

Intellectual Diversity and the So-Called Academic Bill of Rights: FAQs

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What are proponents of "intellectual diversity" legislation trying to accomplish? "Intellectual Diversity" (ID) is the term used by the American Council of Trustees and Alumni (ACTA) in legislation they are promoting in various state legislatures. The leaders of ACTA believe that the academy is biased and that legislation is required to restore ideological balance to the classroom and on campus. Proponents of ID legislation claim that college professors are overwhelmingly liberal and should therefore be forced to present both left and right wing perspectives in the classroom so they don't indoctrinate their students into their one-sided views. This conception of intellectual diversity reduces the broad range of theoretical and methodological perspectives in a given discipline into a narrowly conceived view of "liberal" and "conservative" ideas. What proponents of so-called "intellectual diversity" measures really want to do is substitute politics for scholarship.

Isn't this just another iteration of the "Academic Bill of Rights"?

Yes. The so-called "Academic Bill of Rights" (ABOR) is a manifesto that takes the form of proposed legislation, student resolutions or university council agreements. It purports to protect the academic freedom rights of students in college to learn in an atmosphere free from political, religious and ideological interference.

Unfortunately, ABOR more accurately should be called a Bill of Restrictions. It is a political tool to deny the academic freedom and free speech rights of faculty and students. ABOR cleverly uses language that implies it will protect free speech, while the reality is that it discriminates against the ability of faculty members and students to discuss new, political or controversial ideas.

Why is Free Exchange on Campus opposed to ID and ABOR?

In college, the key to learning is a free exchange of ideas among students and their professors. ABOR and ID legislation seek to stop that critical exchange, which is why it is dangerous and damaging. It attempts to force an ideology into the classroom at the expense of learning. Rather than promoting a free exchange of ideas, ABOR restricts the ability to learn, all to further a political agenda.

Both ID and ABOR are premised on an argument that professors presenting new or controversial ideas will "indoctrinate" students or make the classroom so uncomfortable that students aren't able to learn. Proponents of both claim to want to protect college students from political, religious and ideological interference. Students are far smarter and more capable than these movements' proponents give them credit for, and both ABOR and ID would restrict the free exchange of ideas they need to learn.

Where did ID and ABOR come from?

ACTA's push for Intellectual Diversity started with their 2005 report, "Intellectual Diversity: A Time for Action," in which they claimed that not one college in America voluntarily takes steps to assure a diverse "marketplace of ideas," allowing ideological indoctrination to run rampant. ACTA has been advocating for legislation that would mandate and restrict what professors can and cannot say in the classroom.

ABOR is the brainchild of radical conservative David Horowitz, president of the Center for the Study of Popular Culture (now the David Horowitz Freedom Center). He wrote ABOR for use at the state level and a similar version called the "Student Bill of Rights" for use by student governments. As part of his campaign to bring more conservative viewpoints into the academy, he has set up a virtual, Web-based organization called Students for Academic Freedom (SAF) that recruits members and sets up chapters on college campuses to monitor and report on faculty speech in the classroom.

The push for ABOR has also developed out of Horowitz's attacks on individual professors (most notable Ward Churchill), writing up profiles of their work and public activities and posting the descriptions online at www.discoverthenetwork.com. In 2006, he compiled many of these profiles in a book entitled, *The Professors: The 101 Most Dangerous Academics in America*. The book, in McCarthy-esque fashion, characterizes its subjects as "ex-terrorists, racists, murderers, sexual deviants, anti-Semites, and al-Qaeda supporters."

How would ID legislation and ABOR impede academic freedom?

By preventing faculty from presenting on any issue they deem pertinent, these measures try to keep some topics out of classroom discussions. How can a political science professor teaching about current affairs lead a discussion about the Iraq war if he or she is not allowed to present arguments on this controversial topic? Should biology professors be prevented from teaching evolution out of fear of offending creationists?

ABOR and ID create a chilling effect on what professors feel they can teach and what students feel able to discuss. For example, imagine trying to teach a class on Middle Eastern studies. It's incredibly likely that at least one student would be offended if a professor argued that invading Iraq created instability and civil war. This is a Catch-22 because it's also incredibly likely that a different student would be offended if a professor defended the war. The result is a professor who teaches about the Middle East and does not talk about the war in Iraq, or waters down his or her analysis to the point where it leaves students without quality information. Thus ACTA and Horowitz's legislation are designed to shut down "controversial" material and classes.

Is ABOR and ID legislation taking hold in the states?

Three years ago, the first ABOR surfaced in the Colorado Legislature. Since then, it has been introduced in 26 states-and counting. Colorado public college and university presidents finessed the reach of the legislature into academic life by signing an agreement to monitor their own institutions and report back to the Legislature. In exchange, the legislation was pulled.

Currently, ABOR legislation has been introduced but failed in several states and is pending in numerous others. Two states, Tennessee and Ohio, have followed in Colorado's footsteps with signed agreements. And two states, Georgia and Pennsylvania, have passed ABOR-related resolutions.

ID legislation appeared most famously in the "Emily Brooker Intellectual Diversity Act" in the state of Missouri. That act eventually passed the state House before stalling in the Senate. Other Intellectual Diversity bills have been introduced in Georgia, Montana, Oregon, Virginia, South Dakota, and Louisiana, but in each instance the legislation either died for lack of action or was defeated on the Floor.

While ABOR and ID legislation have been relatively unsuccessful, the publicity surrounding the issues have unfortunately swayed public opinion largely against academic freedom. Indeed, Horowitz admits his proposal doesn't need to win in the legislature to have its desired impact. Provided that the media keeps reporting on it, and no one challenges Horowitz and ACTA along the way, they'll continue to hamper free speech.

How do faculty groups respond to charges of liberal bias?

The characterizations made by both ACTA and Horowitz bear no resemblance to what college faculty and staff see in their work as professionals on campus. By every reasonable measure, America's colleges and universities are considered the most diverse, challenging, and successful higher education institutions in the world. Higher education faculty members are trained professionals who bring a great variety of scholarly viewpoints to the classroom based on their disciplinary knowledge. Professors go through one of the most rigorous hiring and promotion processes anywhere. They are constantly evaluated by their peers for quality in scholarship and teaching. In light of these qualifications, ABOR and ID seem not only unnecessary and insulting to the competency of college faculty, but even downright dangerous to their ability to perform their job.

What is academic freedom?

The open source encyclopedia Wikipedia provides a good definition of academic freedom: It is the freedom of teachers, students and academic institutions to pursue knowledge wherever it may lead, without undue or unreasonable interference.

At a minimum, academic freedom involves freedom to engage in the entire range of activities involved in the production of knowledge, including choosing a research focus, determining what to teach in the classroom, presenting research findings to colleagues, and publishing research findings.

Still, academic freedom has limits. In the United States, for example, according to the widely recognized "1940 Statement on Academic Freedom and Tenure", teachers should be careful to avoid controversial matter that is unrelated to the subject. When they speak or write in public, they are free to express their opinions without fear from institutional censorship or discipline, but they should show restraint and clearly indicate that they are not speaking for their institution.

Academic tenure protects academic freedom by ensuring that teachers can be fired only for adequate cause, such as gross professional incompetence or behavior that evokes condemnation from the academic community itself.

Why are academic freedom and a free exchange of ideas on campus important?

Academic freedom and open debate are at the core of what makes learning at college possible. It's this freedom that supports new ideas, fosters debate and lets students investigate frames and theories they have never encountered. Students deserve a higher education that challenges them, exposes them to new ideas, subjects and perspectives, and gives them the freedom to think, say and debate anything. Without that freedom, students won't be able to come up with innovative solutions to the world's problems.

Faculty and professional staff, likewise, must be able to exercise independent academic judgment in their teaching and research. Academic freedom is important because society needs "safe havens," places where students and scholars can

challenge the conventional wisdom. This is not a threat to society; it strengthens society. It puts ideas to the test and teaches students to think and defend their ideas.

Does academic freedom mean professors can say anything they want?

No. Academic freedom does not mean that "anything goes." No one would argue that a professor can hold students to his or her belief that the sun revolves around the earth, for example. Faculty must act professionally in their research, teaching and interaction with students. Institutions of higher education ensure this through policies and procedures that safeguard both students and the academic integrity of the institution.

Moreover, in the rare cases where faculty have behaved inappropriately, there are already standards and appeal procedures in place to protect students. Rather than improving those standards, ABOR would bring in external monitors, chilling expression and introducing opportunities for political mischief.

What's wrong with insisting that an academic institution have a "balance" of liberals and conservatives on its faculty?

First, these party distinctions have nothing to do with what students learn in the classroom. It reduces the multitude of scholarly theories and methods down to a political label. What's the difference between a Republican and a Democrat teaching chemistry? Are Libertarians less adept at teaching French?

To seek a balance of liberals and conservatives-or Democrats and Republicans-would be to introduce a political litmus test that's anathema to everything higher education represents: the free exchange of ideas.

Why shouldn't professors be required to represent all views in their teaching?

Representing and respecting diverse viewpoints is appropriate, but insisting that every humanities and social sciences professor represent all views equally is neither possible nor wise. Students gain a diverse intellectual knowledge by selecting a variety of classes with a variety of faculty members who bring their specialized knowledge and particular perspective to the material in a way that challenges students.

Moreover, all views are not inherently equal. While a discussion of intelligent design might be appropriate and rewarding in a class on religious studies or the philosophy of science, it is not germane in the scientific study of biology. Should a history professor be required to discuss the discredited views of Holocaust denial in order to bring "balance" to a class on the history of the Second World War?

What about those stories of students who say they've been disparaged or given poor grades because of their conservative views?

To be clear, in the rare cases where this does occur, we sincerely hope that the student has filed a grievance and is aware of university policies. These circumstances are exactly why universities have such policies.

But the idea that there is a widespread crisis is not at all substantiated. Horowitz and ACTA's evidence is based either on unsubstantiated, anonymous claims on some Web sites, without even the faculty members in question being asked their view of the situation, or on methodologically suspect "research" which equates the out-of-class activities of faculty members with in-class indoctrination. To treat these suspect sources as fact shows that a political agenda is operating here.

Students should question ideas they do not understand, doubt or disagree with. Healthy skepticism and debate are fundamental to learning. However, this legislation would have the opposite effect, undermining the faculty-student relationship and promoting unfounded complaints.

What is the background of ACTA and David Horowitz?

ACTA was founded by former National Endowment for the Humanities Chair Lynne Cheney, Colorado governor Richard Lamm, Hank Brown, David Reisman, Saul Bellow and, initially, Joseph Lieberman. ACTA's current president is Anne Neal. Their objective is to "promote academic freedom and diversity, academic excellence, and accountability in higher education" by empowering students, alumni, donors and trustees.

Despite how promising this objective sounds, their actions often travel far from the mark, so much so that former founder Joseph Lieberman actually left the organization over one of their early publications which he disapproved of and considered "unfair and inconsistent for an organization devoted to promoting academic freedom." Senator Lieberman asked that they refrain from using his name in connection with their organization. And despite their calls for removing politics from the classroom, they themselves have a fairly obvious political agenda - most of their major contributors and board members, like Candace de Russy and Ward Connerly, are far-right conservatives pushing their own political ideology in the public sphere.

Horowitz is the child of Communists who became well-known during the 1960s and '70s as a Marxist-Leninist activist who was in the inner circle of the Black Panthers. After the murder of a close friend and fellow activist went unsolved, he went through an ideological transformation and moved to the conservative extreme. Now, he wants to share his reactionary view of higher education with to the world and has been on a decades-long crusade to expose liberalism in the academy.

While Horowitz earned a master's degree from the University of California, Berkeley in 1961, he is not "of" the academy; he states his occupation as "writer." His center is not affiliated with any educational institution and his funding comes from right-wing foundations. According to the nonpartisan group Transparency in the Media, the center's multimillion-dollar annual budget is funded by the Lynde and Harry Bradley Foundation, the Sarah Scaife Foundation and the John M. Olin Foundation, among others. The Bradley and Scaife foundations have supplied nearly \$20 million since 1989.

What is the Free Exchange on Campus coalition?

Free Exchange on Campus is a coalition of student, faculty and civil liberty organizations working to protect free speech on campus and stop restrictive measures such as the Academic Bill of Rights and Intellectual Diversity bills. Free Exchange on Campus believes campus speech needs to remain free. We work for the rights of students and faculty to hear and express a full range of ideas-new or old, accepted or controversial-without interference from political agents.

The goal is to expose the Horowitz-created "Academic Bill of Rights," ACTA's Intellectual Diversity agenda, and related initiatives for the fraud they are: well-funded campaigns to deprive faculty and students of their right to teach and learn with the full protection of academic freedom.

The coalition believes that passage of such measures, even when the provisions are not mandatory, would be an invitation to tie up institutions of higher education in an endless round of public hearings and litigation in which non-academics would decide whether enough balance was achieved in the reading list of a particular course or certain persons were hired or asked to be speakers based on their political point of view.

The coalition vigorously opposes both state and federal bills that incorporate language of the so-called bill of rights. Such measures would create unnecessary and inappropriate government interference to our academic institutions and impose an ideological litmus test on hiring, curriculum and teaching.

How is the coalition getting the word out?

Coalition members are using public education strategies to update students and the public about attempts to limit academic freedom and free speech on America's campuses. They are taking action at the grass roots: talking to students, managing a blog, writing op-eds, serving on panels, lobbying their legislatures and working with the local and national media. Most of the coalition members also provide background information and updates on coalition activities and ABOR and ACTA on their Web sites.

Who is in the Free Exchange Coalition?

Organizations in Free Exchange on Campus include:

American Association of University Professors

American Civil Liberties Union

American Federation of Teachers

American Library Association

Association of College & Research Libraries

Campus Progress / Center for American Progress

Center for Campus Free Speech

Free Press

National Association of State PIRGs

National Education Association / NEA Student Program

People for the American Way Foundation / Young People For

United States Student Association

What's the bottom line?

The key to learning in college is the free exchange of ideas among students and faculty. That's why the Academic Bill of Rights and Intellectual Diversity legislation are so dangerous. It's a politically motivated attempt to curb learning on campus by forcing an ideological agenda and curbing the free exchange of ideas. Rather than promoting a free marketplace of ideas, ABOR and ID would restrict the ability to learn, all to win a political edge. Real education means learning from a full range of ideas.