

**Testimony of Anne D. Neal, President
American Council of Trustees and Alumni
Before the Select Committee on Academic Freedom in Higher Education of the
Pennsylvania House of Representatives**

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I want to thank the chairman and members of the Select Committee for allowing me to speak to you today.

I am president of the American Council of Trustees and Alumni, a national education nonprofit. My organization was founded in 1995 and is a bipartisan network of college and university trustees and alumni across the country dedicated to academic freedom, academic excellence and accountability in higher education.

Since our founding, we have had occasion to evaluate colleges and universities in terms of academic freedom and academic offerings. And what we have discovered shows—beyond a shadow of a doubt—that the lack of intellectual diversity is the greatest problem facing higher education.

This committee's willingness to explore the issue and to determine what action, if any, is exemplary and I hope that it will serve as a model for legislatures across the country.

Let me begin by saying that lack of intellectual diversity is not a new problem, nor is it a matter of a few isolated incidents or abuses, as some of the witnesses would have you believe. As early as 1991, Yale President Benno Schmidt warned that "The most serious problems of freedom of expression in our society today exist on campuses. The assumption seems to be that the purpose of education is to induce correct opinion rather than to search for wisdom and liberate the mind." In his last report to the Board of Overseers, retiring Harvard President Derek Bok warned: "What universities can and must resist are deliberate, overt attempts to impose orthodoxy and suppress dissent... In recent years, the threat of orthodoxy has come primarily from within rather than outside the university."

A decade and more have passed since these comments were made and I wish that I could say to you that the situation had improved. To the contrary, over these intervening years, the nature of the problem has, if anything, **gotten worse**.

Rather than fostering intellectual diversity—the robust exchange of ideas traditionally viewed as the very essence of a college education—our colleges and universities are increasingly bastions of political correctness, hostile to the free exchange of ideas.

In recent months, members of the academy have themselves conceded challenges. The Association of American Colleges and Universities has issued a statement on Academic

Freedom and Educational Responsibility that states: “Some departments fail to ensure that their curricula include the full diversity of legitimate intellectual perspectives appropriate to their disciplines. And individual faculty members sometimes express their personal views to students in ways that intimidate them. . . . [T]here is room for improvement.” Columbia president Lee Bollinger, after outside pressure, in early 2005 admitted students had legitimate complaints about intimidation in the classroom and issued new and revised grievance guidelines. David Ward, President of the American Council on Education, has admitted to the press that some institutions have no grievance procedures in place and should have.

Meanwhile, surveys by Klein, Rothman, McGinnis and others documenting the politically monolithic character of the faculty have mounted, with no countervailing data of any kind. A study released in late December by Professor Dan Klein found that social science professors are overwhelmingly Democratic, that Democratic professors in those disciplines are more homogeneous in their thinking than Republicans; and that Republican scholars are more likely to work outside the academy than their Democratic counterparts. On the question of political affiliation, the survey showed an immense imbalance in the breakdown of Democrats to Republicans ranging from 21.1:1 among anthropologists; 9:1:1 among political and legal philosophers; 8.5:1 amongst historians; and 5.6 to 1 amongst political scientists. A 2005 study by Stanley Rothman, S. Robert Lichter and Neil Nevitte, *Politics and Professional Advancement Among College Faculty*, found that 72 percent of those teaching at American universities and colleges describe themselves as liberal and 15 percent conservative. 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.

“The American College Teacher” a major study by the Higher Education Research Institute at the University of California at Los Angeles, that has never been challenged, features some questions on politics. The last survey, in 2001, found that 5.3 percent of faculty members were far left, 42.3 percent were liberal, 34.3 percent were middle of the road, 17.7 percent were conservative, and 0.3 percent were far right. Those figures are only marginally different from the previous survey, in 1998.

According to a paper published last fall in *The Georgetown Law Journal*, politically active professors at top law schools overwhelmingly tend to be Democrats. The study by Northwestern Professor John McGinnis and two co-authors, which covers the faculties of the top 21 law schools listed in the 2002 *U.S. News & World Report* graduate-school rankings, finds that just under a third of the professors at those institutions contributed at least \$200 to a federal political campaign in the past 11 years. Of that politically active group, 81 percent contributed “wholly or predominantly” to Democratic campaigns, while just 15 percent did the same for Republicans.

This lack of diversity in political registration would, quite frankly, be irrelevant, were it 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 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.

Faculty imbalance, coupled 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. While threats to the robust exchange of ideas come in many forms, they have typically manifested themselves in the following ways:

- Disinviting of politically incorrect speakers;
- Mounting of one-sided panels, teach ins and conferences, sanctions against speakers who fail to follow the politically correct line;
- Instruction that is politicized;
- Virtual elimination of broad-based survey courses in favor of trendy, and often politicized courses;
- Reprisal against or intimidation of students who seek to speak their mind;
- Political discrimination in college hiring and retention;
- Speech codes and campus newspaper theft and destruction.

I know that previous witnesses have highlighted many of these threats and various incidents are set forth more fully in the report referenced in your packets.

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—the next generation of leaders—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 and every legislator, every parent, every taxpayer in Pennsylvania should be outraged since our system of government—our democratic republic—relies upon an educated and thoughtful citizenry.

Now, for decades, higher education leaders have denied that there is an intellectual diversity problem—and you have heard from this contingent already. The head of the American Association of University Professors, Roger Bowen, called one study on the political affiliations of faculty wrong-headed, arguing that such affiliations are of little consequence in the classroom. Geoff Nunberg at the University of Pennsylvania claimed that “these studies assume an inescapable connection between having a point of view and having a bias ... That’s a convenient assumption for people ... particularly if they want to take it as a justification for trumping up the evidence for their own side.”

The American Council of Trustees and Alumni 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 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*. These include Ivy League schools like the University of Pennsylvania, national research universities such as Carnegie Mellon and small liberal arts colleges like Swarthmore, Bryn Mawr and Haverford, as well as public institutions such as the University of California and Michigan.

We were interested in finding out whether in fact professors introduce politics in 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.

That indeed is a principle that has been adopted in the 1940 AAUP statement on academic freedom and that has been adopted by numerous institutions of higher education, at least on paper. The Temple University faculty Handbook, by way of example, provides that “Teachers are entitled to freedom in the classroom in discussing their subject, but they should be careful not to introduce into their teaching controversial matter which has no relation to their subject.”

Notwithstanding these principles, our 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.

Meanwhile, 83 percent of those surveyed said student evaluation forms of the faculty did not ask about a professor’s social, political or religious bias.

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.

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.¹

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." "Intellectual pluralism and academic freedom are central principles of American higher education,"

¹ General 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.

the statement declares. Among the “central, 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, intolerant 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 argues well for success in meeting the challenge of intellectual diversity. Indeed, higher education has issued a statement underscoring that consensus. **But has it done anything to implement it?**

In the wake of the ACE statement, the American Council of Trustees and Alumni considered vigilance important and surveyed all 30 signatories, heads of major public universities in each state including Pennsylvania, as well as the presidents and chancellors of the top 25 national universities and the top 25 liberal arts colleges. ACTA asked them what they had done to implement their statement. The answer received? — next to nothing. The closest they come to action is more talk. The University of Oregon’s President, David Frohnmayer, reported a “work session” with his deans. The president of one of the signatories, the Association of American Colleges and Universities, reported that the association would be issuing a statement that will be “consistent” with the June statement and would discuss the issues further at its annual meeting.

Not one, *not one*, of the institutions covered by the pledge reported a single concrete step **beyond meetings and statements**. It was all words, and no deeds.

University administrators and faculty continue to insist that they, alone, are able to correct the situation in the classroom. But all reasonable people agree with ACTA that simply saying one believes in intellectual diversity and pointing to existing policy is not enough. We would not be here today if all existing practices and policies were sufficient or were being followed.

After Harvard president Larry Summers made the impolitic observation that researchers might explore whether biological factors affect the propensity of women to go into math and science, it took only a matter of weeks for Harvard to appoint diversity deans and to appropriate millions of dollars towards women and sciences.

Why, then, is it so hard for universities to take similar steps when it comes to intellectual diversity? Our colleges and universities are filled with offices and administrators whose entire job is to foster a diversity of backgrounds—on the grounds that a diversity of backgrounds will provide a diversity of viewpoints essential to a strong liberal education. **If diversity of views is the educational holy grail, then what is the academy afraid of?**

You and I have heard or read the testimony of a number of speakers already in the course of these hearings and, quite frankly, they are simply in denial that there is a problem. They have said, in effect, that they are not going to do anything. Bob O’Neill said yesterday continue to trust us. You have to make it clear that this is not acceptable. It would not be acceptable if the problem were racism; it would not be acceptable if the

problem were gender discrimination. It is not acceptable when the problem is political harassment and viewpoint discrimination.

We agree with the academy that the responsibility for correcting the current situation should fall first and foremost to colleges and universities themselves and that governing boards have the ultimate obligation address those concerns. We agree that the law is a blunt instrument and state legislatures and the federal Congress are not well-positioned to prescribe specific remedies.

However, in the face of years and years and years of denial by many in the academy, legislators must not bury their heads in the sand, must not shrink from holding hearings to educate the public as you so boldly do today, and most importantly, must not shrink from making it crystal clear that universities ensure the free exchange of ideas and classrooms free of political abuse—if they wish for government to stay out of their business.

That is why I am calling on you today to act.

Faced with growing legislative pressure on this issue, the higher education establishment issued the ACE statement, figured it would pretend to have a quick conversion, endorse intellectual diversity, get those “yahoo” legislators off their backs and go back to business as usual. **DO NOT LET THEM GET AWAY WITH THIS CHARADE.**

It is now incumbent on you to keep the pressure on, step in—in a way that is sensitive to academic freedom and shared governance—and demand action.

As legislators, responsible for public funding and oversight of Pennsylvania’s institutions of higher learning, we submit it is up to you to ensure that those institutions are fostering an atmosphere in the classroom dedicated to valid educational ends.

And, to be sensitive to the concerns raised by the academy, we ask not that you impose curricular or other requirements but that, instead, you give a specific mandate to trustees—public officials who have not only the right, but legal obligation, to ensure that their institutions are dedicated to valid educational ends—to provide the legislature with a public annual report outlining steps taken to ensure a robust exchange of ideas and to implement the ACE statement.

A major obstacle to change has been a fear that any effort to encourage intellectual diversity would violate one or another academic norm—a concern raised by many of the speakers who have addressed this committee and elsewhere.

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 practical suggestions that provide a starting point for concrete steps universities can take to address the problem.

These various approaches are set out in our report, *Intellectual Diversity: Time for Action*, located at our website, and they include such specific steps as:

- Adoption by the board of trustees of the Statement on Academic Rights and Responsibilities issued by the American Council on Education and other higher education organizations on June 23, 2005;
- conduct of a self-study to assess the current state of intellectual diversity on campus;
- incorporation of intellectual diversity into institutional statements, grievance procedures, and activities on diversity;
- encouragement of balanced panels and speaker series;
- establishment of clear campus policies which ensure that hecklers or threats of violence do not prevent speakers from speaking;
- inclusion of intellectual diversity concerns in university guidelines on teaching;
- inclusion of intellectual diversity issues in student course evaluations;
- development of language in hiring, tenure and promotion guidelines to protect individuals against political viewpoint discrimination;
- establishment of clear campus policies to ensure student press freedom;
- establishment of clear campus policies to prohibit political bias in student-funded groups;
- elimination of any speech codes that restrict, or may have a chilling effect on, free speech rights; and
- creation of a university ombudsman on intellectual diversity.

Notably, Temple President David Adamany himself said yesterday that he saw areas where temple could improve: directing students to grievance policies; taking steps to make sure students know their rights; perhaps modifying grievance procedures.

A reporting requirement will underscore the legislature's urgent interest in progress without the threat of any heavy-handed legislative intrusion. Indeed, by calling upon trustees to provide an accounting to the public they serve, the legislature will endorse the academy's insistence on institutional solutions rather than legislative intervention.

Any board that fails to guarantee the free exchange of ideas and the student's right to learn on its campus is not doing its job and deserves the criticism of taxpayers, students and parents who are paying for education, not indoctrination.

Intellectual diversity is not just something desirable in theory; it must be protected and promoted by actions—and not just words—if the academy is to provide a rich education for its students. In the face of years and years of inaction, I submit it is up to elected officials to make sure the academy puts up, or holds its peace.