

# [***Only Foundational Reforms Can Stop Universities from Playing Politics | Opinion***](https://advance.lexis.com/api/document?collection=news&id=urn:contentItem:69K4-K641-DY68-12Y5-00000-00&context=1516831)

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**Highlight:** For years we have marveled at the willingness of trustees, donors, and alumni to tolerate the politicization of American universities.

**Body**

Is the worm at long last turning? For years we have marveled at the willingness of trustees, donors, and alumni to tolerate the politicization of American universities by an illiberal coalition of "woke" progressives, adherents of "critical race theory," and apologists for Islamist extremism.

But in the past two weeks, the backlash has finally come. There has been widespread outrage at the weasel words emanating from college presidents in response to odious pro-Hamas statements by militant faculty members—such as the Stanford lecturer who made Jewish students stand in the classroom corner and declared them "colonizers"—and radical student groups, perhaps most infamously at Harvard, that sought to hold Israel "entirely responsible" for the Hamas terrorists' sadistic rampage.

In 1927 the French philosopher Julien Benda published *Le trahison des clercs*—"The Treason of the Intellectuals"—which condemned the descent of European intellectuals into extreme nationalism and racism. A century later, American academia has gone in the opposite political direction—leftwards instead of rightwards—but has ended up in the same place, celebrating political violence.

The responses of many college presidents and provosts have been as mealy-mouthed as their earlier statements following the death of [*George Floyd*](https://www.newsweek.com/topic/george-floyd?utm_source=Synacor&utm_medium=Attnet&utm_campaign=Partnerships) in 2020 or the invasion of Ukraine in 2022 were unequivocal and strident. The [*contrast*](https://twitter.com/RobertMSterling/status/1713236122870915226) between the uncritical endorsement of [*Black Lives Matter*](https://www.newsweek.com/topic/black-lives-matter?utm_source=Synacor&utm_medium=Attnet&utm_campaign=Partnerships) in 2020 and the both-sides-ism of 2023 has been especially striking. Few college presidents seemed able to declare as categorically as [*Ben Sasse*](https://www.wsj.com/articles/ben-sasse-statement-israel-university-of-florida-hamas-gaza-3cd633e2), president of the University of Florida, that "what Hamas did is evil."

Yet American higher education would not be better off if every president had issued the same statement as Mr. Sasse. What was wrong with the majority of college presidents' initial statements was not their vacuousness or moral relativism. It was that they were made at all. Having previously lined up so eagerly behind the Black Lives Matter movement, university presidents merely revealed their long-standing political bias by publishing word salads about Hamas.

They had collectively forgotten that it is *not* the job of academic administrators to opine on every political issue. As the great German sociologist Max Weber rightly argued in his 1917 lecture "[*Science as a Vocation*](https://sociology.sas.upenn.edu/sites/default/files/Weber-Science-as-a-Vocation.pdf)," political activism should not be permissible in a lecture hall, "because the prophet and the demagogue do not belong on the academic platform." This was also the argument of the University of Chicago's 1967 [*Kalven Report*](https://provost.uchicago.edu/reports/report-universitys-role-political-and-social-action): "a university must...maintain an independence from political fashions, passions, and pressures."

Why have so many academics forgotten this old injunction against abusing the power of the academy—the innate power wielded by professors over students—by engaging in political activism?

The superficial answer is that the sustained leftward drift of our universities over the past 50 years has accelerated, bringing institutions of higher learning from liberalism to illiberal progressivism. There is no pendulum. We are on a ski slope. In the name of "diversity," universities have imposed a stifling orthodoxy.

But why has nothing been done to stop this? The answer (as we have learned from bitter experience) is that nearly all forms of university governance are chronically vulnerable to this kind of capture.

There is, in almost every university, an executive branch: president, provost, bureaucracy. And there is a legislative branch: upper house trustees, lower house tenured faculty. What is lacking is a judicial branch to hold the other two branches accountable. Most universities have splendid-sounding rules protecting academic freedom, the best being the [*Chicago Principles*](https://freeexpression.uchicago.edu/) on freedom of expression. It's just that such rules are largely honored in the breach. Stanford turned out to have rules about free speech—after they were egregiously violated at the Law School. In this kind of environment, dissidents stand no chance. Not even tenure can protect professors who fall foul of the various inquisitions and committees of public safety that abound in universities today.

This is the fundamental problem my colleagues and I have addressed in the new constitution of the University of Austin, which—in addition to protecting academic freedom by a more effective mechanism than tenure—explicitly prohibits the university from taking political positions, but guarantees free speech to faculty and students alike in a "bill of rights," which a truly independent Adjudicative Panel is empowered to uphold.

For example, Article VI, Section 5, states that the university as a corporate entity cannot "express opinions on religious, political, or social issues, modify its corporate activities to foster political or social change, or take collective action, except insofar as these activities are directly in the service of its mission," which is defined as "the pursuit of truth, scientific inquiry, freedom of conscience, and civil discourse."

Individual officers and faculty members "may advocate positions on religious, political, or social issues in their capacity as private individuals," as I do here. But they "may not use their authority or their control over measures of academic achievement such as grades or letters of recommendation to exert pressure on students for reasons unrelated to their studies, such as to adopt any particular position on religious, political, or social issues."

The critical point is that, should a president, provost, dean, or professor violate any article of the university's constitution, there is a mechanism to hold them to account. That is what has been sorely lacking, from Harvard to Stanford—and even at Chicago—for far too long, just as it was lacking in interwar France and Germany, when the "treason of the intellectuals" was to get into bed with fascism.

I believe this pioneering new framework will not only uphold academic freedom and standards but also attract a new generation of students hungry to escape the suffocating conformism of the established universities.

Only when established institutions reform their systems of governance along similar lines will they cease to be hotbeds of activism. Until then, Americans who believe in the fearless pursuit of truth and the separation of ***politics*** from scholarship should direct their philanthropy to new initiatives.

*Niall Ferguson is a trustee of the* [*University of Austin*](https://www.uaustin.org)*, as well Milbank Family Senior Fellow at the Hoover Institution, Stanford.*

*The views expressed in this article are the writer's own.*

[*Link to Image*](https://d.newsweek.com/en/full/2305550/stanford-campus.jpg)

**Graphic**

Stanford campus

David Madison/Getty Images

PALO ALTO, CA - OCTOBER 2: A general view of the campus of Stanford University including Hoover Tower as seen from Stanford Stadium before a college football game against the Oregon Ducks on October 2, 2021 in Palo Alto, California.

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