

# ILLINOIS ACADEME (Spring 2010)

## FANTASY ISLAND: CARY NELSON LOOKS AT THE AAUP

Cary Nelson's *NO UNIVERSITY IS AN ISLAND* (New York University Press)  
reviewed by John K. Wilson

AAUP president Cary Nelson's new book, *No University Is an Island: Saving Academic Freedom* (New York University Press, 2010), is essential reading for anyone concerned about the fate of higher education today.

There is far too much important material in this book to cover in a short review. From his devastating critique of Stanley Fish to his fascinating revelations about some of the internal workings of the AAUP, Nelson has written a book every AAUP member should read, dissect, and argue about.

Nelson covers all of the most important issues facing the AAUP in recent years, from Ward Churchill to David Horowitz to Norman Finkelstein to the fight over graduate student unionization. And his characteristic bluntness is a welcome relief from so many educational leaders who treat the topic of academic freedom as an excuse to lather bland clichés on top of soothing shopworn abstractions. Cary Nelson can never be accused of boring his readers.

There is a danger in any book that reacts to a series of crises. For example, Nelson responds to David Horowitz's cry for "student academic freedom" by denying the concept: "All students, graduate and undergraduate, have intellectual freedom—including both freedom of thought and freedom of expression, along with the right to choose their own course of study, to hold their own beliefs, and to be protected from 'prejudiced evaluation'—but they do not in my view have full academic freedom in every context, despite efforts from the Right to muddy the waters by arguing that they do." (9)

However, Horowitz's approach to student rights is flawed not because he thinks students have academic freedom, but because Horowitz defines academic freedom in extraordinary Orwellian terms that attack the concept. When Horowitz believes that political speech can be banned in the classroom because it violates the academic freedom of students, the problem is not that Horowitz thinks students have academic freedom. The problem is that Horowitz defines academic freedom to justify censorship in direct violation of what any meaningful concept of academic freedom must include.

By rejecting academic freedom for students, we are falling into the trap Horowitz has set to portray the rights of students and faculty as being in conflict. Academic freedom is not a zero-sum concept. Granting to students the rights of academic freedom, when properly understood, does not in any way reduce the academic freedom of faculty.

Nelson's definition of intellectual freedom—the right to their beliefs and the right to express them, as well as the right not to be arbitrarily punished for their views—seems to convey the full extent of what academic freedom means for students.

Nelson tries to create a distinction between "the full academic freedom that a graduate student has in teaching a class or commenting on departmental governance versus the intellectual freedom, or qualified academic freedom, he or she has in fulfilling an assignment in a degree program." (9)

But this has nothing to do with student status itself. Academic freedom for faculty is near absolute in some circumstances (such as extramural utterances) but much more limited in others (such as what courses they teach), just as it is for students. Faculty have their writing evaluated for tenure just as graduate students have their writing evaluated for courses. The academic freedom they have is protected in different ways in different contexts, but it is the same freedom to express controversial views.

Of course, students do not have the same academic freedom to determine course content that

faculty do. Someone must determine what goes on in a course, and faculty are hired for their expertise. The difference, however, is not that faculty have academic freedom and students do not. The difference is that faculty have a different role that provides them with a decision-making power on what happens in the shared space of the classroom.

With the sole necessary exception of classroom management, students and faculty share the same academic freedom: the right to do research, the right to hold and express opinions, the right to extramural utterances, the right to due process, and a large collection of other rights. Because faculty are employees, their academic freedom is different from students, but the similarities are quite substantial.

Likewise, non-academic employees at an institution share many of the same rights of academic freedom. They have the same rights to express their views as faculty do. The difference is that they have different roles; non-academic employees, insofar as they do not teach, do not have academic freedom in the classroom as students do. There is no academic freedom right for a janitor to choose his own cleaning standards because the work he does is not academic; but even janitors have the academic freedom involved in extramural speech. Because all the work of faculty and students is academic, they have full academic freedom in their endeavors.

If a college president decreed that all liberal (or conservative) janitors would be fired, we would all immediately recognize it as an attack on academic freedom. If a president could exert such thought control over one group of employees, what would protect faculty or students from similar repression? Janitors have academic freedom not because their work is academic, but because they work in an academic environment. And therefore, while their non-academic work can be regulated, their extramural expression cannot be.

However, in recognizing (and defending, even to the point of being arrested) the rights of graduate student employees, Nelson is far ahead of many AAUP members. Nelson has a similar foresight in recognizing the danger of irrelevance that the AAUP faces by its slow reaction to attacks on academic freedom. Too many AAUP members (and even staffers) believe in the fantasy that the organization can be an island separate from political controversies and current events.

As Nelson notes, "To sustain its long-term goals and fund its deliberative products, the AAUP needs to be a time-sensitive advocacy organization." (251) At the same time, Nelson recognizes a problem: many AAUP staffers and Committee A members fear that making advocacy statements will affect the perceived objectivity of a future investigation and censure. I have no idea why anyone cares so long as the truth is told, but it is a real concern.

So how can an organization simultaneously be an advocate and refrain from advocacy? Up to now, Nelson has almost single-handedly attempted to address the advocacy problem by issuing his own careful statements and then avoiding judgment in cases where he has commented. However, that's not an ideal solution. Nelson will not be AAUP president forever, and his successors may not be as skilled as he is at negotiating or shoving his way through resistance, or at making thoughtful comments. Also, the president's personal statements do not always carry the same force as a message from the organization itself. And if the appearance of affecting Committee A staff investigations is a concern, surely the fact that the president of the AAUP is making statements could have an influence. After all, he has powerful control over the staff.

The best solution is to institutionalize advocacy within the AAUP by creating a permanent committee devoted to advocacy. Call it, Committee U. (That used to be the name of the AAUP's committee on patriotic service, and defending academic freedom should be the patriotic duty of every AAUP member.) Committee U would be the flipside of Committee A. Committee A determines the broad policy statements and conducts investigations of colleges. Committee U would be the rapid-response team writing to colleges expressing concern and issuing criticism of immediate threats to academic freedom and other esteemed AAUP principles. Committee A and Committee U would have a sharp dividing line, with no one permitted to serve on both committees simultaneously, and no

Committee U statements influencing a possible Committee A report later on.

Having a Committee U would make the AAUP more of an advocacy organization publicly responding to attacks on AAUP values at colleges around the country. Because Committee U's declarations would be a rapid response, they would represent only the views of Committee U, and they would have no permanent role as AAUP statements. In addition, Committee A would have the opportunity to meet and express the AAUP's official disagreement with any statements deemed too rash or misguided.

Nelson's well-written and forthright statements may be superior to anything a Committee U can come up with. But creating a Committee U will make advocacy a permanent part of the AAUP's role, and sharing the load of advocacy will enable Committee U to speak out much more often and without the hesitation Nelson must bring to his work. Creating Committee U will also enable Nelson to focus on the entire AAUP organization without suffering the burden of being the primary bearer (with general secretary Gary Rhoades) of denouncing every controversial issue.

If no university can be an island, as Nelson proclaims, that it must also be true that no AAUP leader can be an island in its defense. It's time to take Nelson's leadership on academic freedom as a call for imitation rather than mere admiration.