Libor Benda: Akademická svoboda jako filosofický problém[1]

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Academic Freedom as a Philosophical Problem

Truth, Justice and Professional Responsibility

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What is academic freedom? We all think we know the answer – particularly when we are not actually being asked the question. Academic freedom seems so familiar to us now that we take it for granted. We assume it will be here forever as a 'legal constant'. But like Libor Benda, I think there is a deficit here. For not only is the term academic freedom far from unproblematic but the traditional arguments wheeled out in its defence do not always suffice (especially in the complex situation academia finds itself in today). Benda's work is a timely challenge for us to discuss and rethink the 'notion of the university'.

Contemplating, analysing and interpreting our academic existence leads us to many thought-provoking and highly relevant problems that philosophy is best placed to tackle in an interdisciplinary fashion, in collaboration with law, history, sociology, economics, anthropology departments and so forth. These problems include the nature of intellectual work and the academic profession, academic culture and identity, academic norms and values, the issues of autonomy and self-governance and the relationships between knowledge and education and teaching and research that lie at the heart of academic life. Behind the problems of academia lurk the main problems of modernity and the current era, especially the Enlightenment and its legacy. And here the key problem for the information or knowledge society is the means of 'knowledge and education production'. One way or another, these have long been the concern of philosophy of education, social and political philosophy, ethics and other areas of philosophy.

One philosopher who contemplated the academic world, including the problem of academic freedom, was John Dewey, a founder of the American Association of University Professors (1915). The association issued several statements and declarations (1915, 1940, 1994) setting out its basic principles. These had global reach in the academic world for they drew on Humboldt's early nineteenth century German initiative, modifying it for the twentieth century. Dewey was interested in the 'professorial' freedom of the academic profession. As president of the association he strongly advocated for the professional rights of professors and for

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their involvement in university governance and the practical decision-making concerning the processes and results of their work.

Libor Benda does not mention Dewey in his book (his name does not even appear in the index), but his approach to analysing the complexities of academic freedom is both similar and compatible. The two scholars view academic freedom in relation to other issues – primarily key issues regarding the character, substance and point of academia generally. As we all know, Dewey defended academic freedom in terms of the need for democracy in education, which he understood to be a matter of way of life, in this case 'life in school'. Academic freedom –described as a 'very fragile concept' by Benda (pp. 24, 37) – is a fundamental part of academic democracy and so both these things need to be continually shaped (and maintained) to ensure that they reflect (but also can critically respond to) the changing conditions. Benda, like Dewey, is not content with a merely political concept of academic freedom (the current variations of which are adeptly analysed and rejected in chapter 2 of the book), but develops a professionalised concept of academic freedom that is an integral part of the academic profession (outlined in chapter 3). This concept is both the core of Benda's work and his main contribution. It also allows him to perform an artful analysis (albeit on a small area) of the historical evolution of the traditional concept of academic freedom (in chapter 1). His history of the university covers both the defence and development of the university as well as the threats and repressions thrown in its path. Benda quite rightly points out the twists and turns in the history of the university, and these show that in practice 'genuine' academic freedom has never fully existed, not even when guaranteed in law. His analysis of other problems shows that simply seeing academic freedom as freedom of speech and intellectual freedom has never sufficed.

Benda therefore suggests that the focal point should be elsewhere: academic freedom is not just about thinking or expressing views but also about academic practice(s), the conduct (of one's profession), the professional post and all the academic work associated with it (pp. 46–55). Thinking of it in these terms allows us to go beyond the mistaken view that academics have 'exceptional privileges', because academic freedom is a wholly naturally part of academic work (like any other professional work) and is subject to its own (academic) norms and rules and standards and criteria. Academic freedom (just like any other) does not exist outside those norms and standards. Benda defines academic freedom as a 'set of professional privileges that lay down the conditions under which academic workers are capable of carrying out their academic profession without constraint, with integrity and in accordance with the standards and norms' (pp. 49–50). Academic freedom is related to the goal of academic work that it enables and that is 'to contribute impartially to the creation of knowledge' (p. 52); it is linked to 'the essence and fulfilment of the academic profession'; its function is to 'provide the conditions under which academic workers can responsibly and freely carry out the pro-

fessional duties placed upon them by their academic profession – in full keeping with academic standards and norms' (p. 54). This simply means that all professionals (not just academics) have the 'right to decide how they carry out their work and how they handle their professional responsibilities' (p. 51). This approach raises the question of whether 'academic freedom is necessary for carrying out the academic profession and therefore an entitlement'– a key question addressed by Benda separately (pp. 55–65) – which does not seem quite so ultimate and has an entirely rational answer. It is of course essential for the academic and the institution to fulfil their mission, be that epistemic (the production and transmission of knowledge and learning) or broader and societal (creating and cultivating the good of society). Here truth and justice are not positioned against one another; academia has a social responsibility towards both, but the way in which it functions has to be grounded in professional freedom and its norms.

Academic freedom is perhaps most commonly conflated with general freedom, with academic freedom being seen as the specific application of general freedom to the academic sphere. Benda correctly observes, however, that the democratic notion of freedom cannot be used to define or justify academic freedom in research and teaching. Unless we specify the type and nature of academic work, it is not clear why academics should have this privilege both as citizens speaking in public and within their profession, while other professions do not (pp. 42–46). Academic freedom does of course entail freedom of speech, but it cannot be reduced to it. Similarly, 'intellectual' ('mental') freedom as freedom of thinking (creativity and critique) is unquestionably part of academic freedom. Academic freedom includes the freedom to decide the goals and methods by which academic work is performed, which is in fact the freedom to act and self-manage (pp. 50–52). Complete academic freedom also has to include the practical aspect of academic work.

Positing freedom as an integral attribute of academic practice and academia requires us to articulate a philosophical concept of academia which demonstrates that the one cannot exist without the other. Therefore we are not interested in the 'elite status of academia' (p. 55), but in understanding and defending this authentic concept of academia. The author embarks upon this task (albeit hesitantly in places) and considers the two main functions of academia: the epistemic function and the social function (p. 57). Freedom can only exist where it is a means of satisfactorily fulfilling these two functions, that is, the authentic mission of academia. It is a mission that can quite easily be articulated more broadly – as a cultural and civilisational mission. Put simply: universities exist to cultivate and civilise humanity in all its aspects (not merely the epistemic side, but also the ethical, political, etc.), and that can only happen when academics have the guaranteed internal and external prerequisites for carrying out their duties and functions. Academic practice is an essential societal practice. Each and every attack on its authenticity – for example the distortion of academic freedom – interferes with its mission. Hence

we should agree with L. Benda, who throughout his book calls for the authenticity of academia to be defended (preserved) and, in that sense, for a balanced approach to conservatism and transformationism of any kind.

The focal point of the current philosophical debates on academic freedom is undoubtedly the dispute over its political and apolitical conceptions. Benda has chosen to analyse the relevant 'ideal types' – Judith Butler's work on the one hand and Joanne Williamson's on the other – and despite criticising and rejecting them quite rightly acknowledges their merits.

On the one hand there is a group of authors for whom academia is quite definitely a political institution that fulfils its political mission and for which its freedom is merely a variation of political freedom, or part of the societal conditions generally. Academic freedom is subordinated to political freedom and it is pointless or hypocritical to pretend otherwise. Academia cannot exist outside politics, especially when politics is threatening or trying to shackle it. Academia's role in the struggle for democracy is unique, not just on the intellectual level but in social and political practice as well. Academic institutions are not isolated islands that can develop their own internal democracy independent of the character of society, the state and politics. Academic freedom includes political engagement and the duty and responsibility towards society to advocate the modern ideals of freedom, justice, progress and humanism.

On the other hand there is a group of authors that rejects political engagement in the name of these modern ideals, considering it incompatible with academic freedom. Instead these authors believe that academic freedom should be based on the pillars ('intellectual virtues') of autonomous reason, secular truth, value neutrality, criticality, objectivity, impartiality and detachment and so on. Its internal mechanism should be free and open discussion, similar to the market mechanism, a kind of 'market of ideas', academic competition in which truth, quality and rationality are effectively enforced. It also relies on the original idea that academia stands outside politics. It is not just that academics are not politicians and cannot present themselves in the same way, but that political viewpoints and currents that would dominate over academic identity should not be allowed to enter academia. Academic culture is not the same thing as the political culture in the state.

Benda is well aware of the complexity of the problem, and does not argue in favour of either 'paradigm' of academic freedom. He thinks the first blurs the line between academia and politics, which is risky and possibly even really dangerous, while the second absolutises and isolates academic practices, which makes it naïve and unrealistic (p. 99). His thinking is that academic practices cannot be entirely 'cleansed' of politics (academic or other) and that both discursive extremes are unsustainable. The key to resolving the dispute is to focus on the 'professional status of the academic profession' (p. 105) and propose a 'viable alternative' that

respects both academia's social and political mission and authentic academic practices (p. 108).

In my view Libor Benda is heading in the right direction when he links his concept of academic freedom with the concept of academia generally and with the issue of the 'demarcation' between the academic world and the non-academic world or the world 'beyond academia': 'The definition of "academia" is therefore of critical importance as far as the problem of academic freedom is concerned…' (p. 113). The problem of justifying academic freedom is therefore also the problem of the design of academia as an institution. Of course, academia itself is not a static term, but Benda immediately embarks on his second step in the right direction by focusing on the concept of academic practice(s) – thereby taking inspiration from Kuhn, Merton, the Edinburgh School of the sociology of science and ultimately even late Wittgenstein – and ends up viewing academic existence not just as a 'social game' but as a 'life form' (pp. 113–119). The problem regarding the design of the institution of academia is also the problem of the philosophical concept of creative academic practices. Academia, the institution which is supposed to reflect this term in its structure, system of governance and functions, has to enable and support the development of these practices in the first place.

The logical and legitimate outcome of this approach is the 'professional concept of academic freedom'. For the sake of accuracy, I should note that this term was not 'invented' by Benda. It first appeared as a principle for defending the professional work of academics in the Declaration of the American Association of University Professors (1915). Since then it has taken root mainly in the American academic world. Benda's description of professional academic freedom draws inspiration from the concept of scientists' 'formative aspirations' taken from the work of the sociologists H. Collins and R. Evans and also, somewhat inventively, the work of Merton and Popper (pp. 118–123), as well as S. Fish (pp. 126–132). I think it is a fruitful approach for more detailed conceptualisation and analysis of the real-life academic practices (of researchers, teachers, managers etc) as the core of academic life. As far as the essence of the 'academic' is concerned, however, we need to focus on the creative aspect of these practices.

In recent decades the academic world has undergone such a massive transformation globally that we can no longer be absolutely sure of the principle of academic freedom. Benda identifies these aspects as the 'sneaky' dangers of 'academic capitalism' – 'managerialism', external financing and productivity pressures, time pressures, 'the McDonaldisation of the university', the roll-out of performance and excellence criteria and so on (pp. 19–21, 38–39). Resolving these problems with our academic existence would require philosophers to engage more forcefully with the issue, critically analyse it and argue in favour of both defending and literally rescuing authentic academic values and principles, such as

academic freedom. Libor Benda's work gives us robust material for this endeavour. I strongly recommend this book to everyone who cares about our shared academic world.

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"Homo homini hominus" or an Inquiry into "Human" Humans[1]

Emil Višňovský: Spytovanie sa na človeka [An Inquiry into Humanity]
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Experts today are highlighting the fact that human society finds itself on the threshold of a new "human epoch", the *Anthropocene*. The Anthropocene can be variously characterised, most obviously in terms of the exponential growth of technological development, from "machine learning" in artificial intelligence to "genetic engineering" in biotechnology. The exponential growth of development has meant that technologies are becoming an integral part of human life. Hence the need to ask anew the old philosophical question: *Who is man?* In the context of these technological advances this question is not just acquiring new meaning but becoming increasingly urgent. And it is addressed in Emil Višňovský's *Spytovanie sa na človeka* [An Inquiry into Humanity].

In the book, this question is posed on the *normative plane*. It consists of three key sub-questions: *What value do humans hold for other humans? What value do people have for one another? What value does human life hold in today's info-techno-culture?*[2] Višňovský's book is therefore primarily about the relationship humans have with themselves, other humans, and the natural and cultural worlds. In today's technological era there is a need to clarify the *value* of these relationships.

The monograph is divided into six chapters, or studies, that examine "philosophical and anthropological thinking about humans in today's world, where one of the

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2 Višňovský, E., *Spytovanie sa na človeka* [*An Inquiry into Humanity*]. Bratislava, Univerzita Komenského 2020, p. 11 (hereafter *Spytovanie sa na človeka*).