

ACADEMIC FREEDOM AND ACCREDITATION

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At the outset I want to acknowledge that academic freedom is an unusual topic to be given such a prominent place in a CHEA Annual Conference. There has been enough controversy in recent years about accreditation—accountability, improvement of education, protection of institutional autonomy, transparency, assessment of student learning, etc.—that CHEA does not need to search for another controversial topic like academic freedom. But by the end of this session, I hope we will all understand why academic freedom is not just a legitimate—but an important—topic for this meeting. In short, it is because academic freedom is central to not just faculty research but also to the proper education of students, and, therefore, to the process of accreditation of institutions and programs.

Academic freedom also is a curious topic for an academic like me to address because it is a sacred cow of the profession. Ironically, academics do not enjoy the academic freedom to critically analyze academic freedom. It would be dangerous for a younger person to attempt to criticize academic freedom, but one of the few benefits of age is that I am free to do so. After all, I am retired, and nobody can fire me. And, of course, I intend to criticize academic freedom in order to strengthen it and help assure its future as a core value of our profession. My

comments are intended to stimulate discussion, and eventually, action to enhance the practice of academic freedom.

The original rationale for academic freedom was that is essential to intellectual inquiry in research and teaching, particularly into controversial topics. Faculty did and do need job protection when their scholarship and teaching challenge entrenched—often powerful—interests. As Hamilton has observed, academic freedom is a doctrine that is part of a special kind of “social contract” between the professoriate and society, similar to those of other peer-reviewed professions. This contract also involves the practice of peer review and shared governance so that professors, like doctors, lawyers, and other highly trained specialists who possess a great deal of technical knowledge, can exercise substantial control over the practice of the profession and the shape of their own working conditions. This agreement allows professors to serve the transcendent social value of advancing and disseminating knowledge without the threat of retribution from those their work may offend. By the 21st Century, the commitment to academic freedom has become widespread throughout the academy and enshrined in its infrastructure, including faculty handbooks at institutions; routine peer reviews of colleagues in hiring, promotion, and tenure decisions; appeal procedures; and even court decisions.

The American Association of University Professors (AAUP) was founded in 1915 to provide protection to faculty speech in areas related to their professional responsibilities. Over the years faculty members individually and through the AAUP, have been the prime defenders of academic freedom. The *Statement on Academic Freedom and Tenure* published by AAUP was endorsed by the American Council on Education (representing institutional presidents) and the Association of Governing Boards (representing institutional boards of trustees) as well as by my organization, the Association of American Colleges and Universities, representing a diversity of

colleges and universities, large and small, public and private. But in recent decades I think it is fair to say that none of these organizations—not faculty members, institutional presidents, nor trustees-- have played much of a leadership role in articulating the importance of academic freedom to the academy or to the general public. For better or worse, large numbers of the professoriate are unaware of the actual concept of academic freedom and its correlative duties, and the amount of ignorance is even greater among the general public. As a result, many individuals, both within the professoriate and outside it, have come to see academic freedom as a “perk” for faculty members and not as an essential protection of integrity in research as well as of integrity in the teaching and learning process.

But I want to argue that over the years changes have taken place in both society and in the academy that require changes in the idea and practice of academic freedom if it is to remain—as I believe it should-- a core value of the academy.

Although academic freedom has been regarded as essential to both research and teaching, it traditionally has been linked primarily to the life of the mind and to the work of the scholar. This is partly an accident of history that, as my colleague Philo Hutcheson (2010), has pointed out, the early framers of the doctrine of academic freedom were faculty members at leading research universities and elite colleges, who were themselves active researchers. Because faculty members at some institutions were harassed-- and even fired-- because of their scholarly writings, the defense of academic freedom has primarily emphasized its role in protecting faculty inquiry and expression. The importance of academic freedom in the education of students, although present from the beginning, has been underemphasized and conceptually underdeveloped. A major part of my message today is that academic freedom is essential to the

proper education of students, and that this rationale needs to be at least as strong as its role in the conduct of research.

What would such a rationale look like? Here is a suggestion. It would begin with a conviction that academic freedom is essential to anyone who is charged with teaching students to think critically, to formulate their own views of the world in accordance with the best available knowledge, and to express their ideas clearly and cogently to a variety of audiences. This is what those of us at AAC&U mean when we talk of cultivating a liberal education. We should note that much of what is done in the name of teaching is different from this. Teaching that is largely technical, involves students memorizing or following rules, and is focused on short-term utility, as is often found in proprietary schools, is not liberal education and does not merit the protection of academic freedom.

When we speak of liberal education, I don't mean your father's idea of it. It used to be that liberal education focused on the classics and "best books" in the liberal arts and sciences disciplines. This form of education was available only to a small number of elite, homogeneous students, mostly young white men. Even when colleges for women and "freed Negroes" were established in the 19th and 20th Centuries, they tended to be framed in what we now would call "white male terms." The Civil Rights and women's movements led to necessary corrections and ushered in an appreciation of new knowledge emanating from multiple cultural contexts.

As Schneider (2008, p. 34) points out, liberal education today is inclusive, "emphasizes an *approach to learning*, ... and gives primary attention to the habits of mind, breadth of perspective, and capabilities the student is developing. The ability of students to apply their knowledge to real problems is one indicator of their achievement level." This means that liberal education is important for all students, whatever their academic major or anticipated career. In

the words of Schneider “... this shift toward an emphasis on capability and competence means that liberal education can be addressed across the entire educational experience, and in professional and career fields as well as the arts and sciences disciplines.” In the United States liberal education is the premier tradition of college education, the one of choice by what are regarded as the best colleges and universities. It is central to those in professional fields, as accrediting associations in business, engineering, and nursing, for example, have made some aspects of it required for accreditation. Indeed, a broad liberal education is a part of the definition of an “educated student” in all but a few technical and/or proprietary programs of study.

To help students think critically about a subject or problem or to acquire a liberal education, faculty members need to take seriously what students already know or believe about that topic and engage that prior understanding so new learning modifies the old—complicating, correcting, expanding it. This process of cultivating a liberal education is a journey that transforms the minds, and hearts, and frequently the starting assumptions, of those involved—both students and teachers. Because knowledge is always expanding, the eventual destination is uncertain.¹

Students need the freedom to develop their own critical judgments, to express their ideas publicly, to explore a wide range of insights and perspectives. They need the protected environments of colleges and universities which are tolerant of mistakes and see inappropriate expression as a “teachable moment” that allows students to learn and grow in their ideas. The diversity of the educational community is a rich resource to this educational process; research

¹ Much of the language in this section is taken from the AAC&U *Statement on Academic Freedom and Educational Responsibility* approved by the Board of Trustees in 2006, of which I was the primary author.

shows that students are more likely to develop cognitive complexity when they frequently interact with people, views, and experiences that are different from their own.

Learning to form independent judgments further requires that students demonstrate openness to the challenges their ideas may elicit and the willingness to reconsider their original views in light of new knowledge, evidence, and perspectives. Just as a crustacean breaks its confining shell in order to grow, so students may have to jettison narrow concepts as they expand their knowledge and develop more advanced analytic capacities. As they acquire the capacities to encounter, grasp, and evaluate diverse points of view, they also gain more nuanced, sophisticated, and mature understandings of the world. Every college student deserves to experience the intellectual excitement that comes from extending the known to the unknown and to discern previously unsuspected relationships.

Experienced teachers know how difficult it is to get students to break away from entrenched ideas, to experiment with new ones, and to express new thoughts appropriately. Faculty members develop their own ways of confronting students about the limits of their pre-existing ideas and encouraging new, unfamiliar ones. Sometimes students take offense at their professors, criticize them openly to their friends and families, make strong criticisms on student evaluation forms, and occasionally take their criticisms to department chairs or deans. Sometimes student criticisms are just, as faculty members also must master the fine art of balancing a challenge to students with the support for them as they struggle with intellectual analyses. But often students simply exhibit natural resistance to learning new material. In any event, such teaching and learning is difficult and uncertain; in some circumstances it can be dangerous to the career of a professor.

Students and faculty are entitled to their own opinions, but they are not free to make up their own facts or versions of the truth. Professors need protection of academic freedom in this process as they encourage students to stretch their minds while still respecting their agency and dignity. Faculty and students alike need to know how to disagree without becoming disagreeable, to differ within a continuing constructive student-teacher relationship that is the heart of the educational process.

Let me be clear. I am not arguing that the traditional protections of academic freedom be extended to students, although students do need a good deal of freedom to learn. I am arguing that academic freedom for faculty members be rooted more deeply in their roles educating students.

In addition to expanding the rationale for academic freedom, several additional concerns may be mentioned briefly.

- Academic freedom has been linked with tenure, as a way to assure open inquiry. This may have made sense during a time when almost all faculty members were either tenured or held tenure-track appointments. But in recent years, these kinds of appointments have been fast disappearing, and the majority of faculty now have contingent appointments, either part-time or term positions. But shouldn't everyone who teaches students to think clearly and critically have the protection of academic freedom, whatever the nature of their appointment?
- Traditionally, the academy has relied on the professoriate, notably AAUP, to defend academic freedom and to educate future faculty and the general public about the meaning and importance of academic freedom. But if academic freedom is essential to the proper education of students, shouldn't other

constituencies concerned with the quality of education, including educational associations, disciplinary societies, and yes, accrediting bodies, also defend its importance?

- Traditionally, academic freedom has been enforced, in so far as it is at all, by a report of violations to the AAUP, which asks its Committee on Academic Freedom to investigate allegations. If the Committee finds that an institution has violated academic freedom, the membership can vote to impose sanctions, typically censure, and to publicize the indiscretion. This procedure may have been effective when AAUP was the premier professional organization promoting professional standards for faculty members. But AAUP has become one of the leading faculty unions, and it has lost relative membership among American professors. AAUP's non-union membership has been falling for several years. It makes little sense to vest enforcement of academic freedom in a faculty union whose members number only a little over 40,000, a small and unrepresentative portion of the entire professoriate. Until recently, AAUP has not even investigated complaints from part-time faculty. Further, the academic labor market today is such that applicants for faculty jobs seldom know about such a censure, nor do they much care. This enforcement mechanism is antiquated and ineffective.

Academic freedom is too important to the education of students and to the conduct of research for the nation to entrust its enforcement to this mechanism. Every college and university that is in the business of providing a genuine higher education—that is a liberal education-- must see to it that faculty members—and

students—can study controversial topics and formulate their own convictions based on science and learning. They need protection in this important, complex, and basically delicate process of learning. Boards of trustees, institutional presidents, and administrations should have a fiduciary responsibility to see that this educational process operates with integrity. Shouldn't accreditation have something to say about this?

- Academic freedom was originally conceived as part of a contract with society in which faculty members received certain rights and agreed to accept certain responsibilities. But over the years, the professoriate has conveniently neglected its correlative responsibilities in the bargain. Granted that it is difficult for a faculty member to confront a colleague about a possible unprofessional issue, but the social contract calls for the faculty to ensure professional competence and ethical behavior among their peers. We know that there is as much “senatorial courtesy” in the academy as in the U.S. Senate, but the sense of responsibility for the integrity of the profession needs to be revived.

What are the implications for accreditation? I want to suggest that accrediting bodies should recognize the importance of academic freedom for the integrity of both teaching and research and take steps to hold institutions accountable for ensuring it.

In fairness, we need to recognize that the regional accreditors do, in various degrees, address the issue of academic freedom. Professor Jack Rossmann of Macalester College who has chaired more than 40 accreditation teams in his region spoke for most when he wrote me(2010): “At least in the North Central region, I think the accreditation process works pretty well in relationship to freedom of inquiry/academic freedom.” And it is true that most of the

regional accrediting standards contain statements supporting academic freedom or open inquiry. Further, AAUP (1968) issued a statement on *The Role of the Faculty in the Accrediting of Colleges and Universities*, asserting that because an accreditation review depends on the knowledge of academic matters possessed by the faculty, faculty members should be involved in accreditation, both in preparing the institutional self-study and in the work of regional accreditation commissions. At first blush, it would appear that all is well with accreditation and academic freedom.

But under the surface, several problems appear. First, some statements by regional accrediting bodies about academic freedom are stronger than others—strong statements and high standards are needed from all. And specialized accreditation bodies seem to be even more variable in their statements and standards. Shouldn't we expect strong and more even support for academic freedom from accreditors?

Second is the issue of institutional autonomy. Mission of an institution is a touchstone for accreditation, and institutions have a great deal of latitude to adopt policies and practices that are consistent with their diverse missions. That is a perfectly reasonable approach—except for two troubling matters. First, from my point of view, academic freedom is an essential part of the very definition of an institution of *higher* learning. If an institution wants to call itself a college or university, it must back free inquiry in teaching and research. What kind of postsecondary institution would it be if it doesn't support academic freedom? Another problem is that although institutions are legally autonomous, they also want to function as part of a national system of higher education. That is, they want to recognize the value of degrees awarded by other institutions when they hire qualified faculty with doctorate or masters degrees. More importantly, they want their own degrees and the quality of their education to be recognized and

accepted by others. For example, they want their students to be able to transfer credits they earn at their own institution to others and for the credits to count toward a baccalaureate degree. But if they want their credits to count at other institutions, they need to guarantee that student learning is based on commonly accepted scholarship and research, not on some particular doctrine that pertains to their specific institutions. For instance, should a student studying biology at an institution that embraces creationism rather than the theory of evolution be able to transfer that course to a program of nursing or pre-medicine at other institutions?

Third, faculty leadership and involvement in accreditation is perhaps the best way to identify a lack of institutional commitment to academic freedom, peer review, or shared governance. But such involvement by faculty members in accreditation typically is not rewarded by campuses. At colleges and universities service to accreditation is usually lumped together with other forms of institutional, community, and disciplinary service—and then given little recognition or reward. The reality is that, typically, service is not much rewarded in decisions about promotion or salary, which generally emphasize research, teaching, or just longevity. What kinds of incentives can be devised to encourage faculty members to provide leadership for the important work of accreditation?

Fourth, although large numbers of institutions have come to rely heavily on part-time faculty, accreditors seem to have been inattentive to the implications. Contingent faculty can be terminated for any number of reasons at the will of an administrator. As Cary Nelson and Gary Rhoades (2009) observed:

“... the mere presence of at-will [appointment] conditions has a chilling effect on the exercise of academic freedom. Faculty members placed at constant risk of losing their

position by incurring the displeasure of the administration must always be on guard against doing so.”

From my point of view, it is in an institution’s self interest to treat all of their knowledge and expert workers with dignity and respect and to accord them the freedom of thought and authority over their work lives that are required in an excellent educational program. What is the position of accrediting bodies regarding the protection of academic freedom for contingent faculty?

I will conclude with a quotation from the AAC&U statement, *Academic Freedom and Educational Responsibility*:

“Academic freedom is sometimes confused with autonomy, thought and speech freed from all constraints. But academic freedom implies not just *freedom from* constraint but also *freedom for* faculty and students to work within a scholarly community to develop the intellectual and personal qualities required of citizens in a vibrant democracy and participants in a vigorous economy. Academic freedom is protected by society so that faculty and students can use that freedom to promote the larger good.”

I would hope that accreditation bodies would play a positive role in promoting this larger good.

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