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# Academic Freedom: An Eroded Concept?

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On 11 September 1991, the Higher Education Supplement of *The Australian* reported that the South African Ambassador to Australia had been prevented from speaking at the Australian National University<sup>1</sup>. He had been invited to discuss his country's constitutional developments and its transition to a multi-racial democracy. As he attempted to address the meeting, he was shouted down by students who caused him to abandon his scheduled presentation. This incident sparked an acrimonious debate on the University's campus between those who believed that a person's right to speak should not depend on the content of his opinions, on the one hand, and those who wanted to place some limitations on a person's right to speak on the ground that his views are unacceptable, on the other. Some academics argued that at a University, people should be permitted, and even encouraged, to discuss frankly and openly any issues, including those which are controversial. Other people contended that the Ambassador served a 'racist' régime and, therefore, forfeited his right to speak at the University. Both groups relied on the concept of 'academic freedom' to make their respective arguments more persuasive or respectable.

This incident illustrates the confusion, which exists in Australian (and, indeed, in most overseas) universities, surrounding the concept of academic freedom. Although the participants in the debate purported to review the incident in the light of current thinking about the concept of 'academic freedom', a number of potentially meaningful issues were overlooked. For example, do students (as opposed to academics) enjoy a measure of academic freedom and if so, what is the content of that right? Does a student's right to academic freedom in-

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1 *The Australian*, 11 September 1991, p.23.

volve the right to shout down visitors, who have been invited to report on their country's constitutional developments? How can a person, such as the South African Ambassador, who is obviously not an academic, be entitled to academic freedom? Can it be argued that a non-academic acquires the right to academic freedom by virtue of the fact of having been invited to speak in a lecture theatre located *on* (as opposed to *off*) campus? Also, a thorough discussion of the incident necessitates a discussion of the relationship between academic freedom and freedom of expression. Is academic freedom merely an adjunct to, or an example of, freedom of expression? This question is especially relevant in the United States where courts may be required to determine whether academic freedom is independent of, and different from, the right to freedom of expression, which is guaranteed by the First Amendment to the Constitution. The debate at the Australian National University could have contributed more to the understanding of the concept of 'academic freedom' had it provoked a discussion on these relevant questions and issues.

Academics universally claim that academic freedom is necessary to enable them to perform effectively their functions, including teaching and research. Perhaps less prevalent is the view that *tenure*, whereby academics receive commissions to teach and to research until the prescribed retirement age, is a necessary prerequisite to the meaningful enjoyment of academic freedom. The claim for tenure in the name of academic freedom can sometimes serve, or be interpreted as serving, the personal material interests of the claimants, particularly if such claims are dogmatically asserted. Although the concept of academic freedom is constantly invoked by academics, scholarly discussion of the concept remains disproportionate to its real importance to the modern university. Thus, 'academic freedom' continues to be a commonly-used but misunderstood concept. It is fair to say that only a minority of academics bother to explain what the concept of academic freedom means to them or even know what the concept really is.

It is not the purpose of this paper to discuss all, or even most, issues associated with the concept of academic freedom. Instead, I propose to concentrate on what I regard as an essential and, therefore, salient aspect of the concept of academic freedom. It is the right of an academic, namely a person who teaches and researches in an institution of higher education, to be free from unreasonable interference by university and governmental authorities. This right, which enables academics to determine the manner in which they perform their teaching and research duties, has traditionally been regarded, especially in nineteenth century Germany, as necessary for the extension of

knowledge. It is, thus, appropriate in the next section to discuss this traditional understanding of the concept of academic freedom.

## 1 The Concept of Academic Freedom

In nineteenth century Germany, academic freedom, as a distinct concept, embraced the interrelated concepts of *Lehrfreiheit*, *Lernfreiheit* and *Freiheit der Wissenschaft*. *Lehrfreiheit* literally translated means 'teaching freedom'. However, as was correctly pointed out by Professor Walter Metzger of Columbia University, the concept "referred to the statutory right of...professors, who were salaried civil servants, to discharge their professional duties outside the chain of command that encompassed other government officials".<sup>2</sup> The concept enabled academics to decide on the content of their lectures and to publish the results of their research without seeking prior ministerial or ecclesiastical approval. In other words, the concept of *Lehrfreiheit* "protected the restiveness of academic intellect from the obedience norms of hierarchy" and emphasized the right of academics to be free from unreasonable state or university interference in their duties.<sup>3</sup>

The concept of *Lernfreiheit* encapsulated the right of students to select those courses which, in their opinion, enhanced their chances of success in life. This right was restricted by the university's requirement to study certain compulsory subjects which were necessary for students' chosen professions. Students were free to move from one place to another to sample academic offerings and to present themselves to the university "as mature and self-reliant beings, not as neophytes, tenants, or wards".<sup>4</sup> In this context, it is interesting to observe that this understanding of a student's right to academic freedom enjoys a revival in the European Community where students are encouraged to seek part of their education in a Member State of which they are not nationals. They receive, at their own university, credit for subjects completed in another State of the Community. This idea has also been taken up by the former Federal Minister for Education, Employment and Training, Mr Dawkins, who wants Australian students to complete part of their education in Asian countries. Finally, *Freiheit der Wissenschaft*, as an essential component of the concept of academic freedom, referred to the University's right, as an institution, to control its own affairs.

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2 Walter P. Metzger, "Profession and Constitution: Two Definitions of Academic Freedom in America", 66 *Texas Law Review* 1265, p.1269.

3 *Ibid.*

4 *Supra* n.2, p.1270.

These three interrelated concepts may occasionally conflict with each other. There is a potential conflict between a teacher's vision, a student's choice and the university's freedom to manage its own affairs. In this paper, I discuss two recent American cases which can be used to demonstrate the complexity of academic freedom, in particular the potential conflict between the interrelated concepts of *Lehrfreiheit*, *Lernfreiheit* and *Freiheit der Wissenschaft*. However, in discussing these cases, I propose to concentrate on a discussion of the *Lehrfreiheit* of academics. These cases, as I will argue, provide evidence of the trend towards greater interference with what an academic can and cannot say in the classroom. These cases are examples of a disturbing trend to subject "the restiveness of academic intellect" to the regulatory power of the relevant political and university authorities.

## **2. The Relevance of Irrelevance: Religion in the Classroom**

*Bishop v. Aronov*<sup>5</sup> involved a suit filed by Professor Bishop of the University of Alabama against individual members of the university board of trustees in their official capacities. The plaintiff challenged a memorandum instructing him to refrain from interjecting religious beliefs or preferences during instructional time periods and from conducting optional classes to discuss Christian perspectives on academic topics.

Professor Bishop was employed in the area of health, physical education and recreation in the College of Education of the University. He taught exercise physiology to graduate and undergraduate students and supervised research problems and theses. Between 1984 and 1987, he occasionally referred to his religious beliefs during instructional time. Rather than attempting to summarise the comments made by Professor Bishop, it is instructive to quote them in full:

After giving it considerable thought, I have decided for myself when I die, I would like to leave behind something more important and valuable than a stack of technical papers. I think that people are important and eternal, paper is neither. I want to invest my time mainly in people. I personally believe God came to earth in the form of Jesus Christ and he has something to tell us about life which is crucial to success and happiness. Now this is simply my personal belief, understand, and I try to model my life after Christ, who was concerned with people, and I feel that is the wisest thing I can do. You

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5 [732 F. Supp. 1562 (N.D. Ala. 1990)].

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n ed to recognise as my students that this is my bias and it colors everything I say and do. If that is not your bias, that is fine. You need, however to, filter everything I say with that (Christian bias) filter. If you observe something in my life that is inconsistent with Christianity, please let me know, because, I believe that it is much more important than a pile of papers.<sup>6</sup>

Bishop received a memo from the University administration, entitled *Religious activities in public institutions*, in which the University reaffirmed its commitment to his right to academic freedom and freedom of religious belief. Nevertheless, he was ordered to refrain from interjecting his religious preferences and beliefs into his lectures. University policy did not, however, prohibit faculty members from engaging in non-religious classroom speech involving personal views on other (non-religious) subjects.

The District Court held that the University's restriction which limited all expression of personal religious views was vague and overbroad. Consequently, the District Court enjoined the University from curtailing Professor Bishop's speech and religion rights on campus. The University of Alabama appealed to the Court of Appeals for the Eleventh Circuit. The Court's decision, which is discussed in this paper, was rendered on 15 March, 1991.

The University censored Professor Bishop to avoid a violation of the establishment clause of the First Amendment, which requires separation of church and state. The University argued that the memorandum was necessary in order to avoid claims by students that they were illegally exposed to religion in a state-funded university. This argument was reinforced by the Court of Appeals for the Eleventh Circuit, which noted that the University's "concern is that its courses be taught without personal religious bias unnecessarily infecting the teacher or the students".<sup>7</sup> However, the Court of Appeals also pointed out that, even though no violation of the establishment clause had occurred, the "University can restrict speech that falls short of an establishment violation".<sup>8</sup> In reversing the District Court's decision, the Court of Appeals held that "the University's restrictions with respect to classroom conduct issued under its authority to control curriculum do not infringe the free speech ... rights of Dr. Bishop" and that the "University necessarily has dominion over what is taught by its professors and may so manage them".<sup>9</sup>

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6 [926 F. 2nd 1066 (11th Cir. 1991)], p.1068.

7 *Id.*, p.1076

8 *Id.*, p.1077.

9 *Id.*, p.1078.

Is Professor Bishop's right to academic freedom affected by this judgment? It may be conceded that Professor Bishop's incorporation of religious statements into his lectures is misguided, because the best way to avoid controversy is to limit an academic discussion to an objective, slightly colourless, description of the relevant study materials, (although this may not be the best way to teach). Nevertheless, the question is not whether Professor Bishop acted wisely or unwisely, but whether the University's conduct constitutes an abuse of his right to academic freedom. In this context, it is necessary to re-emphasise that he did not *impose* his religious views and beliefs on his students.

To what extent may a university direct an academic to limit himself or herself in lectures to material which is immediately and directly relevant to the subject matter taught by the professor? If the view of the United States Court of Appeals for the Eleventh Circuit is adopted, then such direction would constitute an important limitation on an academic's right to academic freedom. An attempt by the University to circumscribe what can and cannot be said in the classroom may be justified on the ground that it constitutes an example of sensible and 'good' management. Furthermore, the University may also indicate that the management of what is said in the classroom does not adversely affect the right of academics to undertake research and to publish the results of their research in scholarly or popular journals.

The Court of Appeals' approach, however, is based on the assumption that it is possible to determine authoritatively what material is and is not relevant to a lecture. Sometimes, comments which appear to be irrelevant are instrumental in relating the subject matter of the lecture to other fields of knowledge. In the usual and simplest case, this matter of relevance is best determined by the teachers, themselves. The Alabama University authorities proceeded on the basis that Professor Bishop's comments could not possibly be regarded as relevant to his lectures.

University teachers who are genuinely interested in the welfare and intellectual development of their students, will naturally limit themselves to comments which aim at improving the educational experience of students. In my opinion, an academic should refrain from imposing his preferred philosophical or ideological views on students, but should discuss all possible aspects of an issue under consideration in order to enable students to determine for themselves whether a particular argument is more cohesive than another. According to this

educational philosophy, academics do not preach, rather they teach. This philosophy is generally recognised by educational scholars as being compatible with good common sense. I am not, however, convinced that Professor Bishop failed to adhere to this educational philosophy. Indeed, he alerted his students to the existence of his bias and he exhorted them to assess critically his beliefs. The claim that he imposed his views on his students is undermined by his demonstrable concern to inform them about his bias. I am concerned about the decision in *Bishop* because it increases the danger that university authorities may stifle legitimate discussion in the classroom, thereby affecting an academic's right to academic freedom.

### **3. Neutrality, Diversity and Academic Freedom**

Why did the Court of Appeals, in upholding the University's right to censor academics, restrict the academic freedom of Professor Bishop? In *Bishop*, the Court explained that a balance must be struck between the interests of the academic *as a citizen*, in commenting upon matters of public concern, and the interest of the State, as an employer, in promoting the efficiency of the public services it performs through its employees. Thus, the Court regarded the right to academic freedom as indistinguishable from the right to freedom of expression enjoyed by every citizen. Indeed, later in its judgment, the Court indicated that academic freedom, as an independent right, was not protected by the First Amendment.

If we want to ascertain the real rationale for the Court's decision, though, we have to look to the unarticulated reasons which underlie the Court's judgment. Academic freedom as the right of an academic to determine the way in which he will teach, without being restrained by the "obedience norms of hierarchy", often competes with other rights, interests or ideas. One such competing idea is the idea that an institution of higher education, and its academics, should refrain from making religious statements which may hurt the sensibilities of a portion of its student population. It could often be in the business interests of a university (public or private) that it avoids offending a substantial segment of its clientele. The Court of Appeals did not specifically recognise a right of the university to limit the freedom of expression of its employees on grounds of 'business reasons' though. Rather, the Court in *Bishop* articulated the idea of restraint when it said that just as women students would find no comfort in an openly sexist instructor, an Islamic or Jewish student will not likely appreciate the Christian bias that Professor Bishop professes, much less seek camaraderie by trying to discover something in his life that is inconsistent with Christianity. In other words, one of the ideas competing with

the right to academic freedom — and, therefore, acts as a restraint on that freedom — is the noticeable and demonstrable eagerness of most universities to embrace the concept of 'neutrality'. Neutrality, in this context, refers to a determined effort by universities, and its academic staff, to refrain from making statements which may shock the *religious* susceptibilities of any constituent part of its student population.

Neutrality is implemented by modern universities in a number of different ways. For example, neutrality is sought to be promoted by a policy of *diversity*, which requires that all groups in society should be represented in the student population in accordance with their numerical strength in society. A policy of diversity (or proportional representation), so the argument goes, acts as a natural restraint on academics, because they are likely to refrain from making 'christian' statements if they face a 'diverse' student population. While there is no doubt that universities should cater for everyone who is able to contribute to, and to profit from, his or her involvement with the university, academic staff should not abdicate their legitimate function of broadening the minds of their students. This broadening may, at times, require the impartial and challenging discussion of views, including those which are not shared by the majority of people.

Most universities implicitly or explicitly encourage the adoption of this policy of diversity. In this context, it is ironic to note that the implementation of such a policy of diversity in effect increases *uniformity* among our universities. Indeed, a policy of diversity, if effectively implemented, makes *every* university into a perfect mirror image of society. The implementation of the diversity policy is based on the assumption that universities are only able to insulate themselves against criticism if they have an appropriate number of minorities, women, gays, lesbians and atheists among its academic and student population. In my experience, those who argue against the introduction of these policies and practices are often criticised by more complacent academics on the ground that they are out of touch with the real world. Nevertheless, it is difficult to deny that policies which seek to increase diversity often result in the strengthening of uniformity in universities. In my opinion, diversity *is* a desirable goal, but should not be interpreted as requiring universities to select people from every group in society. Instead, groups should have the right to establish different universities, thereby applying the concept of diversity *among*, but not *within*, universities. A diverse higher education sector is one where, say, catholic, independent and public universities compete with each other in order to achieve excellence. Whilst competing with each other, they each seek to implement their vision of excellence. Thus, universities need not necessarily aim at implementing the same mis-



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sion. This latter version of diversity enhances academic freedom since the establishment of different institutions, with their own distinct mission, facilitates the propagation of the widest possible number of, sometimes incompatible, ideas. In contrast, diversity *within* universities, quite apart from impeding competition among institutions, is the natural enemy of academic freedom because it prevents imaginative academics from being creative and challenging.

If my knowledge of higher education is a guide, neutrality and diversity are the preferred policies of Australian (and indeed, many overseas) universities. Neutrality is often used as a means to abdicate a duty to teach responsibly and imaginatively. What are the likely consequences of the imposition on academics of the concept of neutrality? Is this concept compatible with academic freedom? Neutrality often masquerades as 'objectivity'. Nevertheless, it is desirable to draw a distinction between 'objectivity' and 'neutrality'. The concept of 'objectivity' is inseparable from the concept of 'truth' in the sense that a biased mind is unlikely to achieve truth. In contrast, the pursuit of a policy of 'neutrality' *may* or may not coincide with, or result in, the achievement of truth. Indeed, neutrality often is a compromise, which is different from truth. Salvatore D'Urso, in a paper presented, in 1973, to the Seventh Annual Meeting of the Australian University Graduate Conference, argued that there is a tendency in many contemporary universities towards the "morbidly exaggerated cult of neutrality".<sup>10</sup> It impairs academic commitment under the guise of balanced argument. He argues that even a scholar cannot be passively neutral on some fundamental issues of crucial concern to mankind.

There is, however, an opposing view that we cannot achieve objectivity (and hence, truth) because of socialisation factors. On this line of argument, 'truth' and 'objectivity' are not value free concepts but, instead, are determined by the speaker's own culture and gender. Thus, as we cannot achieve perfect objectivity and truth because of socialisation factors, neutrality (or even ideology) is seen by some people as preferable to false objectivity. This is certainly another dimension of the debate, which involves the implicit claim that 'truth' and 'objectivity' are relative concepts which mean whatever a person

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10 Salvatore D'Urso, "Whither Tertiary Education: A University View", *Australian University Graduate Conference (Proceedings of the Seventh Annual Meeting of the Australian Graduate Conference, Brisbane, University of Queensland, 1973)*, p.1.

wants them to mean. Although such relativistic understanding of these concepts facilitates the adoption of the diversity policy, it nevertheless involves an abdication of the function of an academic. The search for truth, rather than being an opportunistic activity, should involve the relentless pursuit of knowledge and understanding removed from the immediate and specific interests of the researcher, academic or the university. The implementation, by universities, of the interrelated policies of diversity and neutrality involves embracing a particular and specific version of truth and objectivity.

Interestingly, the concept of neutrality through diversity, as exemplified in the *Bishop* case, is used as a licence to impose upon students secular and fashionable views. I have been at conferences, especially human rights conferences, where speakers said that those who dare to criticise any aspects of anti-discrimination legislation or incitement to racial hatred legislation should be banned from the university. This reminds me of Herbert Marcuse's statement in his well-known essay on *Repressive Tolerance*. He condoned the "withdrawal of toleration of speech and assembly from groups and movements which promote aggressive policies, armament, chauvinism, discrimination on grounds of race and religion or which oppose the extension of public services, social security and medical care".<sup>11</sup>

In summary, the neutrality principle is not acceptable because it limits intellectual discussion in universities to what current policy-makers and trendsetters regard as appropriate. It denies to our society the benefit of a balanced assessment of government policies and practices. Neutrality impedes the search for truth. Objectivity, as it is a prerequisite for the achievement of truth, is the preferred value, because, despite all the difficulties in the way of achieving it, it is eminently worthwhile trying to achieve it.

#### **4. Restrictive Speech Codes**

A second example of the implementation, in universities, of the concept of neutrality, even if it impedes the search for truth, is to be seen in the adoption, especially by American universities and colleges, of restrictive speech codes. For example, the University of Pennsylvania's speech code prohibits 'ethnic harassment' which is defined as "any behavior, verbal or physical, that stigmatises or victimises individuals." A person is guilty of ethnic harassment if he

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11 Herbert Marcuse, *Critique of Pure Tolerance* (Beacon Press, Boston, 1965), p.100.

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makes a statement to the effect that the victimised person is never going to make it in American society or in his chosen profession because he speaks with an accent. Other speech codes give as examples of prohibited discriminatory behaviour 'inappropriately directed laughter', the non-inclusion of a person in a debate and the constant mispronunciation of the name of a person.

By way of example, I would like to discuss briefly the University of Michigan's speech code, which was invalidated by a United States District Court as involving an unconstitutional abridgment of a person's right to free speech protected by the First Amendment. The University of Michigan's speech code prohibits any behaviour, "verbal or physical, that stigmatises or victimises an individual on the basis of race, ethnicity, religion, sex, sexual orientation, creed, national origin, ancestry, age, marital status, handicap or Vietnam-era veteran status." The University's Office of Affirmative Action, in an attempt to clarify the rule, provided examples of sanctionable conduct. These included:

A male student makes remarks in class like 'Women just aren't as good in this field as men,' thus creating a hostile learning atmosphere for female classmates.

Students in a residence hall have a floor party and invite everyone on their floor except one person because they think she might be a lesbian...

Two men demand that their roommate in the residence hall move out and be tested for AIDS...

You display a confederate flag on the door of your room in the residence hall. You laugh at a joke about someone in your class who stutters.<sup>12</sup>

The University's Speech code, officially known as Policy on Discrimination and Discriminatory Harassment of Students in the University Environment was challenged by a Psychology graduate student in *Doe v. University of Michigan* [721 F.Supp. 852 (E.D. Mich. 1989)]. The applicant, Mr Doe (a pseudonym to preserve his privacy) challenged the constitutionality of the Policy. Mr Doe specialised in the interdisciplinary study of biological bases of individual differences in personality traits and mental abilities. He argued that "certain controversial theories positing biologically-based differences between sexes and races might be perceived as 'sexist' and 'racist' by some students, and he feared that discussion of such theories might be sanctionable under the Policy".<sup>13</sup> His fears were reinforced when a

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12 *Doe v. University of Michigan* [721 F. Supp. 852d (E.D. Mich. 1989)], p.858.

13 *Ibid.*

student was subjected to a formal hearing, provided for under the Policy, because he had expressed his belief, in the context of a social work research class, that homosexuality was a disease that could be psychologically treated.

The District Judge decided that, although the University could legitimately regulate so-called 'fighting words', which by their very utterance tend to incite an immediate breach of the peace, it cannot prohibit the public expression of ideas solely because they are offensive to their hearers. According to the Judge, the public expression of ideas has "a special significance in the university setting, where the free and unfettered interplay of competing views is essential to the institution's education mission".<sup>14</sup> He held that the Policy, in so far as it restricted the right of the plaintiff to express his views, was unconstitutional because of overbreadth and vagueness. The Policy applied to speech that is constitutionally protected speech and the language of the Policy made it virtually impossible to predict which statements would be deemed to violate the Policy. Thus, the Judge condemned the Policy because committing the offence of discriminatory harassment did not so much depend on the intention of the offender as on the offence's perceived effect on the victim. A perceptive commentator, Mr Dinesh D'Souza, in his book *Illiberal Education: The Politics of Race and Sex on Campus*,<sup>15</sup> commenting on this case, points out that the University of Michigan, despite the Court's decision, nevertheless continues "to attempt to devise new policies that would survive First Amendment challenge while still restricting offensive expression" and that "a university that was once dedicated to maximum freedom of mind and conscience now finds itself struggling to guarantee the *minimum* freedom insisted on by the law".<sup>16</sup> He concludes that the "efforts of the administration at Michigan and other schools to regulate and enforce a social etiquette have created an enormous artificiality of discourse among peers, and thus have become an obstacle to that true openness that seems to be the only sure footing for equality".<sup>17</sup>

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14 *Id.*, p.863.

15 D. D'Souza, *Illiberal Education: The Politics of Race and Sex on Campus*, (New York, The Free Press, 1991).

16 *Id.*, p.144.

17 *Id.*, p.156.

## **5. The Political Correctness Movement**

Both the *Bishop* and *Doe* cases increase our understanding of the present limits applied to the concept of academic freedom. Attempt to bridle an academic's free speech is part of the Political Correctness (PC) movement, which visitors to American campuses these days cannot fail to overlook. This movement aims at prohibiting discussion of sensitive, yet important social and moral issues which do not accord with the anti-discrimination, pro-diversity and pro-neutrality views of many university policy-makers. In closing, it is interesting to provide you with one example of this trend in universities. In a telling incident, a faculty member at the University of Missouri was accused of being a racist because he had critically assessed, during a lecture, the opinions of former Supreme Court Justice, Thurgood Marshall — America's first black Supreme Court Justice. I have always thought that a reasoned and analytical discussion of a court's jurisprudence came within the freedom enjoyed by legal academics. This example is not an isolated event, but is part of what I regard as a disturbing and appalling trend towards the imposition of politically correct views on students and staff. The insistence by some academics at the Australian National University, that the South African Ambassador should be prevented from speaking because he served a 'racist' régime, is another example of that trend. In my opinion, such imposition is incompatible with the idea that a University is a place where even unpopular and idiosyncratic views should be discussed without fear or favour.

## **6. Conclusion**

I have argued that the exercise of academic freedom is increasingly subject to other priorities which undermine this freedom and, at least in an indirect way, adversely affect academics' desire or ambition to pursue truth, whatever the results of their work. It should be pointed out, however, that the major villains in the decline of academic freedom at Australian universities are university staff, themselves. Why? In my opinion, the main trouble with Australian universities, today, is that they are, for the most part, funded from a single central source, namely the Federal government. This is significant because funding is usually associated with control. My argument is that staff have been quite unable to mount any effective opposition to this because, regrettably, most university staff are philosophically and ideologically in favour of stricter government control. In other words, they favour increased central controls because they are 'statists', themselves. Central control obviously leads to the imposition on univer-

sities of the principles of neutrality and diversity, which appear to be strongly supported by the Federal Government.

Academics are people who should be involved in the free and stimulating exchange of ideas. To paraphrase Alfred North Whitehead: academics should be involved in the imaginative impartation and extension of knowledge. In order to fulfil that function academics should, in the absence of better arguments, adhere to their views and arguments. If someone else is able to come up with more coherent and stronger arguments, though, academics should abandon or modify their own, sometimes strongly held views. Academic life, after all, is an eternal search for truth. They cannot, however, search for the truth if they continue to be described, fallaciously, as employees of the university. Academics, far from being employees of the university, *are* the university. The ideal of *Lehrfreiheit* should be re-established. Academics, by their very nature, are independent and free agents, who individually or collectively, search for a better world.