

SUBMISSION TO THE SENATE EDUCATION, EMPLOYMENT AND WORKPLACE RELATIONS COMMITTEE: INQUIRY INTO ACADEMIC FREEDOM



AUSTRALIAN LIBERAL STUDENTS' FEDERATION

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EXECUTIVE SUMMARY

The Australian Liberal Students' Federation (ALSF) thanks the Committee for the opportunity to make a submission pertaining to the position and preservation of academic freedom in Australia.

The ALSF has an integral role in advancing and protecting student rights at a tertiary level. Thus far, the Federation has made a significant impact on the debate surrounding academic freedom on campus and in the media, in an attempt to ensure that students receive the quality of education that should be afforded to all Australian students.

The ALSF asserts that students' entitlement to freedom of inquiry as a cornerstone of academic progress is under threat from university bureaucracies and over zealous tenure arrangements that insulate those in academia from the scrutiny of their peers and pupils. The status quo has consequently failed to provide adequate methods of recourse in preventing prejudice, conversely the situation facing universities is one where incidents of bias continue to radically increase in the classroom.

Hence, to encourage the contestation of varying discourses and dissertations in higher education, reforms to university policy are needed. The ALSF envisages such reforms at individual universities to adopt a charter of academic rights that include the following:

- ***An overhaul of curricula that will provide alternative and dissenting sources in courses and their corresponding materials that have inherently ideological, political or cultural tones;***
- ***A quality control mechanism to ensure that course materials present an adequate spectrum of views relating to the subject matter being taught***
- ***Guarantees that academics are hired without consideration of their political affiliations and the inclusion of clauses in employment agreements that render any form of bias initiated on their part in the classroom as an automatic disciplinary offence;***
- ***Research funding allocations for guest speakers and academic papers to be made on the condition that it fosters pluralist perspectives on issues of importance; and***
- ***The adoption of policies to allow for all students' assessable tasks to be marked by blind and double marking.***

CONTENT OF CURRICULA

Much of Australia's education system is dominated by left-wing curricula. The extent of union influence in Australian universities has been borne from the creation of an enduring campaign of their own initiation to influence education outcomes. As a result, the Australian Education Union's legacy, as its President Pat Byrne declared, has been to create a curriculum that seeks to shape the political views of its students:

"We have succeeded in influencing curriculum development in schools, education departments and universities. The conservatives have a lot of work to do to undo the progressive curriculum."¹

These statements coupled with contentions by academics that university lecturers cannot be expected to balance courses by teaching other theories, as it is not within their expertise, have led to the erosion of delivering qualitative and quantitative courses to Australia's universities. The heavily unionised faculties relating to education have been proactive in providing insulation for academics in respect of comments made to their students and in their overall conduct at universities due to the preponderance of academics with leftist leanings being engaged in these fields.

CONTENT OF COURSE MATERIALS

The Federation has encountered numerous examples of biased course materials through aggrieved students expressing their frustration at what appear to be one-sided reading guides and learning outcomes. Many courses in the humanities and social sciences are dominated with left-wing literature, often at the expense of a left-right balances that gives adequate opportunities to young students to become accustomed to a plurality of ideologies and theories. Such has been the angst of these students, many have taken the decision to make personal submissions to this Senate inquiry. One example of skewed course guides is made available here:

Students in an International Relations class at a university in Melbourne were advised not to source reading materials from Australian broadsheet newspapers such as 'The Age' and 'The Australian' for their "poor quality". Similarly, the lecturer instructed the

¹ Lopez, M. Surviving Ideological Bias in the Classroom News Weekly (October 27 2007).

class that news outlets such as GTV Nine were unacceptable sources of news and information. However, compulsory reading included Le Monde, an ultra-left foreign affairs newspaper from France. Countless students in this class over consecutive years have recounted similar versions of this anecdote to the Federation in frustration at what is an unadulterated example of biased course material.

CONDUCT OF TEACHING PROFESSIONALS

The greatest concentration of academic bias seems to be prevalent in informal conduct of teaching professionals at universities. Many students that have contacted the Federation have suggested university academics advertise their own political views as a vehicle to intimidate those who hold an opposing view. Most do this by using confronting or aggressive language, or by mocking alternative views that they find unattractive. Examples of this can be seen here:

"John Howard and his 'blue-eyed Aussie cultural jihadists²' are the real fundamentalists to watch out for in society" and categorising extremist militant groups such as Hamas and Hezbollah as "community aid organisations much like the Red Cross.³"

ANTI-SEMITISM & PREJUDICE AGAINST ZIONISM

Conservatism and right-of-centre politics are not the only bastions of ideology under attack by rogue lecturers in their numerous forces on campus. Courses in Middle Eastern and Jewish Studies are in a deluge of controversy in respect of course materials and teachings. *Khaldoun*, a blog administered by academics from Macquarie University,⁴ is loaded with anti-Israel propaganda. They claim its purpose is to provide scholarly commentary on the Middle East but it essentially exists as a forum to criticise Israel. When comments that express support for Israel are posted, on many occasions students' comments have been removed or are harangued by these academics on cyberspace as public humiliation forever forged into intricacies of web archives and matrices, not to mention in front of their peers. Antithetical to these instances, particularly biased comments that are in alignment with the moderators' views are allowed to stand:

² This approach is taken from the Rethinking Culture course at UTS and is a core subject for Communications degrees.

³ Students were taught this view in the Development in Theory and Practice course at UNSW, as part of the Social Sciences.

⁴ Khaldoun: <http://khaldoun.wordpress.com/about/> [accessed August 8, 2008].

"Psychologically speaking, this means that because the Jews were unable to avenge themselves on the Germans, they avenged are still avenging themselves on the Palestinians. In psychology, this is called displacement of aggression. This is neurotic behavior. So, the oppressed have become oppressors, and the ghetto prisoners have become jailors. To solve this problem, the Israelis and the world Jewry should understand this very well. They should stop playing the role of oppressors and jailors. They need to realize that they are surrounded by people who do not accept them. You cannot take a man's own land and property forcibly and oppress him and humiliate him day and night and expect him to stay silent and submissive. This is incongruous and fallacious. The mere creation and 60 year existence of Israel is against the logic of nature and history. No other state in the world is like Israel. Wake up Jewish psychologists, thinkers, politicians, generals and all other people with the slightest amount of common sense!!!"⁵

These racist comments labelling all Jews as revenge thirsty were allowed to stand at the behest of the university academics, notwithstanding the blog's supposedly stringent comments policy:

"Comments that are deemed racist, discriminatory and vilify on the basis of race, religion, gender, sexuality or sexual orientation will be removed and the responsible party barred from commenting on this blog."⁶

Also permitted to remain published were these comments alleging that the creation of the Jewish state had resulted in the rise of al-Qaeda, amongst other things:

- 1. Without Israel, there wouldn't have been the destruction and bloodshed resulting from the Arab-Israeli wars in 1948, 1956, 1967, 1973, 1982, the Iraq invasion in 2003 and 2006 (sic) war in Lebanon*
- 2. Without Israel, there wouldn't have been al-Qaeda and its crimes and atrocities in America, Iraq and Afghanistan*

⁵ Khaldoun: <http://khaldoun.wordpress.com/2008/07/02/google-earth-highlights-the-nakba/#comments> [accessed August 8, 2008].

⁶ Khaldoun: <http://khaldoun.wordpress.com/2008/04/01/comments-policy-on-khaldoun/#comments> [accessed August 8, 2008].

3. *Without Israel, there wouldn't have been “terrorist” organizations and ruthless suicide bombing and killing*
4. *Without Israel, there wouldn't have been millions of Palestinian refugees all over the world and tens of miserable camps, as well as 11000 Palestinian prisoners in Israeli jails*
5. *Without Israel, there wouldn't have been separation walls, countless checkpoints in Palestine, daily humiliation of Palestinians and expropriation of their land, and the heart-breaking sights of demolishing their homes and cutting down their trees by alien occupiers*
6. *Without Israel, thousands of billions of dollars wouldn't have been spent on weapons, armies and security. They could have been spent on education, development, health care and feeding millions of starving human beings*
7. *Without Israel, there will be peace in the Middle East and in many other parts of the miserable globe*

The creation and constant blind support of Israel cannot be counted as an achievement at all. It is illogical, fallacious, unjust and inhumane.

Further evidence of this bias is the appointment of Antony Lowenstein to the board of Macquarie's department of Middle Eastern studies. A journalist with no academic credentials, he has made a career for himself as a Jewish critic of Israel, and as a result, the board is in disharmony in terms of balance between pro-Israeli forces and supporters of Islam, the Arab world and Palestine.

INDOCTRINATION, NOT EDUCATION

As these examples highlight, teaching professionals have been given free reign over subject content and their conduct in coaching their pupils, without any rigorous quality controls in place. While other notable submissions to this inquiry may contend that there are conventions in place for dealing with and preventing such impropriety, the crux of the Federation's submission is that teachers are ultimately the controlling forces of the classroom, and as such there has been an arbitrary use of power on their part in imparting knowledge versus opinion to minds who are there to be educated and inspired by their lecturers. These leading academics, who attempt to oppress students, are eager to foist their own prejudices and preferences on students early in the course to quash all forms of debate in tutorials and on paper in the way of assignments and exams. One instance, whereby a Foundations of Law lecturer at UNSW, introduced himself to the class by saying:

"I'm going to out myself now, I've been a member of the Greens Party for fifteen years...I'm not objective, I believe my role at the university is to teach you my opinion and for you to learn it..."

was followed by him requesting students to fill in questionnaires with their names and student numbers with personal questions pertaining to their stance on the Indigenous apology and its role in the legal system.⁷

Whilst the lecturer's declaration of political allegiance in this case has no real or perceived bias, asking students specific, non-assessable questions on such a divisive political issue is completely inappropriate. In a course that is specifically modelled for students who are coming to university for the first time since high school, to be placed in such a politically charged environment serves as a tool of intimidation. When these students see lecturers' doors emblazoned with anti-Bush paraphernalia, or worse, picture brandishing the words "If you voted Liberal...I will hunt you down and kill you...I don't know where you live but I'm very good at research" they become timid and reticent, disillusioned with their prospects in their respective areas of education⁸. Subsequently these participants with contrary views to their lecturer become despondent or reluctant to voice their own opinions and instead will conform to the will of their lecturer in charge.

CONDUCT OF STUDENT ASSESSMENTS

This professionalism should be upheld particularly in the marking of student assessments. Grievances are constantly aired by students who are penalised for acting as proponents of views that are deemed as unsavoury by their lecturers.

One student, under the tutelage of a self-confessed Laborite lecturer, had marking comments that applauded the originality of a law assessment but ultimately awarded a credit to the student on the basis that

"I felt that your assertions and conclusions were a little extremist and not balanced"⁹

despite the marking criteria based on the student making an argument of their own volition on criminal law and that the assessment would be rewarded for original and creative pieces of work. These occurrences are accepted as commonplace in the faculty, as students are generally requested to place their names and student numbers on all of their work and are very rarely subjected to rigorous marking quality checks or blind or double marking. The position of the student after such large scale campaigns to penalise difference and reward

⁷ Rowbowtham, J. Young Libs Campaign to Out Biased Dons The Australian (March 12 2008)

⁸ These photos have been reported by a University of Western Australia student, pictures attached.

⁹ This was an instance of bias reported at the University of New South Wales in Criminal Law 1.

conformity results in lower grades and low morale or motivation to complete courses or defend their own point of view in the classroom.

While the focus of the media in recent times has been to characterise the publication of instances of teachers marginalising students in universities on the basis of their own political views¹⁰ as a witch-hunt, the harsh and cruel reality is that these incidents are legitimate and they are many. Notwithstanding the public attention that has highlighted the systemic problems within Australian institutions, the National Tertiary Education Union refuses to respond with any positive actions and has instead vigorously protected academics who have engaged in such abhorrent behaviour. The President of the NTEU, Dr Carolyn Allport has talked about bias ad nauseum and refuses to put her political differences aside in the debate, stating:

"The National Tertiary Education Union rejected the notion of any widespread systemic bias in Australian universities and said the...campaign had been borrowed from a similar movement in the US, led by conservative intellectual David Horowitz.¹¹"

This response is interesting in that within its very limited space it reveals the bias that many feel they are up against in the current environment. Essentially, Dr. Allport is saying because this movement has already been undertaken elsewhere, there is no sense in the allegations. It would stand to reason to most that logically the fact that this concern has arisen in the United States does not therefore lead to it having no relevance to Australia. There is certainly more linking the USA with Australia in terms of cultural legacies, language, law and shared values than most nations in the world.

PROTECTING ACADEMIC FREEDOM: THE CASE FOR AN ACADEMIC BILL OF RIGHTS

As an organisation committed to the promotion of freedom and choice amongst students, the ALSF affirms the need for a charter of academic freedoms to be implemented across universities nationwide.

Whilst universities typically have policies and regulations that outline some form of academic freedom, given the frequent instances of bias in Australia's universities, the Federation argues that current policies are insufficient to counter what is a significant problem.

¹⁰ Markson, S. Libs Dob In 'Lefty' Teachers Sunday Telegraph (March 9 2008)

¹¹ Rowbowtham, J. Young Libs Campaign to Out Biased Dons The Australian (March 12 2008)

It is lamentable that only one tertiary institution in Australia has introduced similar policy directives on campus, not out of a belief in freedom, but to salvage its reputation and prevent instances of bias being reported to the media. The University of Technology, Sydney, in late 2005, adopted a “Policy on the Expression and Practice of Religious, Political and Other Values, Beliefs and Ideas” amidst a spate of claims that tenured professors were being offensive when presenting their viewpoints in class at a neighbouring university.¹² Its provisions stipulate:

4.1 UTS acknowledges the rights of individuals to express their views and beliefs and to practise these beliefs in a manner appropriate to the University setting.

4.2 While acknowledging those rights, UTS does not necessarily endorse the views and beliefs that may be expressed by staff and students or by other visitors. UTS does not explicitly or implicitly make any endorsement by permitting the expression of these beliefs on its premises or in its facilities.

4.3 Accordingly, UTS requires that personal views and beliefs expressed by staff and students be identified as such and not represented to be the views of UTS (refer Section 6, Staff Code of Conduct)

4.4 UTS affirms its status as a secular and non-political organisation and will not sanction or endorse a particular form of religious or faith expression or political or ideological view or doctrine to the exclusion of others. UTS is, however, entitled to, and does, express its values and principles in its Mission Statement, Guiding Principles and University policy documents.

4.5 UTS fully respects the provisions of the International Covenant on Civil and Political Rights, (in particular Articles 18 and 19) and the United Nations Declarations on Human Rights and the Elimination of Intolerance and Discrimination.

4.6 The expression of views and beliefs on a UTS campus must be exercised in accordance with relevant legislation, UTS Rules and UTS policies.

4.7 UTS will take such steps as are reasonably necessary to prevent any persons or groups, within or external to the University, acting inconsistently with the provisions of this Policy on the UTS campus, or in any events or contexts that are promoted, supported or endorsed by the University. In doing so, UTS will act with fairness, and upon evidence.

4.8 UTS will take such steps as are reasonably necessary to dissociate itself from the actions, statements and claims of any persons or groups whose actions, statements and claims are inconsistent with the provisions of this Policy or with the values or expressed statements of the University or could reasonably be seen as inconsistent with them.¹³

Although this institution has set a milestone in terms of the battle for academic freedom, other universities have only responded to the issue with fairly vague terms. The University of Sydney has implemented an ‘Academic

¹² This relates to the debacle concerning Lecturer Andrew Fraser at Macquarie University:

<http://www.smh.com.au/news/national/academic-stirs-fight-over-race/2005/07/15/1121429359329.html>

¹³ Policy on the Expression and Practice of Religious, Political and Other Values, Beliefs and Ideas at UTS, 2006.

Freedom' motion however it does not sufficiently address the problem of bias or indoctrination in the classroom. It states:

"The University of Sydney declares its commitment to free enquiry as necessary to the conduct of a democratic society and to the quest for intellectual, moral and material advance in the human condition.

The University of Sydney affirms both its institutional right and responsibility, and the rights and responsibilities of its individual scholars, to pursue knowledge for its own sake, wherever the pursuit might lead, and to transmit the knowledge so gained both within the academy and into the community at large.

The University of Sydney, in accordance with the principles enunciated in its mission and policies, undertakes to promote and support:

- *The free and responsible pursuit of knowledge through research*
- *The dissemination of the outcomes of research and teaching, as publications and creative works, and in media discourse*
- *Principled and informed discussion of all aspects of knowledge and culture"*¹⁴

Recently, the University of New South Wales has had to clarify its position on expression of ideas on campus due to reports of ideological prejudice against students in the Law faculty, the Vice-Chancellor emailed students:

"Whether you are a new or returning student, as you begin your studies at UNSW, you will meet people from different backgrounds and those who have values and ideas which vary from your own. I want to remind you that while UNSW is a place where we cherish academic and student freedom of expression, vilification of others is both unacceptable and is of course, against the law in NSW.

Regards

Professor Joan Cooper

*Pro-Vice Chancellor (Students) & Registrar"*¹⁵

¹⁴ Sydney University Policy: Charter of Academic Freedom 18 June 2007.

Although the Vice-Chancellor recognises that students are unaware of their rights to freedom of speech in the classroom for fear of being penalised, the university appears reluctant to institute any formal policies to combat the spiralling problems of freedom on campus. Moreover, if such policies or motions do exist, they merely extend the rights of academic freedom to lecturers and not subordinate students,¹⁵ a right which is arguably more under threat to the latter and more in need of such protection than the former. The reason for these weak attempts at protecting student rights is because of the NTEU's strong opposition to the US movement and to conservatives themselves. UTS was heavily criticised for its policy document by Dr Allport, hence other universities have become reluctant to act on their students' whims, as the Australian education system is strongly unionised.

However, in acting upon these principles, it is the Federation's view, as opposed to the submissions made by other academics, that the proposed legislative entrenchment of these freedoms is not the method in which such a charter should be implemented. Formal legislation to combat problems of prejudice in tertiary education may not be suited to the differing requirements of each university's location and circumstance. Furthermore, the Federation is averse to promoting ideals of freedom through methods of compulsion and respects the autonomous structures and operations of Australian universities. Hence, the ALSF purports that individual policies of academic freedom should be adopted at these institutions to promote academic efficacy with assistance from the government.

In what is now a very competitive higher education market, the Federation contends that it will be in the best interests of universities to act on their own volition in adopting charters of academic rights in attracting potential students. Incorporating a charter of academic rights into university policies can only be a positive for tertiary institutions competing with their competitors for Australia's best and brightest school graduates.

In the event that such an outcome does not eventuate, the ALSF suggests that the government may be able to induce universities to employ these charters in their codes of practice by taking a 'carrot and stick' approach to the issue. Incentives such as lucrative funding opportunities and the allocation of more Commonwealth supported HECS places to universities who are compliant with applying and enforcing terms enshrined in their respective charters will be an effective counter-balance to the tactics of coercion and rampant bullying utilised by unions and disgruntled lecturers. Whilst this method would be inferior to the aforementioned approach, it could prove to be an effective way of protecting the rights of students to express their opinion at university.

¹⁵ Freedom of Expression at UNSW Email [March 17 2008]

¹⁶ Curtin University's charter of academic freedoms only applies to tenured academics.