



THE RIGHTS AND RESPONSIBILITIES OF UNIVERSITIES AND THEIR FACULTIES

A Statement on Communism and the Colleges
by the Association of American Universities

FOR THREE HUNDRED years higher education has played a leading role in the advancement of American civilization. No country in history so early perceived the importance of that role and none has derived such widespread benefits from it. Colleges moved westward with the frontier and carried with them the seeds of learning. When the university idea was transplanted from Europe, it spread across the nation with extraordinary speed.

Today our universities are standard bearers of our whole system of education. They are the mainstays of the professions. They are the prime source of our competence in science and the arts. The names of their graduates crowd the honor rolls of two world wars and of the nation's peacetime affairs. By every test of war and peace they have proved themselves indispensable instruments of cultural progress and national warfare.

In the United States there is a greater degree of equality of opportunity in higher education than anywhere else in the world. A larger proportion of Americans study in universities and colleges than any other people. These universities have shown and continue to show greater responsiveness to the needs of our society than their European counterparts. They have equipped our people with the varied skills and sciences essential to the development of a pioneer country. They have imparted the shape and coherence of the American nation to form-

less immigrant groups. American ideals have been strengthened, the great cultural tradition of the West has been broadened, and enriched by their teaching and example.

Modern knowledge of ourselves and of our universe has been nurtured in the universities. The scientific, technological, medical, and surgical advances of our time were born in them. They have supplied intellectual capital as essential to our society as financial capital is to our industrial enterprise. They have more than justified the faith of the public in our distinctive system of higher education. They have proved themselves dynamic forces of American progress.

The nature of a university

A university is the institutional embodiment of an urge for knowledge that is basic in human nature and as old as the human race. It is inherent in every individual. The search that it inspires is an individual affair. Men vary in the intensity of their passion for the search for knowledge as well as in their competence to pursue it. History therefore presents us with a series of scholarly pioneers who advanced our knowledge from age to age and increased our ability to discover new knowledge. Great scholars and teachers drew students to them, and

in the Middle Ages a few such groups organized themselves into the first universities.

The modern university which evolved from these is a unique type of organization. For many reasons it must differ from a corporation created for the purpose of producing a salable article for profit. Its internal structure, procedures, and discipline are properly quite different from those of business organizations. It is not so closely integrated and there is no such hierarchy of authority as is appropriate to a business concern; the permanent members of a university are essentially equals.

An association of scholars

Like its medieval prototype, the modern American university is an association of individual scholars. Their effectiveness, both as scholars and as teachers, requires the capitalizing of their individual passion for knowledge and their individual competence to pursue it and communicate it to others. They are united in loyalty to the ideal of learning, to the moral code, to the country, and to its form of government. They represent diversified fields of knowledge, they express many points of view. Even within the same department of instruction there are not only specialists in various phases of the subject, but men with widely differing interests and outlook.

Free enterprise is as essential to intellectual as to economic progress. A university must therefore be hospitable to an infinite variety of skills and viewpoints, relying upon open competition among them as the surest safeguard of truth. Its whole spirit requires investigation, criticism, and presentation of ideas in an atmosphere of freedom and mutual confidence. This is the real meaning of "academic" freedom. It is essential to the achievement of its ends that the faculty of a university be guaranteed this freedom by its governing board, and that the reasons for the guarantee be understood by the public. To enjoin uniformity of outlook upon a university faculty would put a stop to learning at the source. To censor individual faculty members would put a stop to learning at its outlet.

Scholarship and politics

For these reasons a university does not take an official position of its own either on disputed questions of scholarship or on political questions or matters of public policy. It refrains from so doing not only in its own but in the public interest, to capitalize the search for knowledge for the benefit of society, to give the individuals pursuing that search the freest possible scope and the greatest possible encouragement in their efforts to preserve the learning of the past and advance learning in the present.

The scholar who pursues the search on these terms does so at maximum advantage to society. So does the student. To the scholar lie open new discoveries in the whole field of knowledge, to his student the opportunity of sharing in those discoveries and at the same time de-

veloping his powers of rational thought, intelligent judgment, and an understanding use of acquired knowledge. Thus essential qualities of learning are combined with essential qualities of citizenship in a free society.

To fulfill their function the members of university faculties must continue to analyze, test, criticize, and reassess existing institutions and beliefs, approving when the evidence supports them and disapproving when the weight of evidence is on the other side. Such investigations cannot be confined to the physical world. The acknowledged fact that moral, social, and political progress have not kept pace with mastery of the physical world shows the need for more intensified research, fresh insights, vigorous criticism, and inventiveness.

The scholar's mission requires the study and examination of unpopular ideas, of ideas considered abhorrent and even dangerous. For, just as in the case of deadly disease or the military potential of an enemy, it is only by intense study and research that the nature and extent of the danger can be understood and defenses against it perfected.

No time for timidity

Timidity must not lead the scholar to stand silent when he ought to speak, particularly in the field of his competence. In matters of conscience and when he has truth to proclaim the scholar has no obligation to be silent in the face of popular disapproval. Some of the great passages in the history of truth have involved the open challenge of popular prejudice in times of tension such as those in which we live.

What applies to research applies equally to teaching. So long as an instructor's observations are scholarly and germane to his subject, his freedom of expression in his classroom should not be curbed. The university student should be exposed to competing opinions and beliefs in every field, so that he may learn to weigh them and gain maturity of judgment. Honest and skillful exposition of such opinions and beliefs is the duty of every instructor; and it is equally his privilege to express his own critical opinion and the reasons for holding it. In teaching, as in research, he is limited by the requirements of citizenship, of professional competence and good taste. Having met those standards, he is entitled to all the protection the full resources of the university can provide.

The universities' commitments

Whatever criticism is occasioned by these practices, the universities are committed to them by their very nature. To curb them, in the hope of avoiding criticism, would mean distorting the true process of learning and depriving society of its benefits. It would invite the fate of the German and Italian universities under Fascism and the Russian universities under Communism. It would deny our society one of its most fruitful sources of strength and welfare and represent a sinister change in our ideal of government.

"The A.A.U. report is a most important document, clarifying in a thorough way the subject of academic freedom and responsibility, and applying these concepts to the present-day situation. The statement makes it perfectly clear that academic freedom is not and never was a shield for liars, traitors or conspirators. It is only a protection for honest scholars who may hold unpopular opinions."

—L. A. DuBridge

Responsibilities of university faculties

We must recognize the fact that honest men hold differing opinions. This fundamental truth underlies the assertion and definition of individual rights and freedom in our Bill of Rights. How does it apply to universities?

In the eyes of the law, the university scholar has no more and no less freedom than his fellow citizens outside a university. Nonetheless, because of the vital importance of the university to civilization, membership in its society of scholars enhances the prestige of persons admitted to its fellowship after probation and upon the basis of achievement in research and teaching. The university supplies a distinctive forum and, in so doing, strengthens the scholar's voice. When his opinions challenge existing orthodox points of view, his freedom may be more in need of defense than that of men in other professions. The guarantee of tenure to professors of mature and proven scholarship is one such defense. As in the case of judges, tenure protects the scholar against undue economic or political pressures and ensures the continuity of the scholarly process.

There is a line at which "freedom" or "privilege" begins to be qualified by legal "duty" and "obligation." The determination of the line is the function of the legislature and the courts. The ultimate interpretation and application of the First and Fourteenth Amendments are the function of the United States Supreme Court; but every public official is bound by his oath of office to respect and preserve the liberties guaranteed therein. These are not to be determined arbitrarily or by public outcry.

The line thus drawn can be changed by legislative and judicial action; it has varied in the past because of prevailing anxieties as well as by reason of "clear and

present" danger. Its location is subject to, and should receive, criticism both popular and judicial. However much the location of the line may be criticized, it cannot be disregarded with impunity. Any member of a university who crosses the duly established line is not excused by the fact that he believes the line ill-drawn. When the speech, writing, or other actions of a member of a faculty exceed lawful limits, he is subject to the same penalties as other persons. In addition, he may lose his university status.

Historically the word "university" is a guarantee of standards. It implies endorsement not of its members' views but of their capability and integrity. Every scholar has an obligation to maintain this reputation. By ill-advised, though not illegal, public acts or utterances he may do serious harm to his profession, his university, to education, and to the general welfare.

He bears a heavy responsibility to weigh the soundness of his opinions and the manner in which they are expressed. His effectiveness, both as scholar and teacher, is not reduced but enhanced if he has the humility and wisdom to recognize the fallibility of his own judgment. He should remember that he is as much a layman as anyone else in all fields except those in which he has special competence. Others, both within and without the university, are as free to criticize his opinions as he is free to express them; "academic freedom" does not include freedom from criticism.

As in all acts of association, the professor accepts conventions which become morally binding. Above all, he owes his colleagues in the university complete candor and perfect integrity, precluding any kind of clandestine or conspiratorial activities.

He owes equal candor to the public. If he is called upon to answer for his convictions it is his duty as a citizen to speak out. It is even more definitely his duty

as a professor. Refusal to do so, on whatever legal grounds, cannot fail to reflect upon a profession that claims for itself the fullest freedom to speak and the maximum protection of that freedom available in our society.

In this respect, invocation of the Fifth Amendment places upon a professor a heavy burden of proof of his fitness to hold a teaching position and lays upon his university an obligation to reexamine his qualifications for membership in its society.

In all universities faculties exercise wide authority in internal affairs. The greater their autonomy, the greater their share of responsibility to the public. They must maintain the highest standards and exercise the utmost wisdom in appointments and promotions. They must accept their share of responsibility for the discipline of those who fall short in the discharge of their academic trust.

The universities owe their existence to legislative acts and public charters. A State university exists by constitutional and legislative acts, an endowed university enjoys its independence by franchise from the state and by custom. The state university is supported by public funds. The endowed university is benefitted by tax exemptions. Such benefits are conferred upon the universities not as favors but in furtherance of the public interest. They carry with them public obligation of direct concern to the faculties of the universities as well as to the governing boards.

Legislative bodies from time to time may scrutinize these benefits and privileges. It is clearly the duty of universities and their members to cooperate in official inquiries directed to those ends. When the powers of legislative inquiry are abused, the remedy does not lie in non-cooperation or defiance; it is to be sought through the normal channels of informed public opinion.

The present danger

We have set forth the nature and function of the university. We have outlined its rights and responsibilities and those of its faculties. What are the implications for current anxiety over Russian Communism and the subversive activities connected with it?

We condemn Russian Communism as we condemn every form of totalitarianism. We share the profound concern of the American people at the existence of an international conspiracy whose goal is the destruction of our cherished institutions. The police state would be the death of our universities, as of our government.

Three of its principles in particular are abhorrent to us: the fomenting of world-wide revolution as a step to seizing power; the use of falsehood and deceit as normal means of persuasion; thought control—the dictation of doctrines which must be accepted and taught by all party members.

Under these principles, no scholar could adequately disseminate knowledge or pursue investigations in the effort to make further progress toward truth.

Appointment to a university position and retention after appointment require not only professional competence but involve the affirmative obligation of being diligent and loyal in citizenship. Above all, a scholar must have integrity and independence. This renders impossible adherence to such a regime as that of Russia and its satellites.

No person who accepts or advocates such principles and methods has any place in a university. Since present membership in the Communist Party requires the acceptance of these principles and methods, such membership extinguishes the right to a university position.

Moreover, if an instructor follows communistic practice by becoming a propagandist for one opinion, adopting a "party line", silencing criticism or impairing freedom of thought and expression in his classroom, he forfeits not only all university support but his right to membership in the university.

"Academic freedom" is not a shield for those who break the law. Universities must cooperate fully with law-enforcement officers whose duty requires them to prosecute those charged with offenses. Under a well-established American principle their innocence is to be assumed until they have been convicted, under due process, in a court of proper jurisdiction.

Unless a faculty member violates a law, however, his discipline or discharge is a university responsibility and should not be assumed by political authority. Discipline on the basis of irresponsible accusations or suspicion can never be condoned. It is as damaging to the public welfare as it is to academic integrity. The university is competent to establish a tribunal to determine the facts and fairly judge the nature and degree of any trespass upon academic integrity, as well as to determine the penalty such trespass merits.

As the professor is entitled to no special privileges in law, so also he should be subject to no special discrimination. Universities are bound to deprecate special loyalty tests which are applied to their faculties but to which others are not subjected. Such discrimination does harm to the individual and even greater harm to his university and the whole cause of education by destroying faith in the ideals of university scholarship.

Conclusion

Finally, we assert that freedom of thought and speech is vital to the maintenance of the American system and is essential to the general welfare. Condemnation of Communism and its protagonists is not to be interpreted as readiness to curb social, political, or economic investigation and research. To insist upon complete conformity to current beliefs and practices would do infinite harm to the principle of freedom, which is the greatest, the central, American doctrine. Fidelity to that principle has made it possible for the universities of America to confer great benefits upon our society and our country. Adherence to that principle is the only guarantee that the nation may continue to enjoy those benefits.