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Intellectual Diversity or Political Repackaging?

The South Dakota House of Representatives on Wednesday passed a bill that would require public colleges and universities to file annual reports on the steps they take to assure "intellectual diversity" on their campuses.

Supporters of the bill see it as a new approach to raising some of the same issues promoted by David Horowitz and supporters of the ["Academic Bill of Rights."](#) Anne Neal, president of the American Council of Trustees and Alumni, called Wednesday's vote "a tipping point moment" that "offers the promise of a cultural transformation in American higher education."

Neal said that because the South Dakota legislation lacked some of the specificity of the Academic Bill of Rights, she believed it advanced the goals of promoting more ideological diversity without raising the academic freedom issues that many faculty members have expressed about the Horowitz approach. Neal called the South Dakota bill "a model" that she hoped to see considered elsewhere. She said it was consistent with principles that many colleges and academic groups have endorsed.

In South Dakota, however, academics are not pleased to have become part of the academic culture wars.

"This is a national solution looking for a local problem and South Dakota isn't it," said Tad Perry, executive director of the South Dakota Board of Regents. Perry said that the state higher education system has grievance procedures available should any students or faculty members feel that they have suffered ideological bias. But Perry said that these issues just don't come up in South Dakota, so there is no need to require colleges to prepare new reports or to leave administrators wondering how intellectual diversity will be measured.

He noted that backers of the bill distributed national studies of the political affiliations of professors. "What the hell does that have to do with anything? What's the logical extension of this argument? We're going to have quotas?" he asked. "I haven't done an analysis of people's political orientations — nor would I. It's totally inappropriate."

Perry said that the bill did prompt him to check to make sure that there were no reports of political

bias becoming a problem, and to look at lists of speakers invited to campuses in the state. "You'd have a hard time finding a more balanced list," he said.

The [legislation](#), which has not been considered in South Dakota's Senate, would require annual reports on how colleges promote intellectual diversity. The bill states that the reports "may" include information about how colleges study the state of intellectual diversity on campus, how intellectual diversity is considered in student evaluations, and how hiring and tenure policies assure intellectual diversity. The legislation does not specify any particular way to accomplish these goals.

Neal of the ACTA said that was key. "This bill is uniquely sensitive in keeping the issues within the institution," she said.

As to the views of South Dakota academics that they don't have problems for the bill to solve, Neal said that if there are no problems, the reports shouldn't be difficult to prepare — and that there is value in clearly stating policies on these issues.

The Academic Bill of Rights, by stating that faculty members should offer a range of views, has angered many professors, who believe that the language could be used to require a biology professor to teach intelligent design, for example. While the South Dakota legislation uses different language, it is receiving [favorable attention](#) from Students for Academic Freedom, the group that campaigns for the Horowitz approach.

Professors are not so favorably impressed. The Council of Higher Education, the National Education Association union for professors at public colleges in the state, analyzed the bill and noted a number of objections. The council said that it shared the bill supporters' "desire to protect free speech," but found numerous problems with their approach to doing so.

Requiring the reports, the analysis said, would "take a great deal of time and money." In addition, it said that many terms in the bill are vague, potentially opening the door to all kinds of debates and controversies. "What is 'balance'? What events, activities and free speech scenarios are supposed to be evaluated?" the faculty members asked.

And the faculty members ended up having a similar reaction to this bill as many have had to the Academic Bill of Rights — seeing the legislation as a tool to subject professors to second guessing or unfair attacks. "How do faculty members protect themselves from biased attacks from students who may use faulty claims to challenge professors?" the analysis asked. "For example, could a student claim that biology teachers who do not spend half of their time covering intelligent design are limiting the 'free exchange of ideas?' And, could faculty members feel pressured to cover outdated or peer-rejected theories out of a concern that they will be sanctioned? This opens the door to all sorts of claims on faculty."

While much of the debate over the South Dakota bill is similar to that over the Academic Bill of Rights, there is another difference, as of Wednesday. The Academic Bill of Rights attracted many hearings, but not a lot of floor voting. In South Dakota, the bill moved quickly from hearing to a House vote — and passed.

— [Scott Jaschik](#)