"Inextricably Linked": Shared Governance and Academic Freedom

By Larry G. Gerber

Critics of shared governance argue that changing conditions in higher education and increasing demands from the public for accountability require substantially new approaches to institutional governance. Many of these critics contend that a more hierarchical corporate model of management must replace the long-established collegial model of shared governance enunciated in the AAUP’s 1966 Statement on Government of Colleges and Universities if our institutions of higher learning are to fulfill their mission and serve the public interest effectively.

I would argue that just the opposite is true. Maintaining and even strengthening substantial faculty participation in institutional governance is at least as necessary today as it was when the AAUP first established its standing Committee on College and University Governance back in 1917. Now, as in the past, the practice of shared governance deserves to be supported not as a means of serving the particular interests of faculty, but rather because shared governance ultimately serves the needs of society. Without shared governance, our colleges and universities would be less likely to foster the unimpeded pursuit and dissemination of knowledge that are necessary for the healthy development of society; they would also be less likely to provide students with the broad liberal education they need to become informed citizens who can participate fully in our democracy.

Academic Freedom

According to the AAUP’s 1994 statement On the Relationship of Faculty Governance to Academic Freedom, these two principles have always been "closely connected, arguably inextricably linked." That statement concludes with the observation that academic freedom and shared governance "are most likely to thrive when they are understood to reinforce one another." It is hard to imagine effective governance if faculty do not enjoy the right to speak freely without fear of reprisal on issues relating to their own institutions and policies, but it is equally true that shared governance, along with tenure, are the two principal institutional bulwarks for academic freedom. A discussion of tenure is beyond the scope of this article, although it is hardly coincidental that many of the attacks on shared governance have emanated from the same people who have also questioned the need for tenure.

Few people today would directly challenge the idea that academic freedom is necessary for the proper functioning of colleges and universities. Too often, however, references to academic freedom in public discourse are formulaic or disingenuous and fail to take into account the full meaning of the concept and its close connection to faculty governance. In public discussion, academic freedom is sometimes mistakenly viewed as being simply coterminous with the legal right to free speech protected by the Constitution. Academic freedom cannot, however, be reduced to the constitutional right to free speech. The First and Fourteenth Amendments do little to protect teachers and researchers working in private institutions, and the protections of free speech rights for those employed in public institutions are, in fact, limited.

The Constitution, by itself, does not adequately safeguard faculty engaged in teaching and research from various forms of intimidation, including the threat of losing their jobs, if they challenge conventional beliefs or existing authorities. Moreover, the intellectual basis of the constitutional right to free speech differs considerably from the underlying justification for the concept of academic freedom as it has developed in the modern university. In "Justifying the Rights of Academic Freedom in the Era of Power/Knowledge," Thomas L. Haskell argues quite persuasively that "no justification for academic freedom can succeed unless it provides ample resources for justifying the autonomy and self-governance of the community. For this task, the First Amendment is ill-suited." (Haskell’s essay appears in The Future of Academic Freedom, edited by Louis Menand and published by the University of Chicago Press in 1996.)
For our institutions of higher education to fulfill their educational mission, teachers and researchers need protections that other citizens do not require. In addition, they need affirmative authority to shape the environment in which they carry out their responsibilities. The individual faculty member’s right to pursue research and to teach without interference is, of course, not absolute. Institutions of higher education, for example, do set constraints on how research is conducted, determine who is qualified to teach, and review and approve courses before they are included in the curriculum. When such determinations are made, concerns about academic freedom and governance become closely linked.

When colleges and universities make decisions relating to teaching and research, it is essential that they make them on the basis of academic criteria and not on the basis of external political pressures or arbitrary administrative fiat. Academic freedom, in other words, requires a governance system in which faculty expertise—often residing in an individual, but also expressed at times in a collective fashion—is the determining factor in institutional decisions affecting academic matters. A system of shared governance does not guarantee that violations of academic freedom will never occur. It is possible for some faculty members to make decisions that violate other faculty members’ academic freedom. But it is far more likely that academic values, and not extraneous concerns, will guide decisions about teaching and research when faculty members make those decisions instead of people who are removed from the classroom and the laboratory.

Faculty sometimes defend the principle of shared governance by invoking the democratic principle of self-government, but the primary justification for the need for shared governance is not deference to the ideal of rule by the people. A college or university is not strictly speaking a democratic polity. Not all the constituencies of an institution of higher education are equally positioned to make sound judgments about what is appropriate or necessary when it comes to teaching and research. Consequently, the 1966 Statement on Government of Colleges and Universities, which remains the AAUP’s principal policy document on the issue, premises its defense of shared governance on the assumption that faculty ought to exercise “primary responsibility for such fundamental areas as curriculum, subject matter and methods of instruction, research, faculty status, and those aspects of student life which relate to the educational process,” because the faculty—not students, administrators, or boards of trustees—have the greatest expertise in these matters.

**Demise of Liberal Education**

The principle of shared governance may be historically grounded in notions of expertise and professionalism, rather than in the concept of democracy. Yet in the context of today’s misguided efforts to apply what is already a discredited corporate model of management to higher education, shared governance is taking on new importance as a means of trying to preserve the ideals of liberal education that are necessary for the continued vitality of our democratic society. For a democratic society to flourish, its citizens must be able to think critically, be independent minded, and have a sense of history and an understanding of the world in which they live. These have long been the goals of a liberal education.

But liberal education is today coming under increasing attack. It is no coincidence that many of those who seek to reduce higher education to a form of narrowly conceived job training are also in the forefront of efforts to replace shared governance with a corporate model of management. Advocates of a top-down management style who want to transform faculty from professionals into "employees" and students into "consumers" tend to see liberal education as a waste of time and resources, because they fail to see the immediate "payoff" of the liberal and fine arts and because they are willing to allow the "market" to determine what should and should not be taught.

In the rush to view the world of higher education as just another "industry" in the nation’s increasingly service oriented economy, proponents of a corporate model of governance often push for the development of assessment procedures that privilege quantity over quality. The "production" of degrees and credit hours soon comes to take precedence over more difficult-to-measure efforts by teachers to encourage their students to think in ways that will help them value education as a lifelong quest and not simply as a ticket to employment or status. Faculty should not oppose any and all attempts at assessment. Establishing educational goals and trying to measure one’s success in achieving those goals is certainly not an unreasonable approach at any level of the educational system. The problem arises when those not actually involved in teaching or research assume control over the
assessment process and insist on standards that are more appropriate for evaluating the production and marketing of consumer products in the business world than for evaluating the quality of education teachers should be providing to their students.

Many of those who wish to apply a corporate model of management to higher education argue that colleges and universities should treat their students as consumers whose tastes and preferences ought to drive the provision of services, rather than as individuals with minds that need nurturing and development. Encouraging students to view themselves primarily as consumers in the context of today’s values too often results in pressures for lowering academic standards. If sales and marketing become the driving forces in our colleges and universities, then student preferences to avoid courses with heavy reading assignments and strict grading standards may well result in administrative pressures on faculty to lower standards in order to maintain enrollments.

In too many of our colleges and universities today, governing boards and presidents are claiming that more "flexible" forms of management must replace the practice of shared governance so that institutions may respond more readily to the latest educational fads and the preferences of their student-consumers. Such an approach fails to take into account that there are some elements of the curriculum that have enduring value and must be preserved, regardless of the level of student "demand" at any given time.

Faculty control over curricular matters, a central element of what the AAUP means by shared governance, will not completely insulate our colleges and universities from many of the broad social pressures that challenge high academic standards and question the value of learning for its own sake. But faculty are far more likely to be defenders of academic integrity than are administrators or governing boards that rely on a managerial philosophy that considers only a very narrowly conceived "bottom line." If faculty do not retain primary responsibility for academic matters within a system of shared governance, liberal education, with its emphasis on the development of critical thinking and humane values, may eventually become an arcane concept.

It is ironic that the hierarchical model of management that has gained such prominence in higher education in recent years has actually won few supporters in the modern business world. Especially in the most dynamic sectors of the new high-technology economy, many managers acknowledge that well-educated professionals will not stay in firms that attempt to dictate policies from on high, and that such individuals will perform best in settings where collegial decision making based on expertise is the standard practice. Defending the principle of shared governance does not mean denying the need to consider efficiency in the operation of our colleges and universities, nor does it mean that existing governance mechanisms cannot be improved in a variety of ways. I think, however, that it would be fair to say that the principles and practices of shared governance that have emerged over the past century in our best colleges and universities have more relevance for businesses in the new economy than a highly questionable model of corporate governance has for our institutions of higher education.

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