

A close-up, slightly blurred photograph of a stack of books with various colored spines (green, red, white, blue). The books are stacked horizontally, creating a sense of depth and texture. The lighting is soft, highlighting the edges of the pages and the fabric of the covers.

INTELLECTUAL **DIVERSITY**

• Time for Action •



American Council of Trustees and Alumni
Washington, DC

The American Council of Trustees and Alumni (ACTA) is a 501(c)(3) non-profit educational organization committed to academic freedom, excellence, and accountability. Launched in 1995, ACTA has members from over 400 colleges and universities.

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FOREWORD

There is nothing more central to the life of the mind than the robust exchange of ideas. In recent years, however, there has been increasing evidence that this exchange has been under attack and that, in many respects, the academy has become one-sided and coercive—indeed, even hostile—to a multiplicity of viewpoints. Study after study has documented the politically one-sided nature of the faculty. And ACTA's report, *Politics in the Classroom*, found this imbalance to have serious consequences. Nearly half of the students at the top 50 colleges ranked by *U.S. News & World Report* reported significant political pressure in the classroom, nothing short of a direct attack on their right and ability to learn.

In June 2005, a consortium of higher education organizations issued a statement on academic rights and responsibilities, designed to affirm their adherence to intellectual diversity and, presumably, put an end to federal and state legislative efforts to intervene. Based on ACTA's survey, however, the higher education community has taken no concrete steps to ensure that intellectual diversity is protected and thriving on campus.

ACTA believes that the academy must ensure intellectual diversity—by actions and not just words—if it is to provide a rich education for its students and forestall undesirable legislative intervention. This report is designed to help boards of trustees and their institutions address the issue of intellectual diversity and to do it in a way that is sensitive to academic freedom and shared governance.

Anne D. Neal
President
December 2005

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The American Council of Trustees and Alumni is a non-profit organization based in Washington, DC and dedicated to academic freedom, academic quality, and accountability. ACTA has also published: *Politics in the Classroom* (2004); *The Hollow Core: Failure of the General Education Curriculum* (2004); *Becoming an Educated Person: Toward a Core Curriculum for College Students* (2003); *Degraded Currency: The Problem of Grade Inflation* (2003); *Teachers Who Can: How Informed Trustees Can Ensure Teacher Quality* (2003); *We the People: A Resource Guide* (2003); *Can College Accreditation Live Up to its Promise?* (2002); *Educating Teachers: The Best Minds Speak Out* (2002); *Restoring America's Legacy* (2002); *Losing America's Memory: Historical Illiteracy in the 21st Century* (2000); *The Intelligent Donor's Guide to College Giving* (1998); and *The Shakespeare File: What English Majors Are Really Studying* (1996).

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Intellectual Diversity: Time for Action

But the peculiar evil of silencing the expression of an opinion is that it is robbing the human race, posterity as well as the existing generation, those who dissent from the opinion still more than those who hold it. If the opinion is right, they are deprived of the opportunity of exchanging error for truth; if wrong, they lose what is almost as great a benefit: the clearer perception and livelier impression of truth produced by its collision with error.

– John Stuart Mill, *On Liberty*, Chap. II (1859)

The most serious challenge for higher education today is the lack of intellectual diversity. It is serious, most of all, because it lies at the heart of what education is all about. But it has been made much more serious because for decades higher education leaders refused to acknowledge the problem. They were simply in denial. As a result, few efforts at mitigation were undertaken. There still is little thoughtful discussion about proper remedies. This publication seeks to change that. In the following pages, we present concrete ways universities can appropriately encourage greater intellectual diversity, as well as practical suggestions that offer the promise of a genuine cultural transformation in American higher education.

In simplest terms, intellectual diversity means a multiplicity of ideas. In the college setting, it is the foundation of a learning environment that exposes students to a variety of political, ideological, and other perspectives. As the American Council on Education, in a statement joined by 29 other higher education organizations, has acknowledged: “Intellectual pluralism and academic freedom are central principles of American higher education.”¹

If they are to be more than just empty words, however, principles must lead to practice. The fact remains that in the world of higher education, diversity has come to mean a preference for a diversity of *backgrounds*, but not a diversity of *views*. When it comes to social, political, religious, and ideological matters, academe has shown a pronounced preference for only one end of the spectrum.

¹The American Council on Education and more than two dozen other higher education groups released a joint statement on intellectual diversity on June 23, 2005. See Appendix B. Sara Hebel, “Higher-Education Groups Issue Statement on Academic Rights and Intellectual Diversity on Campuses,” *The Chronicle of Higher Education*, July 1, 2005, Government & Politics section, A16.

Lack of Diversity Documented

Studies have repeatedly shown a marked political imbalance among college faculty. A recent national survey found that 72 percent of those teaching at American universities and colleges describe themselves as liberal and 15 percent conservative.² According to the study, the most one-sided departments are English literature, philosophy, political science, and religious studies, where at least 80 percent of the faculty say they are liberal and no more than five percent call themselves conservative.

These ideological leanings are reflected in political party affiliation. Economist Daniel Klein found that, among academics at the University of California and at Stanford, the ratio of Democrats to Republicans is 8 or 10 to 1.³ The University of California-Berkeley faculty had 445 registered Democrats to 45 Republicans. At Stanford University, the count was 275 Democrats to 36 Republicans. Klein's study of particular disciplines showed that the ratio of Democrats to Republicans was 28 to 1 among sociologists and 30 to 1 for anthropologists.

This lack of diversity in political registration might not be a crisis if it were not for the fact that some of the ideals that encourage intellectual openness command less allegiance in academe than they once did. Today, the notion of truth and objectivity is regarded by many professors as antiquated and an

²Howard Kurtz, "College Faculties A Most Liberal Lot, Study Finds," *Washington Post*, March 29, 2005, C01. The study, by Stanley Rothman, S. Robert Lichter, and Neil Nevitte, is entitled "Politics and Professional Advancement Among College Faculty," and is published online at *The Forum*, vol. 3, no. 1, article 2 (2005), <http://www.bepress.com/forum/vol3/iss1/art2>.

³Karl Zinsmeister, "Case Closed," *The American Enterprise*, January/February 2005, 42. The author cites confirmatory studies at Cornell and Stanford in 1995, and a 19-campus study from 2001.

obstacle to social change. In this “postmodern” view, all ideas are political, the classroom is an appropriate place for advocacy, and students should be molded into “change agents” to promote a political agenda. The University of California recently abandoned the provision on academic freedom that cautioned against using the classroom as “a platform for propaganda.” The president of the university argued in a letter to the Academic Senate that the regulation was “outdated.”⁴

Faculty imbalance, combined with the idea that the “politically correct” point of view has a right to dominate classroom and campus discussions, has had fearful consequences for university life.

- Campus panels on current issues are routinely one-sided. This was made abundantly clear by the response to the 9/11 attacks on the United States. A Yale University teach-in on the events of September 11 failed to include a single spokesman in favor of military action. Similarly, Brooklyn College approved a post-9/11 panel without any representatives of the U.S. or Israeli government’s point of view.
- When outside speakers who present a different point of view are invited to campus, they are often shouted down, assaulted, or simply disinvited because the universities say they cannot guarantee their safety. Former Secretary of State Henry Kissinger’s address at the University of Texas-Austin had to be cancelled because of threats of violent protest. More recently, William Kristol, editor of the *Weekly Standard*, was struck by a pie-wielding student during a speech about U.S. foreign policy at Earlham College.
- Student newspapers challenging campus orthodoxies are routinely stolen or destroyed. The Student Press Law Center has counted hundreds of major incidents involving thousands of newspaper copies, since it began tracking them in 1993.⁵ A recent example involved widespread theft and destruction after college newspapers accepted an advertisement critical of reparations for descendants of slaves. At Brown University, student activists stole 4,000 copies

⁴For a detailed account, see Martin Trow, “Reflections on Proposed Changes in the University Regulations Bearing on Academic Freedom in the University of California,” California Association of Scholars Statement, http://www.nas.org/affiliates/california/trow_acafree.htm.

⁵See Student Press Law Center website, <http://www.splc.org>.

of the college paper, nearly the entire press run. Campus papers carrying the ad were shredded at the University of California-Berkeley and burned at the University of Wisconsin-Madison.⁶

- Students are being pressured to adopt the political views of their professors. The nation's leading accreditor of teacher training programs now demands that they assess the "dispositions" of teacher trainees as a requirement for licensure. "Dispositions," it turns out, encompass "beliefs and attitudes related to values such as . . . social justice." Some education professors are now demanding that students avow only ideologically-charged positions on "social justice" if they want to be certified as teachers.

Many of our campuses have become, as one observer put it, islands of oppression in a sea of freedom. There is no way this kind of one-sided, coercive atmosphere can be conducive to a solid education. Students are not empowered to think for themselves by being given only one side of the story. The lack of intellectual diversity is depriving an entire generation of the kind of education they deserve.

⁶Andrew Brownstein, "Race, Reparations, and Free Expression," *The Chronicle of Higher Education*, March 30, 2001, Students section, A48.

The Impact on Students

For decades, higher education leaders denied that there was an intellectual diversity problem. The head of the American Association of University Professors called one study on the political affiliations of the faculty “wrongheaded,” arguing that such affiliations are of little consequence in the classroom.⁷ A spokesman for the University of Georgia assured *The Chronicle of Higher Education* that “we have no evidence to suggest that students are being intimidated by professors as regards students’ freedom to express their opinions and beliefs.”⁸ And the former chair of the political science department at Brown University told the media that “on both sides of the equation, there’s quite a lot of tolerance for people who have different points of view.”⁹

The American Council of Trustees and Alumni (ACTA) resolved to study the issue as objectively and systematically as possible. We went to those who really know what goes on in the classroom and are most affected by it—the students. We commissioned the Center for Survey Research and Analysis (CSRA) at the University of Connecticut to undertake a scientific survey of undergraduates in the top 50 colleges and universities as listed by *U.S. News & World Report*.¹⁰ These include Ivy League schools like Harvard and

⁷Thomas Bartlett, “More Faculty Members are Democrats,” *The Chronicle of Higher Education*, December 3, 2004, The Faculty section, A15.

⁸Alyson Klein, “Worried on the Right and the Left,” *The Chronicle of Higher Education*, July 9, 2004, Government & Politics section, A21.

⁹Sara Russo, “Bias Revealed Among Ivy League Faculty,” February 2002, http://www.academia.org/campus_reports/2002/february_2002_2.html.

¹⁰CSRA conducted a telephone survey of 658 students in October-November 2004. The error rate was plus or minus four, standard for this type of poll. See Appendix A for sample questions and responses.

Princeton, small liberal arts colleges like Williams and Swarthmore, as well as public institutions such as the University of California-Berkeley and the University of Virginia. [See Appendix A.]

For starters, we were interested in finding out whether in fact professors introduce politics into the classroom. It goes without saying that faculty members are hired for their expertise and are expected to instruct students on the subject of their expertise. If they are teaching biology, they should be talking about biology. If they are teaching Medieval English literature, we expect them to be lecturing on Chaucer, not Condoleezza Rice.

Professors' personal politics would matter little if professors always checked their politics at the classroom door. But the survey found that a shocking 49 percent of the students at the top 50 colleges and universities say that their professors *frequently* injected political comments into their courses, even if they had nothing to do with the subject.

The survey next turned to the atmosphere in the college classroom. Did students, many of whom were exposed to these subjects for the first time, feel free to raise concerns and question assumptions? Did they feel free to make up their own minds without feeling pressured to agree with their professors?

Once again, the answer was deeply disturbing. 29 percent of the respondents felt that they had to agree with the professor's political views to get a good grade.

The survey also explored whether students were being exposed to competing arguments on the central issues of the day. Were book lists balanced and comprehensive? Did students hear multiple perspectives, rather than just one side of an argument?

Again, a disheartening response. 48 percent reported campus panels and lecture series on political issues that seemed "totally one-sided." 46 percent said professors "used the classroom to present their personal political views." And 42 percent faulted reading assignments for presenting only one side of a controversial issue.

These findings are particularly noteworthy when we look at the characteristics of the respondents. First of all, the students voicing concerns are not a small minority. Nearly half of the students surveyed reported abuses. Second, although self-described conservative students complained in higher numbers, a majority of the respondents considered themselves liberals or radicals. Third, only 10 percent of the respondents were majoring in political science or government. The vast majority were studying subjects like biology, engineering, and psychology—fields far removed from politics.

Given the results of this scientific survey, one simply cannot claim any longer that faculty are not importing politics in the classroom in a way that affects students' ability to learn. Based on social scientific evidence as well as discussions with professors, administrators, trustees, and higher education experts, it is clear that:

- (1) Today's college faculties are overwhelmingly one-sided in their political and ideological views, especially in the value-laden fields of the humanities and social sciences; and
- (2) This lack of intellectual diversity is undermining the education of students as well as the free exchange of ideas central to the mission of the university; and
- (3) It is urgent that universities effectively address the challenge of intellectual diversity. Some ways of addressing it are explored in the following pages.

Consensus on Principles

Fortunately, there is considerable consensus on the principles at stake. As early as 1915, at its founding, the American Association of University Professors issued a “Declaration of Principles” that stressed the importance of impartiality in the classroom and the right of the student to learn as well as the faculty to teach:

The teacher ought also to be especially on his guard against taking unfair advantage of the student’s immaturity by indoctrinating him with the teacher’s own opinions before the student has had an opportunity fairly to examine other opinions upon the matters in question, and before he has sufficient knowledge and ripeness of judgment to be entitled to form any definitive opinion of his own. It is not the least service which a college or university may render to those under its instruction, to habituate them to looking not only patiently but methodically on both sides, before adopting any conclusion upon controverted issues.¹¹

In 2005, responding to concerns that have been raised about intellectual diversity, the American Council on Education released a major statement, endorsed by 30 higher education organizations, on “Academic Rights and Responsibilities.” [See Appendix B for complete statement and signatories.] “Intellectual pluralism and academic freedom are central principles of American higher education,” the statement declares. Among the “central,

¹¹General Report of the Committee on Academic Freedom and Academic Tenure (1915), 1 AAUP Bull 17 (1915), cited in *Freedom and Tenure in the Academy*, William W. Van Alstyne, Editor (Durham and London: Duke University Press, 1993), 402.

overarching principles” that are “widely shared within the academic community” are the following:

Colleges and universities should welcome intellectual pluralism and the free exchange of ideas. Such a commitment will inevitably encourage debate over complex and difficult issues about which individuals will disagree. Such discussions should be held in an environment characterized by openness, tolerance and civility.

The statement underscores the need for an intellectually open campus in which neither students nor faculty suffer reprisal based on their political views:

Academic decisions including grades should be based solely on considerations that are intellectually relevant to the subject matter under consideration. Neither students nor faculty should be disadvantaged or evaluated on the basis of their political opinions.

During the past two years, ACTA has reviewed a wide range of materials and had extensive discussions with professors, administrators, and trustees around the country. In these discussions, a number of principles governing both the definition of the problem and the search for solutions surfaced repeatedly. Put in one way or another, almost everyone agreed with the following nine points:

First, students are better educated if they are exposed to multiple perspectives.

Second, no professor should use the classroom to proselytize.

Third, professors should give a fair presentation to alternative points of view.

Fourth, professors should never intimidate or treat unfairly students with a “dissenting” point of view.

Fifth, campus panels and speakers series should give students more than one side of the great issues of the day.

Sixth, students should not be allowed to trash campus publications or impose a “heckler’s veto” on invited speakers.

Seventh, political and ideological bias in hiring, promotion, and tenure is unacceptable.

Eighth, intellectual diversity among the faculty is desirable, but must be achieved only in ways that protect such values as academic freedom, shared governance, and academic standards.

Ninth, universities—faculty, administrators, and trustees—should take the initiative in meeting the challenge of intellectual diversity, in part to avoid “solutions” forced on them from the outside.

The fact that there is a high degree of consensus on principles augurs well for success in meeting the challenge of intellectual diversity.

Practical Suggestions

A major obstacle to change has been a fear that any effort to encourage intellectual diversity would violate one or another academic norm. ACTA has been sensitive to this concern and has discussed it with professors, administrators, and trustees. Based on these discussions, we have pulled together a set of concrete, practical ideas that provide a starting point for discussion for universities looking for ways to address the problem. Hopefully, discussion on each campus will develop and refine these ideas and also explore other avenues for improving intellectual diversity.

1. *Conduct a self-study to assess the current state of intellectual diversity on campus and identify areas for improvement.*

It is not easy for any institution to study itself, and universities are no exception. However, just assembling information and inviting campus comments could be an eye-opener. Faculty and students could be surveyed on their perceptions of political and ideological bias. Some of the questions from ACTA's survey might be used. A study committee could review campus panels and speakers lists and ask whether varying perspectives on controversial issues are regularly represented. The pattern of student grievances could be examined to see how many, if any, have to do with political and ideological bias. Have campus newspapers been stolen or destroyed by those who disagree with their ideas? Have the thieves been identified and punished? Has political bias been one of the factors in recent grievances over tenure and promotion? Are some departments so one-sided that they omit major points of view? Are those departments reaching out to talented applicants with an underrepresented point of view? The committee undertaking the study will have to define the issues and materials for review in ways that are appropriate to an academic institution.

2. *Incorporate intellectual diversity into institutional statements and activities on diversity.*

Most universities today have statements expressing a commitment to various kinds of diversity. They should add to these statements a commitment to *intellectual diversity*, a practice recently embraced by Brown University. Colleges also commonly sponsor a variety of special events on diversity—speakers series, conferences, orientation sessions, museum and library exhibits, performances, etc. Intellectual diversity should be added to these events or separate events should be arranged. For example, freshman orientation should include a session on tolerance of political differences, the importance of listening to different perspectives and of allowing diverse views to be expressed. University catalogs as well as faculty and staff handbooks can include explicit statements on freedom of expression, the right to dissent, and tolerance of differing viewpoints.

3. *If the university has a speech code, eliminate it.*

Federal law requires that colleges and universities prohibit “discriminatory harassment.” However, a majority of colleges have gone beyond the regulation of conduct and have adopted speech codes. The Freedom Forum First Amendment Center at Vanderbilt University has identified hundreds of universities with speech codes that threaten the free expression of ideas. When challenged in court, speech codes have usually been found to be in violation of the First Amendment. In any case, they create a chilling atmosphere—empowering the institution to silence students and faculty on the grounds that a group has been “offended.” Efforts to encourage civility toward all groups on campus should not be turned into gag orders. Of all places, the university campus should be the one venue at which individuals can express views whether or not they are popular.

4. *Encourage balanced panels and speaker series.*

For institutionally-funded conferences, panels, and speakers, the college or university should give priority to events that present multiple perspectives. It might even sponsor a special series to present varying viewpoints on the great issues of the day, such as globalization, the Middle East, bioethics, and so forth. In the case of commencement speakers, the college or university should identify and invite speakers who offer diverse perspectives.

5. *Establish clear campus policies which ensure that hecklers or threats of violence do not prevent speakers from speaking.*

Allowing coercive tactics to shut down free debate directly contradicts what the university is all about. Universities should have clear rules and transparent policies and establish a “zero-tolerance” policy toward any efforts to shout down or otherwise make it impossible for someone to speak. The “heckler’s veto” should not be tolerated. And the university should provide adequate security to protect freedom of speech. Colleges and universities should take their cue from the famous Yale report in response to campus protests during the tumultuous 1970s: “The administration’s responsibility for assuring free expression imposes further obligations: it must act firmly when a speech is disrupted or when disruption is attempted; it must undertake to identify disrupters; and it must make known its intentions to do so beforehand.”¹² [See excerpt from the Yale Report in Appendix C.]

6. *Include intellectual diversity concerns in university guidelines on teaching.*

Many universities have guidelines, usually in the faculty handbook, that encourage good teaching. These may call for treating students with respect, fair grading, an open classroom atmosphere, holding office hours, and the like. These statements could be enhanced to make it clear that professors should not use the classroom for proselytizing, should present alternative points of view fairly, should assign readings representing multiple views, treat students who have different points of view with respect, and so on.

7. *Include intellectual diversity issues in student course evaluations.*

ACTA’s survey of students found widespread complaints about irrelevant political comments in class, one-sided reading assignments, and pressure to agree with the professor’s political views. Yet, over 8 out of 10 students said that student evaluations of the faculty did not include a question about their professors’ social, political, or religious bias. Now is perhaps the time to adopt questions about whether a professor engaged in advocacy rather than teaching, presented opposing points of view fairly, treated students with different views respectfully, etc. [See Appendix D for model evaluation form.]

¹²C. Vann Woodward, Chairman, Report to the Fellows of the Yale Corporation (1974), 34.

8. *Amend hiring, tenure, and promotion guidelines.*

The institution might include in hiring, tenure, promotion and grievance procedure guidelines language to protect individuals against political viewpoint discrimination.

9. *Amend student grievance guidelines.*

Similar changes could be made in student grievance procedures to protect students from political bias. ACE president David Ward told *Inside Higher Ed* in the summer of 2005 that many colleges hadn't outlined what a student should do if he or she feels that they are being discriminated against because of their political views. "Some of our institutions don't have procedures in place and they should," he said.¹³ At Columbia University, President Lee Bollinger recently called for a new grievance policy encouraging students to file formal grievances against professors who abuse "faculty authority" by pressuring students "into supporting a political or social cause."¹⁴ [See Appendix E.]

10. *Use visiting professors to achieve greater diversity.*

Colleges and universities often hire on a temporary basis faculty from other institutions in order to provide an intellectually stimulating alternative to the permanent faculty. It would be natural for considerations of intellectual diversity to influence the choice of these visiting professors. In fact, a special category of visiting professors could be created for the explicit purpose of bringing to campus outstanding scholars whose views cut against the dominant views of current faculty.

11. *Encourage departments to diversify.*

A few departments may be rather closed and dogmatic, wanting to exclude unwelcome viewpoints. It should be made clear to those departments that this is not a permissible approach. More often, political and ideological bias

¹³Scott Jaschik, "Detente with David Horowitz," *Inside Higher Ed*, June 23, 2005, <http://inside-highered.com/news/2005/06/23/statement>.

¹⁴James Romoser, "Middle East Studies: University Response to Controversy Focuses On Systemic Failures," *Columbia Spectator* (online edition), May 9, 2005, <http://www.columbiaspectator.com/vnews/display.v/ART/2005/05/09/42a35c618d82b>.

is unconscious. In those cases, departments could be urged to be honest in their own self-appraisals and try to correct for any such bias when they evaluate candidates for positions. If this bias is reflected in always designating searches in fields representing one point of view (such as labor history, for example), they might consider designating the next position for a different field that provides some diversity of disciplines (such as diplomatic or constitutional history). Academic departments that are intellectually open, striving for a range of approaches for the stimulation of both students and faculty, might be rewarded with additional resources, since they are providing superior service to the mission of the university. Periodic reviews of departments and programs, now common in higher education, could include their commitment to intellectual diversity.

12. Establish new academic programs.

Faculty bias in recent years has often been against anything “Eurocentric” or written by “dead white males.” Too often, students are taught to condemn Plato or Adam Smith without ever being given an opportunity to read them. One way to provide a balance would be to start new programs in Great Books, Western Civilization, the American Founding, and the like.

13. Ensure student press freedom.

As we noted above, it is quite common for student newspapers that challenge prevailing campus views to be stolen or destroyed. Universities should establish clear policies ensuring the right of campus newspapers, including alternative newspapers, to be distributed without interference. Violators should be punished.

14. Prohibit political bias in student-funded groups.

On many campuses, groups funded by student government reflect only one end of the political spectrum. University policies should prohibit discrimination against groups on the basis of their political, religious, or ideological viewpoint.

15. When hiring, seek a commitment to intellectual diversity.

When conducting presidential and other high-level searches, the search committee should ask candidates about their commitment to intellectual diversity. Evaluations should in turn include commitment to intellectual diversity as a key goal.

16. Create a university ombudsman.

Some universities have a campus ombudsman who has fact-finding responsibilities on a range of issues, but no authority to take action. What makes the ombudsman's report special is that it goes directly to the governing board. This post is usually held by a respected faculty member on a limited-term appointment, but it can also be assigned to a retired professor or someone off campus. Intellectual diversity concerns could be added to the portfolio of the ombudsman. Or a special ombudsman for intellectual diversity could be created.

No doubt this list could be expanded and refined, and we hope it will be as campuses take up these issues. But these suggestions should be sufficient to demonstrate that intellectual diversity is not just something desirable in theory. The means are there to encourage it. Is there the will?

A Call for Action

The preceding discussion focuses on institutional policies and practices. But there are concrete actions *everyone* involved with higher education could take.

Individual professors, for example, can become more sensitive to the necessity of checking their politics at the door, more open to alternative points of view and students who espouse them, more balanced in assigned readings, more careful in organizing panels to include multiple perspectives, more alert against bias in hiring and tenure decisions in their own departments, and more courageous in speaking up on behalf of intellectual diversity in campus discussion.

College administrators set institutional policy. Department chairs, deans, provosts, and presidents can take steps within their own spheres of authority to protect individuals—whether students, faculty, applicants, or visiting speakers—who have different points of view. Moreover, administrators can be proactive, giving moral and financial support to efforts to protect academic freedom, encourage intellectual diversity, and keep politics out of the classroom.

For public universities, **governors** can use the bully pulpit and encourage the institutions and education agencies in their states to encourage openness and promote intellectual diversity.

The law is a blunt instrument and state legislatures and the federal Congress are not well-positioned to prescribe specific remedies. But **state and federal legislators** can provide a valuable service by holding hearings to educate the public and making it clear to the universities that they are expected to ensure the free exchange of ideas and classrooms free of political abuse.

Students and parents selecting a college would be well-advised to check out those being considered to see if there is evidence of an intolerant atmosphere.

Alumni should speak up and make their concerns known as well. Even more, instead of simply supporting the annual fundraising drive, they could target their gifts to programs and activities that promote educational excellence and intellectual diversity on campus. The Fund for Academic Renewal, created by the American Council of Trustees and Alumni, is available to help alumni and foundations target their gifts wisely. ACTA's book, *The Intelligent Donor's Guide to College Giving*, is available from ACTA or at amazon.com.

The fact that there is a long-standing problem shows that, on the whole, professors and administrators have been either unwilling or unable to address the challenge of intellectual diversity. There are professors and administrators concerned about the issue, but they lack a mandate to act.

Realistically, then, **trustees** will have to take the lead. Is this issue beyond the purview of the board? Not at all. As a legal entity, the university is the board of trustees. The board typically has plenary authority to advance the mission of the institution, derived from the charter in the case of private universities and from their founding statutes in the case of public institutions. Trustees are responsible for the academic as well as financial health of their institutions.

Trustees should not micromanage. They rightly delegate enormous authority to the faculty and administration. But it is delegated authority, subject to board oversight, policies, and priorities. It would be a dereliction of duty for trustees knowingly to permit political bias and intimidation to undermine the education of the students, just as it would be if they tolerated racial or gender discrimination. And it would be a failure of due diligence for trustees to avoid finding out whether these conditions existed. The New York Board of Regents once removed almost an entire college governing board for financial abuses of which the board was ignorant on the grounds that it was their legal obligation to conduct adequate oversight.¹⁵

¹⁵Courtney Leatherman, "New York Regents Vote to Remove 18 of 19 Adelphi U. Trustees," *The Chronicle of Higher Education*, February 21, 1997.

Trustees may be told that any proactive steps by the board would violate academic freedom. That is not the case. Academic freedom is essentially the right of professors to pursue knowledge in their fields and to share the results of that inquiry with their students and the public. It is a right granted to professors in exchange for a sacred trust—that they will use the freedom they are given over the classroom and over academic policy, for valid educational ends, not to pursue their own pet causes or personal politics. The board has not only a right, but a duty, to ensure that the faculty lives up to these responsibilities, and to insist on remedial action when it does not. It is a duty, in fact, that has been affirmed by the higher education community and raised as a critical reason why legislative intervention to insist on intellectual diversity is unnecessary.¹⁶ This checks-and-balances system safeguards the mission of the university, but it does not work when boards of trustees simply rubber-stamp what is brought before them. Any board that fails to guarantee the free exchange of ideas and the student’s right to learn on its campus is simply not doing its job.

Where should the board begin?

- *First*, it could endorse the American Council on Education’s statement on academic freedom and intellectual pluralism.
- *Second*, it could adopt the first suggestion in the previous section and ask for an institutional self-study of the condition of intellectual diversity on the campus, leaving it to the faculty and administration to determine the details. It might say, for example:

“The board endorses the American Council on Education statement on Academic Rights and Responsibilities and directs

¹⁶ “Congress has rightly understood that academic policy is best left in the hands of governing boards of each institution and that curriculum and teaching are not areas that require government intervention.” Comments of the American Federation of Teachers and the National Education Association on the Senate Bill to Amend the Higher Education Act, September 8, 2005; Comments of the American Federation of Teachers on H.R. 609, the College Access and Opportunity Act of 2005; “The setting of academic policy is best left in the hands of academic community, administrations, faculty, and governing boards of the institutions themselves.” Letter of Mark F. Smith, Director of Government Relations, American Association of University Professors to Senate Committee on Health, Education, Labor and Pensions (September 8, 2005).

the administration and faculty to conduct an institutional self-study to determine how well the university is living up to the principles of intellectual diversity enunciated therein.”

- *Third*, it should set a reasonable timetable for such a study and review information provided in the self-study. If the self-study is a whitewash or omits critical issues, the board should ask for a follow-up study.
- *Fourth*, the board should ask the faculty and administration for suggestions of ways to promote intellectual diversity and for ways to measure progress.
- *Fifth*, the board should set up a mechanism or procedure for monitoring progress in this area, relying on input from the campus community.

It is perhaps human nature for those with a strong emotional commitment to a certain set of ideas to become intolerant of alternatives and unwilling to allow their ideas to be challenged. They may be tempted, like the inquisitors of old, to enforce one vision of the truth. But Thomas Jefferson preferred a wiser course: “We are not afraid to follow truth wherever it may lead,” he said, “nor to tolerate any error so long as reason is left free to combat it.”

Appendix A

ACTA Survey of Students

The American Council of Trustees and Alumni commissioned the Center for Survey Research and Analysis at the University of Connecticut to conduct a survey of students at the country's top colleges and universities in order to evaluate their perceptions of the political climate on campus as well as their experiences with the inclusion of political commentary and material in their courses.

The resulting study, entitled *Politics in the Classroom*, was the product of a telephone survey of 658 undergraduate students from the top 25 National Universities and top 25 National Liberal Arts Colleges, as defined by *U.S. News & World Report*. (2003-2004 ranking. See <http://www.usnews.com/usnews/edu/college/cohome.htm>.) The survey was conducted in late October and early November 2004.

Top Schools as Defined by *U.S. News & World Report*

National Universities

Rank / School

- 1 Harvard University (MA)
- 1 Princeton University (NJ)
- 3 Yale University (CT)
- 4 University of Pennsylvania
- 5 Duke University (NC)
- 5 Massachusetts Institute of Technology
- 5 Stanford University (CA)
- 8 California Institute of Technology
- 9 Columbia University (NY)
- 9 Dartmouth College (NH)
- 11 Northwestern University (IL)
- 11 Washington University (MO)
- 13 Brown University (RI)
- 14 Cornell University (NY)
- 14 Johns Hopkins University (MD)
- 14 University of Chicago
- 17 Rice University (TX)
- 18 University of Notre Dame (IN)
- 18 Vanderbilt University (TN)
- 20 Emory University (GA)
- 21 University of California–Berkeley
- 22 Carnegie Mellon University (PA)
- 22 University of Michigan–Ann Arbor
- 22 University of Virginia
- 25 Georgetown University (DC)
- 25 University of California–Los Angeles

National Liberal Arts Colleges

Rank / School

- 1 Williams College (MA)
- 2 Amherst College (MA)
- 2 Swarthmore College (PA)
- 4 Wellesley College (MA)
- 5 Carleton College (MN)
- 5 Pomona College (CA)
- 7 Bowdoin College (ME)
- 7 Davidson College (NC)
- 9 Haverford College (PA)
- 9 Wesleyan University (CT)
- 11 Middlebury College (VT)
- 12 Vassar College (NY)
- 13 Claremont McKenna College (CA)
- 13 Smith College (MA)
- 13 Washington and Lee University (VA)
- 16 Colgate University (NY)
- 16 Grinnell College (IA)
- 16 Harvey Mudd College (CA)
- 19 Colby College (ME)
- 19 Hamilton College (NY)
- 21 Bryn Mawr College (PA)
- 22 Bates College (ME)
- 23 Oberlin College (OH)
- 24 Mount Holyoke College (MA)
- 24 Trinity College (CT)

Questions & Responses

Q1. On my campus, some panel discussions and presentations on political issues seem totally one-sided.

Strongly agree	15%
Somewhat agree	33%
Somewhat disagree	24%
Strongly disagree	23%
Don't know	5%

Q2. On my campus, some professors use the classroom to present their personal political views.

Strongly agree	10%
Somewhat agree	36%
Somewhat disagree	24%
Strongly disagree	29%
Don't know	1%

Q3. On my campus, some professors make negative comments about President Bush in class.

Strongly agree	26%
Somewhat agree	42%
Somewhat disagree	16%
Strongly disagree	14%
Don't know	2%

Q4. On my campus, some professors make positive comments about President Bush in class.

Strongly agree	3%
Somewhat agree	24%
Somewhat disagree	34%
Strongly disagree	34%
Don't know	4%

Q5. On my campus, some professors make negative comments about Senator Kerry in class.

Strongly agree	1%
Somewhat agree	16%
Somewhat disagree	32%
Strongly disagree	47%
Don't know	3%

Q6. On my campus, some professors make positive comments about Senator Kerry in class.

Strongly agree	16%
Somewhat agree	46%
Somewhat disagree	19%
Strongly disagree	13%
Don't know	6%

Q7. On my campus, some courses have readings which present only one side of a controversial issue.

Strongly agree	12%
Somewhat agree	30%
Somewhat disagree	26%
Strongly disagree	28%
Don't know	5%

Q8. On my campus, some professors make negative comments in class about conservatives.

Strongly agree	11%
Somewhat agree	36%
Somewhat disagree	29%
Strongly disagree	22%
Don't know	2%

Q9. On my campus, some professors make negative comments in class about liberals.

Strongly agree	1%
Somewhat agree	14%
Somewhat disagree	34%
Strongly disagree	49%
Don't know	2%

Q10. On my campus, some professors frequently comment on politics in class even though it has nothing to do with the course.

Strongly agree	14%
Somewhat agree	35%
Somewhat disagree	26%
Strongly disagree	24%
Don't know	1%
Refused	1%

Q11. On my campus, there are courses in which students feel they have to agree with the professor's political or social views in order to get a good grade.

Strongly agree	7%
Somewhat agree	22%
Somewhat disagree	22%
Strongly disagree	46%
Don't know	3%

Q12. On my campus, some professors make positive comments in class about liberals.

Strongly agree	27%
Somewhat agree	47%
Somewhat disagree	13%
Strongly disagree	10%
Don't know	3%

Q13. On my campus, some professors are intolerant of certain political and social viewpoints.

Strongly agree	5%
Somewhat agree	16%
Somewhat disagree	26%
Strongly disagree	51%
Don't know	2%

Q14. On my campus, some courses present social and political issues in an unfair and one-sided manner.

Strongly agree	6%
Somewhat agree	23%
Somewhat disagree	34%
Strongly disagree	33%
Don't know	3%

Q15. On my campus, there are courses in which the professor creates an environment that is hostile to certain political or social views.

Strongly agree	3%
Somewhat agree	19%
Somewhat disagree	25%
Strongly disagree	51%
Don't know	2%

Q16. On my campus, there are certain topics or viewpoints that are off limits.

Strongly agree	5%
Somewhat agree	16%
Somewhat disagree	27%
Strongly disagree	50%
Don't know	1%

Q17. Do the student evaluation forms of the faculty ask about a professor's social, political or religious bias?

Yes	3%
No	83%
Don't know	14%

Q18. What is your major?

Agriculture	0%
Anthropology	1%
Biological Sciences	10%
Biophysics	0%
Business	6%
Chemistry	2%
Classical Studies	4%
Communication Sciences	1%
Cultural Studies (African-American, Asian-American ...)	2%
Economics	7%
Education	1%
Engineering	8%
English	5%
Environmental Science	1%
European Studies	0%
Fine Arts	4%
Geography	0%
Geology and Geophysics	0%
History	4%
Human Development and Family Relations	1%

Journalism	0%
Linguistics	0%
Mathematics	1%
Nursing	0%
Philosophy	1%
Physics	2%
Physiology and Neurobiology	2%
Political Science	11%
Psychology	5%
Sociology	2%
Women's Studies	0%
Undecided/Undeclared	5%
Foreign Languages	1%
Computer Sciences	2%
International Relations/ Studies	1%
Other (specify)	3%
Don't know (vol.)	7%

Q19. How would you describe your views? Radical left, Liberal, Moderate, Conservative, or Ultraconservative?

Radical Left	5%
Liberal	46%
Moderate	33%
Conservative	13%
Ultraconservative	0%
Don't know	2%
Refused	1%

Appendix B

American Council on Education Statement on Academic Rights and Responsibilities

Intellectual pluralism and academic freedom are central principles of American higher education. Recently, these issues have captured the attention of the media, political leaders and those in the academy. This is not the first time in the nation's history that these issues have become public controversies, but the current interest in intellectual discourse on campus suggests that the meaning of these terms, and the rights and responsibilities of individual members of the campus community, should be reiterated.

Without question, academic freedom and intellectual pluralism are complex topics with multiple dimensions that affect both students and faculty. Moreover, America's colleges and universities vary enormously, making it impossible to create a single definition or set of standards that will work equally well for all fields of academic study and all institutions in all circumstances. Individual campuses must give meaning and definition to these concepts within the context of disciplinary standards and institutional mission.

Despite the difficulty of prescribing a universal definition, we believe that there are some central, overarching principles that are widely shared within the academic community and deserve to be stated affirmatively as a basis for discussion of these issues on campuses and elsewhere.

- American higher education is characterized by a great diversity of institutions, each with its own mission and purpose. This diversity

is a central feature and strength of our colleges and universities and must be valued and protected. The particular purpose of each school, as defined by the institution itself, should set the tone for the academic activities undertaken on campus.

- Colleges and universities should welcome intellectual pluralism and the free exchange of ideas. Such a commitment will inevitably encourage debate over complex and difficult issues about which individuals will disagree. Such discussions should be held in an environment characterized by openness, tolerance and civility.
- Academic decisions including grades should be based solely on considerations that are intellectually relevant to the subject matter under consideration. Neither students nor faculty should be disadvantaged or evaluated on the basis of their political opinions. Any member of the campus community who believes he or she has been treated unfairly on academic matters must have access to a clear institutional process by which his or her grievance can be addressed.
- The validity of academic ideas, theories, arguments and views should be measured against the intellectual standards of relevant academic and professional disciplines. Application of these intellectual standards does not mean that all ideas have equal merit. The responsibility to judge the merits of competing academic ideas rests with colleges and universities and is determined by reference to the standards of the academic profession as established by the community of scholars at each institution.
- Government's recognition and respect for the independence of colleges and universities is essential for academic and intellectual excellence. Because colleges and universities have great discretion and autonomy over academic affairs, they have a particular obligation to ensure that academic freedom is protected for all members of the campus community and that academic decisions are based on intellectual standards consistent with the mission of each institution.

June 23, 2005

The following organizations have endorsed this statement:

American Association of Community Colleges
American Association of State Colleges and Universities
American Association of University Professors
American Council of Learned Societies
American Council on Education
American Dental Education Association
Association of American Colleges and Universities
Association of American Law Schools
Association of American Universities
Association of Catholic Colleges and Universities
Association of Governing Boards of Universities and Colleges
Association of Higher Education Facilities Officers
Association of Jesuit Colleges and Universities
The College Board
ACPA—College Student Educators International
College and University Professional Association for Human Resources
Council for Advancement and Support of Education
Council for Christian Colleges and Universities
Council for Higher Education Accreditation
Council for Opportunity in Education
Council of Graduate Schools
Council of Independent Colleges
EDUCAUSE
Hispanic Association of Colleges and Universities
National Association for Equal Opportunity in Higher Education
National Association of Independent Colleges and Universities
National Association of State Universities and Land-Grant Colleges
National Association of Student Personnel Administrators
National Collegiate Athletic Association
University Continuing Education Association

Appendix C

Report of the Committee to the Fellows of the Yale Corporation C. Vann Woodward, Chairman December 23, 1974 (excerpt)

Note: This now classic statement, prepared by a faculty committee chaired by the noted historian, C. Vann Woodward, was a response to years of political turmoil at Yale. The turbulence began with the withdrawal by the Yale provost of a speaking invitation to Alabama's controversial Governor George C. Wallace in 1963. Matters escalated considerably in the 1970s. Here is the report's description of the tumultuous events of May Day 1970:

In the worst of the crises in the activist years, that centering on May Day, 1970, freedom of speech never had freer rein. It will be recalled that May Day, 1970, came the day after President Nixon announced the invasion of Cambodia. Even before the invasion, waves of protest were already sweeping over the nation's universities. Sit-ins, classroom disruptions and violence were the domestic disorder of the day. In New Haven, resentment was also fueled by the Black Panther trial that drew nationwide attention.

May Day became a symbolic day of protest, and New Haven became a symbolic focus for the protesters. Thousands of militant demonstrators were heading for New Haven and the University to join many local sympathizers. Together with local and national authorities, the Yale administration made plans to meet the crisis. President Brewster urged that all protest be peaceful, and that disruptive acts be avoided. The University gates were thrown open to outside demonstrators and many were provided with food and

lodging. Revolutionary Black Panthers and their supporters spoke freely to huge crowds at Woolsey Hall, Battell Chapel, Ingalls Rink, and Dwight Hall, as well as on the New Haven Green. It was reported that Jerry Rubin urged at Woolsey Hall that “Yale University be closed down forever” and preached “a permanent revolution.” Panthers declared they intended to “turn Yale into a police state,” and “create peace by destroying the people who don’t want peace.” They urged students to “pick up your guns” and “to kill pigs.” Orators hurled revolutionary threats, insults, and obscenities at the faculty, the administration, the Corporation, and the University and all they stood for and vowed they would “burn it all down.”

Two years after the May Day episode, two public figures, General William Westmoreland and Secretary of State William Rogers, felt compelled to cancel their plans to speak on the Yale campus. And in 1974, controversial Stanford physicist William Shockley was prevented from speaking “by organized disruption.”

The Woodward Committee was established by the president of Yale in September, 1974, and issued its report in December, 2004. What follows is the first part of the report.

I

Of Values and Priorities

And though all the winds of doctrine were let loose to play upon the earth, so Truth be in the field, we do injuriously by licensing and prohibiting to misdoubt her strength. Let her and Falsehood grapple; who ever knew Truth put to the worse, in a free and open encounter

John Milton, *Areopagitica*, 1644

If there is any principle of the Constitution that more imperatively calls for attachment than any other it is the principle of free thought—not free thought for those who agree with us but freedom for the thought that we hate.

Oliver Wendell Holmes, Jr.,
U.S. v. Schwimmer, 1928

The primary function of a university is to discover and disseminate knowledge by means of research and teaching. To fulfill this function a free interchange of ideas is necessary not only within its walls but with the world beyond as well. It follows that the university must do everything possible to ensure within it the fullest degree of intellectual freedom. The history of intellectual growth and discovery clearly demonstrates the need for unfettered freedom, the right to think the unthinkable, discuss the unmentionable, and challenge the unchallengeable. To curtail free expression strikes twice at intellectual freedom, for whoever deprives another of the right to state unpopular views necessarily also deprives others of the right to listen to those views.

We take a chance, as the First Amendment takes a chance, when we commit ourselves to the idea that the results of free expression are to the general benefit in the long run, however unpleasant they may appear at the time. The validity of such a belief cannot be demonstrated conclusively. It is a belief of recent historical development, even within universities, one embodied in American constitutional doctrine but not widely shared outside the academic world, and denied in theory and in practice by much of the world most of the time.

Because few other institutions in our society have the same central function, few assign such high priority to freedom of expression. Few are expected to. Because no other kind of institution combines the discovery and dissemination of basic knowledge with teaching, none confronts quite the same problems as a university.

For if a university is a place for knowledge, it is also a special kind of small society. Yet it is not primarily a fellowship, a club, a circle of friends, a replica of the civil society outside it. Without sacrificing its central purpose, it cannot make its primary and dominant value the fostering of friendship, solidarity, harmony, civility, or mutual respect. To be sure, these are important values; other institutions may properly assign them the highest, and not merely a subordinate priority; and a good university will seek and may in some significant measure attain these ends. But it will never let these values, important as they are, override its central purpose. We value freedom of expression precisely because it provides a forum for the new, the provocative, the disturbing, and the unorthodox. Free speech is a barrier to the tyranny of authoritarian or even majority opinion as to the rightness or wrongness of particular doctrines or thoughts.

If the priority assigned to free expression by the nature of a university is to be maintained in practice, clearly the responsibility for maintaining that priority rests with its members. By voluntarily taking up membership in a university and thereby asserting a claim to its rights and privileges, members also acknowledge the existence of certain obligations upon themselves and their fellows. Above all, every member of the university has an obligation to permit free expression in the university. No member has a right to prevent such expression. Every official of the university, moreover, has a special obligation to foster free expression and to ensure that it is not obstructed.

The strength of these obligations, and the willingness to respect and comply with them, probably depend less on the expectation of punishment for violation than they do on the presence of a widely shared belief in the primacy of free expression. Nonetheless, we believe that the positive obligation to protect and respect free expression shared by all members of the university should be enforced by appropriate formal sanctions, because obstruction of such expression threatens the central function of the university. We further believe that such sanctions should be made explicit, so that potential violators will be aware of the consequences of their intended acts.

In addition to the university's primary obligation to protect free expression there are also ethical responsibilities assumed by each member of the university community, along with the right to enjoy free expression. Though these are much more difficult to state clearly, they are of great importance. If freedom of expression is to serve its purpose, and thus the purpose of the university, it should seek to enhance understanding. Shock, hurt, and anger are not consequences to be weighed lightly. No member of the community with a decent respect for others should use, or encourage others to use, slurs and epithets intended to discredit another's race, ethnic group, religion, or sex. It may sometimes be necessary in a university for civility and mutual respect to be superseded by the need to guarantee free expression. The values superseded are nevertheless important, and every member of the university community should consider them in exercising the fundamental right to free expression.

We have considered the opposing argument that behavior which violates these social and ethical considerations should be made subject to formal sanctions, and the argument that such behavior entitles others to prevent speech they might regard as offensive. Our conviction that the central purpose of the university is to foster the free access of knowledge compels us to reject both of these arguments. They assert a right to prevent free expression. They rest upon the assumption that speech can be suppressed by anyone who deems it false or offensive. They deny what Justice Holmes termed "freedom for the thought that we hate." They make the majority, or any willful minority, the arbiters of truth for all. If expression may be prevented, censored or punished, because of its content or because of the motives attributed to those who promote it, then it is no longer free. It will be subordinated to other values that we believe to be of lower priority in a university.

The conclusions we draw, then, are these even when some members of the university community fail to meet their social and ethical responsibilities, the paramount obligation of the university is to protect their right to free expression. This obligation can and should be enforced by appropriate formal sanctions. If the university's overriding commitment to free expression is to be sustained, secondary social and ethical responsibilities must be left to the informal processes of suasion, example, and argument.

Appendix D

Model Student Evaluation-of-Faculty Questions

Please circle the number on the continuum that most nearly describes your experience.

1 = Strongly agree, 2 = Somewhat agree, 3 = Neutral, 4 = Somewhat disagree, 5 = Strongly disagree

Instructor's presentation of social and political issues						
Balanced and fair	1	2	3	4	5	Biased and unfair
Course readings on controversial issues						
Multiple perspectives	1	2	3	4	5	One-sided
Classroom environment with respect to student expression of political or social views						
Tolerant	1	2	3	4	5	Hostile
Treatment of students who express political or social views						
Tolerant	1	2	3	4	5	Hostile
Use of classroom to present instructor's personal political views						
Rare or infrequent	1	2	3	4	5	Frequent
Instructor comments on politics unrelated to the course						
Rare or infrequent	1	2	3	4	5	Frequent

Appendix E

**Address by Lee C. Bollinger, President of Columbia University
Association of the Bar of the City of New York
March 23, 2005 (excerpt)**

Note: Following controversy at Columbia University over student allegations that they were intimidated and harassed by professors because they held pro-Israel views, the president of Columbia gave a speech in which he addressed academic freedom.

...I believe that there are four guiding principles that should shape our actions.

First, we need to realize that the health and vigor, which I believe is strong, of universities depends upon the scholarly professionalism I have described. This involves our commitment to the intellectual disposition of extraordinary openness of intellect and the self-restraints that entails.

Public life poses, as we have seen, constant pressures and temptations for the university. Within the academy, we always face the impulse to jettison the scholarly ethos and adopt a more partisan mentality, which can easily become infectious, especially in times of great controversy. As Raymond Aron observed in his book “The Opium of the Intellectuals” in the 1950’s, the intellectual life is continually tempted by the “longing for a purpose, for communion with the people, for something controlled by an idea and a will.”

I must say that every faculty member I have known is aware of this impulse and tries to live by the scholarly temperament, just as we expect

judges to maintain a judicial temperament. In the classroom, especially, where we perhaps meet our highest calling, the professor knows the need to resist the allure of certitude, the temptation to use the podium as an ideological platform, to indoctrinate a captive audience, to play favorites with the like-minded and silence the others. To act otherwise is to be intellectually self-indulgent.

This responsibility belongs to every member of every faculty, but it poses special challenges on those of us who teach subjects of great political controversy. Given the deep emotions that people—students and professors both—bring to these highly charged discussions, faculty must show an extraordinary sensitivity to unlocking the fears and the emotional barriers that can cause a discussion to turn needlessly painful and substantively partial.

Some may wonder whether this is too much to ask of a classroom and, therefore, universities should forego these subjects altogether. I think this would be a grave mistake. Not only is this the only way our universities can offer insights into questions of great importance to the society, but, as I have described the broader role of the university in a democratic society, we would lose the ability to serve these societal purposes just when it's needed most.

Second, given the expectations of a scholarly profession, how should we deal with lapses, for surely we must expect there will be occasional failures? Let me answer by saying what we should not do and what we should do.

We should not elevate our autonomy as individual faculty all other above every other values. [sic]

We should not accept the argument that our professional norms cannot be defined and therefore transgressions must be accepted without consequences. We, as faculty, properly have enormous autonomy in the conduct of our teaching and our scholarship. Yet, it will not do simply to say that the professional standards within which that autonomy exists are too vague for any enforcement at all. Life, after all, is filled with drawing lines about highly elusive and difficult-to-define difference, and yet we do so because to shirk the task is to invite worse consequences.

We should not accept the argument that professors are foreclosed from expressing their opinions on the subject in the classroom, nor that because professors are free to do in some contexts there are no boundaries involved whenever viewpoints are expressed. The question is not whether a professor advocates a view but whether the overall design of the class, and course, is to explore the full range of the complexity of the subject.

We should not accept the argument that we as teachers can do what we want because students are of sufficient good sense to know bias and indoctrination when they see it. This ignores the enormous differential in power between the professor and the student in a classroom setting.

We should not accept the idea that the remedy for lapses is to add more professors with different political points of view, as some would have us do. The notion of a “balanced curriculum,” in which students can, in effect, select and compensate for bias, sacrifices the essential norm of what we are supposed to be about in a university. It’s like saying of doctors in a hospital that there should be more Republicans, or more Democrats. It also risks polarization of the university, where “liberals” take courses from “liberal” professionals and “conservatives” take “conservative” classes.

We should not say that academic freedom means that there is no review within the university, no accountability, for the “content” of our classes or our scholarship. There is review, it does have consequences, and it does consider content.

And this happens every day, every year, and it is properly lodged in the hands of the faculty of the departments and schools of our institutions. Every faculty member participates in such a process, as I have myself over many years, and it has, generally speaking, the highest integrity. In appointment, promotion, and tenure discussions, as well as annual reviews, we make professional judgments about the scholarly temperament, the originality of ideas, the development of students’ understanding and capacities, the respect shown for students, the tolerance of mind displayed, the mastery of the subject, and many other qualities of mind.

This is what it means to be part of a scholarly community, as the seminal, founding statement of the AAUP implied. It rests with the faculty, and the role of the university is to ensure that the system of local self-governance is enabled.

Third, we must respect what I would call the principle of Separation of University and State.

As I indicated at the outset, universities do not penalize faculty or students for comments they make as citizens in public debate. A corollary is that, while faculty and students are free to take whatever positions they wish on public matters, universities are not. We do not, as institutions, generally speaking, take positions on public issues.

The latter was a much debated topic during the Vietnam War, as many pushed to have universities condemn the war. A well-known commission at the University of Chicago, chaired by the eminent First Amendment scholar Harry Kalven, issued a report saying that universities should not do so. The basic argument of the Kalven report was that to do so would “chill” debate on the campus. I think that is a problem, but I believe the opposite is also a problem. As I said before, the risk is always present that we will jeopardize the scholarly ethos and join the public sphere. We, therefore, need to maintain the line between the differing roles—the role of the scholar professional and the role of the citizen. The last thing we want to do is to turn the campus into a political convention.

My fourth point is that all of us, but universities in particular, must stand firm in insisting that, when there are lines to be drawn, we must and will be the ones to do it. Not outside actors. Not politicians, not pressure groups, not the media. Ours is and must remain a system of self-government.

To be sure, as we have witnessed throughout recent history, the outside world will sometimes find the academy so dangerous and threatening that efforts will naturally arise to make decisions for us about whom we engage and what we teach. This must not be allowed to happen. We must understand, just as we have come to with freedom of speech generally, that the qualities of mind we need in a democracy—especially in times of crisis—are precisely what the extraordinary openness of the academy is designed to help achieve—and what will necessarily seem dangerous and threatening when our intellectual instincts press us, to be single minded or, to put it another way, of one mind. In a democracy, that’s what we must be wary of.

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