tion is taken of the forceful arguments put forward in many forums and on many occasions that if free tuition had not been introduced by the Whitlam Government in 1974 the equity position would be far worse than it is today. The failure of many fees proponents to accept, or even consider, the Fraser years' conditions such as reduction in the living value of TEAS, high unemployment, reduced expenditure on public education in schools and higher education restricts the constructive debate, but this is the argument which must be followed.

Those who oppose fees need to collectively refine the arguments against fees not simply on political but on equity grounds. The political implications of fees will not be lost on Federal Government decision-makers, and those decision-makers who favour fees need to be well and truly convinced of the political ramifications. Their economic rationalist zeal does, at times, overwhelm their political and philosophical instincts. The arguments against fees for the sake of equity and subsequent economic and social development are based upon sound analysis of established facts from the 60s until the present. The arguments against fees need to be linked forcibly to the impact of either proposal on the future.

"Those who oppose fees need to collectively refine the arguments against fees not simply on political but on equity grounds."

In the meantime, students, and often their families, and institutions are faced with an immediate dilemma. The imposition of this change will have an effect upon students in 1987. In the months ahead this must be well-documented by institutions and more specifically, those who oppose the HEAC and who fear its possible implications.

If there is any short term value in the HEAC at this stage, it will be to focus attention on the inadequacy of the TEAS system both administratively and in terms of equity of application. The student income support system is based mainly on the middle income/wealthy class concept of parental support. It is based upon a limited definition of income which discriminates against employees in favour of the self-employed and others who can disguise effective incomes. The inadequacies in the HEAC application in the short term and the inadequacies of the TEAS means test as a substitute for an equitable definition of income and taxation system emphasises even further the urgent need to settle the debate.

In summary, those in the community who view the HEAC with concern and who fear the escalation of the HEAC into a full-on tertiary tuition fee, should document experiences with the application of the HEAC, mount constructive pressure to remove the long-standing anomalies of the income support system because of its effect upon the application of the HEAC, and renew the education process upon those who live under the illusion that tuition fees equal equity and access.

Courtesy West Australian

Privatisation and academic freedom

Bob Bessant
La Trobe University

The integrity of the scholar would be under attack if he were told what he was to think about and how he was to think about it. It is of the most vital importance of human progress in all fields of knowledge that the highest encouragement should be given to untrammelled research, to the vigorous pursuit of truth, however unorthodox it may seem. It is for this reason that in Australia we have established the autonomy of universities, and have so far as I know, and I hope I am right, consistently refrained from interfering in their work with what I will call political executive direction.

From the Wallace Wurth Memorial Lecture of Robert Gordon Menzies, University of New South Wales, 1964.

. . . professional responsibility is fundamental to the successful maintenance and development of our higher education system. For example, tenure has important benefits in promoting academic freedom and, in particular, the fearless pursuit of the truth — an essential characteristic of scholarship and excellence. Market forces and the elimination of tenure are designed to use fear as a means of ensuring performance, and to that extent act against scholarship and long-term academic standards.

Hugh Hudson, Chairman CTEC, opening Borchardt Library Stage III, La Trobe University, May 1986.

An education sector based on commercial principles, which had to market its courses and attract paying customers, would be a breath of fresh air in Australian education.

Australian (Editorial), 5 September 1985.

The tradition of academic freedom in Australian institutions of higher education was brought to the Australian colonies by the early progenitors of the British cultural tradition in this country. In its most liberal sense it was a tradition that demanded a tolerance of a range and diversity of approaches and opinions within an institution. In fact it could lead to positive encouragement of unorthodox opinions, and was linked with the assumption that these could be advocated without fear of persecution or reprisal. At the same time it was recognized that the academics and the institutions had a responsibility to society to be critical of accepted knowledge and practices in such a way as to benefit that society. With this went the belief that staff would be appointed on the basis of qualifications for the position rather than because of favouritism or politics, race, religion etc. Of course there was one very important proviso in all this, i.e. this was applicable within the parameters of the British cultural tradition within British capitalist society.

This tradition demanded a certain interrelation between three levels within the university environment on which the functioning of academic freedom depended —

1. the freedom of the individual teacher to teach without fear or favour
2. the ability of the teacher to influence the institution on academic matters, and
3. the functioning of the institution free of outside control or interference.

In the first 100 years of universities in Australia the academic's main problem in this particular respect related to the second of these three levels of interaction.

The Universities of Sydney and Melbourne had been established in the 1850s modelled on the English and Scottish examples, yet different in several aspects. One area of significant difference for this article concerned the powers of the university councils or senates. Whereas in British and European universities there was a long tradition of internal self-government with which was associated various rights and privileges, the Australian universities had no such local tradition. Academic staff naturally tried to apply the British and European traditions to the Australian scene, but this was difficult due to the manner in which these universities were established and also because of the lack of the development of any close relationships with their local communities.

The Acts which led to the establishment of the universities in each colony gave the ultimate power in university decision making to the senate or council composed of lay members appointed by the colonial governments and in the early days with no representation from the academic staff. Conflict on academic and financial matters between professors and senate or council was common. Professors of the University of Melbourne made many attempts in the early years of that university to broaden the curriculum and to abolish the compulsory study of the classics, but the council of the university resisted this until in 1880, after a protracted battle, the council approved science subjects being included in the matriculation examination.[1]

"Accusations that university teachers expounded 'outmoded and useless knowledge' were common."

Lack of academic autonomy went with a lack of community support and little understanding of a university's traditional role. This was reflected in the failure of the colonial universities to attract any substantial grants from private sources which forced them to rely heavily on the colonial and later the state governments.[2] At the same time there was often hostility and suspicion expressed in the press and parliament towards the universities. They were seen as the playgrounds for the sons of the idle rich by members of the labour movement,[3] and even Australian conservatives were quick to criticise grants to the universities and to demand 'value' for their money. Accusations that university teachers expounded 'outmoded and useless knowledge' were common.[4]

This background of state control exercised through the university councils and the lack of sympathy with university ideals in the community made it a difficult task for academic staff to establish a tradition of academic freedom and academic authority in matters of teaching and research.

During the late 1930s and the 1940s Australian universities underwent a

dramatic change in their situations. In 1940 there were 12,126 university students. By 1948 there were 32,453. The Universities of Sydney, Melbourne and Queensland nearly trebled their student numbers in this period.[5] There was a further period of very rapid expansion in the late 1950s and 1960s which went with the establishment of several new universities.

Before this expansion Australian universities were made up of very small departments (a professor plus two or three lecturers) largely devoting themselves to teaching and with little emphasis on research. By the 1950s and early 1960s there were many large departments often consisting of several academics with considerable standing in their own fields who were able to devote much of their time to research.[6] In fact the research function had grown in this period to such an extent as to overshadow, in the minds of many staff, all other functions of univeristy work. Australian academics had discovered their colleagues in other Australian universities and a 'national academic community' had developed together with the publication of academic journals and the staging of national conferences.[7] These activities were also slowly introducing Australian academics to their colleagues in other countries.

These changes went with a raising of the standards for the honours degrees and an endeavour to [illegible] the scope of university courses and studies. But in these activities the academic staff frequently came up against the ultimate decision making powers of the university councils or senates. This was particularly frustrating for many of the new staff who came from Britain and North America,[8] who found their lack of influence in university government hampering their ability to carry out their teaching and research as they wished. Clashes between council and academic authority became frequent.

The most significant single event to influence this conflict as well as the general climate of academic freedom in Australian universities was the 'Orr Case'. Much has been written about this *cause celebre* which involved the staff and council of the University of Tasmania. In October, 1954, an 'Open Letter to the Premier' of Tasmania calling for an enquiry into the affairs of the university was drafted by the Professor of Philosophy, S.S. Orr, and signed by himself and a majority of university staff members. Amongst other things the letter said that a university —

> . . . *means further that members of the academic staff are not servants and students not children, and neither can be, nor should be, treated as such . . . It is self evident that the Council of the University of Tasmania, as a result of apathy, neglect and maladministration over recent years, has failed completely to discharge its most vital duty to the Government and the people of Tasmania of maintaining the traditional ideals of, and essential prerequisites for, a Univeristy.*[9]

This action was a direct challenge to authority of the Council of the University of Tasmania and led to the Tasmanian government appointing a Royal Commission in 1955 to examine the affairs of the university. The Report of the Commission was devastatingly critical of the administration of the university. Amongst other things it recommended measures to make the academic view heard on the University Council and pointed out that there had been several notable instances where the Council had overriden the professorial board on academic matters.[10] The severely censured university administration remained in power and Orr and other staff members became active in working for the announcement of an early date when the then council members terms of office would expire. From that time dossiers were kept on the activities of Orr and other staff by the university administrators leading to charges being laid against Orr in March, 1956 and resulting in his dismissal by the Council of the University.[11] Orr appealed against his dismissal to the High Court which upheld the Council's action.

"Financial support was given to Orr and his vacant chair was declared 'black' by Australian philosophers. It was not filled for eighteen years."

In all the literature on the charges made against Orr and the subsequent court hearings, it is clear that the case would never have arisen if Orr had not been one of the main activists behind moves leading to the Royal Commission into the university. The University Council was seeking to maintain its authority over the academic staff. Orr's fate was to be an example to others. If the University Council had been able to sustain this approach it would have had disastrous ramifications for academic freedom in Australia. But while Orr did not regain his post, the case did more than anything else in this period to bring the Australian academic community together. Financial support was given to Orr and his vacant chair was declared 'black' by Australian philosophers. It was not filled for eighteen years.[12] The reputation of the University of Tasmania was seriously undermined and the difficulties that the university had in the following decade in recruiting staff were a salutory lesson to the councils of the other universities.

At the national level during the fifties and sixties official government policy supported the growth in status and prestige of the universities not only by the injection of massive funds for university capital works, but also with the active and enthusiastic interest of the Australian Prime Minister, Robert Gordon Menzies. Menzies had a clear view of the functions of universities based firmly on the British university traditions.[13] It was Menzies who during the controversey over the Orr Case announced the establishment of a wide ranging committee of enquiry into the future role, finance and functioning of the Australian universities. He invited Sir Keith Murray (chairman of the University Grants Commission in Britain since 1953) to head the investigation. The Murray Report which followed was a reaffirmation of faith in the practices and traditions of the British universities, and took it for granted that these could be applied to the Australian universities.[14] As a result the members of the committee affirmed their faith in the ideal of academic freedom as well as highlighting the lack of academic involvement in the functioning of the Australian universities. The committee proposed a more prominent role for the vice-chancellors as the academic leaders of the universities. It sensed a growing 'dissatisfaction' with the government of the universities 'which if it persists will do serious harm to the morale of the academic community'.[15] It pointed out that the important decisions on university finances and administration were made with little or no discussion with the academic staff and suggested that means would have to be found to bring the academic community into this decision making process.

> . . . *there comes to arise . . . not a natural unity of governing body and academic, but a natural disunity, and almost a natural state of tension. If the Professorial Boards had more vigour there would be conflict; but in too many cases there is no conflict only because the Professorial Boards have lost hope.*[16]

One of the main means of bringing the academic staff into the decision making process was seen to be through elevating the status of the vice-chancellors. These were usually only the executive rather than the academic leaders of the universities. They were seen as part of the policy making council or senate. The Report suggested that the vice-chancellors should become chairmen of the professorial boards and thus be made to feel personally responsible for explaining the decisions of those boards to the senates or councils.[17]

This Report, together with the growth in the status and confidence of the Australian academic community, had made it possible during the 1960s for university staff to exert a significant degree of influence over the academic affairs of the universities. In most cases vice-chancellors came to assume an academic as well as administrative role and chaired both academic and council committees. By the end of the decade university councils had virtually ceased to interfere in academic affairs. Decisions on staffing and promotion, degree programs and courses of study were, in practice, taken by the professorial or academic boards. While these had to be ratified by the councils or senates under the terms of the university statutes, this had become a formality. A clear division of responsibilities between the governing body and the academic leadership of each university had been developed.

". . . by the 1960s, the freedom of academics . . . to practise their teaching and research untrammelled by interference from individuals or organisations within the university was established and accepted."

As a result of these developments outlined above by the 1960s the freedom of academics within the universities to practise their teaching and research untrammelled by interference from individuals or organizations within the university was established and accepted.

However, at the same time, that freedom which universities had had in Australia to act as autonomous institutions without outside control and interference (a freedom more due to the isolation and seeming irrelevance of universities to the mainstream of Australian life rather than to any positive effort on the part of the universities) was becoming increasingly under attack. The growth of federal and state control mechanisms over institutions of higher education has been documented elsewhere.[18] By the 1980s federal involvement in university affairs had become so well established that federal guidelines had come to dominate every facet of university life, including teaching and research.

Nevertheless, a measure of academic freedom still remains, albeit tenuous and under attack. The academic is still free to research in the area of his/her choice (but if she/he wants funds he/she will have to watch those federal guidelines), and is generally free to teach a course of her/his choice (subject in some states to the approval of the state controlling bodies). The academic is free to comment publicly (critically or otherwise) in the area of his/her expertise without fear of reprisal. Nor have there been many recent examples of university councils/senates overriding the wishes of academic/professorial boards on academic matters.

Recent developments could change all this.

[redacted]

Privatisation has been a popular catch cry of the Right in politics since the Thatcher government began selling off the national estate to private investors in Britain at bargain prices in order to raise the revenue necessary to bring down taxes before the next British election. The argument for privatisation in relation to education rests on at least two assumptions. Firstly, that private ownership and/or participation in education is more efficient, more cost effective and more likely to achieve results than government control, and secondly, that the demands of the 'market' and the 'community' should override all other considerations in relation to the functioning of an educational institution. A leading exponent of market incentives for higher education, Professor Peter Standish, in a recent address sketched out this scenario for the privatisation of higher education —

> *The basis of a market-based system must be that users pay for the course of their choice at the institution of their choice. For purposes of political acceptability, this would probably best be achieved with a voucher system. Whatever arrangements may be made for subsidisation of fees, whether on the basis of academic merit or means-tested needs, must not stand in the way of a direct purchase of the service by the consumer. Without this occurring it would not be possible to achieve specific market signals of consumer preference.*
>
> *The pricing of tertiary education products should be set on the basis of what the market will bear or, in other words, by reference to the value conferred on the individual by the course and its resulting qualification . . . Rates of pay offered by the academic institutions need be no more than required to attract staff of the requisite calibre. For those areas in which sackloads of applications are currently received for every advertised position, it is clear that existing pay scales are unnecessarily high . . .*
>
> *Academic units would in effect become the counterpart of strategic business units, having substantial responsibility in regard to recovering costs. Since units would be responsible for marketing their programs and setting prices, they would be expected to cover all costs over a reasonable period, e.g. a triennium. Persistent loss-making should be accorded the same fate as commercial unprofitability and insolvency . . .*
>
> *The academic tenure system operates as an immovable barrier against redeployment of academic resources across the frontiers imposed by discipline boundaries. As a consequence, possibilities for responsive management are severely curtailed. In times of rapid change, the tenure system, along with villeinage, advowsons, and other feudal relics, has outlived its usefulness.*[19]

"There are close parallels between the campaign for 'community involvement' in schools and the demands emanating from senior federal public servants and the business community for higher education institutions to respond to the demands of 'market forces' . . ."

For the elementary and secondary sectors in Australia privatisation has been popular and practised long before the Thatcher government came to power in Britain. Since the early seventies successive governments at both federal and state levels have been encouraging the growth of private schooling at the expense of the government sector, with the result that private schooling has expanded significantly both in student enrolments and in facilities and schools available. In recent years government schools have closed while private institutions have been constructed, often in the same localities largely with the aid of government grants. While government schools have not been sold off to private investors, the effect of government policies is the same — privatisation.

Developments in Victoria have highlighted another approach to the privatisation of schooling. This goes under the general heading of 'community involvement'. The Victorian government's recent 'proposal' *Taking Schools into the 1990s* outlines an important step towards the

privatisation of state schooling. While it envisages the Ministry of Education retaining firm control over the general directions of curriculum, finances and teacher involvement, it provides for the funding of schools on the basis of a single grant which will be used to finance virtually the entire functioning of the school. The school councils will be able to determine curriculum, select teaching and ancillary staff, pay staff salaries, approve all staff leave, employ emergency teachers, undertake major works projects, select and purchase all school furniture and equipment etc.[20] Under the slogans of 'accountability', 'community involvement', the schools are to be handed over to local community representatives. It will in fact be a continuation of a long standing historical process whereby the private schools are seen as the yardstick by which the state schools should be measured. The Ministry is also considering calculating the grants to be paid to schools on a per capita basis — those schools which attract the most students will receive the highest grants. These proposals, if implemented, will narrow the gap between the functioning of private and state schools to such an extent that the task of fully privatising the state schools will be a very easy one for any future non-Labor government.

One of the important assumptions which has been obscured on the Victorian government's 'proposal' for the 1990s is that decisions relative to curriculum will be taken out of the hands of the professional educators (teachers) and vested in the school councils. This is the crux of the 'accountability' argument — the assumption being that curriculum will then become more relevant to the needs of the local community. Teachers will not only lose any autonomy they have in this respect (in fact they have had a great deal in Victoria since the early seventies), but will be subject to increasing pressures to conform to the ideas of local pressure groups. For the state school teacher privatisation of schooling will mean a loss of academic freedom and professional autonomy.

There are close parallels between the campaign for 'community involvement' in schools and the demands emanating from senior federal public servants and the business community for higher education institutions to respond to the demands of 'market forces' by charging fees, abolishing tenure and engaging in entrepreneurial activity which would attract more foreign students to Australian institutions or to their offshoots overseas. In both situations the assumption is that performance of the institutions of education in Australia is to be measured by 'market forces' and/or 'community involvement'. How much money will it bring in? How many clients will it attract? In the same way the performance of the teachers/academics will be assessed by how many students attend their courses or how relevant are the research programs seen to be to the needs of the market or the local community.

". . . without some form of job security academic freedom cannot exist."

In both situations what is under threat is not only all courses of study and research programs which cannot be seen to be 'relevant' to the perceived needs of the contemporary Australian capitalist society, but also the positions of the teachers/academics who cannot perform to market requirements or whose field of expertise is considered 'irrelevant' anyway. The logical extension of Victorian government's 'proposal' is contract teaching (as in the private schools), and this has its parallel with the calls to abolish tenure in higher education.[21] Both mean an end to academic freedom, for without some form of job security academic freedom cannot exist.

In his recent address at La Trobe University Hugh Hudson put it this way —

> *. . . not everything in our society is measured by gross national product . . . Economic considerations may be important in creating the possibility of a civilised existence, but they can never provide the essential characteristics of civilisation. Furthermore, the market is not necessarily a good protector of quality — good PR and advertisement can normally maintain a demand for a shoddy product. In addition market signals may be outrageously inappropriate in assessing longer-term requirements and needs.*[22]

How are the three levels of interaction necessary for the function of academic freedom outlined at the beginning of this paper likely to be affected by these current moves towards privatisation? Clearly the first and third of these levels would be under threat, i.e. freedom to teach without fear or favour and freedom from outside interference with the institution on academic matters.

It would seem most unlikely that tenurable positions would be offered at Bond's University! Nor is it beyond the bounds of possibility that a private institution could be influenced by some foreign government or company in matters of student and staff selection, course content and research in return for financial support with obvious implications for academic freedom.[23] However, of more significance for the existing institutions of higher education will be how these institutions respond or are forced to respond to the pressures towards 'market forces' objectives. If most institutions fail to react it is conceivable that present or future governments may well institute changes in staffing, courses of study and research allocations which by the power of the purse, or other means (see below), force universities to give preference in these areas to that which is oriented towards the demands of 'market forces'. For example for a federal government concerned with cutting costs it could be an attractive proposition to make government research grants dependent on matching grants from private sources. This would force a change in the direction of research effort to those projects which the private sector could see to have direct and immediate pay offs. This would be an end to the funding of basic research. At the same time academics in the humanities, core sciences and social sciences would be under pressure to justify their existence because of the lack of obvious relevance of their research and courses to the needs of industry and commerce.

To quote Professor Standish again —

> *. . . it would be necessary for academics in the core arts and sciences to think more pertinently about what their courses are intended to achieve and what instrumental skills (e.g. effective report writing) could usefully be cultivated in their students for later career purposes.*

Of course this whole scenario is based on the assumption that the private sector would be interested in funding research. Historically there has been very little input from this sector in encouraging or financing research, with most companies content to rely on picking up the results of research in North America and Europe and applying them to Australia with considerable cost but with little effort on their part.

We already have significant precedents for outside interference in the academic affairs of tertiary institutions with the recent directives regarding the employment of women, and the preference in the allocation of research funds to be given to researchers working in teams and under thirty five years of age. We can also expect more fixed term appointments ostensibly on the grounds of providing staffing flexibility to the institutions, but in reality increasing the use of 'fear as a means of ensuring performance', the very antithesis of academic freedom.

It is in the second level of interaction, i.e. between councils/senates and academic staff, where further political intervention is most likely to occur. A return to pre 1960s relationships between university councils/senates and academic staff is not possible, given that most of the controlling bodies of institutions of higher education in this country still retain a significant number of political appointees, as well as 'representatives' of local communities or specific interests. Strong political pressures on these councils/senates could lead to a whole array of measures regarding appointments, tenure, courses and research which would bring these bodies into head-on conflict with the academic staff. It was shown earlier in this article that the tradition of academic authority in these matters goes back little more than twenty years. A challenge to that authority is not beyond the bounds of possibility given the current ascendancy of the 'New Right' in politics and its influence on existing political parties.

Institutions of higher education and their staff are not altogether blameless in this push towards privatisation and all the threats to academic freedom that it implies. In 1978 I wrote in a paper —

> *One of the major problems which will face Australian universities and their staffs [over the next decade] is their deplorable public image which has made it so much easier for governments to institute controls and to cut funding. The hostility towards universities which has always been part of the Australian scene has surfaced in recent years. While it is convenient to dismiss this as simply part of the general anti-intellectualism which pervades Australian life, university staff have done little to convince the Australian public that they are concerned with Australian problems and can make positive contributions to community welfare.*[24]

". . . ignoring the local scene is not going to help the cause of academic freedom in Australia."

While most universities have few problems convincing the public of the value of the credentials they can offer their students, the research side of the work of universities is not generally understood by the general public. Universities are seen as teaching institutions rather than institutions of teaching and research. This is partly the result of poor public relations and the historical tendency for universities in Australia to be isolated and remote from the Australian community. It has also been assisted by the failure to publicise the positive results of university research which has, in itself, been hampered because too many academics are not concerned with or interested in the problems of this country. Too often we see our colleagues intent on researching historical, literary, scientific, environmental aspects of other countries. Present study leave arrangements in most universities offer financial inducements to academics to spend their study leave overseas, and little help for those who wish to carry out research in Australia outside their own state. These arrangements are a direct incentive to academics to orientate their research away from Australia. Anyone who has been on appointments, promotion, tenure committees can attest to the high value placed on overseas experience/degrees/referees etc. and the low regard for Australian equivalents.

Of course no one wants universities to go to the other extreme of becoming dominated by the provincialism apparent in many North American institutions. Nevertheless, ignoring the local scene is not going to help the cause of academic freedom in Australia. Universities need enlightened public support for their research endeavours, both financially and politically, but this will only be achieved if they are seen to be interested in local issues which would obviously be helped by relevant research in other countries. With informed public support there would be few problems for academic freedom. Without this it could disappear overnight, given the scenarios being put forward by the advocates of privatisation in this country.

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14. *Report of the Committee on Australian Universities* (Murray Report), Canberra, 1957. See in particular pp. 7-11.
15. Ibid., p. 94.
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17. Ibid., p. 96.
18. See B. Bessant, 'The Erosion of University Autonomy in Australia', *Vestes*, 25, 1, 1982, pp. 26-33.
19. Presidential Address, Professor Peter Standish, to Accounting Association of Australia and New Zealand, Annual Conference, November 1985.
20. Ministry of Education, Victoria, *Taking Schools into the 1990s*, A Proposal from the Ministry Structures Team, June 1986, p. 10.
21. With the Victorian government's 'proposal' teachers would still have to be selected from Education Department employees. However, the pressures to employ 'outsiders' on contract terms are built into the whole concept of school 'autonomy'.
22. Hugh Hudson, speech at the opening of stage III Borchardt Library, La Trobe University, p. 5.
23. This point was made by Senator Susan Ryan, Minister for Education in the Federal Government, in a speech to the Export of Education Services Conference, Canberra, October 1985.
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