

Chapter 1

Introduction and overview

John Biggs & Richard Davis

Introduction

Universities, as opposed to other post-secondary institutions, exist for a particular reason: to add to our knowledge of the world and of the people in it, and to disseminate that knowledge, through teaching and publication. Universities may also achieve other functions, such as preparing people for certain professions, but that is secondary, not their *raison d'être*. In this, universities are different, and have to be different, from other educational institutions. Unfortunately, any emphasis on this difference left them open to the charge of elitism, a charge that many were happy to exploit.

Nevertheless, the fact remains that university academics have to work under particular conditions if they are to do their job properly. They are required to work within the canons of investigation as they apply to their disciplines. They have to know their field thoroughly enough to know where to research further; they have a responsibility to continually update their knowledge from a rapidly expanding research literature; they must be prepared to go where evidence and logic take them, refusing to accept authority as the criterion for truth. They are required to publish in peer-reviewed journals so that their discoveries become public domain, for others to critically evaluate and build on, in an expanding network of knowledge.

All this cannot happen without “academic freedom.” This does not mean freedom to seduce students, or to jaunt around the world on taxpayers’ money, but freedom to pursue knowledge where it leads, subject to the canons of scholarship. It means freedom to decide, as the expert, what should be the most fruitful avenue to research,

freedom to criticise one's own university for taking a line of action that leads to unacademic or negative consequences; freedom to comment publicly from one's position of expertise on any action or state that appears from that position to be contrary to the public interest; freedom to publish the fruits of one's research, and that if there are threatened reprisals from offended business persons or politicians, they can feel confident that their colleagues and their university administration will support them for doing their job.

This is why tenure is so important. Without tenure, free inquiry is fettered. Originality, an essential requirement for a doctoral thesis, a book, or acceptable academic paper, can rarely be achieved without criticising an established authority. This may well be a person of great power already within the scholar's own academic hierarchy. Criticism of a superior can result in very negative consequences. In a world of unequal power relations, academics need to be protected in their search for truth. Tenure is part of that protection. An untenured junior staff member, whose research challenges a superior's work, is likely to be placed in a vulnerable situation. The seamless web of university work, in particular the need to safeguard the unencumbered pursuit of truth, makes certainty of continued employment essential while ideas are laboriously generated.

Academics not only need tenure, but time and opportunity to gather data, time to reflect, time to write up the results of their work, time and resources to attend conferences to present their results and to confer with other world experts. They cannot do this with fifteen class contact hours a week or more, and heavy administrative burdens, as is common today. It is easy for journalists or politicians to say that "tarmac professors" are abusing public funds on their world trips. They might be. On the other hand the trip may result in a new cure for cancer. No one can tell. Supporting a university in the sense we mean here is an act of public trust, but it is also an investment with incalculably positive outcomes. No civilised community can afford not to make that investment. Yet in the present economic rationalist climate it has become a tenet of faith that the public purse cannot and should not support this conception of the university. However, as we shall be arguing throughout this book, private funding is inimical to these academic ideals. Private sponsors want value for money: research and development that promotes the interests of shareholders, not the resolution of nature's puzzles. Fee-paying students want courses that will bring them lucrative jobs that will return their investment, not

deep understanding of, and rapt wonder at, the complexities and beauty of the knowledge structures created by humankind.

It is unfortunate that the term “interest driven research” was used to describe fundamental research. This term too easily conveyed the idea, eagerly snapped up by the popular press when the ARGC (later ARC) grants were announced annually, that academics were being paid large sums of public money in order to indulge their personal hobbies and bizarre fancies.

Yet many of the world’s most beneficial discoveries have come from scholars following their own interests. Isaac Newton was not working to his university’s strategic plan when he discovered his law of gravity, established differential calculus, and revolutionised optics. In fact, his basic discoveries occurred between 1665 and 1667 when Cambridge was shut down by plague and he had the leisure to pursue his own thoughts. Significantly, when he later became an administrator and Member of Parliament, Newton produced no original ideas.¹ One of Australia’s greatest researchers, Lord Florey, admitted that his epoch-making work on penicillin occurred, not because of its practical application, but through the intrinsic interest in the research.

Well, there are a lot of misconceptions about medical research. People sometimes think that I and the others worked on penicillin because we were interested in suffering humanity. I don’t think it ever crossed our minds about suffering humanity. This was an interesting scientific exercise, and because it was of some use in medicine was very gratifying, but this was not the reason that we started working on it.²

The conditions under which this kind of work can be done are significantly different from those suited for commerce, the public service, general education or other kinds of work. A special sort of institution is required, and there are unlikely to be very many of them. So it all sounds very elitist, and during the 1980s, politicians, particularly from the Left, accordingly accused traditional universities of being just that: elitist. Then politicians from all sides didn’t like the idea of supporting institutions whose members were likely to be critical of government decisions, especially when they knew what they were talking about.

In short, despite their specific charter, universities came to be seen both as elitist and as subversive, academics as a special group with undeserved privileges. And so successive Labor and Liberal govern-

ments, each for their own political reasons, deliberately undermined the academic venture. The result is that today, Australia-wide, a level of morale has emerged amongst dedicated academics that is probably deeper even than the despair felt by academic staff in the worst days at the University of Tasmania, back in the 1950s. They are unlikely to be cheered up by statements by politicians on both sides, which began to be heard in the euphoria of the Sydney 2000 Olympic, and in the face of a plummeting Australian dollar, about a “knowledge society,” and the need to invest heavily in a technology based higher education.³ The message is clear: Higher education is worthwhile only if it makes money. The university as the institution for seeking knowledge for its own sake has disappeared from the public view.

In short, we have an unlovely and deeply depressing picture of a tertiary system no longer able to fulfil its proper function in the community. And so Australian universities, designed to have a crucial role in a free and democratic society, were themselves subverted. While to politicians with a particular agenda this may be a triumph, to society as a whole it is an educational and cultural disaster.

Overview

These ideas are unpacked and developed in following chapters. The central theme, of what universities are and what academic freedom is, is expanded by William Bostock in Chapter 2 with the notion of the limits of what is acceptable in a university, by instancing cases in different countries where through political control those limits have been exceeded. Physical violence may seem unlikely in an Australian academic context until we remember the beating up, the stoning, and the attempt to shoot Professor Orr. Professor Clyde Manwell, of the University of Adelaide, “received repeated threats of violence,” after challenging the State Government’s fruit fly eradication programme.⁴ The philosopher Karl Jaspers insists that the university is the “intellectual conscience of an era,” and that academics cannot be public servants under regulation. Denial of tenure and the wholesale displacement of academic staff, either by dismissal or by placing on short-term contracts, erodes the ability of universities to present an independent analysis of the problems facing modern society, especially in an age of globalisation and corporatism.

Bostock cites the Orr Case as an instance of a university going beyond the limits of acceptability. As Davis explains in Chapter 3, this case was crucially important in the development of Australian universities. It occurred when Menzies' binary system came into being, and its influence was felt through to the eighties. The Orr case made people think hard about the structure of academic government, the rights of academics to criticise their own institutions, the need for tenure, and the nature of teacher-student relations and what in particular constitutes appropriate sexual behaviour. All are issues, or at least should be issues, that we might be thinking about today when we see what is happening to our universities.

The essence, and the complexities, of the Orr Case depend on what aspects one attends to. On the one hand, we have the facts that in March 1956, the Professor of Philosophy at the University of Tasmania, Sydney Orr, was summarily dismissed for having sexual relations with an undergraduate student — or to be more accurate, for refusing to prove his innocence of that charge. While these allegations were regarded as proven in a court of law, it is also the case that for the preceding three years Orr had been an outspoken critic of the University Council, and especially of the Chancellor and of the Vice-Chancellor, accusing them of maladministration, authoritarianism, and incompetence. These views were expressed in a public letter to the Premier of Tasmania demanding an enquiry (1954). The result was a Royal Commission, which supported Orr's accusations concerning the Council, and the Chancellor in particular (1955). Months later, Orr was sacked without notice or severance pay.

The case polarised public opinion, both at the time and for many years afterwards. People tended to focus on one aspect of the case or the other. Some, like the then Tasmanian Establishment and later Cassandra Pybus, focused exclusively on the sexual aspect. At the time, it was seen as a sackable offence if an academic had sexual relations with a student, even where, as in this case, the student had initiated the liaison. Today, nothing has changed, to some. Pybus, in *Gross Moral Turpitude* (1993), insisted that a consensual relationship between teacher and student was a straightforward matter of sexual harassment. Orr had had a consensual relationship, therefore Orr was guilty of harassment and had got what he deserved.

Others saw Orr's dismissal in the political terms, whether or not he was guilty of the sex charge. Some of these believed his protestations that he was innocent, while others did not believe that a consensual

relationship between a teacher and a student over the age of consent was an offence.

Whether one focused on the sex or on the politics, the consequences were profound. The case and its background are briefly outlined in Chapter 3, while the consequences and matters arising are developed in several individual chapters below.

In Chapter 4, Bob Bessant traces the history and development of the university system in Australia following the Orr case up to the present day. Menzies had decided on a binary system, comprising the traditional universities on the one hand, and colleges of advanced education (CAEs) for preparing students for several professions, on the other. Bessant focuses on the demand for academic self-government, which developed into a crucial issue following events at the University of Tasmania, but which was not an issue with the colleges. More recently, however, ideas such as academic freedom, collegiality and university autonomy have been undermined, especially after the changes introduced by John Dawkins in the late 1980s. The Dawkins Unified National System functionally eliminated any distinction between universities and CAEs. Wholesale amalgamations were therefore ordered, in the interests of effectiveness and efficiency.

In almost all Australian universities professorial or academic boards have been replaced by a top-down managerial system. Bessant uses the University of Sydney, Queensland University of Technology, La Trobe University and the University of Queensland to illustrate his case. Bessant concludes that criticisms that traditional universities were elitist, hierarchical, unresponsive and individualistic are either myths or justifications for economic rationalism.

One of the important legacies of the Orr Case was the creation of an adequate tenure system. Bob Solomon in Chapter 5 describes the difficulties Tasmanian academics experienced to offset the decision of the Tasmanian Supreme Court, later upheld by the High Court of Australia, that they were but “servants” of the Council. These academics insisted on two committees of investigation into alleged misconduct, the preliminary academic committee, not Council, deciding whether or not the case should be forwarded for more formal trial. They also insisted that academic labour was not “amenable to the test of efficiency”; the phrase “gross inefficiency” was considered too subjective, and likely to undermine the security of academics even while undertaking their most important functions.

These fears are precisely borne out in the University of Western Australia's use of non-productivity in denying tenure to David Rindos, a productive and internationally respected scholar whose industry had temporarily been disrupted by sudden administrative demands. The Rindos case is discussed by Brian Martin in Chapter 6. It raises both issues of tenure and of sexual harassment, and so Martin explicitly links the Rindos and the Orr cases. Rindos was, like Orr, a whistleblower. One of the accusations against him was harassment, an extraordinary diversion given his accusations about the behaviour of his own head of department. Rindos sought and obtained government intervention, an unfortunate indication that academic freedoms in the 1990s needed support from outside universities themselves. The case also demonstrates that harassment is not the sole prerogative of male patriarchy. Martin emphasises the difficulty of obtaining truth where the rival "narratives" are based on opposing ideological principles.

Peter Tregear adopts a similar methodology in Chapter 7 in dealing with another famous harassment case, the Ormond College affair of 1992, treated by Helen Garner in her best-selling *The First Stone*. Rival narratives, in the absence of knowable data, force irreconcilable positions, insoluble by internal arbitration. When the Master of Ormond was accused of sexual impropriety, the establishment preferred a feminist narrative, and ensured his departure, rather than attempt to enquire into the charges, or to accept the verdict of the court, which might draw unwelcome attention to aspects of the running of College itself. The Orr case is similarly susceptible of antagonistic, irreconcilable narratives.

In Chapter 8, Philippa Martyr, referring to both the Rindos and Ormond affairs, undermines contrary narratives with a whiff of commonsense. Strong women, capable of enjoying and protecting their sexuality, can eliminate the need to dwell on patriarchy and victimhood with a well-directed glass of red wine. Both men and women can be threatened by rape, just as both men and women can exploit their positions to harass their subordinates. Martyr distinguishes clearly between harassment and consensual sex. Indeed, the American public reaction to President Clinton's deceit indicates a strong desire to eliminate consensual sexual activity, however sordid, from political debate. In this view, the issue is not whether Orr lied about his alleged participation in consensual sex, but how to ensure that realistic guidelines are laid down for relations between teachers

and taught at modern universities. We are still waiting for such generally accepted guidelines.

In the 1960s and 1970s, following the publication and implementation of the Murray Report, universities flourished. There was a clear public and political recognition of the need for university based research, and funding for universities was reasonably adequate. However, in keeping with the times, universities were not held strongly accountable, and that led to some under-achieving. A minority of academics saw tenure as a license to do as they pleased, after delivering their quota of lectures. Some took to moonlighting, using university time and resources to go into private practice. Others were productive in research, and the promotion system saw that they were rewarded, but teaching, also an important part of the academic's input, was not rewarded. A counter-reaction was inevitable, particularly as many universities steadfastly refused to acknowledge that anything was wrong.

The signs that universities were in trouble were thus emerging well before Dawkins intervened. In Newcastle in the early 1980s, the fight between university and CAE sectors was particularly destructive, as John Biggs reports in Chapter 9. Academics who tried to draw attention to poor management decisions within the University of Newcastle were marginalised, one tenured staff member, Michael Spautz, actually being sacked, if not summarily. There are indeed close parallels between the University of Newcastle at this time and the University of Tasmania of the 1950s. Both were in a state of institutional crisis. In each, the administration had lost its direction, and staff who voiced their concerns about this were intimidated and victimised. In both cases, the senior academic body was overridden by Council on academic issues. Today, management does not have to worry about overriding the Professorial Board or its equivalent because these tiresome structures have been dismantled or rendered ineffectual, precisely to stifle input from the academics themselves.

Dawkins had set in motion a process that, by the mid-1990s, saw most university administrations operating under an alien agenda. The Howard Government, on taking power in 1996, quickly delivered the *coup de grace*. Already tight budgets were slashed to the extent that the only way universities could survive was by naked commercialisation. By 1996, a proper university system in Australia had virtually ceased to exist. While more students than ever before were entering

degree and higher degree programmes, and research was still being done, all were dancing to a commercial tune, not to an academic one.

Chapter 10 describes the case of Ines Carrin, a postdoctoral fellow at QUT, which seems to illustrate how this difference between an entrepreneurial and a scholarly research environment might affect the question of who owns intellectual property, the researcher or the institution. If economic rationalism completely dominates the universities, as bids fair to be the case, it seems fairly clear that institutional rights will subsume individual rights, not only of ownership, but of freedom to research and to publish in areas determined by the individual researcher.

The Australian university system is not alone in its troubles. Robin Gwynn in Chapter 11 describes the model imposed on the New Zealand academic system, in which education and training have been deliberately confused. New Zealand academics are entangled in “a web of deceit,” spun by both major parties, who lied about funding. The “business speak” imposed on New Zealand Universities, the demand for commercialised research secrecy, and the “quality assurance game,” which uses bogus measurements to deliberately lower standards in the interests of salesmanship, have in like measure done their subversive work across the Tasman. Appropriately for a direct descendant of the Irish patriot, William Smith O’Brien (who in 1845 voted in the House of Commons against a bill to create university colleges in Ireland because the government would appoint the professors), Gwynn fears that increased government nomination of university councillors will further limit academic freedom. Carrying his beliefs into practice, Gwynn resigned from his university position to fight a parliamentary seat against the New Zealand major parties. Chapter 11 is a slightly adapted version of his valedictory lecture, which was given a standing ovation by his colleagues.

Chapter 12 reviews and updates these themes. In particular, we assess the just published the majority report, *Universities in Crisis*, and minority reports of the Senate Inquiry into higher education, which overlaps greatly with the present book. With economic rationalism linked now with the breathtakingly rapid changes brought about by globalisation through information technology, universities are falling over themselves to attract global markets, their chief executives shouting with increasing loudness and urgency Thatcher’s mantra: “There is no alternative!” There had better be, because that path predicts doom for all but one or two Australian universities, as we

have been warned by one of the major players.⁵ In fact, there are alternatives, and we believe there is a way out, as explained in this chapter.

A major theme of this book is that we can learn from history. By going back just 50 years in the history of Australian higher education, we have seen an extraordinary shift. Events at one small, politically corrupted university happened at a time when the whole system was under review, and the aftermath of those events played a critical part in establishing what was in its time, and for a while, a strong university system of international standing. Apart from the immense difference in scale, we have today a whole university system that is also corrupted, in the sense that its value and driving force are not essentially academic, precisely as was the case in the University of Tasmania in the 1950s.

But if history tells us anything, it is that systems evolve. If civic institutions are not doing their job, events will create a change. The bottom line is that an economic and managerial agenda is inappropriate for the academic enterprise and that civilised societies *need* universities dedicated to academic ends. The present system is nonviable in that context. It can only be a question of time before a better system emerges. But it will require the active involvement of academics themselves — a less supine engagement than they have shown in the last decade — if the university function is to re-emerge in the new millennium.

Notes

1. W. E. K. Middleton, *The Scientific Revolution*, Toronto (Canadian Broadcasting Corporation), 1963, p. 68

2. The Health Report, Australian Broadcasting Corporation, 14 September 1998, <http://www.abc.net.au/rn/talks/8.30/helthrpt/stories/s12220.htm>.

3. Dorothy Illing, “Labor backs Democrats on inquiry,” *The Australian Higher Education Supplement*, 11 October, 2000.

4. C.M. Ann Baker, ‘Fruit fly, free speech and academic justice in Adelaide’, in Brian Martin, C.M. Ann Baker, Clyde Manwell and Cedric Pugh, eds., *Intellectual Suppression*, Sydney (Angus and Robertson), 1986, p. 101.

5. The Vice-Chancellor of University of New South Wales, John Niland, interviewed in *Campus Post*, *South China Morning Post*, 26 October, 2000.