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Self-regulation is not enough to uphold academic freedom

Former Oxford v-c Louise Richardson is wrong to dismiss the need for a free speech tsar in a massified system, says Ian Pace

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Ian Pace

The traditional ideals of a university, relating to the dispassionate, critical and rigorous pursuit of knowledge free from external pressures, are under strain. This is inevitable given the erosion of the boundaries between university education and professional training and the fact that many students attend university primarily to increase their job opportunities. This inevitably has consequences for academic freedom.

Yet former vice-chancellor of the [University of Oxford](#) Dame Louise Richardson disagrees. Richardson, who is now president of the Carnegie Corporation of New York, has previously made [important remarks](#) about the need for student resilience and her fears about academics' freedom to take positions in an age of social media. But she [recently called](#) the new free speech regulatory mechanism in England, overseen by a new [director of freedom of speech and academic freedom](#) at the Office for Students, an "interference" that she associates with "mistrust and, at worst, a power play". In her view, "existing university regulations are perfectly sufficient and equal to the task of making good decisions regarding invited speakers".

But this is to frame the issue very narrowly and to bypass many real issues affecting academic freedom in universities.

In the UK, the most significant definition of academic freedom prior to this year's Higher Education (Freedom of Speech) Act, was the "Hillhead amendment", named after Lord Jenkins of Hillhead, which appeared in the 1988 Education Reform Act. Following the abolition of tenure, this created a body of university commissioners to "ensure that academic staff have freedom within the law to question and test received wisdom, and to put forward new ideas and controversial or unpopular opinions, without placing themselves in jeopardy of losing their jobs or privileges they may have at their institutions".

But, since 1988, the proportion of young people who go to university has risen from around 20 per cent to around 50 per cent, so it should not be surprising that the Hillhead amendment needed updating.

Institutions now educate many students with little prior background in critical thinking or engagement with public debate, who are encouraged to view themselves as consumers. Furthermore, with tuition fees of £9,250 per annum, combined with the removal of caps on recruitment, English institutions have been forced into a new level of competition, for which measures of student satisfaction and employability have become major factors. Institutions are forced to place the marketing of their "brand" above other academic ideals.

More vocationally-based institutions (a large percentage of the sector) have developed research, teaching and employment partnerships with external institutions that have their own agendas. Institutions have become increasingly reliant on foreign students, some from countries with authoritarian governments, such as China, which can attempt to exert pressure and influence on what is taught. And some institutions employ as teachers individuals with prior careers in commerce, industry and professions, who have [little background in academic values](#).

It would be a miracle if these factors did not affect academic freedom, and there is plenty of evidence of the scale of the issue. There have been many highly publicised cases of attempts by both students and other academics to silence other academics on grounds of their views on [sex and gender](#), Israel and Palestine, “decolonisation” and much else. [Alice Sullivan and Judith Suissa](#) have traced the ways in which EDI departments in universities, often non-academic bodies staffed by those with extreme views, have been used to [police academics](#) and ensure highly politicised curricula. And there are more than a few academics adhering to postmodern ideologies who dismiss the possibility of relatively objective knowledge or truth altogether, and others who think such things should be secondary to nebulous concepts of “social justice”.

Hence, many academics testify to fear of expressing their convictions because of the possible consequences: redundancy, lack of promotion, ostracism or failure to obtain necessary research grants. Those who have tried to raise concerns have often faced silence or bureaucratic inertia. Those committed to fighting for academic freedom and prepared to speak out about it are a significant minority, but a minority nonetheless.

All the evidence points to serious shortcomings, at least in some institutions, in actively promoting a culture of academic freedom. The [University of Sussex](#) failed to provide sufficient protection for the philosopher [Kathleen Stock](#), for instance, to enable her to undertake her work without perpetual fear created by intimidation by students, colleagues and the union.

Richardson does not offer much in the way of alternatives to the new regulatory oversight mechanism beyond vague talk of attempts “to foster tolerance and encourage participation”, and to devise “better constructive models for debate”. As Stock [has argued](#), the old gladiatorial models of academic debate were preferable to the underhand ways of covertly undermining academics through complaints, social media and so on. But the idea that universities might revive such an approach on their own initiative seems fanciful.

There is a real need for genuine action to ensure that all academics, of multiple political persuasions, are able to do their research properly and to teach as they see fit. Only measures such as those encompassed in the new act, with proper independent regulation, can ensure this across the sector.

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