УДК: 378.014.15

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ACADEMIC FREEDOM: AN ULTRA-MODERN PRINCIPLE WITH OLD ROOTS

There is a growing incapacity to understand the major institutional principle that made the research university into such a revolutionary success, firstly in Prussia and in Germany, later in the United States: academic freedom. Far from being a simple formula to be carried out without afterthought, academic freedom is a value, a practical instrument and a legal principle that has to be understood in relation to creativity. In this article, academic freedom and its importance for creativity in research (and teaching) is analyzed from three fundamental vantage points, firstly in terms of what academic freedom is, secondly how it works in practice and thirdly by looking at why academic freedom is so crucial to creativity. It concludes by reflecting on why it is that while the research universities that have worked under the principles of academic freedom have been extremely successful, those who today develop research policies and even university leaders are striving to dismantle the one precondition that makes all the difference, namely academic freedom.

Keywords*: Academic freedom, creativity, collegial rule, managerialism, university.*

Introduction

The University of Berlin was instituted by Wilhelm von Humboldt in 1810. Few could predict that the idea of a research university that combined teaching and research under the aegis of academic freedom would revolutionize the world. The University of Berlin was designed as one of the core institutions to execute the task of promoting the future greatness of Prussia. In the then-recent aftermath of the French and Scottish Enlightenments, the belief in the human development of profound scientific knowledge was growing and science and education were regarded as vehicles of progress. In order to secure their optimal preconditions, institutional and individual freedom were to be the guiding principles. At the University of Berlin, the principles of *lehrfreiheit* and *lernfreiheit*—the right for academic teachers and students to teach and seek knowledge freely—were laid out.

200 years later it is safe to conclude that the major innovation of a research university governed by academic freedom was nothing less than a stroke of

genius. Scientific creativity blossomed so much that unified Germany (1871) became the worldŕs leading scientific nation and its scientists were awarded the largest amount of Nobel Prizes[1] before the disastrous rise of the Nazi regime in 1933. The flight of most of Germany's best intellectuals in the aftermath of the Nazis' rise to power, many of them Jewish, and the subsequent Holocaust, ended the German (and in a broader perspective the European) supremacy in science.[2] Aside from literally driving out brilliant minds, many of them welcomed at top universities in the United States, the Nazis quickly abolished academic freedom in German universities. The university professors that remained turned into compliant servants of the regime and scientifically, Germany has never been able to recover from the blow.

The Prussian idea of a research university with academic freedom as its major principle did not halt with the downfall of Germany, however. During the last decades of the 19th century, American students and scholars made the trip overseas to study and learn at famous German universities such as Heidelberg, Jena, Freiburg and Тьbingen. Back home at their own universities, they brought with them ideas and experiences that were developed and put into active practice. Stanford University, which was established on 11 November 1885, for example, has an emblem that reads (in German): "*Die luft die Freiheit Weht.*"[3] Johns Hopkins University in Baltimore (established in 1876) was the first American university to give priority to research and establish a graduate school that united teaching and research. This was a step towards the professionalization of research that became the hallmark of American science during the 20th century. Other universities followed suit, not least the University of Chicago, famous for its research output. At these research universities, academic freedom was protected as a major principle both for the organizations and for individuals and was looked upon as a tool to promote human creativity.

As World War II came to an end with the complete defeat of Nazi Germany, the role as the worldŕs leading scientific nation had definitely shifted to the United States. The formerly civilized and highly educated Germany was a nation in total ruin, bearing the enormous responsibility for the genocide com-

[1] The Swedish Nobel Prize was established in 1901 out of a donation from the industrialist and inventor of dynamite Alfred Nobel, aimed at promoting human development and peace by awarding those who benefited humankind the most. The prize is given out in physics, physiology or medicine, chemistry and literature. A peace prize is simultaneously awarded by the Norwegian parliament (Stortinget), as Norway was in union with Sweden until 1905. In 1969, a prize funded by the Swedish Central Bank was awarded for the first time and is called the prize in economics in memory of Alfred Nobel.

[2] Fermi, L., 1968, *Illustrious Immigrants: The Intellectual Migration from Europe* 1930-41, Chicago: The University of Chicago Press; Jay, M.,, 1985, *Permanent Exiles: Essays on the Intellectual Migration from Germany to America*, New York: Columbia University Press.

[3] 'The air breathes freedom.'

mitted on European Jews. Many of the intellectual Jews that had managed to escape and survive had settled, as mentioned above, in America, carrying on research and scholarship at American universities that offered them resources, security and academic freedom. The lion's share of the Nobel prizes after 1945 have been appointed to researchers working at leading American universities and, despite high tuition fees, the best American universities continue to attract students from all over the globe.

In his time Wilhelm von Humboldt saw science and education as keys to strengthening Prussia and making it great. This was to be achieved through giving scholars and academic freedom to students. In Vannevar Bushrs famous report to President Truman in 1945, just after the end of World War II, which bears the lyrical title *The Endless Frontier,* the role of academic research is in a similar way portrayed as absolutely fundamental to human progress:

Progress in the war against disease depends upon a flow of new scientific knowledge. New products, new industries, and more jobs require continuous additions to knowledge of the laws of nature, and the application of that knowledge to practical purposes. Similarly, our defense against aggression demands new knowledge so that we can develop new and improved weapons. This essential, new knowledge can be obtained only through basic scientific research.[1]

Today, in 2016, the rhetoric of science and education as the vehicles by which national progress is secured still prevails at the national and supranational (EU) levels. However, and to the radical detriment of the basic research endorsed, there is a growing incapacity to either understand or to safe-guard the major institutional principle that made the research university into such a revolutionary success, firstly in Prussia and in Germany and later in the United States: academic freedom. Far from being a simple formula to be carried out without afterthought, academic freedom is a value, a practical instrument and a legal principle that has to understood in relation to creativity.

In the following pages I address academic freedom and its importance for creativity in research (and teaching) by focusing on three fundamental aspects:

- What is academic freedom?
- How does it work in practice?
- Why is academic freedom so crucial to creativity?

I conclude by reflecting on the contemporary threats to academic freedom. Why is it that while the research universities that have worked under the principles of academic freedom have been extremely successful, those who develop research policies and even university leaders today are striving to dismantle the one precondition that make all the difference, namely academic freedom?

[1] Bush, V., 1945, Science: The Endless Frontier, *A Report to the President by Vannevar Bush, Director of the Office of Scientific Research and Development, July 1945*, www.nsf.gov (retrieved 14 October 2015).

What is Academic Freedom?

"(T)he goal of academic freedom is to establish an environment in which it is possible for the inquisitive mind to flourish. In contrast to private enterprise, the university places the welfare of the community above individual gain."[1]

The principle of academic freedom has generally been applied to the rights of students, academic teachers and universities as societal institutions. The idea of the student's right to the freedom of learning was formulated in the then-Prussian university in Berlin. This so-called *Lernfreiheit* meant that students should be free to seek the education that they themselves chose and at the university of their choice. That might not seem like such a radical idea from todayrs perspective, but in reality it liberated students from being referred to the university closest to where they lived, for example. It also meant that universities should be open to all who were eligible to a higher education, a practice that, up until recently, put its mark on the German education system in that it did not put any limits to how many students could be accepted. As I mentioned before, *Lernfreiheit* became part of the guiding principles of American universities and is a legislated right.

In a similar way, the *Lehrfreiheit* of academic teachers (who in the research universities also conduct research) was developed. In Germany, this freedom guarantees the right to express both personal opinions and philosophic views to the students, as well as not being regulated when it comes to the content of lectures and syllabi. Outside the lecture halls and seminar rooms, German academic teachers do not, however, enjoy the same freedom. They are not expected to participate publically and doing so is not safe-guarded by the principles of academic freedom. For American professors, academic freedom also reaches into the public sphere and safe-guards them as public intellectuals. French academic teachers are public officials and expected to be neutral and not favor particular views. Clearly, these understandings of academic freedom point to profound differences in how the university's role in society is perceived, with the American notion being by far the most integral.

Academic freedom in Great Britain, finally, consists more of institutional autonomy than the individual right that forms the core in Germany and in the United States. Academic institutions have the right to self-government in terms of decisions regarding recruitment and admittance of students. Thus, Britain illustrates the third notion of academic freedom as primarily an institutional right put into practice through the rule of collegiality (see below).

Academic freedom is not unlimited, of course. In the United States, where this freedom has been most elaborated, academic teachers are urged to try to

[1] Cole, J., 2009, *The Great American University: Its Rise to Preeminence, Its Indispensable National Role, Why It Must Be Protected*, New York: Public Affairs, p. 377.

avoid controversial topics that are of little relevance to the subject taught. During recent years, the students' right to be taught in what is called a 'hostile-free' environment has clashed with the teachers' right to teach controversial subjects that might offend some. If taking a stand publicly, it should be stated clearly that it is being done on personal grounds and not in the name of the university. In the American tenure system, there is a strong caveat that once one has been tenured, it is not possible to be fired on the grounds of formulating controversial opinions or advocating scientific standpoints that challenge colleagues, students, religious groups or other interests. Thus, tenure is intimately connected to academic freedom and as a professor one can exercise it fully—up to a certain limit, of course. In Sweden, a similar clause protecting the position of full professor to regular rules on the labor market was abolished in 1997.

Academic teachers' right to freely seek out and explore questions and problems, choose what methods to use to study these problems and to decide over publication is also embedded in their academic freedom. In contrast to industrial research, no one is allowed to declare that specific findings should not be made public—as a university researcher the concept of the public good is there is to guide you, not private interests.

How is Academic Freedom Exercised?

Academic freedom is a 'multi-level' governance exercised at the institutional level inside the universities and at the individual, researcher, level. For universities as societal institutions, autonomy in relation to church, state, business and other powerful interests has been guaranteed through constitutional arrangements and various kinds of legislations. Historically, this autonomy was been realized through the universities' own jurisdiction and through their geographical estrangement from the hustle and bustle of everyday life. This separation was even demonstrated physically by the location of classic European universities such as Oxford and Cambridge that still form their own secluded locations in the midst of small towns. American campuses carried this idea further by often locating universities outside smaller towns or cities or through a campus being clustered together in a city so as to make up a clearly delimited site, such as Harvard in Boston, George Washington University in Washington D.C. or Columbia and Rockefeller in New York City.[1]

In terms of power within the universities, self-governance has been manifested through the unique collegial rule, which clearly expresses that universities should be safe-guarded from particular interests so that they might be

[1] Hollingsworth, R. J., 2002, "Research Organizations and Major Discoveries in Twentieth-Century Science: A Case Study of Excellence in Biomedical Research," Wissenschaftzentrum Zu Berlin (WzB), p.32-33.

able to fulfil their societal mission of impartial inquiry and open and critical thinking.

Collegial rule has been the classic answer to this challenge, sometimes (and to a growing extent) in combination with managerialism. *Primus inter pares*, Latin for 'the foremost among equals,' refers back to one of the major features of university rule as it has been: the classic collegial principle. In the republic of scholars, the scholars elect temporary leaders among themselves to govern in positions that include the vice-chancellor. The leaders and the vice-chancellor are elected on the basis of confidence and respect; confidence stems from the belief that this scholar or scientist possesses *judgment* and will exercise her leading role utilizing that judgment.[1] Respect stems from achievements in the field of research (and teaching). The vice-chancellor, the *primus inter pares*, must be judged highly in terms of both judgment and respect, which generates legitimacy among the 'governed.' From this stems two implications:

Firstly, judgment is not something that you can particularly put on your CV, at least I have never seen it, but is rather illustrated and proven to those around you who see you on a more regular basis. Therefore, collegial rule rests on the fact that peers are elected that are *known to you*. Secondly, since peers are elected temporarily, after their term they return from being among the 'rulers' to again joining the 'ruled.' Since you are eventually going to rejoin your peers again, though 'bereft' of your powers, this creates caution in the handling of power; accountability is not in re-election but rather in not losing the respect of your peers. Collegial rule rests on the premise that you do not have leaders that are 'flown in from outside' with an impressive CV and then, once their term is up, 'flown out again' to some other and basically unknown place. It rests on the fact that you are actually stuck with each other, for better or for worse, and *this*—rather than leadership skills and abilities on a general level—provides both capacities and constraints. Judgment is what I believe many recruitment firms search for by testing for personality and lining up scenarios; few things, however, beat the personal experience of having seen how a person acts in a seminar room or a collegial meeting. Most of us would easily be able to determine that, after having spent some time in this kind of environment with someone, he or she either has or lacks the judgment necessary to lead.

The republic of scholars is self-governing. Today, collegial rule has arrogantly been scorned by adversaries who do not recognize what is beneficial in terms of universities safe-guarding academic freedom: peers as temporary leaders safe-guard academic freedom simply because it is in their self-interest to do so. If they fail to do so, they will not have the necessary tools and environment

[1] Hasselberg, Y., 2009, *Vem vill leva i kunskapssamhðllet?: essðer om universitetet och samtiden, ("Who Wants to Live in the Knowledge Society? Essays on the University and Contemporary Times,")* Stockholm: Gidlunds.

for their own pursuit of new knowledge. To rule always implies a temptation to expand one's power and bend dissent; collegial rule has so far proven to be the best system to curb that temptation to try to realize the one idea that would create the 'perfect world.' Pluralism in views is institutionalized, and deliberation mandatory. So it is a way of governing that is inherently self-constraining.

Constraining power also means that power can sometimes become too constrained, however, which is a critique that has been voiced towards collegiality (=collegial rule). Therefore, it has been more and more combined with a managerial-based rule that in Swedish universities constitutes a parallel structure where spheres of power and decision-making capacities are divided between the collegial and the managerial. The top leaders in American universities are also selected, not elected. But the collegium, the faculty, has a lot of power as well.

Why?

The best way to safe-guard brainpower is freedom and the pluralism that follows from it. In order to approach an answer as to why this is the case, there is a need to briefly re-visit Teresa Amabiler's[1] and Mihaly Csikszentmihalyi's[2] well-known findings on the creative process. From the individual researcher's point of view, studies have shown time and again that academic freedom that allows for intrinsic motivation to drive the choice of research problems is the most important feature that academic leaders should encourage. It is evident that researchers attribute great importance to the norm of academic freedom and that the freedom they identify constitutes the definition of how academic research is delimited from other forms of knowledge production.

An important explanation as to why intrinsic motivation is such an important driver for creative effort is that it, better than the desire to live up to outside demands, mobilizes the amounts of mental energy required to push oneself forward towards something new. In this context, the concept of flow and psychologist Csikszentmihalyi's research about the preconditions for flow come to mind. To experience flow is to feel the happiness and contentment that emerge in situations when a person is intensively concentrated on a task and the task makes use of all of his or her abilities. The task is neither too easy nor impossible to accomplish. The feeling of flow is essentially a powerful psychological reward, where the reward comes from the task itself and not from an outside source. Csikszentmihalyi emphasizes that flow can only occur at points of intense concentration and that without a strong inner motivation such a state is perhaps impossible to achieve.

[1] Amabile, T. M., 1996, *Creativity in Context: Update on the Social Psychology of Creativity*, Westview Press.

[2] Csikszentmihalyi, M., 1990/2008, *Flow: The Psychology of Optimal Experience, Harper Perennial Modern Classics*.

Insights from memoirs as well as biographical writings demonstrate a surprisingly coherent picture of the characteristics of some of the most creative academic environments. The University of Chicago has been remembered as an unusually creative place by many who have worked there. Intellectually vibrant, multidisciplinary and creatively free, it seems to have been run in an almost uniquely wise manner. Yale Universityґs social science department during the late 1950s and 1960s is another environment that stands out in the memories of more than one scholar as particularly stimulating.[1] Examples of outstanding environments in biomedicine[2] in which a sustained level of creativity has been maintained include the California Institute of Technology (Caltech), the Faculty of Arts and Sciences at Harvard University, the University of Cambridge, the Johns Hopkins University School of Medicine and Rockefeller University. Due to their number of major discoveries in biomedicine in the 20th century, these institutions have been called the 'national champions.' They all embodied vast academic freedom combined with other organizational traits: a diversity of scholars' and scientists' backgrounds and research interests, flexibility rather than bureaucratic structures, complete freedom in choosing problems to be undertaken and an intense concern paid to recruitment.

Academic Freedom under Attack

A great deal of lip-service is paid to academic freedom in the context of higher education. It is often referred to on ceremonial occasions to draw attention to the central role that values like independence and autonomy have played and still play for basic, research, the research that historically speaking has been carried out at universities accountable to themselves for their own programs. At the same time, actual developments are challenging the principles of academic freedom at both the institutional, teacher and student levels. Exceedingly in the post-war era, the notion of the benefits of a ґdistanceґ between universities and power (interests) has come to be replaced by what in some respects is its opposite. Tendencies of academic isolation and distance, manifest in the idea of the ivory tower, have been scorned as signs of elitism and an unwillingness to engage with todayґs realities. Academia has been pushed into an ever closer interaction with societal interests that openly question academic freedom as a governing princi-

[1] Munck, G.L. and Snyder, R., 2003, *Passions, Craft, and Methods in Comparative Politics*, Johns Hopkins University Press.

[2] Hollingsworth, R. J., 2006, "A Path-Dependent Perspective on Institutional and Organizational Factors Shaping Major Scientific Discoveries," Hage, J., & Meeus, M., (eds.), *Innovation, Science, and Institutional Change: A Research Handbook*, Oxford: Oxford University Press. Also see my own: Bennich-Björkman, L., 1997, *Organizing Innovative Research: The Inner Life of University Departments,* Oxford: Elsevier Science, for similar findings in the social sciences.

ple. This has been marked by, among other things, governing bodies composed of representatives that speak on the behalf of ґsocietyґ and profoundly challenge the principle of collegiality. Not only have these beliefs affected the governance of academia, but there has emerged an influential research philosophy that points to societal interaction as crucial to relevant research. What is termed by its interpreters as 'mode 1' (an academia that sets its own priorities) is juxtaposed against a ґmode 2ґ (in which academia is embedded into a society that has the right to demand consideration and influence).[1] Gibbons *et al* also point to the growing diversity of knowledge production and the subsequent decline of universities as major sites of (new) knowledge.

This leads one to ask: why has academic freedom and its institutional expressions of collegiality and the self-governance of academia increasingly come under attack? I think there are a few answers to that question. Firstly, over time there has been a general tendency in many of the older democracies in the West to devalue elites and push for de-professionalization. Democracy, for all its merits, comes with dark sides, too. One of them is the difficulty of combining elitism with the basic equality that democracy rests upon. 'The triumph of mediocrity' strives towards everyone having to 'endure' similar conditions, even if it means curbing talent and discouraging brilliance. Recently, the then finance minister of Finland, Alexander Stubb, said that "previously there used to be three reasons for becoming a university professor; June, July, and August. This should no longer be the case", making himself into a spokesman for precisely the triumph of mediocrity that I am referring to. Affiliated with this emotional reaction towards what is perceived to be the privileges of an undeserving elite is the managerial ideology that has swept the Western world since the 1990s: the 'one-size-fits-all' principles of new public management. Academic freedom and the importance of professional ethics and inner motivation is utterly strange to the idea of management that at its core endorses control, monitoring and evaluation as the tools for extracting a desired behavior. As these principles have moved from industries into the public sectorґs service economies and now into the universities, they have come to challenge collegiality (as managerialism is a top-down model) and individual academic freedom as the major ways of encouraging creativity. This has given birth to two cultures within the uni-

[1] Gibbons, M.; Lomges, C.; Nowotny, H.; Schwartzman, S.; Scott, P.; Trow, M., 1994, *The New Production of Knowledge: The Dynamics of Science and Research in Contemporary Societies*, London: Sage. However, Godin and Gingras, among others, show that even though industrial laboratories, governmental agencies and think tanks have become more numerous, the importance of universities in knowledge production has not declined but rather increased, as evidenced by the production of articles in scientific journals (Godin, B.; Gingedes, Y. 2000, "The place of universities in the system of knowledge production," Research Policy 29 2000 273–278).

versities, not the ones C.P. Snow once talked about,[1] but rather one of open-ended search, uncertainty and curiosity and one of mastering and striving for predictability. The two are not compatible and presently these two cultures are clashing in contemporary sites of higher education and science. While companies like Google or Facebook, entirely relying on the individual creativity of their staff, actively break out of top-down management to create horizontal relations of freedom, playfulness and non-hierarchy,[2] universities in the West have moved away from their previous freedom and autonomy towards a more top-down and Taylorist mode of governing.[3]

Finally, as science, research and higher education have moved into the center of public policy—the massification of the university and the belief in science as the major motor for economic growth being two reasons—a 'research-political complex' has been their companion. There is today a massive infrastructure surrounding academia that, in a self-reinforcing way, steadily invents new tasks and new reforms. Research departments, research councils, agencies devoted to evaluations, rankings, certifications and funding all contribute to the inclination to challenge academic freedom and the self-governance of academia in order to increase their power and push reforms for their own sake rather than for the sake of human creativity. Paradoxically, science's success story in itself, in combination with the endurance of democracy, have contributed to create severe challenges for the institutional and individual academic freedom that paved the way for unprecedented creativity in the 19th and 20th centuries. The 21st century is dependent on scientific creativity to continue to progress. This cannot be done without respecting and safe-guarding academic freedom against both its inner and outer enemies.

***Лі Бенніх-Бьоркман*. Академічна свобода: ультрасучасний принцип із старим корінням**

Зараз в університетському середовищі спостерігається зростаюча нездатність зрозуміти ключовий інституційний принцип академічної свободи, який спочатку в Пруссії, а згодом в об'єднаній Німеччині та США дозволив зробити революційний прорив в розбудові дослідницького університету. Академічна свобода ніяк не може бути зведеною до простих та завершених формулювань, оскільки є одночасно цінністю, практичним інструментом та правовим принципом, який можна зрозуміти лише у співвідношенні з креативністю. Дана стаття аналізує академічну свободу та її важливість для дослідження та навчання з точки зору трьох фундаментальних моментів: по-перше, чим є по суті академічна свобода; по-друге, як цей принцип пра-

[1] Snow, C. P., 2001 (1959), The Two Cultures. London: Cambridge University Press.

[2] Sandberg, S.,, 2014, *Lean In*.

[3] Bennich-Björkman, L., 2016, "Långt före sin tid: forskningsuniversitetet som kreativ miljö," (Avantgarde: The Research University as Creative Environment) in eds. Shirin Ahlbäck-Öberg *et al, Det hotade universitetet,* Stockholm: Dialogos.

цює в практичній площині й, по-третє, чому академічна свобода є критично необхідною для людської креативності. Підсумовуючи розгляд означеної теми, автор розмірковує, чому, не зважаючи на те, що керовані принципом академічної свободи дослідницькі університети демонструють значні успіхи, розробники сучасних дослідницьких політик, а іноді й навіть лідери університетів, намагаються демонтувати або обмежити академічну свободу, цю важливу передумову повноцінного університетського життя.

***Ключові слова**: академічна свобода, креативність, колегіальне право, менеджеризм, університет.*

***Ли Бенних-Бьоркман*. Академическая свобода: ультрасовременный принцип со старыми корнями**

Сейчас в университетской среде наблюдается рост неспособности понять ключевой институциональный принцип академической свободы, который сначала в Пруссии, потом в объединенной Германии и США позволил сделать революционный прорыв в становлении исследовательского университета. Академическая свобода не может быть сведена к простым и законченным формулам постольку, поскольку одновременно является ценностью, практическим инструментом и правовым принципом, который можно понять лишь в соотнесении с творчеством. Данная статья анализирует академическую свободу и её значение для исследовательской деятельности и обучения с точки зрения трёх фундаментальных позиций: во-первых, чем, по сути, является академическая свобода; во-вторых, как этот принцип может быть реализован в практической плоскости и, в-третьих, почему академическая свобода является критически необходимой для творчества. Подытоживая рассмотрение данной темы, автор размышляет, почему, несмотря на то, что исследовательские университеты, положившие в основу своей деятельности принцип академической свободы, демонстрируют значительные успехи, разработчики образовательных политик, а иногда даже лидеры университетов, стремятся демонтировать или же существенно ограничить академическую свободу, эту важную предпосылку полноценной университетской жизни.

***Ключевые слова**: академическая свобода, творчество, коллегиальное право, менеджеризм, университет.*

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Лі Бенніх-Бьоркман – професор кафедри політичних наук та управління, професор кафедри Юхана Шютте з красномовства та політичної науки, Університет Уппсали. Дійсний член Королівської академії наук та мистецтв (Швеція).