

Of Academic Freedom

Professor John Sexton, President, New York University

An address to the Inaugural Meeting of the CARA/SAR UK Universities Network
(Held at the British Academy, London, 15th March 2006)

I am honored to join you here as you launch this impressive and valuable network committed to the defence of academic freedom worldwide and the creation of a refuge for threatened scholars.

We have collected in this room three formidable forces committed to providing support and sanctuary for academics and intellectuals who are at peril.

The Scholars at Risk Network (SAR), first launched in 2000, assists academics who face persecution by arranging short term positions at host universities across the United States and abroad. SAR, which now makes its home at New York University, enlists more than 100 universities in over a dozen countries in this cause - and has reached out to more than 150 threatened scholars. This is an extraordinary start in a short span of time and, as President of NYU, I take great pride in this network and salute its visionary and tireless leader, Robert Quinn.

Under Rob's leadership, SAR has partnered with another natural ally: the Institute of International Education and its Scholar Rescue Fund, which gives grants to at-risk scholars so they can escape dangerous conditions and continue their academic work in safety. The Rescue Fund provides 25 to 40 fellowships a year.

And finally, there is the Council for Assisting Refugee Academics (CARA), with its long history of helping refugee scholars. For over 70 years, CARA has been there for scholars fleeing wars, fascist regimes, political upheaval and intimidation. It is a natural step to bring SAR and CARA together to organize a UK network that can serve as a model for other countries and regions to engage their universities in the frontlines of academic freedom. This is the challenge which will inform your mission, membership and agenda for the coming years.

It is a privilege to join you and speak about the principles that lie at the heart of your endeavor: the meaning of academic freedom, its imperatives and its fragility in the face of either attack or complacency.

Benefactors and Beneficiaries

Forty years ago, Lord Robbins, then head of the British Academy, stood in this place and delivered an address titled: "Of Academic Freedom." And while I make no claim to rival him in breadth of learning or acuity of insight, I have chosen the same topic, one to which I bring a spirit of reflection and strong feeling.

I am convinced that those of us who are privileged to exercise our full rights as citizens of the global academy - who have the liberty to follow inquiry where it may lead without boundaries imposed by dogma and dictate, who have no fear of personal reprisal, mental or physical - are also scholars at risk. Simply put, if we do not rally to support those now suffering egregious attacks on their freedom, we jeopardize our own claims to the protections of academic freedom; unless we mount a robust defense of the scholars most in peril around the globe, we

will undermine the principles that serve as the bulwark which protects us from strictures on inquiry or pressures to conform.

The point I want to make here is captured in a story told about two of my country's most noted nineteenth century philosophers, the fathers of the Transcendental movement: Ralph Waldo Emerson and Henry David Thoreau. The year was 1846 and Thoreau, an ardent abolitionist, refused to pay the local poll tax on grounds that the revenues were used to support slavery - a protest which landed him in jail in Concord, Massachusetts, the very town where the American Revolution began. Thoreau's friend Emerson came to visit him, and lamented, "David, what are you doing in there?" Thoreau replied, "Waldo, the question is, what are you doing out there?"

And so above all I express my admiration and deep thanks to all of you who have chosen to devote time and talent to freeing our colleagues elsewhere in the world from their potential jails, and move them from places of hostility and intimidation to places of safety, embrace and open intellectual exploration.

My theses today are the following: First, never has it been more important to ensure the freedom of inquiry and expression that serves as the foundation for the advancement of knowledge. Second, universities have a special, indeed indispensable, role to play in this regard because they are modern sanctuaries with a core commitment to unbridled and ideologically unfettered discourse in which claims are examined, confirmed, deepened or replaced.

As I advance these two theses, I want to argue that there is a vital connection between the aggressive struggle against the most extreme cases of denial of academic freedom - cases that take the form of threats and harassment, loss of jobs and even imprisonment and physical harm - and the less dramatic but constant struggle against gradual encroachments on our own academic vocations. In short, I want to argue that those of us who see ourselves as the benefactors in the effort to protect scholars at risk should also recognize that we are the beneficiaries, for the struggle of protecting scholars from immediate and direct harm awakens in us a consciousness of what is at stake when we accept any limits on our thinking or scholarship driven by non-academic norms. By serving as rescuers of those in distress, we take on a role as watchmen on the walls of academic freedom everywhere.

Defining Academic Freedom

Let me set your efforts in the broad international context by reporting on a recent initiative undertaken by the Secretary General of the United Nations. Three years ago, Kofi Annan asked the presidents of five leading US universities (Columbia, University of Pennsylvania, Princeton, NYU and Yale) to join with him in hosting annually a colloquium bringing together the leaders of two dozen major universities from around the globe. The purpose would be not only to discuss the role of their institutions in an increasingly interdependent world, but also to harness the wisdom contained in those institutions to address major global public policy challenges. We have now held two of these sessions and the third is being planned. They are far from pro forma affairs; issues are probed in depth and the Secretary General plays an active role.

I refer to this now because it is significant that the topic chosen by the Secretary General and assembled presidents for their inaugural meeting was academic freedom. The group felt the issue warranted urgent attention and, after two days of discussion, the presidents felt it was vital to issue a joint statement outlining a sweeping definition of academic freedom:

At its simplest, academic freedom may be defined as the freedom to conduct research, teach, speak and publish, subject to the norms and standards of scholarly inquiry, without interference

or penalty, wherever the search for truth and understanding may lead.

The document then locates the principles of academic freedom at the crossroads of the role of universities as global actors:

The emergence of a world-wide knowledge economy, the unparalleled transnational flow of information and ideas, and the growing number of young democracies, all make necessary the continued re-examination and articulation of the nature and importance of academic freedom. Indeed, across the globe, the defense of academic freedom remains at the heart of ongoing political and economic battles over the role and autonomy of universities.

The document also offers a ringing defense of the importance of academic freedom on grounds both intrinsic and practical.

Academic freedom benefits society in two fundamental ways. It benefits society directly, and usually immediately, through the impacts and benefits of applied knowledge, the training of skilled professionals, and the education of future leaders and citizens. It benefits society indirectly, and usually over longer periods of time through the creation, prevention, and transmission of knowledge and understanding for its own sake...It thereby enables universities to produce citizens equipped to thrive in and sustain free and open societies.

The University as Sanctuary

Whatever the benefits of academic freedom to the wider society - and they are extensive - it is the only means by which universities fulfill their core mission: the enlargement both of what we know, how deeply we know and the number of those who know. In pursuing this mission, the research university professes and practices various attributes, the most important of which we associate with the process of rigorous inquiry and reasoned skepticism, based on articulable norms that are not fixed and given, but are themselves subject to reexamination.

Increasingly, our great universities in the developed world are modern sanctuaries, the sacred spaces sustaining scholarship, creativity and learning. What makes these sanctuaries special, indeed, possible, is the commitment to vigorous, open and ideologically unconstrained discourse in which yesterday's truth can be questioned, reaffirmed, redefined, deepened or superseded.

Academic freedom is the predicate for the university as sanctuary. The university's role as sanctuary, in turn, is the best way to safeguard academic freedom.

These days, the preservation of the sacred space within our universities is no easy task - even those universities located in modern democratic nations where traditions of tolerance and pluralism of thought abound. Forces outside our gates increasingly threaten the sanctuary of our campuses. The very diversity of the global village that enriches us simultaneously activates those - including some who hold great power - who would limit the scope of our conversations and silence the diversity of voices. Xenophobes and ideologues seek to influence the research we undertake, the books we write or the classes we teach. Thus, for example, in the United States, research universities are pressured to forego stem cell research, and they are pressed to meet externally defined ideological quotas for faculty. And every university president at some point faces enormous external pressure because a speaker deemed "controversial" is coming to campus.

It is ironic that at the very time when sustaining the university as sanctuary is so important to society at large, society itself has unleashed forces which threaten the vitality of that sacred

space. Simply put, the increasing oversimplification and polarization of civic discourse - now endemic in America - have been accompanied by a simultaneous attempt to capture the space inside the university for the external battle. This trend is not exclusive to one political side or another, but rises from a tendency to enlist the university not for its wisdom but for its symbolic value as a vehicle to ratify a received vision.

Beyond the array of identifiable external threats to the sanctuary for dialogue on campus, there are yet other, harder to identify, pernicious forces at work - in particular, society's general devaluation of the search for new knowledge, and a decline in our culture's appreciation for long-term gain in favor of short-term gratification. This short-termism is especially dangerous for funding for research in the arts and humanities - essential work that produces remarkable progress in knowledge, but relatively few obvious and instant benefits. Devaluation of such research is financially harmful to the university, impairing the ability to push back the boundaries of insight. And, even more important, it undermines the bedrock on which our institutions are founded - the sanctity of intellectual endeavor and discovery for its own sake.

But the threats to the sanctuary are not just external. Indeed, in talk about American universities in the media and in popular culture, what concern there is about genuine dialogue on our campuses typically focuses on the fear of internal forces loosely and sometimes inaccurately associated with phrases like "political correctness." In my view, much of the "PC" debate reflects a lack of understanding of what actually happens in academe. Indeed, the stereotypical charges issued by public figures themselves function as a silencing device of their own - and may be intended as such.

Still, there always is a danger that ideologically driven actors within the university will attempt to stifle conversation, or will attempt to create a climate in which it is difficult to advance certain positions; at times they may do this by responding to opposing viewpoints with inflammatory labels. So those who care about vibrant debate within the university must resist such doctrinaire approaches - what a colleague of mine has called "a culture of constraint" -- whether from the left or the right.

There are other, perhaps more significant, internal threats to dialogue on campus, not captured in the phrase "political correctness." The range of academic fields has expanded greatly in the past half century - a positive phenomenon with a problematic byproduct, the balkanization of the academic enterprise. The splintering of disciplines has meant for some, though thankfully not most, a diminished commitment to discourse across formal boundaries and a lack of interest in hearing challenges to one's basic assumptions, especially from those who approach problems from a different point of view.

Moreover, this diminished willingness to reach outside the familiar discourse is exacerbated by a broader tendency in American society. Too many Americans - and in all honesty, too many experts and academics - have not cultivated the talent of listening. Despite America's extraordinary ethnic diversity, it is still largely an ethnocentric society; as a people we tend instinctively to devalue the wisdom, learning and possible contribution of "the other." The danger in academe is the development of a parallel tendency not to listen with a generous ear to the methodological, political, or religious "others."

In today's world, as a globalized civil society emerges, our research universities not only must keep external forces at bay, but also must rededicate themselves to the exploration of the unconventional and the unfamiliar. For the university community, this is a matter of both structure and temperament. Structures must be designed to encourage the free and open exchange of views in an intellectual marketplace. And those who operate in the structure must be expected to develop a temperament that approaches discovery and discussion with humility,

tolerance and a habit of listening.

Approaching Universities Unlike Us

What I have said thus far addresses the role of universities "like us" in the world of our new century. But one lesson of globalization is that the rest of the world is not always or all "like us," and this lesson is as true of institutions that claim the word university as it is for individuals. Of course, there exist institutions unlike us which nonetheless purport to do what we do. This forces us to ask how we should react to universities created and existing in contexts very different from our own.

The issues here are profound and vexing, and especially acute for those of you located at the exact point of contact between "our" universities and those not like ours. What should and would we demand of universities that do not share, at least entirely, our view of the predicate structures, temperament and attitudes that define the nature of the enterprise? For example, would we expect a university in a society emerging from autocracy to share fully our commitment to openness and tolerance? Would we expect such a university to import from the start all the incidents of what we call "academic freedom"? Would we expect a government-run university in a "democratic" theocracy to embrace the same notions? And would we insist that an institution, whatever its social environment and context, that wishes to join the community of universities - or, even more, wishes to join the community of research universities - must to be open to all students, regardless of gender or race or religion?

Assuming that we might be inclined to press others to adopt the core principles that underlie our own institutions, what, if any, exculpatory or mitigating circumstances might justify the application of a lesser standard, permanently or temporarily? Would we accept less from a new or newly revived university in an impoverished nation, or in a nation only recently freed from dictatorship or war?

We bring faculty and students from cultures and countries and even from institutions clearly distinct from our own institutions into our universities, and we profit from our interactions with them. But, even as we open ourselves to such exchanges, some will come to us from institutions that place themselves beyond any reasonable definition of the university. Is this kind of university acceptable?

In developing answers to these questions, we, of course, must avoid a sense of noblesse oblige or the kind of ethnocentrism that we ask others to forswear; otherwise, we easily could find ourselves unreflectively exporting, in an undesirable way, our assumptions and our attributes, whether appropriate or not. Whatever principles emerge must be articulated with the same humility and appreciation for pluralism that characterize other parts of our conversation.

Higher education in our countries today is remarkably pluralistic in form, in purpose, and in its adherence to the core principles of a university in pursuit of open, rigorous thought. Still, the truth is that, just a very few years ago, some of my country's most outstanding universities opposed genuine openness. To cite just a few examples, not so long ago, America's Ivy League schools operated under a quota system for Jews; half a century ago, at Catholic universities, the only philosophy taught was Thomism. And, twenty years ago, Father Charles Curran was stripped of his tenure at Catholic University because his writings about birth control were unacceptable to some in the church.

Today, there are many American universities whose campuses do not embrace tolerance and openness. But it could be argued that the very existence of such institutions is testimony to the pluralism we applaud in general; it could be argued that these "more closed" universities are at

least tolerable as part of an overall "system" of higher education because they exist in the context of an overarching system that is pluralistic - and they operate against a societal backdrop of pluralism which diminishes even their intellectual dominance in the lives of their faculty and students.

Put another way, there is in American higher education a fair amount of experimentation (even experimentation that limits the embrace of pluralism) because the background culture exerts a countervailing force. If that background society changes, the equation changes.

The process of globalization, to the extent that one of its products is the export of pluralist models and practices, is a felicitous force. But this is the paradox: respect for pluralism brings with it the demands of pluralism, one of which is to tolerate exceptions to the pluralistic ethic.

Some - including us - may be attracted to an homogenization of the university world in a direction that would make everything look more like NYU or the University of London. Of course, before we succumb to that attraction, we should inform our thinking with our normal skepticism about homogenizing moves. Then, armed with that skepticism, we must continue to press for a common understanding of the minimum core principles of university life, and we must struggle to avoid collapsing the effort into simple relativism. Put another way, we must navigate between two dangerous alternatives: the Scylla of chauvinism and the Charybdis of unbounded pluralism and intellectual relativism. We must articulate meaningful notions of core principles; yet in the search for those principles we must be wary of the tendency unquestionably to see ourselves as the norm.

We all can make a powerful utilitarian argument, implied in much of what I said earlier, about the invaluable contribution of research universities to our societies. The capacity of any university to make that contribution flows from an intellectual community built on the kind of core principles I have described. Thus, developing and articulating best practices and core principles over time and encouraging their ever more pervasive implementation will pay great societal and global dividends. The race of our century will be a race between the university and the madrasah; and it is important from the outset that we understand the differences between the two.

Scholars in Extreme Risk

The points made here are far from abstract. Indeed, for too many scholars today, the problem of freedom, or the lack of it, is painfully concrete -- and painfully clear to those in this room who have assumed the burden of helping academics from other nations who are being repressed and threatened. Thus far, sadly, the imbalance between the resources available and the enormity of the problem has meant that your organizations can deal only with the most flagrant and obvious cases.

There are efforts underway to close that gap, starting with the \$250,000 grant from the Sigrid Rausing Trust to the SAR Network that is the backdrop of your meeting here. And I am pleased to announce two other recent gifts to New York University and its Scholars at Risk Network that move us closer to being able to extend the reach of your work. NYU Law School alumnus Albert Podell has recently given \$1 million to establish a Global Scholar at Risk Fund. Those identified as scholars or researchers who face persecution in their home countries, will be given short-term academic appointments at the NYU School of Law.

A second initiative is the Vivian G. Prins Fund for Emigrating Scholars, established with a gift of \$3 million and meant to provide direct financial support to the work of SAR. Such signature gifts help raise the visibility of the effort and spark further charitable giving.

In these tangible ways, we can and must sustain the battle joined on one end -- the extreme end -- of what can be seen as a continuum of threats to academic freedom. SAR and CARA's work involves trying to protect individuals who may face threats of exclusion and isolation, intimidation and imprisonment, and even physical harm and death. You also are called on to support those institutions which may confront demands for mass dismissals of faculty and systemic distortions of intellectual content, along ideological, ethnic or religious lines.

But all of us here today live and work near the other end of that continuum, in the decidedly less perilous place where questions of academic freedom involve disputes over such matters as controversial speech or visits to campus by polarizing figures or expressions of displeasure by elected officials over certain research projects or the ideological composition of our faculties. Yet I would make the case that those who inhabit this sometimes distressful but never extreme space on the academic freedom continuum have a deep connection to, and stake in, the work of SAR and CARA.

Rob Quinn has reflected long and hard on these issues and I owe him a debt of gratitude in helping shape my own thoughts. At the most basic level, of course, the chord that unites us to the cause of Scholars at Risk is the unifying task of scholars and universities defending their own wherever they are, motivated by a blend of altruism, "there-but-for-the-grace-of-God-go-I" sense of relief, and in some cases, clear intent to save unique intellectual or economic capital.

But there is a deeper practical and philosophical benefit to us that derives from the work of defending against extreme threats, for this helps to reinforce our claims to academic freedom in otherwise safe, healthy academic communities like ours. For if not anchored in the causes and consequences of extreme threats, our claims on behalf of academic freedom can too easily be construed as petty disputes by a privileged elite demanding special rights without corresponding responsibilities. Being able to locate the complaints and warnings of those who fear government encroachment or attempts to quell disturbing speech or provocative research along the same spectrum that stretches to the more extreme and violent forms of intellectual repression forces a discussion of the central importance of the principle of academic freedom. By seeing what happens in societies where universities and scholars are put at extreme risk, we come to better appreciate why we defend what we do and better recognize the warning signs of the erosion of those freedoms.

Addressing the Normative Questions

Let me raise one issue in closing and offer the assistance of New York University in advancing an idea. Even with the increased support given to your efforts, you still operate in an environment where great and compelling needs press upon a woefully insufficient resource base. You confront so many cases of scholars and thinkers who beyond any reasonable doubt are imperiled that those in charge of your programs can identify victims using a test articulated in a very different context by a United States Supreme Court Justice who said of pornography: "I know it when I see it." There has been, in other words, no necessity to discuss normatively what we mean by a "scholar at risk." But we should not lose sight of the importance of developing those norms. For the enterprise of doing so - and thereby of setting, at the very least, the widespread aspirations and expectations of the university community - is the only coherent way on a worldwide basis to advance the protection of scholarship.

I propose today that we begin to lead this process. Working with SAR and now the CARA Network, and in conjunction with the Institute of International Education, an organization already deeply involved with supporting scholars at risk, we should systematically address the

more subtle normative thinking that this vital topic deserves. I suggest that we develop a joint committee of scholars from our institutions, perhaps with members drawn from other universities as well, to begin the exploration and development of what might ultimately become a universal declaration of core principles. We could then sponsor a conference on the subject over the next year or two and the publication and dissemination of a work product. NYU is ready to play a part in this effort.

I am aware that SAR is at work now on a project to develop a model memorandum of understanding on academic freedom issues, similar to nonbinding legal codes, that would be available for universities to implement voluntarily. That exercise could be the springboard for the development of this larger declaration of core principles that I am suggesting.

Across all of these fronts - rescuing scholars, making the world take notice of the dangers to academic freedom, grappling with the definitional complexity of what is meant by "scholar" and what constitutes "risk" - your work is so impressive. You literally save lives by finding safe harbors for professors, researchers and other intellectuals who suffer in their own countries. In return, they contribute to their host countries through teaching, research and the example of their inspiring and courageous stories. We in the global academic community are all in your debt.

We have accomplished much... there is much more to do. And I am honored for New York University to be part of moving this magnificent effort forward.