will not be jeopardised. Neither will it be jeopardised in the long-term if the university only appoints staff in those areas to be supported (although problems will ensue if the research priorities change).

Academics must have the time and resources to develop their ideas and test hypotheses. Some of these will be provided by universities, but there is no suggestion that they will be fully met by universities. Some universities and some countries put far more resources into research than do others, but this by itself does not mean that there is greater academic freedom in the former compared with the latter. The relationship between the two is far less direct than this.

One obligation placed upon academic staff by the concept of academic freedom is to support a balance of roles within an institution (Larson 1997). There is a myriad of competing demands, stemming from the roles of teacher, researcher, administrator, and supervisor, all of which vie for a share of precious time. Each of these roles is vital to the success and survival of an institution, and no one person can fulfil (or be expected to fulfil) all these roles. This is where the role of leader or administrator comes to the fore, since it is this person's responsibility to ensure that the needs and priorities of department, institution and individuals within them are met. Ultimately, someone must oversee decisions related to work load, teaching assignments and supervisory commitments, in order to ensure equitable distribution of finite time and resources between academics (Larson 1997). This may appear to be a restriction of the notion of academic freedom, and yet, in the absence of such a restriction, a department or institution would be unable to function to its full potential.

This brings us back to the example above of Drs D and E, although this is not a notion limited to academia, since the respective freedoms of different individuals within society have to be repeatedly balanced. The freedom of one individual has to be curtailed to prevent infringing the freedom of another. Similarly, within academia, where the freedom of one staff member to spend his time carrying out research may have to be curtailed if another staff member is to be able to carry out any research. Viewed in this way, academic freedom is seen to be more a communal freedom than an individual one.

### 3.5 Academic freedom in teaching

Teaching is the passing on of information, ideas and concepts, plus the ability to critique existing ideas and concepts and construct new ones. This transmission of knowledge through teaching is an essential component of a university and just like research, is inextricably linked to the concept of academic freedom. The New Zealand Education Amendment Act 1990 states that the institution and its staff are free to regulate the courses and subject matter taught, and are free to teach and assess students in the manner they consider best promotes learning. However, as we have seen previously, there are provisos, since it is not freedom to teach poorly, or pass on outdated concepts, or disregard the legitimate needs of students. More positively, an academic's duty is to his or her students. The proper fulfilment of this duty requires that academics be well-versed in the latest research in their field of teaching, that they ensure that the lectures they give are suited to the students who attend them (Swinnerton-Dyer 1995), and that the "subjects and courses that [they] teach, should at least in part reflect the demands and needs of society" Gunn (1998).

Although teaching can flourish when the syllabus is tightly specified, an ideal is an environment without arbitrary restrictions, whether imposed by external or internal parties. Negatively, this suggests that the content of courses is not determined by government agencies or any external body (but see below with regard to the requirements of professions). On the other hand, this does not allow academics to teach what they like, regardless of the needs of their students or the general expectations of other experts within their discipline area. Teaching has to accord with accepted standards as laid down by one's peers in the university sector. Hence, academic freedom only operates within the boundaries of accepted standards as laid down by the relevant discipline grouping or by professional expectations. Once again, therefore, academic freedom is both important and limited.

Taking this discussion further, it is necessary to distinguish between teaching at different levels. Courses at many first year levels deal with basic material, in the sense that they aim to convey accepted ideas and concepts. By contrast, far more advanced level teaching may exist at the boundaries of these concepts, and may be closely related to cutting-edge research and controversial ideas. While academic freedom plays some part in the lower level teaching, it only comes to the fore at these more advanced levels.

Also of considerable significance for this debate is the teaching in professional courses, as it is guided by the requirements of the appropriate professional bodies. While academic staff will undoubtedly have a major input into these guidelines, they are not alone responsible for them. In professional curricula, the teaching undertaken will be constrained by the requirements of a professional body, as well as by those of other groups of academic staff. This is well illustrated by any of the preclinical disciplines contributing to a medical curriculum. The broad outlines of what has to be taught by an anatomy or physiology department are determined by the appropriate Faculty of Medicine curriculum committee, and by the demands imposed by preparing students for a medical career. The depth and even the topics taught may well be determined by those outside the departments concerned. Hence, the freedom of the staff teaching in a curriculum of this nature may be severely limited by professional considerations.

In contrast to this, science students in these same departments will be taught what is thought most appropriate by the departments themselves, and therefore by the staff of these departments. While there may be some limitations imposed by outside bodies, these tend to be minimal. The subject matter, the emphases, and the method of delivery will be entirely in the hands of the academics responsible for the teaching.

In viewing these two situations, we have to ask what becomes of academic freedom. The illustration of the professional curriculum demonstrates that academic freedom plays a minimal role in determining the scope of the curriculum; the boundaries of the task to be carried out are clearly demarcated, and those staff involved in the teaching have to conform to the clearly defined role laid out for them. The science illustration brings us closer to what is usually perceived as the academic task, teaching in areas where staff have expertise, and being able to express whatever views they consider appropriate within the boundaries of that expertise. In practice, many academic staff teach in both types of course, and appear to accept the limitations placed on them in the professional part of their teaching.

But what about the possibility of being expected to teach material with which one disagrees? This is not confined to teaching within a professional context, but it does come to a head here. Take a procedure used widely within a profession, but based more on traditional usage than on scientific assessment. Imagine now that a university teacher has undertaken research on this topic, and has come to the conclusion that the scientific data do not support continued use of this procedure. What is the academic staff member to do, and what part does academic freedom play? Dr M knows that students have to be conversant with this procedure in order to satisfy the examiners, let alone the profession's registration board. However, she has considerable reservations about its efficacy, and considers that it is of little value and could even be deleterious.

Dr M has a number of obligations. One is to prepare the students adequately to pass their examinations and practise as professionals. Another is to provide a good education for this group of students, an education that will equip them with the skills required to be critical and analytical in their approach to professional issues; allied with this is their preparation for life-long learning. A third obligation is to the university, to participate in its research ethos, and to ensure that all teaching is informed by the latest research findings and concepts. A fourth obligation is to herself, to be a person of honesty and integrity, in both her research and teaching. These obligations may, to some extent, work in different directions, since the most immediate obligation - the first - may well be at odds with the other three. No matter what resolution is arrived at, all obligations must be taken into consideration. This is what both academic freedom and academic excellence demand.

A problem will arise for Dr M if her dilemma is not accepted by other members of the profession or by her academic peers. She may be a lone voice crying in the wilderness, since she will be expected to follow the path of the first obligation and ignore the remaining ones (which may not be acknowledged). Should she act like this, she will be impugning her own integrity as an academic and individual, and will be failing to educate her students in an appropriate manner. Alternatively, she may reject this approach of total submission, feeling it necessary to teach two conflicting stories, the accepted traditional one and the one dictated by the latest research findings. The advantage of this approach is that it allows her to pass on the story that she thinks is correct, allowing her to maintain her integrity. While this may confuse some students, she is able to



minimise problems by admitting that, while at present she is a lone voice, she has little doubt that the research findings will bring about changes in professional attitudes as the new ideas take hold.

An issue for both Dr M and her colleagues is the broader one of acknowledging and presenting *all* points-of-view on a controversial issue. This is a duty of all academics, regardless of the course being taught. In this way students are exposed to all sides of an argument, allowing them to think for themselves and develop informed opinions. This is central to their scholarship and serves as the foundation of life-long learning as educated citizens.

From here it is a short distance to the frequently asked question of whether or not academics should be free to express personal opinions. Benatar (1990) responds to this question in a way which would probably satisfy most when he says:

"the right of a teacher to hold private views is not disputed but it is considered unacceptable for the teacher to coerce students to accept his private views, since this infringes on the right of students to pursue academic study free from interference with their own personal preferences".

Academics are more than entitled to their own views, and it would be a restriction of their freedom as citizens if they were not. Academic debate and discussion are integral components of the academic enterprise. What is critical here, as in other areas of society, is the importance of respecting a different opinion and of respecting the person holding that different opinion. This is especially significant when the issues being discussed are of a sensitive or controversial nature. In this case, it is essential that the academic gives a balanced account of a subject, by clearly acknowledging views other than their own (Swinerton-Dyer 1995).

### **3.6 Academic freedom and students**

This leads on naturally to the position of students within an academic institution. The priority of students within a university is learning, but they are increasingly involved in teaching, scholarship, research and publication at higher levels. Hence, it can be argued that students are entitled to their fair share of academic freedom in these areas. However, rather than viewing it as the freedom of students to exercise political power, it is their freedom to learn to criticise and question the received wisdom of their teachers, experts in their areas of study, and social perspectives related to these areas. For instance, if students are taking a course of study in which conventional scientific or political wisdom is being challenged, their learning will encompass this challenge - not blindly accepting the revolutionary, but learning to weigh up the respective arguments, argue a case one way or another, and emerge with a nuanced viewpoint. Since learning of this order cannot occur within an environment of censorship or lack of openness, academic freedom is essential for the establishment of scholarly norms and expectations.

It follows that students should be free to voice opinions and discuss controversial issues free from discrimination and persecution, in the same way as academics are. This, once again, raises the issue of expertise. As students progress through the training provided by universities, the boundaries surrounding them are gradually relaxed, until at postgraduate level they are beginning

to function much like academic staff. At this level, issues of academic freedom will be very similar to those encountered by academic staff.

The academic freedom afforded to undergraduate students is somewhat more of a grey area. Yet, this does not mean that these students are not deserving of a certain degree of academic freedom. Historically, academic freedom in Germany was attributed to the activity of teaching, but students held a parallel freedom of learning (Sheehee 1994). Such an interpretation would mean that even undergraduate students are entitled to a degree of academic freedom in the pursuit of learning.

It may be more important to think of the academic freedom of students as a continuum. Towards the beginning of their courses, the extent of this freedom is minimal. As they advance from one year to the next, and if they are to come to grips with critiquing and assessing received wisdom, the environment in which they function has to be one that encourages freedom of expression. Consequently, the development of good academic practices necessitates academic freedom. This comes to a head for research students during their thesis years, when they are expected to function as quasi academic staff, with academic freedom. Under these circumstances, the limitations of academic freedom applying to staff are of equal relevance for students.

### **3.7 Academic freedom in research and publication**

The New Zealand Education Amendment Act 1990 affirms that academic staff and students are free to engage in research activities. This broad statement carries with it no restrictions. Yet unfettered research is becoming less and less common, as much scientific research increases in cost, and as university-wide research assessment exercises tied to funding intrude increasingly into university life. Consequently, there is ample scope for restrictions to be imposed upon research activities; some subtle, some not so subtle.

Research is an integral part of the academic activities and commitments of universities, leading to knowledge aimed at enhancing the common good. Fundamental to research is publication of the findings, without which research becomes little more than an interesting and diverting hobby. In other words, research and publication go hand in hand, so much so that both are crucially dependent upon the existence of academic freedom. Put another way, academic freedom to conduct research but not publish the results of that research is a sham. Consequently, any discussion of academic freedom has to encompass both aspects of the research endeavour, since without the protection provided by academic freedom, research is highly susceptible to both internal and external interference and influence.

Issues which come to the fore in terms of academic freedom in research include: the freedom to choose one's area of inquiry, the freedom to publish and communicate one's research findings, and the constraints imposed by external funding bodies on what research they will and will not support. The question is whether, and to what extent, constraints in these areas challenge fundamental notions of academic freedom. Should academic staff in universities be completely free to research whatever they like, regardless of financial or social considerations?

*The choice of fields of research*

The right to choose one's own field of study is frequently put forward as an essential freedom in research. At first glance, this does not appear to cause undue concern. However, even here, conflict may arise when the topic falls outside a priority area for funding (see The freedom of academics), or a controversial or sensitive question is chosen as the topic for the research. Examples of the latter include studies on the relationship between intelligence and race, the potential genetic basis of a propensity to violent behaviour, and the possible physiological and genetic components of homosexuality (Reese 1994). Each of these may cause consternation in some quarters, on the ground that the prospects of deleterious consequences for society are high, or that the question itself is fundamentally flawed.

These are contentious fields of inquiry, and the likelihood of a breach of academic freedom is high. For example, a Canadian psychology professor espousing theories on the link between human intelligence and race was forced, against his wishes, to teach his classes by videotape in order to avoid violent confrontations with demonstrators (Anderson 1990). Similarly, a book written by a psychology lecturer linking race and intelligence was withdrawn by the publishers, once the content was revealed (Caryl and Dreary 1996). Both these situations are far from clear cut, since they did not involve universities in limiting the freedom of their staff. The limitations were imposed by outside parties. In these cases, it is important to ask to what extent universities should support their staff, or should they leave their staff to face the consequences of the opposition in relative isolation.

Support in such instances suggests that the task of upholding academic freedom may be a demanding one, and may place universities in opposition to views and forces widespread within society. Perhaps this is to be expected, since as Flynn (1989) has commented: "the truth can never be racist, nor can telling the truth as you see it, assuming there is no evidence of wilful neglect of evidence" (in Caryl and Deary 1996). If there is an indisputable line of evidence to support a theory, no matter how controversial that theory may be, publication is probably warranted, no matter what the consequences. By doing so, the research is revealed for all to see, to weigh up the evidence, and judge its merit for themselves.

This is not an easy situation, since it may entail apparent support of minority or even socially outrageous views by universities. Such support may place universities, and not just individual staff members, at loggerheads with society, and may have repercussions for the support the universities receive from other groups within society. It is all too easy to see why universities may wish to be circumspect in this matter, but should they immediately abandon the concept of academic freedom? We suggest that, if the opinions being expressed by the academic staff in question are acceptable within an academic context and are being expressed by those with appropriate expertise, their publication should be supported by their universities. Conversely, if the views are outrageous in academic terms, the performance of the staff publicising these views should be scrutinised by their universities, and action should be taken as an internal matter. In this way, consistency is maintained between the expectations of staff both within and outside their universities.

Further examples of controversial studies include those that cast doubts on aspects of a country's culture or religion, or on its economic or political systems (Reese 1994). A recent example is given of academics at Catholic universities in Italy who lost their jobs after expressing doubts over points

of official doctrine (Bompard 1998). This latter example calls in question the degree of freedom to be expected of staff in private institutions, including private universities. Up to this point, we have worked on the premise that the universities in question are public ones, supported largely by public funds. Should the same degree of freedom apply to universities based on well delineated tenets, which are not accepted by all within society? One would expect only people in agreement with those tenets to apply for positions, in the full knowledge that these tenets are basic to the institution, its mission and its goals. These features may not be as unusual as we may initially think, since a history academic would not expect to be employed by an engineering school as a lecturer in mechanical engineering. We normally assume there is a fit between those employed in academic positions and the expectations of universities and departments for their academic staff, and it is this fit that underlies notions of academic freedom.

#### *Publication of results*

The freedom to acquire data and interpret ideas and concepts goes hand-in-hand with the freedom to publish the findings of these endeavours. The publication process raises the question of the ownership of research data and of who is entitled to access it. Many institutions consider that the research done under their roof belongs to them. This may be because the onus is on them to answer any accusations of fraud or misconduct that may arise once an author has left the institution (Marshall 1992). Nevertheless, considerable care has to be exercised to ensure that academic freedom is not compromised, and that those producing the work are not treated with disdain.

Considerations also emerge here when the original material belongs to a particular individual or group. In either case, there may be questions of ownership and priority. Valid as these are, care has to be taken to ensure that explicit agreements are reached about the ownership and handling of the data and findings before the research begins. If agreement has not been determined beforehand, work should not commence. Once it has, and assuming agreement has been reached, publication of the findings should be able to occur unhindered regardless of their nature. If universities are to act as critic and conscience of society, they are obliged to ensure that this occurs. Without such support their academic staff will have no assurance of academic freedom.

#### *Research funding*

Apart from the instances already alluded to, an additional pressure of considerable significance is funding, with issues in this area exerting subtle influences on academic freedom. Pressure to refrain from working in controversial areas may come from different sources, either internal or external. Internally, an institution may exert pressure on an academic to work in a research area that attracts a large amount of funding. If this is the case, academics may be diverted from their favoured line of research and channelled into 'trendy' or 'hot' areas of investigation with the sole intent of money-making for the employing institution. The form of persuasion used here may extend to threats of loss of laboratory and office space for those who do not manage to attract significant external funding (Reese 1994), quite apart from its possible effect on promotion prospects.

Academics themselves may not be blameless in unnecessarily limiting academic freedom by denying to other academics the right to be heard, by refusing to even consider dissenting theories or evidence. This may be a result of the threats of competition from fellow academics, which is probably related in part to the significant increase in competition for sources of funding both

between and within universities. Academics may resent those who are researching, and hence applying for funding, in areas similar to theirs. In particular, there is always the potential for the academic freedom of a younger or more junior member of staff to be restricted by those who are older or more senior and have more influence within the institution or on grant awarding bodies. What is interesting in this case is that academic freedom can be limited by the actions of academic staff functioning in roles *outside* universities but with implications for academic work *inside* universities. This is one illustration of the close interaction between universities, professional and grant-awarding bodies, and society.

The actions of universities may themselves be directly influenced by external funding sources, whether public or private. In the private arena, where grants are provided by benefactors, research may be limited by restrictions laid down by the benefactors. There is no inherent problem in accepting money from private benefactors, where grants are specifically directed at increasing our understanding of a particular area or at benefiting patients suffering from some disease. Well-known examples are provided by private cancer, heart or neurological foundations, grants from which have led to major advances in an understanding of basic and applied cell and tissue function. Problems would only arise were there to be restrictions placed on the publication of results thought to be at variance with preconceived notions. Such restrictions would intrude into the research process itself.

For example, if research into the efficacy of a particular drug was based on the premise that it was beneficial under certain conditions, the academic freedom of the research workers would be severely compromised were they to be prevented from publishing results that appeared to contradict this premise. On the assumption that they had not signed an agreement with the drug company limiting this freedom, one would expect them to be supported by their university on the basis of their academic freedom. This may place the university at odds with the drug company, an action that may itself have financial repercussions for the university. In one such situation, a Canadian medical researcher carrying out drug tests for a private company found that the drug in question not only failed to make the patients better, but probably made them worse. The company made it clear to her that the findings were private and that she had no right to publish them. In spite of this, she persisted with publication, and was dismissed by her university (Cassie 1999).

Any university acting in this manner is failing in its function of being a critic and conscience of society; instead, it is acting as the handmaiden of certain interest groups within society. As universities become more market driven, it is becoming increasingly difficult for research commissioned from outside to be truly independent. This trend has very serious implications for academic freedom.

Problems along these lines are not confined to private benefactors or pharmaceutical companies. Similar situations can arise when government agencies are involved, since there may be pressures to ensure that there is no negative publicity affecting such things as tourism or educational standards or health and safety in the work place. Compromises may be made for fear of financial penalties to the individual researcher or university, or for fear that no further contracts will be forthcoming. It may be all too easy to skew results or interpretations slightly in order to fit the requirements of the commissioning governmental or industrial bodies (Whistleblowers, 1999).

A similar situation may lead to pressure being placed by universities on staff at the behest of outside bodies (Swinnerton-Dyer 1995). For instance, an external funding body may inform an academic's employing institution that the university may be looked upon more favourably, if this staff member no longer makes his contentious views publicly known. Another example may be of a university entering into a research contract that seeks to prohibit other university staff (not necessarily party to the contract) from undertaking research that might compete or conflict with this contract. In these, and many comparable, situations the detrimental consequences for academic freedom are clear.

### **3.8 What responsibilities does academic freedom confer?**

Academic freedom is not a divine right bestowed upon academics, who can then use it (or even abuse it) in whatever way they like. It comes with a price tag, namely, a range of expectations, responsibilities, and accountability. In exploring this territory, Tight (1998) recognises two levels of responsibility, one internal to academe and the other external to it.

Obligations internal to academe entail, in the first place, high ethical standards of behaviour. Without this, academic standards are placed in peril, and academic freedom is called into question. Implicit in this is the responsibility to profess what one knows to be true, and the converse, to refrain from professing what one knows to be false. Academic freedom does not provide a licence to commit fraud or any other form of scientific or academic misbehaviour. While it may be left up to academics' own consciences to decide whether this responsibility has been fulfilled, accountability should be built into the system to ensure that any deviations from ethical standards are detected and exposed by university authorities. Such institutional obligations are central to the provision of academic freedom.

The second responsibility internal to academe is a duty to other academics. By exercising their own academic freedom, academics are placed in the privileged position of challenging orthodoxy. However, this is not a privilege bestowed upon academics as individuals; it is a community privilege. Consequently, it carries with it the obligation to pay due regard to the academic freedom of other academics. The right to choose one's own field of research, to publish the findings no matter how controversial, and the right to speak out about issues within one's area of competence, carry with them the duty to respect the same rights in others.

"The operation of academic freedom requires an even-handedness of treatment which gives due consideration to the views of each and every academic - whether staff or student, teacher or researcher, male or female...even and especially if these views are at odds with currently accepted beliefs" (Tight 1988).

Alongside the obligation to respect the academic freedom of others within academe, is the importance of encouraging others to communicate their findings, and to be open to collaboration with others. This is especially applicable within science, due to the nature of much modern science and to the scarcity of research funding. Pritchard (1983) suggests that, in such a collaborative environment, the need for trustworthiness and cooperation is cardinal.

Academics are also obliged to prevent and, if necessary, resolve conflicts when they arise. Conflict is to be expected, and may often be unavoidable, within environments where there are so many minds and voices passionately exercising their right to academic freedom. Nevertheless, conflict is not always detrimental, especially if academics are willing to interact, critique, and respond to conflicting ideas in a fair, objective and helpful manner. This is particularly challenging in an environment where individualism reigns supreme, where priority in publication is all important, and where intellectual excellence is the touchstone of success. Academic freedom has within it the potential to lead to anarchy and intense disharmony, but this is not inevitable, as long as procedures for safe-guarding academic freedom are in place (Tight, 1988).

In looking outside academe, academics exercising academic freedom have a responsibility to society as a whole. One could argue that this responsibility exists because it is society that funds higher education (Tight 1988). It is true that, indirectly, all members of society contribute towards public higher education. But the responsibility to society goes far beyond a matter of money alone. Ultimately, higher education exists for the betterment of society, and it is for this reason it must serve the interests of society and indeed be accountable to society.

### **3.9 Perceived threats to academic freedom**

In the eyes of many academics, academic freedom is highly valued and is deserving of protection. But protection from what? This question raises serious issues, not only for the future of academic freedom, but for the future of the university as a whole. At first glance, it could be assumed that all threats would originate from outside universities. This is far from correct, since some of the major threats may actually be internal ones.

The internal threats have a number of faces. The first is the most surprising and perhaps the most subtle: academics who think of academic freedom as an unchallengeable right, assuming that they are a law unto themselves and need not be accountable for the way in which they undertake their scholarly duties (Swinerton-Dyer 1995). We have already expressed our disagreement with this sentiment. When this is encountered, it tends to take the form of academics who expect universities to function exactly as they did (or are perceived to have done) 30 years or so ago when those academics commenced their academic careers. Different pressures and different expectations are rejected as detrimental developments it would be better to ignore, indeed should be ignored by all self-respecting academics. This often takes the form of a rejection of 'managerialism', without seriously addressing the issues raised by managerialism for academic freedom.

Managerialism is generally seen as going hand-in-hand with the advent of a more market-driven agenda. Kelsey (1998) states that under managerialism "the nature and function of a university changes so that it becomes a surrogate commercial business, whose product is sold to customers, government, students and research users at the competitive market price". If universities are being transformed in this manner, it may be that teaching and research are becoming commercial transactions, with academics being relieved of their role as decision-makers. This scenario suggests that academic freedom is becoming irrelevant for academic staff. This is a feasible consequence of managerialism, in stark contrast to any traditional university ethos.

However, does managerialism at senior management level necessarily infringe the academic freedom of individual staff as greatly as suggested here? To answer this question, we need to assess the impact of managerialism on the output of academic staff far more precisely than has been done up to now. To what extent does it prevent academics from expressing publicly their dissent on topics within their areas of expertise? If infringements of academic freedom occur in universities, to what degree can these be put down to managerialism per se, rather than to other, possibly related factors?

In discussing academic freedom, we have emphasised that it can only be exercised within staff members' own discipline(s), where they possess what may be unchallenged expertise. However, it needs to be realised that threats to academic freedom may stem from academics in one's own discipline. This can occur as a result of conservatism, which tends to support established theories or ideas at the expense of new ones with their threat to overthrow established reputations. Invariably, this pits junior staff against those more senior to them, with the consequence that the academic freedom of the junior staff is placed in jeopardy.

Academics in other disciplines can also pose a threat to academic freedom. The debunking of members of one discipline by those in another is not unknown, and can lead to a serious erosion of academic freedom if allowed to hold sway. For instance, if in promotion considerations, some disciplines were to be favoured above others, on alleged academic grounds, some staff would be disadvantaged and their academic freedom would be impinged. In this vein, Menand (1996) has argued that academic freedom not only protects, say, sociology professors from external threats, but also from physics professors as well. This ensures that decisions concerning what counts as good work in sociology are made by sociologists and not by someone with a voluble viewpoint but no grounding in sociology.

Related to this are considerations of the possible consequences of political correctness. Political correctness is seen by some to be contributing to the erosion of academic excellence, with its insistence on the recruitment of faculty on the basis of ethnicity and sex rather than on merit, the limitation of enquiry into controversial topics, and the constraints imposed on acceptable teaching strategies (Stark 1997). Some advocates of political correctness hold the view that if a truth is likely to "induce trauma in the underprivileged" it should be suppressed (Swinerton-Dyer 1995). It is difficult to separate actions such as these from serious infringements of academic freedom.

External threats are more obvious. Attempts to influence what academics and universities do are commonly encountered in the media, so that those who own or control the media can dictate who is heard and on what terms (Kelsey 1998). This can result in one-sided portrayals of academics and their research, and also the side-lining of controversial views. This sort of irresponsible behaviour is potentially damaging to academics' credibility, and is likely to make other academics think twice before exercising their own right to academic freedom in the future. The public, in general, does not recognise the significance or importance of academic freedom in terms of benefits to themselves or society as a whole. However, if the public does not have a share and an interest in higher education, it will be unable to argue for academic freedom if potentially fatal threats to it arise at some future time.



While these threats to academic freedom are real ones, they are likely to be limited in scope. By far the most sinister and all-pervading threat to the future of academic freedom is expressed through economic pressures. The loss of state support for universities has necessitated the search for alternative sources of income. As a result, there is growing reliance upon private funding in research and teaching (Kelsey 1998). Reliance of this nature could have negative connotations for academic freedom within universities, since a commercially focused council or board could exert pressure on staff or students to ensure that they do not in some way offend potential funders or contributors. Imagine a case where an industry starts to lean on other operations within a university that it sees as a threat: "keep quiet about pollution or we will withdraw the chemical engineering grants" (Turner 1988). In this scenario, it could just as easily be the university council leaning on these other operations; the end-point would be the same, a breach of academic freedom.

#### **4. Critic and Conscience of Society - The Relevance**

There are many threats to academic freedom, both from within the university's own ranks and from outside its walls. Its protection requires vigilance and an acknowledgment that this freedom is not secure but needs to be constantly earned and defended if it is to be retained. It needs to be promoted and defended by individual academics, by their institutions and by society as a whole. Universities need to create an optimal environment within which academic freedom can survive and flourish. It is only when they espouse this ethos, that the exercise of the role of critic and conscience of society can be fostered and rewarded within the university sector as a whole.

What has emerged is that this dual responsibility of institutions and of individuals within them is of crucial importance to universities. It is central to what universities exist for, across research, teaching and community service, and without it the character of universities would be transformed beyond recognition. It is entirely fitting, then, that the AAU takes very seriously its responsibility to monitor the performance of New Zealand universities in this respect.

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## **Appendix: Auditing an institution's fulfilment of the role of Critic & Conscience of Society** (Woodhouse, 1998)

### *Background*

The Education Amendment Act of 1990 specifies defining characteristics of institutions, and the AAU audits each institution against these (in addition to the institution's own specific objectives). This appendix sets out the AAU's approach to auditing the institution's performance on one of these characteristics, namely the role of critic and conscience of society.

Being a critic or conscience of society is a high-level aim, like acknowledging the Principles of the Treaty of Waitangi. Such high-level aims must be broken down into more specific objectives before procedures can be developed for achieving them. This process is the responsibility of the institution, and the AAU then checks the appropriateness, implementation and effectiveness of the institution's procedures. In theory, a quality auditor does not comment on an organisation's objectives, but in practice the AAU may indicate where it thinks the detailed objectives are inadequate in relation to the high-level aim.

For some high-level aims – and the linking of research and teaching and the role of critic and conscience of society are the two main examples – most universities have not developed explicit and detailed objectives. This is possibly because these two aims have been seen as self-evident, and universities have rarely been asked to **demonstrate** that they are being achieved. In such cases, therefore, the AAU has to play a role in developing the objectives, which it does through the questions it asks.

### *Questions about the critic and conscience of society*

The usual first response to the enquiry about how the university takes up the CCS role is that staff are free to write what they wish, and the evidence is in the many research papers, press articles, and media comments produced. This is a good answer as far as it goes, but it does not address such issues as self-censorship, lack of time, competing priorities etc. In addition therefore to this first response - which is effectively an answer to the question 'are staff **free** to do this?', the AAU poses the following questions. Possible responses are given, and in each case the AAU seeks examples of the use or application of stated procedures or policies, and their effect.

#### 1. Are staff encouraged to do this?

For example,

- has the institution identified what actions on the part of staff members are required in terms of the responsibility to be a critic and conscience of society?
- are there related expectation statements in job offers and staff contracts, such as: 'you will teach, research, and take such opportunities as arise to speak or write to a wider audience'?

This addresses the issue of self-censorship.

## 2. Are staff supported to do this?

For example,

- does the institution frequently affirm full support for staff who take up this responsibility?
- are there grants for work that comes into this category?
- are staff protected from any retribution for such acts?
- does the institution ensure that staff have time for this role?
- do staff feel comfortable about expressing unpopular views and are appropriate means provided for staff to do this?
- does the institution provide appropriate development for staff who are not achieving in this aspect of their responsibility?

## 3. Are staff rewarded for doing this?

For example,

- are such actions checked in performance appraisal?
- is it recognised in promotion?
- are there special awards for extension work?

Rewards are necessary in a situation of competing priorities.

## 4. Do staff in fact do this?

For example,

- make submissions to government, and serve on government task forces
- write articles for popular magazines and papers, expressing views in a manner that is forthright but sensitive to social and cultural issues
- support and work for voluntary organisations, both professional societies and others
- carry out community work, including work with iwi
- assist with Treaty of Waitangi claims
- carry out appropriate research or investigation to build the necessary expertise

## 5. Does the institution corporately do this?

For example,

- is there a stated and actual commitment to free enquiry by staff?
- is there an Institute of Bioethics, a Centre for Labour Studies, a Social Policy Unit?
- is the institution alert to establishing new teaching or research programmes as indicated by the needs of society; are there courses in legal ethics, business ethics, etc?
- are there courses which encourage students to consider different social, political or economic systems, to gain the necessary skills to think critically about them, and to develop a system of values on which to base comment?
- is there an open editorial policy for the institution's own publications?
- are there policies on plagiarism, with examples of their application?
- are there policies on ethics in human and animal research, with examples of their application?
- are there procedures for supporting individual whistle-blowers, with examples of their application

6. What are the effects of other university policies?

For example, does the university's research selectivity mean that researchers are kept out of 'uncomfortable' areas, or is there a small part of the university's research effort (say 20%) that is totally-curiosity-driven?

7. What is the relation to benefactors?

For example, are there tied grants placing a restriction on the scope of research? do research grants restrict the publication of research?

Other questions are developed that are relevant to the particular institution.

*Concluding comment*

'We need to take the time to give a solid undergraduate humanist education to future business students, medical students and economists ... before allowing them to narrow their minds through specialisation. This ... would strengthen their sense of existing outside of their professions, as individual responsible citizens. ... it would feed their ability to think instead of clinging on to process. ... Why would we expect individuals who have been pushed at high speed into the corporatist process to change course, abruptly, at the height of their careers in order to become non-conforming, outspoken, disinterested citizens?' (Saul, 1997).