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UNIVERSITY OF CALIFORNIA
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Liberty but not License:
Publicity, Academic Freedom, and the Professionalization of the Professoriate,
1890-1929

A Dissertation submitted in partial satisfaction
of the requirements for the degree of

Doctor of Philosophy

in

Education

by

Zachary James Haberler

March 2013

Dissertation Committee:

Dr. Margaret A. Nash, Chairperson

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The Dissertation of Zachary James Haberler is approved:

Committee Chairperson

University of California, Riverside

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ABSTRACT OF THE DISSERTATION

Liberty but not License:
Publicity, Academic Freedom, and the Professionalization of the Professoriate,
1890-1929

by

Zachary James Haberler

Doctor of Philosophy, Graduate Program in Education
University of California, Riverside, March 2013
Dr. Margaret A. Nash, Chairperson

This historical dissertation explores the public and academic discourse regarding the concept of academic freedom from 1890-1929, with the foundation of the American Association of University Professors in 1915 serving as a general midpoint of the analysis. Throughout this period the public academic freedom discourse was consistently connected to the maintenance and use of publicity on behalf of professors to advance and defend the interests and professional status of the professoriate as well as to inflict symbolic damage on the institutions and individuals who were deemed to be barriers to professorial status. Beginning in the earlier third of this time period, 1890-1910, professors in the sciences, as well as senior scholars and administrators from many disciplines, emphasized an academic freedom that was constrained and operated at a collective department or university-level whereas professors in the social sciences and humanities more commonly advanced academic freedom with no limitations and which

operated on an individual level. Connected to these competing notions, the academic freedom discourse had a dual-professionalizing role from 1890-1929. It was a means through which professors attempted to legitimate themselves—individually and collectively—in the public eye as well as an important part of the academic professions’ internal struggle to define and redefine itself amidst a changing social and academic landscape.

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Chapter 1: Introduction

The concept of academic freedom, generally understood as the freedom for professors to research and teach without interference, has a complicated, conflicted history. It has both ancient and modern conceptual influences. It has simultaneously been the “legitimizing ideology” of the academic profession¹ and a concept that was under-articulated, misunderstood, and taken for granted. It has been a rhetorical weapon used by faculty members in symbolic and material conflicts with the administrators, trustees or benefactors of their institutions, and yet it has also been a means of professional self-control for the professoriate. Its use by professors throughout the history of American higher education reflects their *understandings* of higher education and their *functions* and *statuses* within it. I place special emphasis here on the plural *understandings*, *functions*, and *statuses* because throughout this history each of these issues has been focus of conceptual disagreement themselves as higher education and those within it adapted to societal changes. The conflict surrounding the idea of academic freedom, then, is multifaceted, incorporating many ideas and institutions connected to its definition and application.

This dissertation explores this conflicted history of the concept of academic freedom from 1890-1929, with the foundation of the AAUP in 1915 serving as a general midpoint of the analysis. This time frame enabled me to make temporal comparisons on

¹ Use of the phrase “legitimizing ideology” in connection with academic freedom comes from Kelly A. Kish, “Academic Freedom: A History of the Academy’s Legitimizing Concept” (Dissertation, Indiana University, 2010).

three fronts. First, it allowed me to assess how different factions of the professoriate understood academic freedom before the AAUP, and the extent to which the AAUP influenced professoriate's understandings of academic freedom thereafter. Second, analysis over this time period provides a picture of how the development of academic freedom relates to the growth of higher education and particularly the development of the research university ideal in the late 19th and early 20th century. Finally, analyzing the development of academic freedom from 1890-1929 necessarily incorporates a nice spectrum of contextual social, cultural, economic and political issues that contributed to mass re-conceptualizations of American identity. This changing landscape of American identity provides an ever-important backdrop to any study of academic freedom because, as the historiographical section of this paper will show, professorial claims of a breach of their academic freedom emerge when their research or scholarly beliefs lead them into areas that conflict with their claims to American identity. From 1890-1929 America experienced increased industrialization, immigration, labor organization, World War I, and various movements to recreate and rejuvenate American society in response to the perceived negative effects of modernization and urbanization. Such times of change and crisis provide a rich backdrop for my history of the development of and conflict surrounding academic freedom during this time period.

I argue that throughout this time period, there were two broad groupings of ideas about academic freedom, one that emphasized “unfettered” academic freedom and one that emphasized professionally-oriented constraints. The academic freedom discourse had

a dual-professionalizing role from 1890-1929. It was a means through which professors attempted to legitimate themselves—individually and collectively—in the public eye as well as an important part of the academic professions’ internal struggle to redefine itself amidst a changing social and academic landscape.

The remainder of this chapter provides a discussion of the research questions that guided my historical investigation, the significance of this research, the inherited historical contexts and concepts pertinent to this research, and, finally, a summary of the arguments in each chapter of this dissertation.

Research Questions and the Significance of the Research

Analysis of the literature on the origins and development of American academic freedom raises one significant question: How did different professors define and use the concept of academic freedom? This main question invites a series of sub-questions. Who granted academic freedom to whom? To what extent did professors agree on the nature, definition, and application of academic freedom? What influence did factors such as institutional and disciplinary affiliations have on these definitions of academic freedom? What criteria did they cite when arguing for academic freedom for themselves or their peers? This line of questioning guided my analysis in my effort to complicate the consensus narrative, and arrive at a deeper understanding of academic freedom as it was understood and used by the professoriate in the early 20th century.

Existing historical research on the origins and development of academic freedom

did not persuasively address these questions. Slaughter based her analysis of the development of AAUP academic freedom statements on the assumption that those reports provided a “reasonable” idea of the professoriate’s collective beliefs.² Yet, Metzger suggested that the fit of the 1915 AAUP statement to general professorial opinion is an “open question.”³ Combining Metzger’s skepticism with Finkelstein’s and Cain’s arguments that the AAUP was a selective organization⁴ invites inquiry into faculty comments about academic freedom, its nature, application, and target population.

Additionally, the terms “faculty” or “professor” in this historiography is often used in a universal sense, but, sociological and cultural studies of higher education illustrate that there are important differences in the cultural values, political interests, and orientations toward knowledge held by professors and that these differences manifest along institutional and disciplinary lines.⁵ Recognizing the potential for similar differences in worldview amongst the professoriate complicates our understanding of

² Sheila Slaughter, “The Danger Zone: Academic Freedom and Civic Liberties,” *Annals of the American Academy of Political and Social Science* 448 (1980), 46-61, quote from 47.

³ Richard Hofstadter and Walter P. Metzger, *The Development of Academic Freedom in the United States* (New York: Columbia University Press, 1955), 407.

⁴ Martin J. Finkelstein, *The American Academic Profession: A Synthesis of Social Scientific Inquiry since World War II* (Columbus: Ohio State University Press, 1988), 24; Timothy Reese Cain, *Establishing Academic Freedom: Politics, Principles, and the Development of Core Values* (New York: Palgrave Macmillan, 2012).

⁵ See, for example Burton R. Clark, “Small Worlds, Different Worlds: The Uniqueness and Troubles of American Academic Professors,” *Daedalus* 126, no. 4 (1997); Tony Becher, *Academic Tribes and Territories: Intellectual Enquiry and the Cultures of Disciplines* (Buckingham, UK: The Society for Research into Higher Education and Open University Press, 1989); William H. Bergquist and Kenneth Pawlak, *Engaging the Six Cultures of the Academy: Revised and Expanded Edition of the Four Cultures of the Academy*, The Jossey-Bass Higher and Adult Education Series (San Francisco: Jossey-Bass, 2008). Similar conclusions are offered in Steven Brint, *In an Age of Experts: The Changing Role of Professionals in Politics and Public Life* (Princeton: Princeton University Press, 1994). Although Brint’s focus is not solely higher education, the professoriate are among the professionals in his analysis and he implicitly suggests that institutional and disciplinary differences contribute to the development of different cultural values and political interests amongst the professoriate.

academic freedom. For, although Veysey, Lucas, and Cohen all hinted at the presence of disagreements over the definition of academic freedom, they mostly identified those differences as between administrators and the faculty.⁶ More research is needed and this dissertation systematically investigates professorial opinion on academic freedom to assess the level of unity surrounding the concept.

Historical Background: Inherited Concepts and Contexts

Faculty members and administrators who spoke or wrote about academic freedom from 1890-1929 did not invent the concepts they used. Instead, the ideas about academic freedom and the more general ideas about freedom that permeate the discourse were borrowed, inherited, and modified in response to the shifting social, cultural, and institutional contexts of the Progressive Era (1890-1914), World War I and its aftermath (1914-1919), and the “Roaring 20s.” This section first describes the inherited intellectual concept of academic freedom, borrowed from Germany, and the traditional ways of thinking about freedom in the United States before explaining the relevant higher education, professional, disciplinary, and social and cultural contextual backgrounds for this history of academic freedom.

⁶ Laurence Veysey, *The Emergence of the American University* (Chicago: The University of Chicago Press, 1965); Christopher John Lucas, “American Conceptions of Academic Freedom in the Twentieth Century” (Dissertation, The Ohio State University, 1967); Arthur M. Cohen, *The Shaping of American Higher Education: Emergence and Growth of the Contemporary System* (San Francisco: Jossey-Bass, Inc., 1998).

Inherited Concepts

In *The Development of Academic Freedom in the United States*, Richard

Hofstadter connected the concept of academic freedom with a wide array of conceptual traditions, including academic freedom in Germany, religious toleration, the marketplace of ideas, freedom of expression, and a belief in progress and scientific objectivity.⁷ This conceptual heritage is certainly correct in the sense that elements of these different traditions do manifest themselves in American discussions of academic freedom, but we still know very little about how, why, and when these different traditions converged in actual historical discourse to create particular arguments about academic freedom. For the purpose of this dissertation, I incorporate the majority of this conceptual heritage by tracing the intersection of two conceptual traditions: the tradition of academic freedom borrowed from Germany and (mis)applied on American soil and the multifaceted, ambiguous, and highly contested tradition of ideas about freedom in America.

In the 19th century, the German academic system was the Mecca for advanced scholars. Because of its great reputation and the high quality of scholarly and scientific work of its faculty, students from all over the world traveled to Germany to study with the leading scholars in all academic fields. Though the German universities were part of a bureaucratic system designed to channel students toward state-sanctioned civil service examinations, they were lauded for the autonomy they granted professors. The concepts *Lehrfreiheit* (freedom to teach) and *Lernfreiheit* (freedom to learn) were the cornerstones of the German academic system that emphasized the agency of professors and students.

⁷ Hofstadter and Metzger, 61 and 208.

Even the lowest level of the faculty (*Privatdozenten*) could teach whatever they wanted so long as their lectures attracted enough students, and students could take whatever courses they wanted. Indeed, the German faculty had high status in society, as they were part of a prestigious, educated upper middle-class.⁸ They had a high level of control within the university, particularly over recommendations for faculty hiring and the creation of new professorships. However, Fritz Ringer asserted that despite its freedom-oriented concepts and a certain degree of control within the university, “[t]he organs of academic self-government were relatively weak, especially in the executive department, and this tended to perpetuate the states’ *de facto* control over higher learning and its disciples.”⁹ Thus, there were considerable limits on academic freedom in Germany, resulting from the presence of student freedoms and structural barriers from the state.

The German concept of *Lehrfreiheit* had a specific definition and application in Germany, but when it came to America it collided with broader American notions of freedom that confused its definition and application. American professors and administrators retained the focus on the basic components of academic freedom—the freedom of the professor to teach—but, in using and developing academic freedom, these American faculty members and administrators understood freedom itself in uniquely American ways based on understandings they inherited from earlier periods. The American tradition of freedom, both in terms of the meanings of the concept and its discursive uses, was and still is multifaceted and contested.

⁸ Fritz K. Ringer, “Higher Education in Germany in the Nineteenth Century,” *Journal of Contemporary History* 2, no. 3 (1967).

⁹ *Ibid.*, 125. Italics in original.

In America, the terms liberty and freedom have come to be used interchangeably despite having distinct differences in meaning several hundred years ago.¹⁰ David Hackett Fischer indicated that liberty comes from the Latin *libertas*, meaning freedom from control by others, and was more common in the old Mediterranean world. The word freedom comes from Old English and other Germanic languages, was more common in continental Europe, and referred to the freedom enabled by belonging to a particular community. For example, the German *Frei* shares the same root as *Freund*, the word for friend.¹¹ Liberty emphasized individuality and autonomy while freedom originated from and was enhanced by membership in a community. English, Fischer noted, is the only major language that frequently uses both liberty and freedom. By the late 19th and early 20th century, there was little distinction between the two.

When different groups of English settlers crossed the Atlantic Ocean to colonize America they brought with them unique understandings and behaviors (what Fischer labeled folkways) about freedom that influenced generations of Americans after them. Specifically, the group of Puritan settlers from East Anglia in England who settled in the Massachusetts Bay area brought with them an understanding of freedom that was, among other things, communal. The Puritans often spoke of a collective liberty, or “publick liberty,” was “thought to be consistent with restraints upon individuals.”¹² The group of

¹⁰ Eric Foner, *The Story of American Freedom* (New York and London: W. W. Norton & Company, Inc., 1998); David Hackett Fischer, *Liberty and Freedom: A Visual History of America's Founding Ideas* (Oxford: Oxford University Press, 2005).

¹¹ *Ibid.*, 5.

¹² David Hackett Fischer, *Albion's Seed: Four British Folkways in America* (New York and Oxford: Oxford University Press, 1989), 200. Fischer described the other aspects of puritan orientations toward freedom as plural, referring to the various specific liberties granted to individuals based on their status, and religious, referring to the freedom to serve God. For more information on these

landed aristocrats from Southern England who settled in the Chesapeake Bay region brought with them a more hierarchical orientation toward freedom that emphasized power over others and over one's self.¹³ Called "hegemonic liberty" by Fischer, the Virginian conception of liberty was entirely consistent with the institution of slavery. They never considered that all people had freedom, but connected it with the social status of one's family.¹⁴ The group of Quakers from the Northern Midlands who settled the Delaware Valley area of Pennsylvania and West Jersey understood freedom to be reciprocal. Rooted in their religious beliefs, this reciprocal understanding of freedom was characterized by the golden rule: do unto others as you would have them do unto you.¹⁵ Finally, the immigrants from Northern Ireland, Scotland, and the Northern counties of England who settled the mountainous backcountry areas of Pennsylvania, Maryland, Virginia, and the Carolinas brought with them a concept of "natural" freedom. This natural freedom abhorred the constraints of government and law and order, and was the bi-product of the life experiences of the groups before they migrated to the colonies and their cultural development on the frontier once they arrived. These groups of people not only did not accept social restraints on their freedoms, but did not tolerate deviation, often suppressing views that disagreed with their own.¹⁶ All orientations toward freedom continued and changed in American life to the present, though historian Jack Greene

other orientations toward freedom see 199-205.

¹³ *Ibid.*, 411.

¹⁴ For more on Fischer's discussion of the Virginian conception of hegemonic liberty see 410-414. See also Edmund S. Morgan, *American Slavery, American Freedom: The Ordeal of Colonial Virginia* (New York: W. W. Norton and Company, Inc., 1975).

¹⁵ Fischer, *Albion's Seed*, 595-603.

¹⁶ *Ibid.*, 777-782.

suggested that ideas about more individually-oriented freedom received profoundly strong reception as time passed.¹⁷

After the Revolutionary War, when political leaders from the American colonies were deciding what form of government their new country would take they drew from English notions of freedom and government as well as from more cosmopolitan, classic-loving Enlightenment thinkers.¹⁸ In the process of creating the new republic, the folkways of American colonial ancestors collided with more formal philosophical ideas about the nature and limits of freedom and liberty. The result of this well-chronicled process, other than the *Constitution of the United States*, was the augmentation of the conceptual dictionary of possible perspectives on these concepts. For, despite eventually coming to an agreement on the form of the *Constitution*, leaders like Thomas Jefferson, James Madison, Alexander Hamilton, John Adams and many others never fully agreed on the nature, application, and limits of freedom.

Historian Eric Foner showed how the focus and discussion surrounding these contested notions of freedom shifted throughout history as social and cultural contexts changed. For much of the 19th century, one of the main focuses of freedom discourse was on slavery and the enfranchisement of freed slaves. In fact, language reflecting these slavery applications persisted well into the 20th century as slavery was used as a rhetorical

¹⁷ Jack P. Greene, *Pursuits of Happiness: The Social Development of Early Modern British Colonies and the Formation of American Culture* (Chapel Hill: The University of North Carolina Press, 1988).

¹⁸ Gordon S. Wood, *The Creation of the American Republic, 1776-1787* (Chapel Hill: The North Carolina Press, 1998); David Womersley, ed. *Liberty and American Experience in the Eighteenth Century* (Indianapolis: Liberty Fund, Inc., 2006); Foner.

metaphor in many later discursive contexts.¹⁹ In the 1870s, a new trend in the freedom discourse focused on economic or industrial freedom, incorporating Social Darwinist ideas about survival of the fittest to argue for laissez-faire economic policies that granted big corporations the freedom to pursue their own interests at the expense of the worker. However, by the close of the 1880s, some freedom discussions were beginning to respond to the industrial freedom period by advocating for the freedom of workers to control their own work hours and environment.²⁰

In addition to these general understandings and applications of freedom, the academic freedom discourse also incorporated discursive strategies more specific to the history of freedom of expression. Historian Stephen Feldman shows how the history of the freedom of expression in America is the story of two competing traditions: a discourse of suppression and a discourse of dissent.²¹ The tradition of suppression incorporated more communal and constrained understandings of freedom whereas the tradition of dissent emphasized more individual and expansive aspects of freedom. Feldman illustrates how the tradition of suppression was the rhetorical strategy used by those in power and the tradition of dissent by those fighting for power. As such, specific groups in American history advocated for and enacted freedom using one or both of these traditions depending on their social and political positions at specific times. For example, during the revolutionary period of American history many of the colonists, leaders and

¹⁹ Foner; see also Fischer, *Liberty and Freedom*.

²⁰ Foner.

²¹ Stephen Feldman, *Free Expression and Democracy in America: A History* (Chicago: The University of Chicago Press, 2008).

followers, vigorously embraced the tradition of dissent as justification for the rebellion against England. However, these same colonists participated in the tradition of suppression by ostracizing the England-favoring Tories, whom in Feldman's words, "were scared into silence, driven out of town, or tarred and feathered."²² Similarly, in the debates over freedom of speech and the common good that surrounded the Sedition Act of 1798, the Federalists enacted the tradition of suppression against the Republicans, their political opposition. Federalists viewed the presence of the Republicans as a threat to the unity of the new republic and thus sought to silence them in pursuit of the common good. In contrast, the Republicans stood their ground, using the tradition of dissent to defend their right to speak their minds.²³ Later in the 19th century, advocates of granting freed slaves the vote or of the rights of laborers tended to use the discourse of dissent to advocate for themselves in public against advocates of a narrower view of who should vote who were using the tradition of suppression.

The public academic freedom discourse from 1890-1929, then, utilized several preexisting concepts and rhetorical strategies. From the exemplary German context, American professors and administrators borrowed the concept of *Lehrfreiheit* (or *Akademische Freiheit*) to address some of the institutional and professional issues that they wanted to change.²⁴ However, the meaning and uses of academic freedom necessarily reflected the inherited conceptual vocabulary and discursive strategies

²² *Ibid.*, position 49.

²³ *Ibid.*, 70-100.

²⁴ *Akademische Freiheit* would be a more literal "academic freedom" but it occurs rarely in the discourse.

available to them. More specifically, when professors and administrators used academic freedom they could pull on the individual or community meanings of freedom or they could use the discourse of dissent or suppression. For every conceptual and rhetorical choice, there were meanings and strategies available that had deep roots in American history. There was no “true freedom” to which they could appeal and thus there can be no “true academic freedom” by which historians can use for comparisons or as a rubric for evaluation. Instead, the various orientations toward academic freedom articulated by faculty members and administrators reflected innovative combinations of these concepts as well as varied understandings of both the social position of the faculty, institutionally and publicly, and the nature of their professional function in society. These ideas about academic freedom and the social position and function of the faculty would shift in response to social and cultural contexts.

Inherited Contexts

In 1890, higher education in America was in the process of changing. In the 18th and early 19th centuries, the higher educational landscape consisted of local, denominational colleges and a variety of academies, professional schools, and seminaries that served students and taught subjects that the denominational colleges did not. The colleges primarily offered a classical education and prepared students for community leadership. While many of them had professors who taught law or science related courses, they often did not offer degree programs. However, as America industrialized in

the 19th century, the fit of the local, denominational colleges increasingly came into question and many of them responded by increasing their incorporation of newer subject matter into their curricula in efforts to maintain their appeal to prospective students.²⁵ Still, some college administrators, politicians, and other prominent individuals saw the need for larger higher educational institutions that could offer practical, scientific, and industrial educations.

In 1862 and again in 1890, the Morrill Land Grant acts gave land to each state to be used for the development of such practically-oriented state institutions. For some states, this led to the creation of new colleges, but in many states these funds were used to strengthen and grow institutions founded much earlier. Regardless, the Morrill acts offered federal legitimation of useful, practical higher education, particularly in the fields of agriculture, engineering, mining, and other practical sciences.²⁶ At the same time, the administrators and professors who had spent time studying in the German University system began to advocate for a stronger research orientation in American higher education via the development of graduate training, and the “old” collegiate system was deemed by many as ill-equipped to support such a research focus.²⁷ The result of the convergence of these different views about the future of higher education was a complicated higher educational setting that included the already changing denominational

²⁵ John R. Thelin, *A History of American Higher Education* (Baltimore and London: The Johns Hopkins University Press, 2004); Bruce Leslie, *Gentlemen and Scholars: College and Community in The “Age of the University”* (New Brunswick: Transaction Publishers, 2005).

²⁶ Thelin.

²⁷ Roger L. Geiger, *To Advance Knowledge: The Growth of American Research Universities, 1900-1940*. (New York: Oxford University Press., 1986).

colleges with the practically-oriented land grant colleges and universities, and larger universities that balanced teaching of the traditional academic subjects with newer practical or industrial subjects such as agriculture, mining, and that focused more heavily on research and graduate training.²⁸

In 1890, the professorial and scholarly roles were also in the process of shifting. In the denominational colleges of the 18th and 19th century, there were relatively few permanent, full-time faculty positions, and many men who taught courses at a college were often doctors, lawyers, ministers or other prominent men with connections to the local communities their colleges served.²⁹ To quote the title of Bruce Leslie's history of four denominational colleges, these men were "Gentleman and Scholars." The ideal gentleman of classical republican thought was a land-owning man with a certain degree of wealth enabling him to be disinterested in public affairs, making him ideal for leadership and freeing up his leisure time for scholarly and scientific pursuits.³⁰ This notion of "gentlemanliness" also assumed a level of civic virtue, and the early faculty role emphasized moral character and expected professors to help shape their students through knowledge and discipline.³¹ To be sure, many of these professors may have pursued research or other forms of scholarly inquiry but their primary function within the college was that of a teacher.

By 1890, the place of research within higher education, and therefore within the

²⁸ See Veysey; Hofstadter and Metzger; Thelin; Geiger; Frederick Rudolph, *The American College and University: A History* (New York: Alfred A. Knopf, Inc., 1962).

²⁹ Finkelstein; Leslie.

³⁰ Wood, *The Creation of the American Republic, 1776-1787*.

³¹ Finkelstein; Leslie.

faculty role, was increasing. Partially a result of the academic specialization that paralleled American industrialization³² and partially because of the growth and gradual change of higher education itself, the number of professors increased across the country and they could no longer rely on their prominence in local social networks. As the faculty removed themselves from their traditional and local roles, it became apparent that they needed new grounds for authority, and with the numbers of faculty positions increasing rapidly, the claim of genius could not be easily used to justify the value of their intellectual work as a whole. Thus, professors from all disciplines, with varying degrees of strength and success, began³³ to claim and develop a sense of scientific objectivity, academic specialization, and expertise for their disciplines. During the mid and late-19th centuries, professors and other academic individuals began to organize into academic disciplines which increasingly became national organizations.³³

Earlier in the 19th century, scholarly organization occurred primarily in broadly defined organizations such as the American Association for the Advancement of Science, the Association for the Advancement of Social Science, and the American Philosophical Society. Membership in these associations was open to many gentlemen and scholars interested in the study of these broad topics, including professors, politicians, lawyers, doctors, or other interested non-academic citizens. Toward the end of the 19th century, the process of academic specialization increased as the numbers of individuals interested in

³² Alexandra Oleson and John Voss, eds., *The Organization of Knowledge in Modern America, 1860-1920* (Baltimore and London: The Johns Hopkins University Press, 1979).

³³ Finkelstein.

specific areas of knowledge increased.³⁴ Between the 1870s and 1890s academics and other intellectuals founded numerous academic disciplinary organizations, including the American Chemical Society (1876), the American Physiological Society (1887), the American Psychological Society (1891), the American Economics Association (1885), and the American Historical Association (1884).

In many ways, chemistry was the exemplary discipline at the end of the 19th century, as advances in chemistry had direct connections with technological and industrial developments, particularly in the manufacturing and railroad industries. From the beginning, the discipline of chemistry retained a combination of academic and industrial membership and therefore struggled to negotiate a balance between pure and practical science that impressed other disciplines.³⁵ One indicator of this value was the prevalence of college and university administrators who had backgrounds in chemistry such as Thomas M. Drown, president of Lehigh University (1895-1904); James Mason Crafts, president of Massachusetts Institute of Technology (1897-1900); Francis P. Venable, president of the University of North Carolina (1900-1914); Ira Remsen, president of Johns Hopkins University (1900-1913); and Edgar Fahs Smith, provost at the University of Pennsylvania (1911-1920). Perhaps the most prominent and important of all of these university leaders was Charles W. Eliot, president at Harvard University for

³⁴ Oleson and Voss; Geiger.

³⁵ Charles Albert Browne and Mary Elvira Weeks, *A History of the American Chemical Society* (Washington, D. C.: American Chemical Society, 1952); Herman Skolnik and Kenneth M. Reese, *A Century of Chemistry: The Role of Chemists and the American Chemical Society* (Washington, D. C.: American Chemical Society, 1976); and Arnold Thackray, Jeffrey L. Sturchio, P. Thomas Carroll, and Robert Bud, *Chemistry in America, 1876-1976* (Dordrecht and Boston: D. Reidel Publishing Company, 1985).

much of the late 19th and early 20th century.³⁶

Similarly, in higher education chemistry degrees accounted for a profoundly large share of advanced academic degrees from the late 19th and early 20th centuries. There were 251 doctoral degrees awarded in chemistry from 1863 to 1900, accounting for 11% of all doctoral degrees. This made chemistry the most prominent single-subject for graduate education in universities, particularly at Johns Hopkins University, Yale University, Harvard University, the University of Pennsylvania, and the University of Columbia, which accounted for 80% of all chemistry doctorates.³⁷ Chemistry clearly had a prominent role in the emerging university world and, as the “fundamental science,” other disciplines mimicked its unity as a discipline and its objective scientific methods.

The discipline of biology at the end of the 19th century was factious, divided into more specific areas of specialization such as morphology, zoology, anatomy, and physiology. Whereas chemistry was united early on and responded to specialization by diversifying within the American Chemical Society, early specialization prevented the unification of biology.³⁸ The majority of American academics in these specialized biological disciplines received their training in Germany, where these subjects were incorporated into the medical sector of the German university and that connection resonated in America. As these sciences entered American universities, institutional context was profoundly important: at universities, like the University of Chicago and Johns Hopkins University, where it took longer for the medical colleges to get off the

³⁶ Thackray, Sturchio, Carroll, and Bud, 151.

³⁷ *Ibid.*, 148.

³⁸ For more on the struggle of chemistry to stay united, see Browne and Weeks.

ground for financial reasons, the biological sciences were able to more successfully develop as “pure” academic disciplines; at universities like Harvard, where the medical college was stronger earlier, the biological sciences remained somewhat reliant and dependent on the medical curriculum for their status in the institution.³⁹ It is not surprising, then, there were large numbers of medical doctors in addition to scientists in disciplinary organizations like the American Physiological Society. However, the unity of chemistry was something that biologists valued and they attempted to create such unity several times in the early 20th century with limited results. In 1915, many of the bio-medical specialties formed the Federation of Associations for the Study of Experimental Biology and later in 1923 when they formed the Union of Biological Sciences.⁴⁰

For the social science disciplines of economics, sociology, and political economy the main concern during their formative years was not disciplinary unity but appearing to be objective in the scientific sense and clarifying their functional spaces in society.⁴¹ Earlier in the 19th century, when the Association for the Advancement of Social Sciences was the primary organization for those interested in social science, these academics and intellectuals commonly used their knowledge to advocate for particular social and political causes. By the end of the century, such intervention increasingly conflicted with

³⁹ Phillip J. Pauly, “The Appearance of Academic Biology in Late Nineteenth-Century America,” *Journal of the History of Biology* 17, no. 3 (1984), 369-397. William H. Howell, “The American Physiological Society During Its First Twenty-Five Years,” in *History of the American Physiological Society Semicentennial, 1887-1937* (Baltimore: American Physiological Society, 1938).

⁴⁰ Toby A. Appel, “Organizing Biology: The American Society of Naturalists and its ‘Affiliated Societies,’ 1883-1923,” in Ronald Rainger, Keith R. Benson, and Jane Maienschein, ed., *The American Development of Biology* (Philadelphia: University of Pennsylvania Press, 1988), 87-120.

⁴¹ Mary O. Furner, *Advocacy and Objectivity: A Crisis in the Professionalization of American Social Science, 1865-1905* (Lexington: The University of Kentucky Press, 1975); Thomas L. Haskell, *The Emergence of Professional Social Science in America* (Urbana: University of Illinois Press, 1977).

the objectivity-oriented values of some members of these disciplines. By the early 20th century, many in these disciplines sought a more technical, behind the scenes role for their disciplines in lieu of political and social activism.⁴²

The discipline of history found itself in a peculiar place at the end of the 19th century as it was between the social sciences and the humanities. Scholars researching this period have not always agreed on where to place history in relation to other academic groups. Historian Mary Furner and historical sociologist Sheila Slaughter asserted that history was not a social science and did not include it in their studies of the professionalization of the social sciences, while historians Timothy Haskell and Dorothy Ross grouped it with the social sciences in their treatments of the same topic.⁴³ The difficulty in placing history in context with the others reflects the nature of the discipline. As the discipline acting as custodian of knowledge and research about the past history occupied a similar niche as other humanities disciplines, but as a discipline seeking to increase the objectivity and scientific nature of their work history had much in common with the social sciences.⁴⁴ To be sure, historians during this period occasionally referred

⁴² For an alternative perspective on these disciplines, see Edward T. Silva and Sheila Slaughter, *Serving Power: The Making of the Academic Social Science Expert* (Westport, Conn.: Greenwood Press, 1984). This historical sociology of the social science disciplines argues that these groups were limited and controlled by capitalist and political interests and that these social scientists accepted institutional security in the universities in exchange for advocating social science perspectives that favored the dominant economic and political interests. While valuable, this perspective ignores the ways that these scientists viewed themselves and their work and therefore oversimplifies why they made the collective decisions they did.

⁴³ Furner; Slaughter and Silva; Haskell; Dorothy Ross, "American Social Science and the Idea of Progress," in *The Authority of Experts: Studies in History and Theory*, ed. Thomas L. Haskell (Bloomington: Indiana University Press, 1984).

⁴⁴ Peter Novick, *That Noble Dream: The "Objectivity Question" And the American Historical Association* (Cambridge: Cambridge University Press, 1988).

to their discipline as “the historical sciences,” reflecting their desire to tap into the objective, scientific culture surrounding academia. Furthermore, prominent historians at the time were also active in other disciplines as well. For example, Charles Beard at Columbia University was connected to and active with the American Political Science Association, and George Howard at Leland Stanford Junior University had connections with sociology.

Finally, the humanities at the end of the 19th century found themselves in a precarious position. Philosophy, classical studies, religion, and to a certain extent the study of languages had been in the American higher educational curriculum dating back to the early days of the denominational colleges. In this sense, the professors in these disciplines were in a position of power when the movement to “modernize” higher education took place. Once it became clear that the sciences were beginning to replace them as the dominant disciplinary group in higher education and society at large, the humanities began to incorporate some scientific orientations as well. As Laurence Veysey writes, many humanities professors realized that “the devils were inside the walls.” In response, some humanities faculty members remained in their pre-established niche, as there were still needs for guardians of western culture in the new higher educational world, and others, including many in religion, saw the virtue of making their own disciplines appear more scientific to legitimate them in comparisons with the more clearly objective scientific disciplines.⁴⁵

⁴⁵ Laurence Veysey, “The Plural Organized Worlds of the Humanities,” in *The Organization of Knowledge in Modern America, 1860-1920*, ed. Alexandra Oleson and John Voss (Baltimore and London: The Johns Hopkins University Press, 1979).

As members of increasingly specialized disciplines with advanced training, professors began to view themselves as professionals. In the 18th and early 19th centuries, historian Thomas Bender argued that professionalism was dependent on a professional's specific location and interactions with local peoples in public discourse. In the late 19th century, a new model of professionalism developed in response to the chaos and disorganization of urbanization and industrialization.⁴⁶ This "disciplinary professionalism," as Bender calls it, devalued location and emphasized professions as "community without locality,"⁴⁷ where status was based more on knowledge and competence in "esoteric" academic disciplines because the traditional, local sources of professionalism had eroded away.⁴⁸ By the early 20th century, more and more individuals claimed professional status. Sociologist Stephen Brint suggests that the early 20th century saw a large movement of professionalization as previously white-collar occupations attempted to attain professional status similar to the traditional professions of 18th and 19th century America: medicine, law, and the clergy.⁴⁹ This level of contextualization underlines the importance of disciplinary affiliations to my analysis of academic freedom and the realization that not all occupations who claim professional status attain it equally.⁵⁰

⁴⁶ Thomas Bender, "The Cultures of Intellectual Life: The City and the Professions," in *New Directions in American Intellectual History*, ed. John Higham and Paul K. Conkin (Baltimore and London: The Johns Hopkins University Press, 1979). See also Bender, *Intellectuals and Public Life: Essays on the Social History of Academic Individuals in the United States* (Baltimore and London: The Johns Hopkins University Press, 1997).

⁴⁷ *Ibid.*, 182.

⁴⁸ *Ibid.*, 187-189.

⁴⁹ Steven Brint, *In an Age of Experts: The Changing Role of Professionals in Politics and Public Life* (Princeton: Princeton University Press, 1994)

⁵⁰ Frank Stricker, "American Professors in the Progressive Era: Incomes, Aspirations, and

Professionalization and specialization accompanied other profound developments in American society and culture. The process of industrialization in the late 19th and early 20th century led to the development of massive, urban cities as well as periods of intense economic prosperity that touched many Americans. However, its prosperous qualities were balanced by frequent, and equally intense, depressions. Particularly in the earlier years of this time period, many industries were unregulated and the burden of these periodic depressions hit the working class most severely. Consequently, the late 19th and early 20th centuries are characterized by continuous labor unrest, violent outbursts of frustration and defiance toward industry management, and political activism.⁵¹

Millions of immigrants, increasingly from central, eastern and southern Europe, came to America during the late 19th and early 20th century, and the majority of them took jobs in these new and developing industries.⁵² As a result, public concerns about labor unrest often manifested in widespread fears of groups of foreign-born people with anarchist or socialist tendencies attempting to take control of America, as it did later during the first Red Scare in the summer of 1919.⁵³ Similarly, World War I (1914-1918) led to widespread concerns over the presence of German-born immigrants in the United States, and tightened definitions of what it meant to be American. Such concerns over immigration, ideology, and social disorder provide a rich context for studying the

Professionalism,” *Journal of Interdisciplinary History* 19, no. 2 (1988), 231-257.

⁵¹ Nell Irvin Painter, *Standing at Armageddon: The United States, 1877-1919* (New York: W. W. Norton and Company, Inc., 1987); Robert H. Wiebe, *The Search for Order, 1877-1920* (New York: Hill and Wang, 1967); Michael McGerr, *A Fierce Discontent: The Rise and Fall of the Progressive Movement in America* (Oxford and New York: Oxford University Press, 2005).

⁵² Painter, xxxiv.

⁵³ *Ibid.*, especially chapter 12.

professoriate's claims of academic freedom.⁵⁴

At the same time, the late 19th and early 20th century is characterized by efforts to reform and improve society. However, change was not welcome from all sources. Social Darwinism cultivated a belief that the most able people were already at the top of society and all people would benefit by following their lead.⁵⁵ Thus, change from above was championed, while change from below was associated with disorder, chaos, and the overthrow of the government. This issue would later be particularly important to public discourse on academic freedom because of the radicalism associated with ideas that appeared to sympathize with working class interests or labor organizations.

For their part, the 1920s saw the continuation of many of the social and cultural trends of the Progressive Era as well as the war period. More specifically, American social and cultural life in the 1920s was characterized by a powerful anti-radical hysteria, increased concerns over social complexity and the loss of local control over all aspects of social life, and the desire to reform society in light of these perceived negative impacts of industrialization, urbanization, and modernization.⁵⁶

In conclusion, the institutional and structural authorities surrounding, constraining, and enabling the professoriate from 1890-1929 contributed to a profound period of change. One of the shibboleths advanced by historians of academic freedom is

⁵⁴ See, for example, William E. Matsen, "Professor William S. Schaper, War Hysteria and the Price of Academic Freedom," *Minnesota History* 51, no. 4 (1988), 130-137; William E. Nicholas, "World War I and Academic Dissent in Texas," *Arizona and the West* 14, no. 3 (1972), 215-230.

⁵⁵ Painter, xl-xlii.

⁵⁶ Lynn Dumenil, *Modern Temper: American Culture and Society in the 1920s* (New York: Hill and Wang, 1995).

that the concept is more highly contested or that its practice is more often subject to abuse during periods of intense social change. However, from 1890-1929 not only was American society and culture in the midst of immense social and cultural changes, but the faculty and scholarly roles were also in a period of change of their own as they adapted to the emergence of the university and the institutionalization of research. It is within this sea of change that this history of the struggle over academic freedom, academic professionalization, and the function of the academy takes place.

The Argument and Summary of Chapters

This dissertation argues that the academic freedom discourse from 1890-1929 was the result of a unique blend of conceptual ideas and contextual issues. My analysis led me to focus this dissertation on two aspects of the discourse on academic freedom that are central to my argument: the nature of professorial and administrator discourse on the concept and the portrayal of academic freedom in the press itself. As such, my argument addresses faculty professionalization issues internal to the academic field as well as external ideas and barriers that influenced the professoriate from 1890-1929.

Conceptually, Americans combined their understanding of German ideas about academic freedom with preexisting notions of American freedom. The academic freedom discourse was a caricature of the broader discourse on freedom and liberty which they inherited from earlier time periods and other contemporary historical actors. It combined the institutionally-specific German ideas about *Lehrfreiheit* as the freedom for university

professors to teach free from administrative interference with distinctly American notions of freedom of expression, and industrial or economic freedom. Thus, there were always two general strands in the faculty discourse on academic freedom: the first was a caricature of the freedom tradition of dissent that emphasized broader, individually-oriented academic freedom and the need for free research and expression of scholars to advance society, and the second was a caricature of the freedom tradition of suppression that was more constrained and collective in defining academic freedom and that underlined the need for professional and academic unity to preserve the university and serve society. The former used academic freedom as something which protected the individual scholar from more powerful individuals within or outside of the university, and the latter saw academic freedom as a concept that protected the sanctity and social function of the university from the abuse of extremist and unprofessional professors.

As a concept that the faculty and administrators used for the purpose of defining the nature of university life and the role of the faculty within it, the trajectory of the discourse on academic freedom and the preponderance of academic freedom cases reveal the struggle of different groups within and without the university to gain control. For professors, this was directly tied to their dynamic, ongoing professionalization processes that different sectors of the professoriate experienced differently and the discourse from 1890-1929 reveals two general orientations toward academic professionalization. The first was more in line with 18th and 19th century notions of the role of the intellectual, seeking the truth and generating new ideas, in some cases even risking personal safety

and citizenship for the sake of the truth. Naturally, this group emphasized the broadest notions of independence and relied on abstract arguments about the importance of the free expression of ideas, no matter how radical, when explaining their service to society. The second was a scientific orientation toward professionalization that emphasized objectivity, unity, and cooperation amongst professors and within the university in general. For the former, service to society lay in the value of new ideas themselves, however controversial they may be at one point in time, to social progress. For the latter, service was neutral, advisory, and ultimately moderate in nature.

Academic freedom discourse, then, took on a dual-professionalizing role from 1890-1929. It was a means through which the faculty attempted to legitimate themselves—individually and collectively—in the public eye as well as an important part of the academic professions’ internal struggle to redefine itself amidst a changing social and academic landscape. The shift toward industrialization, modernization, and urbanization coincided with the shift away from locally-focused institutions of higher education toward more national, if not cosmopolitan, universities and colleges that served a multiplicity of peoples and had a multiplicity of functions in society. Professors needed to redefine their roles and their orientation to their work in the midst of these changes, and the struggle to define academic freedom played a central role in this very public transition.

In fact, the very publicity of the transition itself presented professors with one of the more profound barriers to their struggle for professional status from 1890-1929.

Though it was clear that some faculty members saw the use of public media as one of the most important pathways toward the legitimation of the professoriate, their seemingly constant presence in the media arguing for academic freedom tended to have the opposite effect. Beginning in the Progressive Era, the media's portrayal of academic freedom inherently connected the professors in academic freedom cases with other radical social groups, such as socialists or anarchists, because of similarities in the use of freedom. Only radical groups used the press to argue for more freedom of speech. Being connected to this public spectacle of agitation, this fear of social and political radicalism, made professionalization via academic freedom a difficult pathway for American professors, as the media tended to collectively argue that faculty members should have limited freedoms. This dissertation illustrates that this inherently negative media coverage of academic freedom played an important role beginning with the anti-radicalism of the Progressive Era, through the anti-German and anti-pacifism of the World War I period, and continuing with the anti-foreign and anti-radical elements of the 1920s.

Chapter 2 details the historiography of academic freedom from 1890-1929, describes the conceptual framework for this study, and explains the historical methods used to analyze the primary sources that contributed to this historical dissertation.

Chapter 3 covers the years 1890-1910, and explains the development of the two general trends of academic freedom discourse in response to the perceived threat of big business control of higher education, and illustrates the constraints posed by the media, as

it reflected broader social concerns in its criticism of the faculty in academic freedom stories. Chapter 4 continues this analysis through the 1910-1914 period, in which professors continued the broad-free and constrained-professional academic freedom discourse, but also increasingly concerned themselves with discussions of what academic freedom looked like in terms of institutional governance, policies, and procedures. By stressing that professorial opinion on academic freedom was not unified prior to the formation of the AAUP, chapters 3 and 4 offer support for Stanley Anderson's conceptualization of academic freedom as well as a counterargument to scholars, particularly Sheila Slaughter, who tend to view the AAUP and its subsequent academic freedom statements as reflective of the views of the professoriate writ-large or as representing a united professional ideology of the professoriate.⁵⁷ Furthermore, these chapters argue that professors involved in academic freedom cases from 1890-1915 experienced significant levels of status-strain as they attempted to advance their professional interests while maintaining respect and status within their local communities.

Chapter 5 describes the formation of the AAUP in 1915 within the context of the academic freedom and publicity concerns of the professoriate. As a result of the

⁵⁷ Stanley David Anderson, "An Analysis of the Meaning of academic freedom in American higher education, 1860-1920," (Baylor University, 1980). Sheila Slaughter, "The Danger Zone: Academic Freedom and Civic Liberties," *Annals of the American Academy of Political and Social Science* 448 (1980). See also Clyde W. Barrow, *Universities and the Capitalist State: Corporate Liberalism and the Reconstruction of American Higher Education, 1894-1928* (Madison: The University of Wisconsin Press, 1990). Arthur M. Cohen, *The Shaping of American Higher Education: Emergence and Growth of the Contemporary System* (San Francisco: Jossey-Bass, Inc., 1998) offered a similar perspective by implying that the sole differences in opinion regarding academic freedom occurred between administrators and faculty.

interaction and collaboration of many of the elite faculty across the country, the AAUP was to be an organization that would foster professorial discussion of all types of higher educational issues, the development of a professional code of ethics, and it was intended to serve as a united voice on behalf of the faculty at universities and colleges throughout the nation. Though many of the concerns of the professors who created the AAUP were connected to academic freedom, the concept itself was not included in the organization's constitution, reflecting the hesitance of some professors to participate in the new organization because of the negative perceptions associated with academic freedom in the media. By focusing more on concrete governance issues and using more general language related to academic professionalization in its formation, the new organization hoped to avoid appearing too radical. However, the foundation of the organization coincided with a number of 'cases' in which faculty members claimed their academic freedom was violated. So, despite the wishes of a significant number of professors across the nation, the new organization focused on academic freedom anyway, culminating in the publication and dissemination of the General Declaration of Principles at the end of 1915. Building on Anderson's work, I argue that the General Declaration legitimated ideas from both the broad-free and constrained-professional strands of the academic freedom discourse. It was the most thorough American articulation of the concept published at the time, but it was not perfect. It was neither universally agreed upon nor did it eliminate the status-strain inherent in the concept of academic freedom, and the proper application of its principles was not yet clear.

Chapter 6 continues the discursive analysis of the public academic freedom discourse for the World War I period (1915-1919), emphasizing both the continuation of the media's negatively-leaning press coverage of academic freedom cases and the relative continuation of the broad-free and constrained-professional tendencies of the faculty discourse. The constrained-professional strand was particularly strong during this period as many professors favored the broader social movements to constrain the freedoms of those who appeared to side with Germany or who did not fully endorse the United States' involvement in the war. This led the AAUP to issue its special statement on academic freedom in the war, which—as a document that was clearly a publicity statement made for public consumption as well as a document to guide the academic profession—essentially legitimated the anti-German and anti-pacifist sentiment pulsing through American society. By emphasizing the status-strain posed by academic freedom's cosmopolitan claims to professorial identity and the war's heightened nationally-oriented identity claims on the professoriate, this chapter argues that previous historical work on the war period is too quick to criticize the AAUP for abandoning “unfettered” academic freedom in favor of war-time constraints.

Chapter 7 finishes this history of the public academic freedom discourse by focusing on the 1920s (1920-1929). In the 1920s, many of the trends of the previous decades continued, including the broad-free and constrained-professional strands as well as the public media's portrayal of academic freedom as a radical issue. However, the 1920s saw a profound change when the Fundamentalist movement against the teaching of

evolution across the country altered the discourses. Whereas before the primary enemy to academic freedom was the role of business in higher education or perhaps overly dominant and arbitrary administrators, in the 1920s the primary enemy became Fundamentalist Christianity. The presence of a new enemy affected the use of academic freedom by professors as well as the media portrayal of academic freedom. By the end of the decade, Fundamentalism was commonly seen as uneducated, intolerant, and ignorant. Juxtaposed to such a foe, faculty radicalism blurred to the background and many professors found it favorable to stay out of the public eye so that all of the negative attention would fix on the Fundamentalists.

At the same time, the 1920s saw an increased sense of cooperation from professors, the AAUP as an organization, and within higher education in general as professors and administrators worked together with greater frequency related to problems surrounding higher education. Administrators used the broad-free discourse of academic freedom to defend their institutions against the Fundamentalist threat, and professors at threatened colleges exhibited an increased interest in cooperating with administrators and boards of trustees to address local publicity issues such as those posed by the Fundamentalists. By the end of the decade, the publicity movement amongst professors and the AAUP was in a period of relative decline. While it still saw improved internal communication and publicity within higher education as an important part of its mission, the AAUP's concern as the collective voice of the professoriate or in managing the public image declined in favor of less visible methods of action and collaboration. Though this

chapter builds on Timothy Cain's work, it also offers a subtle counter-argument to Cain by highlighting the importance of academic professionalism and publicity to the AAUP's move toward a behind-the-scenes-procedural orientation toward academic freedom in the 1920s.

Chapter 8 then closes the dissertation with some brief conclusions and conceptualizations about academic freedom and academic professionalization from 1890-1929. There was no universal concept of academic freedom advocated by the professoriate, nor was their one single pathway for academic professionalization, and though the AAUP tended to legitimate a more constrained understanding and application of academic freedom it had a minimal effect over the broader discourse compared to external threats such as public apprehension regarding the connection between academic freedom and radicalism. There were clear differences in the purposes or functions of the different strands of the academic freedom discourse, with the broad-free strand retaining value over time for its use as a weapon against threats external to the academic profession and the constrained-professional strand having continued value for its ability to internally regulate the professoriate as well as provide professors and their institutions a way to save face publicly.

Finally, this diversity in understanding academic freedom connected to the diversity of understandings of the academic profession, as many professors embraced and exploited different opportunities in their attempts to professionalize themselves. Some professors focused solely on research and the values attached to research-expertise within

their disciplinary networks while others took it upon themselves to fight for faculty status within their local institutions by advocating for more governance in local and national media. Still others took central roles in forming the AAUP in attempts to create a public, professional voice for the professoriate and to lead and guide on various institutional issues, but these professors often did so by sacrificing the time they devoted to research, teaching, and their family lives. Regardless, there was considerable diversity in faculty attempts at professionalization.

Chapter 2: Historiography, Conceptual Framework, and Methods

This dissertation is a social and intellectual history of academic freedom written using a dynamic perspective of academic professionalization and a historical methodology that emphasizes the importance of social and cultural context in understanding ideas. This chapter assesses the historical literature on academic freedom from 1890-1929, explains the conceptual framework for this study, and describes the historical methods used to analyze the primary sources I consulted to write this social and intellectual history of academic freedom.

Historiography

Building heavily off of the seminal work *The Development of Academic Freedom in the United States*¹ by Richard Hofstadter and Walter Metzger, previous historical research has established a consensus on the origins of academic freedom and identified landmark cases where professors deemed academic freedom was violated, leading to the foundation of the American Association of University Professors (AAUP) in 1915 in hopes that such organization would advance and defend the interests of professors. Yet, this historical literature often uses the terms “faculty” or “professor” too generally, minimizing the presence and importance of potential differences within the professoriate.

¹ Richard Hofstadter and Walter P. Metzger, *The Development of Academic Freedom in the United States* (New York: Columbia University Press, 1955).

Consensus and Canon

Writing in the midst of the McCarthy Era and having lived through the development of academic freedom and the controversies over it, Hofstadter and Metzger sought to “know what freedom has meant to successive generations of academic men, to what extent they have achieved it, and what factors in academic life itself, as well as in American culture at large, have created and sustained it.”² *The Development of Academic Freedom in the United States* was divided into two parts.

Hofstadter undertook the first part, which chronicles the development of the concept of intellectual freedom and its practical applicability from the Middle Ages in Europe to late 19th century America. Conceptually, Hofstadter found that the modern idea of academic freedom derived from many “analogous ideas” throughout this time period. From science, it borrowed the reverence for continually searching for the “truth” and objective methodologies; from commerce, it took the free competition of ideas; from politics, the ideas of free speech or expression; and from religion, the concept of toleration.³

However, Hofstadter also indicated that throughout this early history the various formulations of intellectual freedom were deeply constrained by contextual limitations. For example, intellectual freedom in the Middle Ages operated within a “framework of an authoritative system of faith upheld by vigilant positive authority.”⁴ Consequently, there was often tension between the faculty’s submission to religious authority and their

² *Ibid.*, ix.

³ *Ibid.*, 61 and 208.

⁴ *Ibid.*, 11-12.

assertion of intellectual freedom. Hofstadter found similar tensions in the American collegiate system that was dominated by denominational religious groups until the late 19th century. Professors involved in controversies over religious doctrine or authority were often accepting of their role in these doctrine-dominated institutions and therefore promptly resigned.⁵ The constraints need not be religious either, as he argued that in the early 19th century socio-political issues such as slavery or partisan politics often limited intellectual freedom of the faculty as well.⁶ Nonetheless, by the late 19th century, professors began to gain more prominence in their institutions, as Hofstadter quoted an administrator from 1873: “Professors are sometimes spoken of as working for the college. They are the college.”⁷ This relationship between the life of the institution and the life of the faculty would grow more important as the concept of academic freedom developed in the 20th century.

Hofstadter’s portion of the history ended in the late 19th century as the professoriate was beginning to increase in number and status. Walter Metzger’s section, “The Age of the University,” picked up where Hofstadter left off and traced the development of academic freedom until World War I. Importantly, it is Metzger’s portion of the history that forms the backbone of subsequent historical treatments of academic freedom. The remainder of this section will explain Metzger’s argument while illustrating how future historians reaffirmed it or elaborated on it.

Metzger began his historical treatment of academic freedom by situating it within

⁵ *Ibid.*, 231-232.

⁶ *Ibid.*, 238.

⁷ *Ibid.*, 274.

the institutional and cultural changes within American higher education in the late 19th century. The old regime of the denominational college that revered tradition, and which was often run by presidents and faculty members who were ministers,⁸ gradually gave way to a new regime devoted to science and progress. The conflict between the two groups culminated in the 1870s and 1880s when Darwinism became popular in America.⁹ Old regime presidents and trustees from many colleges began to dismiss professors who taught evolution. In response, Metzger argued the professoriate, realizing their growing numbers throughout the nation,¹⁰ attacked religious authority using their newly developed rationale for academic freedom.¹¹ This new rationale incorporated the convergence of scientific ideas, such as continual inquiry and the concept of scientific competence,¹² as well as a collection of ideas borrowed from German academia.¹³

Metzger emphasized that “America took from German sources only that which fitted her needs, only that which was in harmony with her history.”¹⁴ Americans visiting Germany were profoundly attracted to Germany’s research-oriented universities and institutes, seemingly detached from the world and focused on research. Particularly important were the German concepts *Lernfreiheit*, which allowed students freedom to take whatever courses they desired, and *Lehrfreiheit*, which emphasized professorial

⁸ *Ibid.*, Ch. 6. See also, John S. Brubacher and Willis Rudy, *Higher Education in Transition: A History of American Colleges and Universities, 1636-1976*, 3rd edition, revised and enlarged (New York: Harper and Row, Publishers, Inc., 1976), 309.

⁹ See also Frederick Rudolph, *The American College and University: A History* (New York: Alfred A. Knopf, Inc., 1962).

¹⁰ Hofstadter and Metzger, 319.

¹¹ *Ibid.*, Ch. 7.

¹² *Ibid.*, 364-365.

¹³ *Ibid.*, Ch. 8.

¹⁴ *Ibid.*, 367.

freedom to research and teach without administrative interference. Metzger stressed that *Lehrfreiheit* was the distinct right of academics and not a wider civil liberty (after all, Germany was not a democracy).¹⁵ Additionally, he argued that while German universities did not have lay boards governing them, they were still under the control of the state and, therefore, not wholly autonomous. However, these constraints were lost as the German concepts came to America.¹⁶

Several major historians after Hofstadter and Metzger affirmed this part of the story in their landmark histories of American higher education. Rudolph underlined the distinction between German and American notions of academic freedom, where the German concepts did not extend beyond the realm of the institution and the American concept was tied into American pragmatism¹⁷, the broader notion of freedom in a democracy, and became a sort of practical, civil liberty.¹⁸ Veysey also connected American interest in research and the concepts of academic freedom to German academia. However, Veysey introduced the value of *Wissenschaft*, or scholarship, which was seen as separate from teaching in Germany. He also connected American interests in research methodology, and especially rigorous attention to detail, with their experiences in Germany. Thus, “[t]he German ideal of ‘pure learning,’ largely unaffected by utilitarian demands, became for many Americans the notion of ‘pure science’ with

¹⁵ *Ibid.*, 385-387.

¹⁶ *Ibid.*, Ch. 8.

¹⁷ Rudolph. For this point, see also Hofstadter and Metzger, 404-405; Brubacher and Rudy, 1976; and Arthur Cohen, *The Shaping of American Higher Education: Emergence and Growth of the Contemporary System* (San Francisco: Jossey-Bass, Inc., 1998), 127-128.

¹⁸ Hofstadter and Metzger also discuss the incorporation of broader notions of freedom into understanding of academic freedom, see especially 413.

methodological connotations which the conception had often lacked in Germany.”¹⁹

Brubacher and Rudy and Marsden largely confirmed this explanation, although the latter stressed the “sanctified” moral nature of German scientific research.²⁰

Collectively, this body of research forms a consensus on the origins of the American concept of academic freedom as the Americanization of German ideas such that contemporary discussions comfortably gloss over it or take it for granted.²¹ Although there was some innovation, this portion of the historiography is heavily dependent on the framework established by Hofstadter and Metzger’s earlier work.

The consensus over the origins of the concept itself is not as problematic as what these consensus historians did with that insight. Rudolph, Veysey, Brubacher and Rudy, and Marsden all identified the differences between the Americanized concept and the German concept, but their discussion essentially ended with that identification. They accepted the American association of academic freedom with civil liberties such as free speech without problematizing it. As a result, not enough attention is paid to the contextual mismatch between Germany and America. 19th century German professors operated within a system run by the German state and were therefore not as autonomous as Americans perceived, and their ideas did not connect to a broader notion of civil liberty like they would in America. The inherent tension between the German concepts

¹⁹ Laurence Veysey, *The Emergence of the American University* (Chicago: The University of Chicago Press, 1965). 126-127.

²⁰ Brubacher and Rudy; George M. Marsden, *The Soul of the American University: From Protestant Establishment to Established Nonbelief* (Oxford and New York: Oxford University Press, 1994)., see especially, 297.

²¹ See, for example, William G. Tierney and Vicente M. Lechuga, “Academic Freedom in the 21st Century,” *Thought and Action*, no. Fall (2005).

and the American context in which they were used is an important, but under-emphasized part of the early history of academic freedom in America. From the end of the 19th century on, the struggle for academic freedom was as much about this contextual mismatch as it was about faculty power or civil liberties.

Along with forming the backbone of the consensus regarding the origins of academic freedom, Metzger's treatment of the "Age of the University" began a tradition within the historiography that focused on specific cases of academic freedom. In an earlier work, Metzger cautioned against historians paying too much attention to the academic freedom cases because they distorted the history into a "story of academic suppression," although he did acknowledge the importance of understanding why multiple cases emerged in certain periods.²² In *The Development of Academic Freedom in the United States*, Hofstadter and Metzger reiterated this concern,²³ but the cases were impossible to avoid in telling the history and, for better or worse, this influenced a substantial body of historical attention to specific cases.²⁴ Beginning with controversies regarding religion and science in the 19th century, and continuing with various social,

²² Walter P. Metzger, "Some Perspectives on the History of Academic Freedom," *The Antioch Review* 13, no. 3 (1953), 275.

²³ Hofstadter and Metzger, ix.

²⁴ Brubacher and Rudy; Clement Eaton, "Professor Woodrow and the Freedom of Teaching in the South," *Journal of Southern History* 28, no. 1 (1962); Mary Engel, "A Chapter in the History of Academic Freedom: The Case of Alexander Winchell," *History of Education Journal* 10, no. 1 (1959); Arnon Gutfield, "The Levine Affair: A Case Study in Academic Freedom," *The Pacific Historical Review* 39, no. 1 (1970); Christopher Lucas, *American Higher Education: a History* (New York: St. Martin's Press, 1994); George M. Marsden, "The Ambiguities of Academic Freedom," *Church History* 62, no. 2 (1993); Marsden, 1994; William E. Matsen, "Professor William S. Schaper, War Hysteria and the Price of Academic Freedom," *Minnesota History* 51, no. 4 (1988); William E. Nicholas, "World War I and Academic Dissent in Texas," *Arizona and the West* 14, no. 3 (1972); Earl W. Porter, "The Bassett Affair: Something to Remember," *South Atlantic Quarterly* 72, no. 4 (1973); Rudolph, 1962; Veysey, 1965.

political, or economic issues in the 20th century, Metzger used case studies to analyze the development of academic freedom. Furthermore, due in part to Metzger, the names Alex Winchell,²⁵ Richard Ely,²⁶ Edward Bemis,²⁷ John Bassett,²⁸ Edward Ross,²⁹ and John Mecklin³⁰ appear throughout the historiography on this time period as the landmark examples of the necessity for and development of academic freedom that culminated in the founding of the Association of American University Professors (AAUP) in 1915.

Hofstadter and Metzger's *The Development of Academic Freedom in the United States* forms the backbone of the historiography on academic freedom in America. Particularly with Metzger's contribution, it is the foundation of a consensus understanding that American academic freedom was heavily influenced by distinctly American versions of German academic ideals and it cites specific academic cases in the late 19th and early 20th centuries that came to comprise a canon of sorts. In order to assess the content and quality of the historiography on academic freedom in the late 19th and early 20th century, it is necessary to discuss it in relation to power and civil liberty.

An Issue of Institutional Power or Professorial Civil Liberty?

In 1953, when Metzger criticized historical case studies of academic freedom he

²⁵ Engel; Hofstadter and Metzger, 330; Rudolph, 411.

²⁶ Brubacher and Rudy, 313; Hofstadter and Metzger, 420 and 445; Lucas, 194; Rudolph, 413; Tierney and Lechuga, 8.

²⁷ Brubacher and Rudy, 313; Hofstadter and Metzger, 420 and 445; Lucas, 194; Rudolph, 413; Tierney and Lechuga, 8.

²⁸ Hofstadter and Metzger, 445; Porter; Rudolph, 413.

²⁹ William G. Tierney, "The Roots/Routes of Academic Freedom and the Role of the Intellectual." *Cultural Studies, Critical Methodologies* 4, no. 2 (2004): 250-56. See also Brubacher and Rudy, 313; Hofstadter and Metzger, 436-445; Lucas, 195; Tierney and Lechuga, 8; Veysey, 383-414.

³⁰ Hofstadter and Metzger, 473; Marsden, 1993; Marsden, 1994, Ch. 16; Tierney and Lechuga, 8.

did so because he thought such an approach distorted the story. He also cautioned against generalizing academic freedom as synonymous with the civil liberty of free speech. Instead, he advocated a mediated understanding where academic freedom was “dependent on such...factors as the diffusion and diversification of power in the community.”³¹ The story told by Hofstadter and Metzger two years later indicated similar concerns for power and civil liberty. Power was present in Metzger’s conceptualization of the change from denominational colleges to universities revering academic freedom as revolutionary, as one regime taking power from another. He explained the power struggle between external financial interests and the faculty inside of institutions and suggested that with the AAUP the concept of academic freedom became an institutional problem. For Metzger, even the American interest in German ideas was rooted in their perception and reverence of German academic autonomy. Yet, he also illustrated that those German ideas inevitably were tied into broader American civil liberties.³² Subsequent historians, however, would not always recognize the same relationship between power and civil liberty. Instead, two streams emerge emphasizing the centrality of one over the other in the development of academic freedom. Regardless of the stream, both directions depended on Hofstadter and Metzger.

The portion of the historiography focusing on power reveals struggle on multiple levels. First, the history of academic freedom was certainly rooted in concerns for professorial power within institutions. Veysey argued that the discussion of academic

³¹ Metzger, 278.

³² Hofstadter and Metzger, 398, 451, and Ch. 7.

freedom was about institutional authority and hierarchy, as the faculty attempted to solidify their place in the emerging bureaucratization of higher education. In that context, academic freedom represented both a symbol of independence for the professoriate and their frustration with their current level of power.³³ Other historical treatments offered similar perspectives, framing academic freedom as an appeal for national control over local issues³⁴ and the organization of the AAUP as an act of professorial legitimacy³⁵ or as an impetus to increasing faculty status and power within institutions.³⁶ Furthermore, Finkelstein indicated that the founding of the AAUP was foreshadowed by increased frequency of faculty revolts, and was in part the result of the growth of the professoriate in a time when the system of higher education was already in the process of changing.

Brubacher and Rudy and Marsden also emphasized that faculty power within the institution was important to the foundation of the AAUP, but they did so by underlining the faculty's belief that they were not "just employees" who could be hired or fired at will. This introduced a more elitist portrayal of the professoriate into the story that is supplemented by Finkelstein's claim that the AAUP was a selective organization³⁷ and Hofstadter and Hardy's argument that faculty members with higher prestige often had more power within their institutions.³⁸ Finkelstein's point raises the issue of whether the

³³ Veysey, 386-397.

³⁴ Marsden, 1993.

³⁵ Sheila Slaughter, "From Serving Student to Serving the Economy: Changing Expectations of Faculty Role Performance," *Higher Education* 14, no. 1(1985), 41-56, especially 42.

³⁶ Martin J. Finkelstein, *The American Academic Profession: A Synthesis of Social Scientific Inquiry since World War II* (Columbus: Ohio State University Press, 1988), Ch. 2.

³⁷ *Ibid.*, 24.

³⁸ Richard Hofstadter and C. Dewitt Hardy, *The Development and Scope of Higher Education in the United States* (New York and London: Columbia University Press, 1952), 131.

professoriate thought academic freedom should be universally extended to all professors, or if it was a right extendable to only the most established faculty members.

One of the more interesting approaches to academic freedom in this strand addressed power from a Marxist perspective. In Clyde Barrow's important work, *Universities and the Capitalist State*, he connected the history of academic freedom in the late 19th and early 20th century to the movement to control higher education by big business interests. Reflecting both a comparative case study method and issues of professionalization, the development of academic freedom in Barrow's history was part of the incorporation of a business-style professionalism and the creation of an ideological state-apparatus that alienated radical perspectives.³⁹

Historical treatments of power and academic freedom also touch on the relationship between the university as a whole and the local or national communities it serves. This perspective of power was foreshadowed by Metzger, when he asserted that after the creation of the AAUP the issue of academic freedom was institutional.⁴⁰ If the university is to be the legitimate research institution that is implied by academic freedom then it needs to be free to pursue research, and not bound by external ideological, economic, political, or religious constraints. However, as numerous classical cases show, colleges and universities are funded by corporate interests, professorships are endowed by donors, and at any moment the individuals behind the money may exert their power

³⁹ Clyde W. Barrow, *Universities and the Capitalist State: Corporate Liberalism and the Reconstruction of American Higher Education, 1894-1928* (Madison: The University of Wisconsin Press, 1990).

⁴⁰ Hofstadter and Metzger, 398.

over their institutions.⁴¹

The historiography on early academic freedom, then, addressed the professoriate's concern with power in two contexts. The first area of concern for the faculty was with their own power within their institutions and amongst themselves. They not only assumed a level of academic authority over what they researched and taught, but sought to distinguish themselves from their colleagues. The second area of concern addressed the status of their institutions within their local, regional, and national communities. Originating from Hofstadter and Metzger's foundational work, the focus on power has proven useful for understanding the behavior of professors since the late 19th century. However, power only tells part of the story. To fully understand the historiography on academic freedom requires an exploration of how historians connected academic freedom with civil liberty.

The civil liberty stream in the academic freedom historiography, as illustrated above, is equally dependent on Metzger's work. In spite of his best efforts to persuade future historians to avoid narratives that generalize academic freedom into broader civil liberties and portray the story as a great struggle for those liberties, historians still wrote histories that did just that. This civil liberty stream presents itself in both broader discussions of academic freedom and histories that address particular cases or moments.

Rudolph largely portrayed the issue of academic freedom as part of broader American freedoms like free speech. From this view, the problem of academic freedom

⁴¹ *Ibid.*, Ch. 8. See also, Brubacher and Rudy; Marsden 1993; Marsden, 1994, Ch. 16; Rudolph; Veysey.

for the professoriate was *protecting* themselves from institutions of higher education.⁴² Brubacher and Rudy supplemented this approach by also conceptualizing academic freedom as a civil liberty and by narrating its development as a hard fought but inevitable progression toward legal legitimization. Although various social, political and economic crises posed threats to this freedom, academic freedom was eventually crystallized into case law by a series of U. S. Supreme Court cases in the 1950s.⁴³ By treating academic freedom as the natural, civil liberty of the professoriate, Brubacher and Rudy implicitly equated the struggle for academic freedom with woman's suffrage or the civil rights movement. Consequently, they also portrayed the struggle for academic freedom as finished, as a problem of the past.

Carol Gruber's work on the history of higher education during World War I remains the starting point for the study of academic freedom during the war. Gruber's argument about academic freedom fits directly into the civil liberty strand of the historiography as she emphasized the influence of ideological constraints facing American society in general and higher education in particular in the loss of academic freedom for faculty members across the nation because of pacifist, pro-German sentiment, or anything that might be construed as such.⁴⁴ Gruber argued that the AAUP's wartime statement on academic freedom undercut the civil liberties of the professoriate,

⁴² Rudolph, 413-416.

⁴³ Brubacher and Rudy, Ch. 15.

⁴⁴ Carol S. Gruber, *Mars and Minerva: World War I and the Uses of Higher Learning in America* (Baton Rouge: Louisiana State University Press, 1975); ———, "Academic Freedom at Columbia University, 1917-1918: The Case of James McKeen Cattell," *AAUP Bulletin* 58, no. 3 (1972), 297-305.

and emphasized the details of a few cases, particularly that of James McKeen Cattell in illustrating her point.

The civil liberty orientation is also present in the histories focusing on specific case studies or time periods. The historical treatments of the early academic freedom cases often celebrated individual professors for their struggles, the institutions that recognized academic freedom, or both. Conversely, these histories antagonized the individuals, institutions, or groups that hindered academic freedom. The result of these celebrations of the struggle for academic freedom as a civil liberty is an overly simplistic, if not ideologically charged, historical understanding.

The Ross case is the most cited of all the early cases of academic freedom and it is a great example of the celebratory tendencies of historians of academic freedom.⁴⁵ In 1900, Edward Ross was dismissed from Leland Stanford University for voicing controversial political opinions. The importance of the Ross case is that it prompted the beginnings of organized faculty investigations of institutions and a unity amongst professors that was not bound by institution. Perhaps without even intending to do so, the majority of these histories treated Ross as a heroic figure and disparaged Stanford's administrators and benefactors. Lucas and Tierney offered a counter narrative, providing evidence that Stanford's administration sanctioned Ross for public comments against Asian immigration that were racist⁴⁶ and inappropriate to current norms.⁴⁷ Ross was not

⁴⁵ Brubacher and Rudy, 313; Hofstadter and Metzger, 436-445; Lucas; Tierney; Tierney and Lechuga, 8; Veysey, 383-414.

⁴⁶ Lucas, 195.

⁴⁷ Tierney.

necessarily the hero that some historians have constructed. Furthermore, Lucas and Tierney suggested that even problematic views such as Ross' should be protected by academic freedom. Although this counter narrative is an important contribution to the historiography, it also underlines the tendency for historians to romanticize academic freedom cases.

The civil liberty trend in the literature covering the history of academic freedom from the late 19th to early 20th century offers a nostalgic, faculty-biased perspective. This is understandable considering that many of these historians were, and are, faculty members themselves. Their understandings of academic freedom reflect the Americanization of Germanic ideas identified by Hofstadter and Metzger and numerous subsequent historians.⁴⁸ It may be that American historians have had difficulty removing themselves from their own culture, which embraces the myth of natural, self-evident, individual rights like the freedom of expression. If that is the case, then it is natural, if not inevitable, to perceive academic freedom as yet another civil liberty. However, the presence of such a celebratory strand in the historiography also illuminates the subjective nature of history and reminds us that history's purpose may not always be to contribute to or build upon knowledge. Rather, history can also serve ideological needs such as boosting morale, legitimating claims to authority, or connecting the present to a romanticized or even fictionalized version of the past. It was precisely this "distortion" of the history that Metzger worried about, and it is ironic that his later work with Hofstadter played such a foundational role in establishing a case-study approach to

⁴⁸ Brubacher and Rudy; Marsden 1993; Marsden, 1994; Rudolph, Veysey.

history that took a nostalgic turn.

Of course, this is not to say that there has not been some innovation in the historiography. Work by Sheila Slaughter, for example, attempted to offer more complex understandings. In her important essay entitled “The Danger Zone,” she used a sort of exchange theory and argued that the early history of academic freedom and the AAUP (and the history of later periods as well) was the result of the faculty sacrificing a portion of their civil liberties for increased power within their institutions and a handful of procedural safeguards.⁴⁹ Slaughter’s work returned to a more complex perspective similar to that offered by Hofstadter and Metzger, but Slaughter offered more precision by discussing academic freedom within a capitalistic exchange system. This exchange perspective appeared in some form in her later work as well, although it covered a later time period.⁵⁰

Mary Furner’s *Advocacy and Objectivity* positioned the issue of academic freedom within the professionalization of American social sciences, particularly the developing discipline of economics. Her work remains one of the only attempts to investigate the connections between academic freedom and the development of an academic discipline, and she argued that economists used the concept of academic freedom in the late 19th and early 20th century in conjunction with discussions about the

⁴⁹ Sheila Slaughter, “The Danger Zone: Academic Freedom and Civic Liberties,” *Annals of the American Academy of Political and Social Science* 448 (1980), 46-61.

⁵⁰ Sheila Slaughter, “Academic Freedom and the State: Reflections on the Uses of Knowledge,” *The Journal of Higher Education* 59, no. 3 (1988), 241-262. See also Edward T. Silva and Sheila Slaughter, *Serving Power: The Making of the Academic Social Science Expert* (Westport, Conn.: Greenwood Press, 1984), which also emphasizes the exchange aspect.

role of the social science expert to create standards of professional conduct and orientation for the field of economics.⁵¹

There are also a few noteworthy dissertations which offer analysis of academic freedom during this time period or offer similar analyses. Stanley Rolnick offered valuable insights regarding the complexity of academic freedom as a concept as well as analysis of many of the notable cases of academic freedom from 1870-1920.⁵² However, his analysis often only emphasized differences between theoretical, or “utopian,” statements on academic freedom with more practical definitions, and he argued that the history of academic freedom saw a shift from an initial understanding of it as a professional privilege to an understanding rooted in public service.⁵³

Christopher Lucas conducted a similar analysis in the 20th century, though with less case details and more focus on public conceptions of the scholar.⁵⁴ His analysis emphasized the emotive nature of many public uses of academic freedom by faculty

⁵¹ Mary O. Furner, *Advocacy and Objectivity: A Crisis in the Professionalization of American Social Science, 1865-1905* (Lexington: The University of Kentucky Press, 1975). Furner’s argument here is a nice contrast to Silva and Slaughter’s in *Serving Power*, which, though it does incorporate academic freedom into the history of social science professionalization, mostly continues the same Slaughter’s argument about the sacrifice in liberty in exchange for tenure. Furner, on the other hand, emphasized that the move toward objectivity and away from advocacy experienced by the field of economics was not solely a move for more power at the institutional level.

⁵² Stanley Rolnick, “The Development of the Idea of Academic Freedom in American Higher Education, 1870-1920” (Dissertation, University of Wisconsin, 1951). See also, Gabe Sanders, “Selected Aspects of Academic Freedom in American Colleges and Universities (1918-1951)” (Dissertation: Teachers College, 1952). Sanders analysis utilizes only AAUP statements and reports as well as ACLU statements and reports to understand the different barriers to academic freedom during his period of analysis. Besides recognizing that the concept itself is multifaceted and means different things to different individuals, Sanders’ work adds little to our understanding of faculty uses of the concept.

⁵³ *Ibid.*, 11.

⁵⁴ Christopher John Lucas, “American Conceptions of Academic Freedom in the Twentieth Century” (Dissertation, The Ohio State University, 1967).

members and administrators, and argued that the concept “means all things to all people.”⁵⁵ He argued that there were two common perspectives on academic freedom, but one was inherently hostile to the “values directly supportive of academic freedom,” and the other emphasizes the “furtherance” of academic freedom as crucial to social progress.⁵⁶ So while Lucas acknowledged that different individuals viewed the concept in different ways, he appears to have stopped short of fully accepting that the concept “means all things to all people” in favor of legitimating the perspectives on academic freedom that accepted one particular version of it. Nonetheless, Lucas’ analysis essentially begins in the post-AAUP era and favors time periods beyond the scope of this dissertation.

Among the most useful of the dissertations on academic freedom is Stanley Anderson’s work, which focuses on the 1860-1920.⁵⁷ On the definition of the concept, Anderson argued that the AAUP’s General Declaration of Principles in 1915 legitimated two distinct ideas about academic freedom. He used John Searle’s two concepts of academic freedom to characterize these two understandings. The first he connected with Searle’s notion of special academic freedom, which emphasized the unique freedom to research and teach granted to university or college teachers. The second resonated with Searle’s general academic freedom, which is akin to the general free speech of every citizen.⁵⁸ Though Anderson’s work acknowledges these distinct conceptualizations, his

⁵⁵ *Ibid.*, 2.

⁵⁶ *Ibid.*, 12-13.

⁵⁷ Stanley David Anderson, “An Analysis of the Meaning of academic freedom in American higher education, 1860-1920,” (Baylor University, 1980).

⁵⁸ *Ibid.*, 156. See also, John Searle, “The Two Concepts of Academic Freedom,” in Edmund Pincoffs,

analysis is stronger on the organizational articulations of academic freedom as represented in AAUP reports and the institutional implications of those statements.

Most recently, the body of historical research on academic freedom by Timothy Cain breathed new life into the historiography. Cain's dissertation incorporated both a case study, in the form of analysis of academic freedom at the University of Michigan, as well as a national study of the topic.⁵⁹ His incorporation of organizations other than the AAUP, namely the American Civil Liberties Union, the American Federation of Teachers, and the National Education Association, is unique to the historiography on academic freedom during this period.⁶⁰ The presence of multiple organizations connected in different ways to the professoriate's struggles for academic freedom and status created, he argued, an important dynamic as the organizations competed for and developed faculty interests. Additionally, Cain's work branched out and connected academic freedom to early 20th century discussions about faculty unionization as opposed to professionalization, where the latter was primarily connected with the AAUP and the former primarily with the AFT.⁶¹ Cain argued that the core of the conflict surrounded professorial discontent with the AAUP as an organization that could adequately and

ed., *The Concept of Academic Freedom* (Austin: University of Texas Press, 1972), 76-96.

⁵⁹ Timothy Reese Cain, "Academic Freedom in an Age of Organization, 1913-1941," (University of Michigan, 2005). See also, Cain, *Establishing Academic Freedom: Politics, Principles, and the Development of Core Values* (New York: Palgrave Macmillan, 2012); and Cain, "'Silence and Cowardice' at the University of Michigan: World War I and the Pursuit of Un-American Faculty," *History of Education Quarterly* 51, no. 3 (2011), 296-329.

⁶⁰ Timothy Reese Cain, "For Education and Employment: The American Federation of Teachers and Academic Freedom, 1926-1941," *Perspectives on the History of Higher Education*, 26 (2007), 67-102.

⁶¹ Cain, *Establishing Academic Freedom*. See also, Cain, "The First Attempts to Unionize the Faculty," *The Teachers College Record* 112, 3 (2010).

actively defend faculty interests and the belief that unionization would jeopardize the hard-fought ground faculty had made toward positioning themselves as objective, disinterested experts. Collectively, Cain's work took the historiography's focus on power and civil liberties in new directions, expanding analysis of academic freedom to new organizations and new cases.

Despite these exceptions, the predominating perspectives on the history of academic freedom remain intact and reflect the foundational influence of Hofstadter and Metzger's work. Furthermore, while the case study approach to researching academic freedom has been fruitful, and may yet still be fruitful in the future, the historiography on academic freedom remains uncomplicated on the issue of the faculty discourse surrounding the concept. The dissertations that do address the meaning of the concept often favor formal statements made by organizations such as the AAUP, focus more on later time periods, or do not investigate the role disciplinary or institutional affiliations played in the professoriate's understanding and use of the concept in public discourse.

By analyzing academic freedom in public media and academic sources, as well as in formal AAUP statements, reports and correspondence, this dissertation explicitly seeks to uncover and evaluate the different perspectives on academic freedom used and developed by American professors before the foundation of the AAUP in 1915 and how the new faculty-oriented organization's presence altered these perspectives in the first fifteen years after its founding. In doing so, it builds off of the existing historical work on academic freedom, particularly the dissertations emphasizing the meaning of

academic freedom by Rolnick, Lucas, and Anderson. However, by using a conceptual framework that emphasizes the potential for worldview differences amongst the faculty as well as the public-orientation of professors using academic freedom, this dissertation offers a more complex orientation to academic freedom as well as the professionalization of the professoriate.

Conceptual Framework

In writing this social and intellectual history of academic freedom, I conceptualized of professors as professionals engaged in a dynamic professionalization process and I positioned academic freedom as part of a developing and contested symbolic representation of academic life. In doing so, I combined a Bourdieuan perspective with concepts developed in the sociological literature on the professions. From Pierre Bourdieu, I primarily borrowed the concepts of field and *habitus* to understand the social status and social location of professors in society.

Bourdieu utilized the concept of field to identify realms of action dominated by a particular composition of economic capital (money), cultural capital (knowledge, academic credentials, cultural artifacts), and social capital (or the economic and cultural capital enabled by social networks).⁶² Following Bourdieu's work, I understand social actors to be engaging in several fields simultaneously. For the purposes of this

⁶² Pierre Bourdieu, *Distinction: A Social Critique of the Judgment of Taste*, trans. Richard Nice (Cambridge: Harvard University Press, 1984); ———, "The Forms of Capital," in *Handbook of Theory and Research for the Sociology of Education*, ed. J. Richardson (New York: Greenwood, 1986), 241-258.

dissertation, then, professors participated in the fields of their disciplines, their institutional settings, their local communities, and an imagined national community, all of which existed within the larger field of American society. Each of these fields favored a particular *habitus*, or disposition to act and think (i.e. worldview). Bourdieu described *habitus* as a “structured structure and a structuring structure” in that *habitus* results from an individual’s inherited experiences related to social location based on his or her composition of economic, cultural, and social capital (structured structure) and that these experiences result in specific behaviors, perspectives, and thought patterns which reproduce the existing social structure (structuring structure).⁶³ Therefore as actors in these different fields, professors with different social and academic backgrounds potentially possessed profoundly different worldviews.⁶⁴

To better understand professors as members of professional networks with varied worldviews, I incorporated sociological perspectives on the professions into this Bourdieuan perspective. I utilized sociologist Stephen Brint’s broad definition of “professional,” as vocations that emphasizes expertise in and “application of a relatively complex body of knowledge.”⁶⁵ Brint elaborated, suggesting that “[p]rofessional services

⁶³ Bourdieu, *Distinction*, p. 170.

⁶⁴ This notion is supported by contemporary research emphasizing the institutional and disciplinary differences regarding the faculty role, orientations toward knowledge and other behaviors amongst faculty. Indeed, thinking of faculty as a whole requires one to ignore significant differences within the professoriate. See Tony Becher, *Academic Tribes and Territories: Intellectual Enquiry and the Cultures of Disciplines* (Buckingham, UK: The Society for Research into Higher Education and Open University Press, 1989); Pierre Bourdieu, *Homo Academicus*, translated by Peter Collier (Stanford: Stanford University Press, 1988); Steven Brint, *In an Age of Experts: The Changing Role of Professionals in Politics and Public Life* (Princeton: Princeton University Press, 1994); Burton R. Clark, “Small Worlds, Different Worlds: The Uniqueness and Troubles of American Academic Professions,” *Daedalus* 126, no. 4 (1997).

⁶⁵ Brint, 3.

can involve teaching, healing, advocating in court, building, designing, accounting, researching, or any one of a number of other activities requiring advanced training in a field of learning and non-routine mental operations on the job.”⁶⁶ In addition to the possession of knowledge-based expertise, I am also influenced by Eliot Freidson and Brint’s suggestions that professional groups attain, or at least struggle to attain autonomy over their activities, productivity, and membership.⁶⁷ For Freidson, the issue of autonomy was particularly relevant to areas of expertise where the knowledge is exceptionally complicated or difficult to understand. However, he also stressed that not all professions experience perfect autonomy because it requires a true occupational monopoly, or dominance of an area of knowledge.⁶⁸ Combining this definition with a Bourdieuan perspective emphasizes that the worldview and practices that the faculty associated with being a part of the academic community—beliefs and actions that defined the parameters of the academic profession—were not objective measures but represented a particular *habitus*; the credentials required to be on the faculty were a form of institutionalized cultural capital and the self-regulating practices of the faculty via peer-review for publication, tenure-review, and the hiring process were attempts at social and cultural reproduction (social capital).

In light of the difficulty of attaining complete dominance and autonomy for many

⁶⁶ *Ibid.*

⁶⁷ Brint, 6; Eliot Freidson, “Are Professions Necessary?,” in *The Authority of Experts: Studies in History and Theory*, ed. Thomas L. Haskell (Bloomington, IN: Indiana University Press, 1984). For Freidson, professional autonomy is closely linked to the credentialing system of professions, which standardizes access to professional status and functions to protect consumers from those who are not actually experts but claim to be.

⁶⁸ *Ibid.*, 20-21.

professional groups, I used Hannes Siegrist's conflict-approach to professionals as a springboard for interpreting the varying social positions of faculty within this Bourdieuan framework.⁶⁹ Siegrist's work was particularly useful because of its emphasis on the processes of professionalization "whereby an activity or occupation becomes a profession."⁷⁰ He explained that these processes are both external, or outside of the professions "within institutions of learning, the division of labour, the economic market, and areas of political and social power," and internal, including the "*sum of all such processes* which are intrinsic to the development of professions."⁷¹ Furthermore, Siegrist's theory assumed that professionalization processes are dynamic and contextual.

The category 'profession' is by no means a-historical; it is to a certain extent often quite particular to a given society or epoch. The question of what constitutes social esteem and in what ways functional, cultural, political and economic characteristics are valued depends upon the respective historical context.⁷²

An entire profession or branch of knowledge that is highly valued by society in one period may rapidly lose its value or at least experience more resistance in different social, cultural, or economic contexts. On this issue, the Bourdieuan perspective added an additional level of complexity. Because different social settings, or different fields, valued and legitimated different compositions of economic, cultural and social capital, professional groups likely enjoyed different levels of status and prestige in different sectors of society at any particular historical moment, and as time passed those levels of

⁶⁹ Hannes Siegrist, "Professionalization as a Process: Patterns, Progression and Discontinuity," in *Professions in Theory and History: Rethinking the Study of the Professions*, ed. Michael Burrage and Rolf Torstendahl (London: Sage Publications, 1990).

⁷⁰ *Ibid.*, 177.

⁷¹ *Ibid.* Italics in original.

⁷² *Ibid.*, 178.

status and prestige fluctuated. In other words, a professional group may receive high levels of respect from one social network or class but be viewed negatively by another within the same historical period; while in a subsequent historical period the views of those same social networks or classes may have changed. The result is a highly contested, dynamic, and continuous notion of professionalization.

As part of this dynamic professionalization process, professionals often experience what sociologist Andrew Abbott called “status strain.”⁷³ Abbott argued that status strain occurs for professional groups as they try to increase their status in their professional societies and in society-at-large at the same time, or as they operate within two fields in the Bourdieuan sense. According to Abbott, the movement toward more knowledge expertise or specialization strengthens the status of professionals in their professional field, but weakens their status in the field of the local common people they are serving. Conversely, when professionals make efforts to strengthen their standing in their local field, their efforts are often not valued, and in some cases are even condemned, by others in their professional field.

Combining the concept of status strain with a Bourdieuan understanding of the social location of faculty in multiple fields illuminated how complicated status strain can be for the faculty in this study. Different branches of knowledge and perspectives were valued differently in different social settings. Thus, these professors experienced status strain between their disciplinary and institutional fields, their disciplinary and local

⁷³ Andrew Abbott, “Status and Status Strain in the Professions,” *The American Journal of Sociology* 86, no. 4 (1981), 819-835.

community fields, their institutional and local community fields, as well as between these fields and the larger field of American society. Finally, this perspective underlined that professionals, and therefore faculty, never attained a perfect professional status, but rather made claims for professional status and engaged in an ongoing struggle or negotiation with other social actors to attain and maintain their relative status.

Collectively, this Bourdieuan perspective on professionals and the difficulties of professionalization offered conceptual grounds to challenge historical arguments about the development of academic freedom that assume that all professors experienced professionalization in the same way or that all faculty shared the same beliefs.⁷⁴ Based on their location in small localized colleges, private universities, or public universities, and their status as members of different academic disciplines, different faculty members experienced professionalization in different social contexts and those differences helped explain the nature of public discourse on academic freedom from 1890-1929.

As the development of the research university progressed in the late 19th and early 20th century, professors with increasingly specialized areas of expertise were increasingly in demand.⁷⁵ Prestige for the faculty “expert” increased and the professoriate’s professional identity increasingly organized along disciplinary lines, which, in turn, pulled faculty further from the organizational center of the university.⁷⁶ Professors during

⁷⁴ For such arguments see particularly Slaughter; and Barrow.

⁷⁵ Finkelstein; Rudolph; Thelin; Veysey; Charles Clarence Bishop, "The Professoriate and Teaching, 1876-1988" (Dissertation, University of Kansas, 1988); Roger L. Geiger, *To Advance Knowledge: The Growth of American Research Universities, 1900-1940*. (New York: Oxford University Press., 1986).

⁷⁶ Geiger; Finkelstein.

this period, then, appeared to exhibit an imperfect professionalism. On the one hand, there was a movement amongst the professoriate toward more specialized knowledge. On the other, this specialization made their claims to autonomy within or on behalf of their institutions problematic as disciplinary specialization pulled them toward the periphery of the university and alienated them from the public. This complicated professional context is crucial for my study of how professors from different institutions and disciplines understood and used academic freedom, and how that concept intersected with other aspects of academic professionalization.

Within this Bourdieuan perspective on professionals, the concept of academic freedom is part of a developing, professionalizing symbolic system used by some but not all faculty members to legitimate themselves amongst each other, in their institutions, and in their local and national communities. However, the concept was also used and advocated for by administrators as well as non-academics such as journalists. The public academic freedom discourse, particularly the struggle over the definition and application of the concept, reflects a struggle over the definition of the academic profession, the university, the relationship between faculty and institution, and the relationship between all of these and the public. In discussing similar symbolic “struggles,” Bourdieu emphasized that “[t]he reality of the social world is in fact partly determined by the struggles between agents over the representations of their position in the social world and, consequently, of that world.”⁷⁷ In this sense, to the extent that university and college

⁷⁷ Bourdieu, *Distinction*, 253. See also Jonathan H. Turner, *The Structure of Sociological Theory*, 7th Edition ed. (Belmont, CA: Wadsworth, 2003), 491-501. Turner’s summary of Bourdieu’s “cultural conflict theory” emphasizes the use of symbolic capital in public discourse as a means for a

faculty and presidents struggled over the meaning and applications of academic freedom, the struggle addressed in this dissertation was a struggle over the rules and functions of academic life and the social location of academic professionals. In more strictly Bourdieuan terms, it was an ongoing struggle over whose academic *habitus* would be legitimated nationally, institutionally, and locally.

This conceptual framework enabled a sophisticated, dynamic understanding of the professional status and worldviews of the American professors who wrote or spoke about academic freedom from 1890-1920. Taken in conjunction with my historical methods, this conceptual framework fostered focus on the inherent diversity and struggle surrounding the public use of a concept like academic freedom.

Methods

I conceptualized of this dissertation as an intellectual history, and in doing so I define intellectual history in a specific way that reflects sociological and cultural concerns. Many historians, past and present, use “intellectual history” and “history of ideas” interchangeably, as different ways of referring to the same historical practice.⁷⁸ Although common, this combination of topics contributes to confusion over what intellectual history actually denotes and what historical terrain it claims to cover.

particular social group or class to legitimate its particular dispositions of economic, cultural, and social capital (or *habitus*) as dominant.

⁷⁸ John Tosh, *The Pursuit of History*, revised third edition (London: Pearson Education Limited, 2002), 272; Beverley Southgate, “Intellectual history/history of ideas,” in *Writing History: Theory and Practice*, ed. Stefan Berger, Heiko Feldner, and Kevin Passmore (London: Hodder Arnold, 2003), 243-260.

The history of ideas usually indicates study of the “inwardness of thought.”⁷⁹ This orientation is most appealing for histories of philosophy and science. The emphasis of the history of ideas is on the logical construction of thought and the minimization of specific contextual concerns. From this perspective, the idiosyncrasies and changes in language use over time are far less important than the continuities of ideas. The history of ideas presupposes that individuals who never met and do not share the same language, culture, time, or environment can still engage in a conversation of sorts (or can be placed into conversation with one another by historians) because of the inward continuities of fundamental ideas.

Intellectual history includes some combination of attention to inward structure of ideas and context. However, the type of combination of structure and context as well as the definition of context vary significantly depending on which historian you ask. For example, Schlesinger placed intellectual history in between the history of ideas and cultural history, taking some qualities from each of them.⁸⁰ Bouwsma, on the other hand, suggested that intellectual history essentially collided with cultural history, stripping itself of the more formal logical analysis of ideas and moving toward a history of the meaning of ideas.⁸¹ Regardless of the variation, it is clear that intellectual history refers to some manner of analysis of ideas in context. It is from this historical orientation concerned

⁷⁹ William J. Bouwsma, “From History of Ideas to History of Meaning,” *Journal of Interdisciplinary History* 12, no. 2 (1981); Maurice Mandelbaum, “The History of Ideas, Intellectual History, and the History of Philosophy,” *History and Theory* 5(1965); Arthur Schlesinger, Jr. “Review: [Untitled],” *History and Theory* 7, no. 2 (1968).

⁸⁰ Schlesinger.

⁸¹ Bouwsma.

with the meaning of ideas in context that I analyzed the history of academic freedom.

In creating the research design for this project, I drew from the methodological work of historians whose ideas and practices surrounding the analysis of intellectual discourse incorporate social and cultural contexts. David Hollinger defined intellectual discourse as a “social as well as intellectual activity; it entails interaction between minds and it evolves around something possessed in common.”⁸² From this view, an intellectual discourse about a shared topic or problem, in this case academic freedom, is conceptualized as a sort of social community, and, like any social community, a community of discourse must share a language.

J. G. A. Pocock preferred the term “language paradigm” to refer to these communities of discourse.

Men think by communicating language systems; these systems help constitute both their conceptual worlds and their authority structures, or social worlds, related to these; the conceptual worlds may each be seen as a context to the other, so that the picture gains in concreteness.⁸³

Pocock, then, advocated analyzing individual thinking as a social event (an individual linguistic response within a linguistic paradigm) and as a historical event, or “moment in the process of transformation of that system and of the interacting worlds which both system and act help to constitute and are constituted by.”⁸⁴

The social aspect of intellectual activity evident in the work of Hollinger and

⁸² David A. Hollinger, “Historians and the Discourse of Intellectuals,” in *New Directions in American Intellectual History*, ed. John Higham and Paul K. Conkin (Baltimore and London: The Johns Hopkins University Press, 1979), 42.

⁸³ J. G. A. Pocock, *Politics, Language and Time: Essays on Political Thought and History*, ed. Michael Walzer, Studies in Political Theory (New York: Atheneum, 1973), 15.

⁸⁴ *Ibid.*, 15.

Pocock, however insightful, raises complex issues for intellectual historians. In Pocock's words, individuals interact with a variety of "authority structures," or social institutions and networks, and therefore one intellectual action or speech act may operate in more than one discursive context.⁸⁵ It is the intellectual historian's job to identify the relevant communities surrounding an intellectual action in order to understand how it operates in different contextual settings. For this dissertation, the most relevant structures or networks for the faculty are those of the university or college and academic discipline. While the professoriate itself may be considered a language community, albeit a very broad and general community, the disciplinary and institutional boundaries of the academic community suggest differences in relevant "authority structures" which may alter the nature of intellectual interactions and indicate the presence of distinctly different meaning-making contexts for professors.

Following from this complexity, I am influenced by a final methodological insight that acknowledges the multiplicity of meaning in analyzing historical discourses. This multiplicity may be related to the differentiation of social and structural compositions of the language communities themselves, as argued by Pocock. However, multiplicity of meaning may result from how participants in a community of discourse use and understand ideas. Quentin Skinner suggested that in analyzing historical sources there are at least three types of meaning: 1) the meaning of the words in the text (which can be multiple), 2) the meaning of the text to the reader, and 3) the author's intended meaning

⁸⁵ *Ibid.*, 15-21. I used discursive here for clarity, but Pocock always used the term "paradigm" to identify these socially defined linguistic communities.

in writing the text.⁸⁶ To help historians analyze and interpret their way through this multiplicity of meaning, Skinner offered a tripartite method,⁸⁷ which I will explain here as well as describe how I applied each step in conducting my research.

First, Skinner suggested historians need to understand and describe the whole range of communications for any given utterance. To attain this understanding of the range of the academic freedom discourse I analyzed a wide array of public and academic sources, including major nationally recognized newspapers, regional newspapers, popular magazines, disciplinary periodicals, and academic journals published by the major academic disciplines.⁸⁸ By accessing these sources I was able to analyze numerous articles written by university and college professors and administrators that addressed the concept of academic freedom or contained sections where the concept was used for a particular purpose.

Second, Skinner urged historians to study and trace the relationships between the utterance in question and the linguistic context in order to approximate what an author intended a particular phrase or text to mean.⁸⁹ Following Skinner's method, then, I

⁸⁶ Quentin Skinner, "Motives, Intentions, and the Interpretations of Texts," *New Literary History* 3, no. 2 (1972) 396-397. It is important to note that Skinner was profoundly influenced by philosopher of language, J. L. Austin, who led Skinner to focus on multiplicity of meanings and a genre-like orientation to statements based on the intentions of the speaker which is remarkably similar to the approach to speech offered by Mikhail Bahktin.

⁸⁷ Quentin Skinner, "Meaning and Understanding in the History of Ideas," *History and Theory* 8, no. 1 (1969), 49.

⁸⁸ For a list of these primary sources, see the bibliographical section of this dissertation.

⁸⁹ Skinner actually referred to the "intentions" of the author in discussing his methodology. I refrained from use of "intentions" here to avoid the implication that I agree that the historian can ever arrive at a "pure understanding" of an author's intention. This is one area where I departed from Skinner but I still found use of his method, albeit my own interpretation of it, offered a useful and methodical way to conduct historical analysis.

analyzed the individual uses of “academic freedom” in the context of the sentences and paragraphs in which they are used to establish the larger sentiment, tone, and force implied by each use of “academic freedom” in each text.

Finally, Skinner called for the incorporation of the social context into this analysis of texts to understand the ways in which external social and cultural factors might constrain or enable the communicative purpose of the author. To accomplish this final methodological piece, I analyzed texts and speeches addressing academic freedom within several contexts to incorporate the necessary conceptual, institutional, and socio-cultural forces constraining and enabling professors from 1890-1929. These different contextual issues included, but are not limited to, the conceptual development and application of freedom in the United States, the historical development of academic freedom, the history of higher education and the development of academic disciplines, the history of the professions, and the broader history of social, cultural, and political issues from 1890-1929.

Taken together, the conceptual framework and methodological perspectives used in this dissertation enabled thorough analysis of the meaning of academic freedom in public discourse. It focused attention on the importance of how individual uses of academic freedom contributed to the development of the concept as well as providing evidence for the wide range of acceptable (and unacceptable) uses of academic freedom. This approach underlined the importance of understanding the institutional and disciplinary structures that surrounded professors and the potential differences in

worldview amongst them that might contribute to different understandings based on which communities they were a part of as well as the ways individual professors deviated from those common meanings. Finally, this approach fostered a complicated and contextual understanding of the concept of academic freedom that was well suited to answering my main research questions regarding the uses, applications, and development of academic freedom and its connection to the academic professionalization strategies of the professoriate from 1890-1929.

Chapter 3: Symbolic Struggle in an Age of Publicity:
Academic Freedom in the Progressive Era, 1890-1910

Academic freedom received intense yet sporadic public attention during the Progressive Era. There were several academic freedom cases in the 1870s and 1880s. In 1873, Alexander Winchell of the University of Vanderbilt published a pamphlet that the university perceived as evolutionist and was subsequently fired.¹ In 1884, James Woodrow was dismissed from Columbia Theological Seminary for teaching evolution despite still claiming the authority of the Bible.² Of course, there were also cases that were not based on the perceived conflicts between science and religion, as Egbert Smyth, Crawford Toy, James Ward, and Felix Adler were all either dismissed or denied positions for not fitting the orthodox orientations of their respective institutions.³ While these early “cases” illustrate the relative state of academic freedom in higher education due to various conflicts over what knowledge was appropriate for faculty to believe or teach students, professors and administrators rarely used the concept itself in public discourse prior to the 1890s. As Timothy Cain noted, the few exceptions are uses of academic freedom in relation to students by Andrew White, H. W. Farnam, and Nathaniel Shaler.⁴

¹ Richard Hofstadter and Walter P. Metzger, *The Development of Academic Freedom in the United States* (New York: Columbia University Press, 1955), 330; Frederick Rudolph, *The American College and University: A History* (New York: Alfred A. Knopf, Inc., 1962), 411; Mary Engel, “A Chapter in the History of Academic Freedom: The Case of Alexander Winchell,” *History of Education Journal* 10, no. 1 (1959).

² Hofstadter and Metzger, 328; Rudolph, 411; Clement Eaton, “Professor Woodrow and the Freedom of Teaching in the South,” *Journal of Southern History* 28, no. 1 (1962).

³ Hofstadter and Metzger, 329-340.

⁴ Timothy Reese Cain, “Academic Freedom in an Age of Organization, 1913-1941,” (University of Michigan, 2005), 27. For these writings on student academic freedom see Andrew F. West, “What is

By the 1890s, however, the size and scope of higher education increased to a level that demanded national, public attention. There were enough large, well-funded universities and well-established colleges across the country to create national competition for institutional status and prestige between them. This sense of institutional competition, which extended from their student bodies to their alumni, also corresponded with competition for the best faculty.⁵ This multifaceted competition played out in a time when the newspaper industry was growing and thus the institutional struggle for prestige was well-chronicled in national and regional newspapers and popular magazines.⁶ Furthermore, the connection between the titans of industry and higher education, whether in covering the educational philanthropy of the latter or the conflicts between them, ensured that higher education would remain in the public eye.

The emergence of faculty and administrator perspectives on academic freedom in public media, then, took place in an age of publicity, and this had a profound influence on the nature of the academic freedom discourse and subsequently the symbolic struggles over the academic field during this period. This chapter addresses how public media attention combined with several other important contextual factors that enabled and constrained faculty claims to professionalization during this period. These contextual factors include the perceived and real roles of capitalist benefactors and university

Academic Freedom?" *North American Review* 140, no. 342 (1885), 432-445; H. W. Farnam, "Academic Freedom in Germany," *New Englander and Yale Review* 46, no. 202 (1887), 67-71; and N. S. Shaler, "The Problem of Discipline in Higher Education," *Atlantic Monthly* 64, no. 381 (1889), 24-37.

⁵ Roger L. Geiger, *To Advance Knowledge: The Growth of American Research Universities, 1900-1940*. (New York: Oxford University Press., 1986).

⁶ For example, John R. Thelin, *A History of American Higher Education* (Baltimore and London: The Johns Hopkins University Press, 2004), 110-116 and 155-168.

trustees, the relative dominance of the scientific disciplines, and the social proximity of radical professors to other radical elements in society. The definitions and images of academic freedom that appeared in the media complicated the dynamic processes of faculty professionalization, inhibited the public legitimation of their status, and presented faculty with a need to improve their publicity.

Analysis of the public discourse by faculty, presidents, and the media on academic freedom reveals three important findings regarding who developed and used the concept from 1890-1910. First, the majority of faculty and presidents who participated in the discourse articulating the definitions, limits, and applications of academic freedom in this time period came from disciplinary backgrounds in the social sciences, and the humanities. The participation of social scientists was heaviest during the 1890s and early 1900s, after which faculty participation from philosophy, English, and modern languages increased. Second, scientific faculty preferred to voice their views, if they did it at all, in less public forums such as *Science*, the periodical of the American Association for the Advancement of Science (AAAS). The few participants with backgrounds in the natural or physical sciences who did contribute to the discourse in more public ways were presidents (for example, Charles W. Eliot, president of Harvard, had a background in chemistry, and David Starr Jordan, president at Stanford, came from zoology). And finally, that despite a growing concern amongst faculty regarding the public opinion of the professoriate and higher education, the most prominent voice in the public discourse was the media itself.

Traditionally, historians have connected the abnormal preponderance of academic freedom cases in the social sciences with the specific historical context of the Progressive Era as economic and social issues increased in importance in the social and cultural politics of the period. To be sure, the classic Richard Ely, Edward Bemis, John Commons, Elijah Andrews, and Edward Ross cases hinged, to varying degrees, on their relevance to labor issues, the gold or silver currency question, advocacy of public ownership of services like electricity or the railroads, and general criticism of big business.⁷ These social science cases of academic freedom converged with and fed off of the anti-trust, anti-monopoly sentiment identified by many historians as centrally important to the social and cultural politics of the Progressive Era.⁸

Thus, it is not surprising that the majority of public faculty uses of academic freedom in the 1890s and 1900s came from social scientists.⁹ Dating back to the 1880s, social science academics found themselves in frequent friction with founders, trustees, or

⁷ Hofstadter and Metzger; Cain, "Academic Freedom in an Age of Organization, 1913-1941"; Rudolph; Veysey, *The Emergence of the American University*; John S. Brubacher and Willis Rudy, *Higher Education in Transition: A History of American Colleges and Universities, 1636-1976*, 3rd edition, revised and enlarged (New York: Harper and Row, Publishers, Inc., 1976).

⁸ Jackson Lears, *Rebirth of a Nation: The Making of Modern America, 1877-1920* (New York: Harper Perennial, 2009); Arthur S. Link and Richard L. McCormick, *Progressivism*, ed. John Hope Franklin and Abraham S. Eisenstadt, The American History Series (Wheeling, Il.: Harlan Davidson, Inc., 1983); Nell Irvin Painter, *Standing at Armageddon: The United States, 1877-1919* (New York: W. W. Norton and Company, Inc. 1987); Daniel T. Rodgers, "In Search of Progressivism," *Reviews in American History* 10, no. 4 (1982), 113-132; Robert H. Wiebe, *The Search for Order, 1877-1920* (New York: Hill and Wang, 1967).

⁹ This statement depends somewhat on the placement of history. Mary O. Furner, *Advocacy and Objectivity: A Crisis in the Professionalization of American Social Science, 1865-1905* (Lexington: The University of Kentucky Press, 1975) and Thomas L. Haskell, *The Emergence of Professional Social Science in America* (Urbana: University of Illinois Press, 1977) disagree about the location of history, with Furner suggesting that it was not a social science and Haskell grouping it as a social science. Dorothy Ross, *The Origins of American Social Science* (New York: Cambridge University Press, 1991) agrees with Haskell and includes it in her study of the social sciences.

administrators over issues related to academic freedom and this friction continued into the early 20th century.¹⁰ However, faculty in philosophy, the sciences, and religion also made important contributions to the public discourse during these decades. Furthermore, there were some minor differences between these two broad groupings of faculty. Social scientists and historians had a higher tendency to make statements about academic freedom in direct response to actual academic freedom cases, whereas the statements by the more humanistic or scientific faculty tended to take on explanatory discussions of or general commentary on academic freedom. These discrepancies are primarily due to the fact that the most prominent academic freedom cases during this period involved social scientists and faculty from those disciplines had more reason to speak or write about particular cases.

As a result of advocating for academic freedom in an age of increased public attention, one of the primary uses of academic freedom by faculty and administrators during this period was as a rhetorical weapon. In doing so, they used unique combinations of ideas about German academic freedom and the diverse discursive traditions of freedom in the United States. Faculty in the social sciences often incorporated ideas about academic freedom by employing what historian Stephen Feldman called the “tradition of dissent.”¹¹ Borrowed from the more general freedom of expression discourse, these ideas about academic freedom were broad and individually-oriented. In contrast, the faculty from the sciences as well as many senior scholars and

¹⁰ Furner; Hofstadter and Metzger.

¹¹ Stephen Feldman, *Free Expression and Democracy in America: A History* (Chicago: The University of Chicago Press, 2008).

administrators from a wide array of disciplines, mixed academic freedom ideas with what Feldman identified as the “discourse of suppression,”¹² and these ideas about academic freedom emphasized narrow, collective, and professionally-enabled understandings of the concept. As part of their more constrained perspective, some professors in the sciences also connected academic freedom to 18th and 19th century ideas about genius, emphasizing both the need for isolation of these special individuals but also the belief that very few professors could claim to be scholars or scientists of real genius.

Josiah Royce and other Uses of Academic Freedom in the 1890s

One of the earliest uses of academic freedom in the Progressive Era was also one of the most unique. Josiah Royce, a professor of philosophy at Harvard University, wrote an article that appeared in the September issue of *Scribner’s Magazine* in 1891 entitled “The Present Ideals of Academic Life.” Royce described the recent changes in American higher education and what he perceived to be a shift from the old denominational and disciplinary ideals of the college to the emerging ideas of the university dominated by science.¹³ According to Royce, the new spirit of science infiltrated all aspects of higher education, even the classical subjects like the study of language and literature because if they were to “retain their strong hold on the academic public, they must become themselves more scientific.”¹⁴ It was the standard of science,

¹² *Ibid.*

¹³ See also Hofstadter and Metzger, and Veysey.

¹⁴ Josiah Royce, “Present Ideals of Academic Life,” *Scribner’s Magazine*, September 1891, 380. “Disciplinary” in this sense referred to the old mental, discipline-oriented curriculum of the denominational colleges.

then, that would determine the validity of disciplinary knowledge: “there is no genuine expression of truth that ought not to seek the form of science.”¹⁵ Royce implied that the worldview of science, what I call the scientific *habitus*, was dominant and all other academic worldviews needed to either strive toward the scientific perspective or risk losing institutional, social, and cultural value. In all these changes, Royce highlighted the importance of the German university system to the emerging ideals of higher education in America, and, as such, it is within this context of the dominance of science that academic freedom entered the discussion.

To Royce, the “admirable hospitality” felt by the American students who studied in Germany in the mid to late 19th century contrasted with the constraints of the old disciplinary college ideals in American higher education. These students returned from Germany ablaze with an idealism for, as he phrased it, “pure learning for learning’s sake,” and infatuated with the perceived level of freedom experienced by those in the German academic environment.¹⁶ This generation of idealists, which included many of the social scientists who later experienced trouble with academic freedom, came home as the first universities in the United States were developing.¹⁷ Royce himself was among the first graduate “fellows” at Johns Hopkins University, and remembered his time there as characterized by free exploration and wise counsel.

¹⁵ *Ibid.*

¹⁶ *Ibid.*, 383.

¹⁷ Stanley David Anderson, “An Analysis of the Meaning of academic freedom in American higher education, 1860-1920,” (Baylor University, 1980) emphasized that Ely, Ross, Bemis, Commons, and many more prominent advocates of academic freedom all had at least some experience in the German academic setting.

In all this, as one may be sure, a raw youth might indeed find temptations to hasty efforts at “original work,” and some of us doubtless found them. And then again, the true academic freedom is a thing hard to acquire. With a great price one attains this liberty. Some of us did attain it only slowly. Graduate study, and halting efforts to produce this or that for one’s self, involved one easily in controversy; exposed one to sharp criticism; and it is hard to learn how to bear criticism, even of the sharp sort, without feeling personally wounded; to hear that one’s work is so far a failure, without imagining the statement a reflection upon one’s moral character. The ideal of the truly academic person is of one who can criticise and be criticised, as to scholarly work done, wholly without mercy as to the scholarship that is in question, wholly without malice toward the person of his opponent.¹⁸

Royce’s use of academic freedom was an academic freedom that was earned, that took time to develop. It was the freedom enabled by and positioned in scholarly discourse that was scientific in spirit. In this sense, academic freedom was connected to an orientation toward knowledge, emphasizing scientific detachment from the personal and it was situated within the community of scholars. It was the “university spirit” of “enlightened controversy,” and the greatest gift the university could give to American society.¹⁹ From a Bourdieuan perspective, this academic freedom was part of an academic *habitus* in which the values and perspectives of science had high social and cultural value. Royce also addressed the freedom of teaching in his article, but, in doing so, he still retained the focus on a more collective, non-personal level. He stated that the freedom of teaching was difficult to organize in his philosophy department at Harvard without impeding on the plurality of perspectives held by the faculty. Academic freedom of the faculty as a unit took priority over the freedom of individual faculty.

Royce’s explanation of academic freedom was the most unique and eloquent of

¹⁸ Royce, 383-384.

¹⁹ *Ibid.*, 384.

the early discussions of academic freedom, but his emphasis on the importance of earning academic freedom resonated with a significant portion of the ensuing discourse. For many professors and presidents during this time period, academic freedom was a professional right and, therefore, not necessarily something available to all faculty members.²⁰ Furthermore, Royce also emphasized academic freedom as an internally-oriented concept that stressed the ability to scientifically discuss scholarship within an academic context (the university or department in his examples).²¹ Beginning with Royce and continuing with others, there was a direct connection between professionalism and the scientific *habitus*, even for disciplines that struggled to completely incorporate this scientific worldview. Finally, Royce's discussion of the university's role in society, as teachers of "enlightened controversy," adds perspective to the remainder of the discourse on academic freedom during this time period. Many of the social scientists who wrote or spoke about academic freedom in the public setting would later point toward their importance to society as knowledge-seekers and their need to publish, teach, and speak from their position as academic experts. They assumed that these claims were not problematic to the public; they assumed that the values implicit in their academic worldviews would not be challenged by non-academic people. However, the rules that governed professional discourse did not extend to the public realm, revealing an area of

²⁰ Furner stresses the importance of academic freedom with the professionalization of faculty in the social sciences, particularly economics.

²¹ Haskell, *The Emergence of American Social Science*, and Haskell, ed., *The Authority of Experts: Studies in History and Theory* (Bloomington: Indiana University Press, 1984) stressed this aspect of professional groups. Authority for professionals comes from the group as experts, and therefore indicates that utterances made by professionals outside of the professional setting ought to be opinions of the profession (collective opinions) not idiosyncratic judgments of individual professors.

status strain for faculty, and suggesting that the university still had some work to do in cultivating a national ability to engage in “enlightened controversy.”

Aside from Royce’s early contribution, there was little significant discussion of academic freedom by faculty until the latter half of the 1890s. Nathaniel Shaler, a professor of literature at Harvard, contributed an article to *Atlantic Monthly* in 1891 criticizing the examination system in higher education because it constrained the freedom of faculty to teach at the pace and in the way they thought best.²² In 1894, Woodrow Wilson, then president of Princeton, wrote an article that appeared in *Forum*, which emphasized the cosmopolitan, detached nature of the university but suggested that universities could still serve nationalistic needs without interfering with academic freedom because the ideas necessary to unite America were already present in the academic specialization of the cosmopolitan university.²³

Toward the end of the 1890s, academic freedom appeared in public media with much greater frequency. However, there were prominent cases much earlier in the decade. In 1893, Richard T. Ely, professor of economics at the University of Wisconsin was put on trial for allegations of political involvement with unions and advocacy of strikes.²⁴ In the next couple of years, Edward Bemis, professor of economics at the University of Chicago, and E. Benjamin Andrews, president at Brown University, each faced public criticism and institutional troubles for their respective views on public

²² Nathaniel Southgate Shaler, “College Examinations,” *Atlantic Monthly*, July 1891, 95-103.

²³ Woodrow Wilson, “University Training and Citizenship,” *Forum*, September 1894, 107-116.

²⁴ See Hofstadter and Metzger, 420-434; Rudolph, 413; Cain, “Academic Freedom in an Age of Organization,” 28-29.

ownership of railroads (Bemis) and advocating silver in the currency-backing debate surrounding the presidential election of 1896 (Andrews).²⁵ It was not until the Edward Ross case at Leland Stanford Jr. University, a long lasting controversy beginning in 1897 and continuing into the 1900s, that the issue of academic freedom received consistent national media attention. Through the course of that controversy, faculty—and particularly those in the social sciences and history—developed a more “self-conscious” way of thinking about and using academic freedom.²⁶ At the center of the case was Ross, a sociologist but active with the community of academic economists. Over the course of several years, Ross continually upset Mrs. Stanford, wife of the late founder of the university, with his public remarks, political activity, and the content of his teaching, eventually leading her to pressure Stanford president David Starr Jordan into dismissing Ross from the institution.

The two most characteristic uses of academic freedom in public media after the Ross case gained national attention came from economist Edward Bemis and sociologist Albion Small in 1899. The next two sections use these two articles as springboards for

²⁵ Hofstadter and Metzger, 420-434; Rudolph, 413; Cain, “Academic Freedom in an Age of Organization,” 29-30. Cain emphasized that in the case of Bemis, incompetence was held by many contemporaries as the real reason for his dismissal.

²⁶ Veysey, *The Emergence of the American University*, 385, argued that faculty start using academic freedom in a consistent, self-conscious way during this period. The presence of the articulations by Royce and others before that time suggests that this argument is not entirely true. However, much of Veysey’s discussion of academic freedom emphasized the developing us (faculty) vs. them (administration) mentality in the discourse. From that perspective, there is a certain ring of truth to Veysey’s argument, but it is nonetheless an oversimplification of the concept’s history. For details, perspectives, and more on the importance of the Ross case, see Hofstadter and Metzger, 420-445; Veysey, *The Emergence of the American University*, 397-415; Cain, “Academic Freedom in an Age of Organization,” 30; as well as William G. Tierney and Vicente M. Lechuga, “Academic Freedom in the 21st Century,” *Thought and Action*, Fall (2005), 7-25; William G. Tierney, “The Roots/Routes of Academic Freedom and the Role of the Intellectual,” *Cultural Studies, Critical Methodologies* 4, no. 2 (2004), 250-256.

discussing the two main strands of discourse on academic freedom: the strand of dissent emphasizing broad and individually-oriented academic freedom and the strand of suppression articulating constrained, collective understandings of the concept.

Broad and Free: Academic Freedom for Social Science Intellectuals

In 1899, Edward Bemis, a professor at Kansas Agricultural College at the time, wrote a lengthy article entitled “Academic Freedom,” that appeared in *The Independent* on August 17th. Bemis stated that it was a time “when we need as never before the fruits of untrammled sociological thought and investigation from our ablest professors and students.”²⁷ Bemis offered the public a summary of the most notorious academic freedom cases, anecdotal discussions of less public incidents of its restriction, and quotes from anonymous professors who felt unnecessarily constrained. The chief antagonists of academic freedom in these cases were the boards of trustees and the movement in higher education to secure more endowments, as he wrote “[t]he difficulty is...the craze for endowments and the willingness of too many boards of trustees to sacrifice *lehrfreiheit*, as the Germans call freedom of teaching, in order to obtain these gifts.”²⁸ The result was an overwhelming pressure on economic and sociological scholars throughout the country to restrain from teaching materials, publishing books or articles, or participating in activities that might offend potential donors. Collectively, the academic freedom Bemis discussed included freedom of research, freedom of thought, freedom of teaching, and

²⁷ Edward W. Bemis, “Academic Freedom,” *The Independent*, August 17, 1899, 2195-2199, quote from 2196.

²⁸ *Ibid.*, 2195.

freedom of political action. Compared to Royce's remarks of 1891, Bemis exhibited far less concern for the collective, scientific, and professional aspects of academic freedom, and emphasized it more as a protection for individual faculty from the political views of trustees or politicians. In other words, he positioned trustees as the primary hindrance to a fully independent and autonomous social science professor.

Unlike other social scientists in the discourse, however, Bemis essentially accepted that money was going to control the institutions:

What is needed is that our men of wealth who do have liberal tendencies of thought should encourage by their donations every assertion of academic freedom, and that all thinking people should so educate and rouse public opinion as to render any denial of such freedom in either publicly or privately supported institutions suicidal.²⁹

Although he did not elaborate, his apparent solution to the concern that money controlled institutions was the founding of new institutions by liberals or more donations by liberals to existing institutions to ensure that all faculty could find a place where their ideas would be tolerated. From a Bourdieuan perspective, Bemis' ideas about the need for liberal institutions reveal an awareness of the connections between educational institutions and the values of particular social classes.³⁰ He accepted the power and legitimation granted to conservative business interests because of their roles in most privately-funded colleges and universities. He also realized that faculty did not have the

²⁹ *Ibid.*, 2199.

³⁰ Pierre Bourdieu, "The Forms of Capital," in *Handbook of Theory and Research for the Sociology of Education*, ed. J. Richardson (New York: Greenwood, 1986) and Bourdieu, *Distinction: A Social Critique of the Judgment of Taste*, trans. Richard Nice (Cambridge: Harvard University Press, 1984). For a similar, though ultimately neo-Marxist take on the class connections of higher education in this period see Clyde W. Barrow, *Universities and the Capitalist State: Corporate Liberalism and the Reconstruction of American Higher Education, 1894-1928* (Madison: The University of Wisconsin Press, 1990).

economic capital to compete with this power and his move for a liberally-funded college or university was an attempt to mobilize connections between radical professors and other liberal social networks that did have the economic capital on the same level as big business.

Bemis' ideas about a new liberally-funded college reflected the sentiment of a recent conference held in Buffalo, New York from the last day of June through July 4th that generated discussion of a wide array of contemporary political issues. At that conference, attended by professors, prominent journalists, and a variety of politicians, the idea of a "People's College of Liberal Thought" in Boston was discussed and \$15,000 dollars was collected to go toward its founding.³¹ Of course, \$15,000 was not enough to found a university that could compete with the elite institutions funded by conservative money, and it appears that this initial effort at a liberally-funded institution fizzled out. However, Progressive academics would eventually succeed in getting a more liberal institution decades later in 1919, when the New School for Social Research was established in New York.³²

Nonetheless, Bemis' call for a public media campaign—for an increased symbolic voice for faculty—appeared to have more immediate influence as faculty statements to the press regarding academic freedom increased significantly as the controversy

³¹ "Survey of the World," *The Independent*, July 6, 1899, 1789; "The Buffalo Conference," *Outlook*, July 15, 1899, 595; Willis J. Abbot, "Academic Freedom. Ii. Necessity of an Independent School of Economics," *The Arena* XXII, no. 4 (1899), 472-481; P. T., "Under the Rose," *The Arena* 22, no. 2 (1899), 285-294.

³² Peter M. Rutkoff and William B. Scott, *New School: A History of the New School for Social Research* (New York: Free Press, 1986).

surrounding the Ed Ross case continued into the 1900s. Similar to Bemis' discussion of academic freedom, these social scientists and historians emphasized particular cases or circumstances in using academic freedom. For example, Stanford history professor George Howard's response to the Ross dismissal received vast media coverage, which included statements from him as well as the remarks that he made to his class that resulted in his being pushed out of Stanford.³³ In speaking to his class, Howard reportedly stated:

The summary dismissal of Dr. Ross is a blow aimed directly at academic freedom, and it is, therefore, a deep humiliation to Stanford University and to the cause of American education. The blow does not come directly from the founder. It really proceeds from the sinister spirit of social bigotry and commercial intolerance, which is just now the deadliest foe of American democracy. In order that we may attain the highest ideal of social, moral, and intellectual life our universities must be the inviolable sanctuaries of free inquiry.³⁴

These remarks illustrate the use of academic freedom as a rhetorical weapon against the leadership of the university, and the sense of humiliation Howard referred to was humiliation within academic circles as well as in the public eye. Howard continued the positioning of commercial interests as the enemy of academic freedom begun by Bemis, and elaborated that "I do not worship St. Market Street; I do not reverence holy Standard Oil; nor do I doff my hat to the Celestial Six Companies."³⁵ Furthermore, these remarks, which reached the entire nation through the media, emphasized an academic freedom that

³³ "Highways and Biways," *The Chautauquan* 33, no.2, 1901, 3-11; "The War over Dr. Ross," *San Francisco Chronicle*, March 3, 1901, 6; "Menace to Academic Freedom," *Zion's Herald*, January 23, 1901, 100-101; "Stanford Loses Six Professors," *Chicago Daily Tribune*, January 23, 1901, 5; "Dr. Howard Forced out of Stanford," *San Francisco Chronicle*, January 15, 1901, 1.

³⁴ "Stanford Loses Six Professors," *Chicago Daily Tribune*, January 23, 1901, 5.

³⁵ "Highways and Biways," *The Chautauquan* 33, no.2, 1901, 3-11.

was broad and which emphasized the protection of the individual from larger, more powerful interest groups.

Howard also made a connection between academic freedom and free speech in an article published by the *Los Angeles Times*, which reproduced letters from Howard to Stanford president David Starr Jordan.³⁶ In response to Howard's remarks on academic freedom and commercial interests to his class, Jordan requested Howard resign. Howard responded to Jordan by writing that "[t]he vital point of the whole recent incident is a question of free speech."³⁷ Howard resigned immediately, despite believing it to be in the best interests of Stanford students, because he could not trust Jordan and did not think he would be able to teach or speak freely during the duration of his time at the institution.

Other Stanford faculty contributed to public discussions of academic freedom in this vein of the discourse as well. Arthur Lovejoy resigned from his post as professor of philosophy at Stanford University in response to the Ross dismissal, giving a statement to the press indicating that he felt Ross was dismissed because Mrs. Stanford disliked his involvement in politics, the content of his public utterances, and the general fear regarding the social consequences of his teachings at the university. Lovejoy was concerned about academic freedom at the institution, and therefore resigned.

I do not know what is meant by the somewhat cant phrase 'academic freedom.' It seems to lend itself readily to subtleties of interpretation, but I certainly conceive that the dismissal for such reasons of any instructor, whom the president of the university has regarded as a fit person to retain, involves an abridgment of liberties, which it is the right and duty of university teachers to demand. Unless the members of our profession show themselves punctilious in the maintenance of

³⁶ "The Correspondence," *Los Angeles Times*, January 15, 1901, 4.

³⁷ *Ibid.*

those liberties—especially in privately endowed institutions—I do not see how either the dignity of the teachers’ position or the leadership and social usefulness of universities in our democratic society can be preserved.³⁸

Lovejoy’s remarks and resignation were a move toward a more collective defense of academic freedom even if he was still responding to one particular case and made a connection to broader notions of free speech, and he recognized that there was significant disagreement on the topic. Nonetheless, he utilized the breach of academic freedom as a symbolic weapon against university leadership in his challenge of the “social usefulness” of the university, implying that a real democratic university did not have issues with academic freedom. Finally, Lovejoy’s resignation was part of a larger movement at Stanford as resignation became a common gesture of support for Ross, a defense of academic freedom, and a manifestation of professional choice for many top faculty at Stanford, even if their articulations for academic freedom did not reflect the same professional concerns as faculty from the sciences.³⁹

A couple of years later, in late 1903 and early 1904, controversies arose in the south between historians and their local communities. The circumstances that sparked these academic freedom issues reveal conflict between the values of local communities and the cosmopolitan nature of the academic worldview that assumed the independence and objectivity of faculty. Furthermore, these conflicts illustrate how status strain

³⁸ “Stanford Professor Quits,” *The Washington Post*, May 3, 1901, 1.

³⁹ “The Stanford Resignations,” *Los Angeles Times*, January 19, 1901, 4; “Professor Spencer Resigns,” *San Francisco Chronicle*, January 17, 1901, 1; “Champions of Free Speech,” *Los Angeles Times*, January 16, 1901, 8. Threats of mass faculty resignations would also be important in the case of John Bassett at Trinity College, where the entire body of faculty threatened to resign if the board gave into political pressure and asked Bassett to resign. See “A Triumph of Civilization,” *The Watchman*, December 10, 1903, 5-6; “A Southern Victory,” *The Independent*, December 10, 1903m 2939-2940; “Tolerance in the South,” *The Washington Post*, February 14, 1904, E6.

manifested itself for historians in the specific context of southern culture and how faculty utilized academic freedom in public in attempt to advocate for their value to southern life. The faculty involved in or who commented on these controversies retained the individually-oriented conceptualizations of academic freedom.⁴⁰

The southern controversy that received the most public attention occurred in North Carolina at Trinity College (which would later become Duke University) over historian John Bassett's written remarks regarding race in the south.⁴¹ Bassett spoke positively of Booker T. Washington, going so far as to compare his legacy to that of Robert E. Lee. Political pressure from a local senator nearly forced the board of regents at Trinity to ask for Bassett's resignation. Trinity College faculty rallied around Bassett and threatened to collectively resign if Bassett did not remain at the institution. The regents eventually decided to keep Bassett in the institution, and the media treated his case as a victory for academic freedom.⁴²

Through the course of the Bassett incident the faculty of Trinity College made a collective statement in which they emphasized a less professionalized and individual version of academic freedom. The statement, which appeared in the first issue of *South Atlantic Quarterly* in 1904 and was redistributed in the press, minimized the professor's

⁴⁰ For more detailed discussion of academic freedom issues in the South, see Timothy R. Cain, *Establishing Academic Freedom: Politics, Principles, and the Development of Core Values* (Palgrave Macmillan, 2012), 33-43. Cain also addresses the controversies surrounding Andrew Sledd and Enoch Banks, which I do not address here.

⁴¹ Earl W. Porter, "The Bassett Affair: Something to Remember," *South Atlantic Quarterly* 72, no. 4 (1973).

⁴² "A Triumph of Civilization," *The Watchman*, December 10, 1903, 5-6; "A Southern Victory," *The Independent*, December 10, 1903m 2939-2940; "Tolerance in the South," *The Washington Post*, February 14, 1904, E6.

professional obligations to the public and emphasized a broader freedom of speech approach to the concept.

The principle of academic freedom as we understand it, merely requires that the public holds him to his duty as it holds other men, it shall not invade his rights, which are not less than other men's. To persecute him for his opinions sake, to drive him into exile, to deprive him of the means of livelihood, --these are invasions of his rights.⁴³

This statement positioned faculty as equal to other men, a significant difference compared to the claims of the narrower, professional strand that emphasized how being an expert made professors different from everyone else.

A second well-publicized controversy occurred in Virginia surrounding prominent historian William Dodd at Randolph-Macon College. Dodd had been critical of southern perspectives of history and their influences on public education as early as 1902 when he wrote an article that appeared in *The Nation* lamenting the local power held by Confederate Societies and their role in censoring historical curriculum in southern states. In 1904, Dodd wrote an article that appeared in the *South Atlantic Quarterly* which, in turn, was quoted in *The Independent*. Dodd claimed that "public opinion is so thoroughly fixed that many subjects which come every day into the mind of the historian may not with safety even be discussed...To speak out boldly means in many instances to destroy one's power of usefulness." He continued by underlining the differences between local understandings of history and professional understandings, a clear area of status strain for historical professors in the South. In his case, the confederates in Virginia feared the

⁴³ "Trinity College and Academic Liberty," *South Atlantic Quarterly* 3, no. 1 (Jan. 1904), 66. See also "Educational Questions of the Day," *Current Literature* 36, no. 2 (1904), 219-222, where the faculty are quoted to the press as in favor of "the illimitable freedom of the human mind."

“false history” that was “smuggled in from the North.” To defend themselves, these Confederates formed “history committees, with representatives in every Congressional district, whose business is to keep watch and put out of the schools any and all books which do not come up to their standard of local patriotism.”⁴⁴

Though Dodd did not specifically mention academic freedom in this article, his discussion resonated with the Bassett case and, together, they illustrate that not all faculty in the social sciences perceived the primary threat to academic freedom to be commercial interests. In the South, the traditional Confederate culture challenged the knowledge of professional historians and left those historians with a professional dilemma to resolve the ensuing status strain they experienced. They could either abide by the local community’s wishes and teach history from the southern “patriotic” perspective at the expense of their academic freedom, or they could take stands and hope the other professors in their institutions supported them at the risk of alienating the public. Though Trinity and Randolph-Macon resisted the local political and cultural pressures to dismiss Bassett and Dodd respectively, Timothy Cain noted that both professors eventually left these southern institutions in favor of northern institutions: in 1906, Bassett left Trinity for Smith College, and in 1907 Dodd stepped down from his post at Randolph-Macon and took a job at the University of Chicago in 1907.⁴⁵

A significant number of public academic freedom uses by social scientists reflected a broader, individually-oriented understanding of the concept and did so while

⁴⁴ “Teaching History in the South,” *The Independent*, May 18, 1904, 1157.

⁴⁵ Cain, *Establishing Academic Freedom*, 40-41.

either attacking the prestige of the institutions denying them academic freedom or asking for protections from the powerful social forces they perceived to be constraining their professional life. However, while the majority of faculty remarks about academic freedom in the midst and aftermath of the Ross crisis clearly followed the path developed by Bemis that positioned commercial interests, trustees or administration as the primary enemy of academic freedom,⁴⁶ there were other perspectives being offered to the public.

Academic Freedom, Professionalism, and Genius: Senior Scholars and Men of Science

Beginning with Albion Small, and continuing with remarks by professors and presidents from a variety of disciplines, a second strand of the discourse on academic freedom during this period emphasized narrower or more balanced, professional, and collective understandings of the concept. In doing so, these faculty members and presidents utilized combinations of the Germanic academic freedom, ideas from the freedom of expression discourse of suppression, and, in some cases, ideas about genius in developing their arguments.

Writing at the same time as Bemis, Albion Small's article entitled "Academic Freedom. I. Limits Imposed by Responsibilities," appeared in the fall issue of *The Arena* in 1899. *The Arena* asked Small, professor of sociology and dean at the University of Chicago, to respond to the recent conference in Buffalo and the emerging sentiment that

⁴⁶ See also the statements in the press by Latin professor at Stanford E. M. Pease. "Pease out of Stanford," *San Francisco Chronicle*, May 25, 1902, 3; "More Friction at Stanford," *Chicago Daily Tribune*, May 25, 1902, 4. Pease felt he was asked to resign because he did not support the administration during the Ross case.

boards of trustees and administrators across the country were abusing the academic freedom of professors. Small drew from his 18 years of experience teaching sociological and economic topics at a private institution, and stressed that to his knowledge there were not many instances of actual academic freedom abuse. In the few cases where it had been threatened, Small stressed that it was threatened by “individuals only, not by authoritative action of a responsible body.”⁴⁷ In response to a statement at the Buffalo conference that contemporary American colleges and universities violated academic freedom with increasing frequency, Small suggested that the individuals who thought academic freedom was broad and absolute were hallucinating. “The sort of freedom demanded by implication does not exist anywhere in this world. Absolute freedom is a speculative abstraction which has no counterpart in reality. No man is free. We are simply free within the limits set by our responsibilities.” He then elaborated that “responsibilities imply restrictions.”⁴⁸

Small articulated four domains of responsibility, and therefore four areas of potential restrictions on academic freedom for professors: 1) faculty were responsible and constrained by the “whole body of thought” of their academic discipline and were bound to act and speak with a “decent respect” for previous thought; 2) faculty were responsible to their colleagues within the university setting because “[e]very rightly constituted university man is conscious that there are conventionalities in the republic of letters which he has no right to disregard;” 3) faculty were responsible to their students,

⁴⁷ Albion W. Small, “Academic Freedom. I. Limits Imposed by Responsibilities,” *The Arena* 22, no. 4 (1899), 463.

⁴⁸ *Ibid.*, 464.

to cultivate “right intellectual conduct” as well as knowledge; and 4) faculty were responsible to the public and had the duty to use the “the most mature and candid sort of judgment possible upon all subjects” within their areas of competence.⁴⁹ These limits of academic freedom, at least to Small, were necessary and obvious in the “regime of reason” dominating the modern university.

In contrast to the broad, individualistic strand characterized by Bemis, Small argued that boards of trustees had an important function for universities, and recognized the inherent conflict in the views of the men of business behind the university system and the economists and sociologists working within them. The key for Small was that business men, as well as the general public, would not tolerate what appeared to be partisanship from men who were supposed to be scientific professionals. Thus, Small championed a professor who

...is bound to be an offense to the violent partisans on both sides of questions because he is likely to see things along the median lines, rather than in a perspective that is all extremes and no center...he will do his work best by cultivating the qualities of the investigator and the counselor rather than those of the political rough-rider.⁵⁰

Small’s academic freedom, then, was similar to that of Josiah Royce: thoroughly scientific, indifferent, and related to a professional competence which allowed little room for political ideology. While Royce emphasized that scholarly “controversy” should occur within academic contexts with a focus on the knowledge and not on the personal, Small offered a necessary complement to that position by suggesting that in the public

⁴⁹ *Ibid.*, 465-466.

⁵⁰ *Ibid.*, 471-472.

arena faculty should remain neutral, acting as intellectual advisers not political activists.

Many other professors and presidents essentially agreed with this collective and limited portrayal of academic freedom. In 1906, J. Laurence Laughlin of the University of Chicago wrote an article that appeared in *The Journal of Political Economy* that reflected a similar scientific emphasis to academic freedom.⁵¹ He explained that “academic liberty is that which allows absolute freedom of scientific discussion, not only in regard to the popular side of a question, but also in regard to the unpopular side--if there be one.” Laughlin did speak of an absolute freedom, but just as Royce and Small had, he emphasized that it was within the bounds of scientific discussion. He continued, stressing that it was necessary to “protest against the unscientific attitude, which recently has appeared in certain quarters, and which consciously or unconsciously objects to a fair discussion of both sides of the labor-union question, or of the railway problem.”

Laughlin was responding to a recent event wherein a professor at the University of Chicago appeared before the Senate Committee on Railways and gave testimony that favored the railroad industry. In response, a member on the committee chastised the professor and the University of Chicago for aligning their views with corporate interests. Laughlin resented this connection, maintaining that professional, scientific advice is not political. He admitted that the “masses” and many academics held positions that were hostile to corporations, but he maintained that a professor could make arguments in favor of railways without being in their pockets. Laughlin retained Small’s insistence that the faculty voice was that of the indifferent, expert adviser, not the political activist or

⁵¹ J. Laurence Laughlin, “Academic Liberty,” *Journal of Political Economy* 14, no. 1 (1906), 41-43.

spokesperson.

Presidents also contributed to this constrained and collective understanding of academic freedom. William D. Hyde, president of Bowdoin College, articulated a similarly balanced and holistic perspective of academic freedom in the midst of the Ross case in 1901. Hyde stressed that there were six groups who had important interests in university life: 1) founders or other benefactors, 2) the state, 3) trustees and regents, 4) professors, 5) students, and 6) the public constituency of the college, including families of students and alumni.⁵² Each of these groups had rights and responsibilities to one another and, according to Hyde:

Academic freedom is not the simple question of whether a professor teaches or refrains from teaching this or that...academic freedom is the harmonious working of the six constituent elements of the university. An institution is enslaved when any one of these parties encroaches on the rights of others.⁵³

Here, Hyde's remarks illustrate how academic freedom could be used as a rhetorical weapon against radical faculty, as the university "could be enslaved" if faculty abused their privileges. The reference to slavery was a common and powerful tool in discourses on freedom since the Civil War, and it was commonly used during the Progressive Era to address the relationships between institutions and individuals.⁵⁴ The implication that individual faculty could be just as dangerous to academic freedom as a university solely following the interests of the regents or the state was powerful in an environment when

⁵² William DeW. Hyde, "Academic Freedom in America," *International Monthly* 4, (July/Dec. 1901), 1-20.

⁵³ *Ibid.*, 20.

⁵⁴ David Hackett Fischer, *Liberty and Freedom: A Visual History of America's Founding Ideas* (Oxford: Oxford University Press, 2005); Eric Foner, *The Story of American Freedom* (New York and London: W. W. Norton & Company, Inc., 1998).

colleges and universities were struggling for status and prestige amongst each other as well as within their communities.

Academic freedom for Hyde was centered on the relationships and interactions surrounding the entire institution, with each group respecting the functions of the others. Specifically referring to the academic freedom cases in recent memory, Hyde argued that “no professor has the right to lay the institution which he serves upon the altar of his own martyr zeal.”⁵⁵ Instead, the professor needed to exhibit the scientific impartiality and dignity

...which his position as an intellectual servant of the public must always impose upon him. The question of academic freedom, at this point, is generally more a question of manners than of morals; more a matter of tone and temper and emphasis than of conviction.⁵⁶

Blended into this rhetoric of morality and the idea that professors are the servants of an undefined public was the scientific and professional worldview that should govern the modern college or university.

Other presidents, however, did admit some problems with trustees, but still favored a balanced or constrained academic freedom.⁵⁷ In responding to the Ross case,

⁵⁵ Hyde, 13.

⁵⁶ *Ibid.*, 14.

⁵⁷ For Charles W. Eliot, see statements reproduced in “Our Freedom Begets Trusts, Eliot Says,” *New York Times*, December 21, 1904, 9; “Shoos Cupid from Harvard,” *Chicago Daily Tribune*, April 10, 1908, 6. For David Starr Jordan, see statements and letters reproduced in “Prof. Ross Is Not ‘Dropped.’,” *New York Times*, August 27, 1897, 1; “Professor Ross Not Dismissed,” *San Francisco Chronicle*, August 27, 1897, 4; “The Correspondence,” *Los Angeles Times*, January 15, 1901, 4; “Dr. Howard Forced out of Stanford,” *San Francisco Chronicle*, January 15, 1901, 1. For John C. Branner, see statements reproduced in “The War over Dr. Ross,” *San Francisco Chronicle*, March 3, 1901, 6; “Speech Is Free in Universities,” *Chicago Daily Tribune*, February 28, 1901, 3; “Defends the Dismissals,” *San Francisco Chronicle*, January 18, 1901, 3; “Principles Declared,” *Los Angeles Times*, January 18, 1901, 3; “The Stanford University’s Defense,” *Outlook*, February 9, 1901, 331-332.

president of the University of Chicago, William Harper, admitted the problem of donors interfering with university activities.

It is my opinion that no donor of money to a university, whether that donor be an individual or the State, has any right before God or man to interfere with the teaching of officers appointed to give instruction in a university. Whenever such a thing happens, at that moment the institution has ceased to be a university.⁵⁸

However, another quote from Harper appeared in the media where he advocated for an academic freedom for faculty within the bounds of common sense.⁵⁹ The combination of these public remarks reveals a similarly balanced approach as Hyde's. It was not that presidents were outright in favor of bending to external interest groups, but they did not see that the balance needed to be swung completely in favor of faculty either.

In a two-part article in *Atlantic Monthly* in February and March of 1903, Arthur Twining Hadley, president and economics professor at Yale, continued the constrained strand of the discourse and argued that the freedom of thought and the freedom of teaching were not the same.⁶⁰ For Hadley, freedom of teaching was an act, "not a subjective or individual affair, but a course of conduct which creates important social relations and social obligations."⁶¹ The emphasis on teaching as a social act as opposed to an act of individual expression situated the teaching role within communal constraints that the faculty in the individually-oriented strand ignored. Hadley also suggested that

⁵⁸ "Menace to Academic Freedom," *Zion's Herald*, January 23, 1901, 100-101. Quote from 101.

⁵⁹ "Highways and Biways," *The Chautauquan* 33, no. 1 (1901), 3-11, the article addresses Harper on 11.

⁶⁰ Arthur Twining Hadley, "Academic Freedom in Theory and Practice," *Atlantic Monthly* 91, (Feb. 1903), 152-160 and Hadley, "Academic Freedom in Theory and Practice," *Atlantic Monthly* 91, (Mar. 1903), 334-344. Furner indicates that Hadley held conservative perspectives regarding academic freedom and the issues of advocacy and objectivity prior to becoming president at Yale.

⁶¹ Hadley, "Academic Freedom in Theory and Practice," *Atlantic Monthly* 91, (Feb. 1903), 157.

being a teacher at a public or private institution placed faculty in contractual obligations with institutions serving the public good and therefore with authorities who “conceive that they have the right” to tell faculty what to teach toward that end.⁶²

Other faculty and presidents quoted in the press perceived of similar constraints. In 1899, George Herron, who held a privately-endowed religious professorship at Iowa College, was in a position that led him to resign because of his social and economic ideals despite support from the trustees. In a statement to the press, Herron explained his resignation and revealed an alternative approach to academic freedom and higher education for radical faculty.

The doctrines of property which I hold...are subversive of the existing industrial and social order...I recognize that the constituency of this college is equally sincere in believing such teaching to be dangerous and untrue. I recognize fully the right of men to support only such freedom as they sincerely believe in, and I am unwilling to force them to even seem to support such guidance and teaching as they do not believe in.⁶³

On April 27, 1901, two years later, Herron gave a speech at Harvard that underlined his radical views. He denounced the interests backing the institution, much to the dismay of the student body and others who were present.

Your own institution is as parasitical as every other. It is a blood-sucking vampire, maintaining itself on mortgages and on the enslaved working classes. When a socialistic system is applied there will be no need of such institutions as this. Everybody would be free and equal, and not as it is at the big but not great University of Chicago.⁶⁴

⁶² *Ibid.*, 160. See also the remarks of University of California history professor Thomas Bacon in “Freedom of Speech Has Proper Bounds,” *Los Angeles Times*, November 26, 1900, 3.

⁶³ “Notes and Comments,” *The Watchman*, November 30, 1899, 8-9. See also, “Article 2--No Title,” *New York Evangelist*, November 16, 1899, 13; “Retirement of Professor Herron,” *Congregationalist*, November 9, 1899, 679.

⁶⁴ “Trial of Herron,” *The Minneapolis Journal*, April 27, 1901, 8.

Herron had significant issues with the class warfare he saw as inherent to higher education because of the donors and trustees who backed institutions like Harvard or the University of Chicago. However, his acknowledgment of the rights of the college was unique considering that other radical professors generally focused on their individual academic freedom, and his resignation indicated that choosing to leave was seen by some faculty to be a choice in favor of academic freedom, individually and institutionally.

Conversely, choosing to stay at institutions despite some evidence of the abuse of academic freedom could also be an act of agency, as Stanford history professor Duniway remarked in the midst of the Ross upheaval that “[d]espite recent events it is still possible for a professor to continue his connection with Stanford University and retain his freedom unabridged.”⁶⁵ Duniway’s remarks foreshadowed a variety of mass public statements by faculty at Stanford in support of the university or President Jordan.

As the Ross case unfolded, a division between the sciences and social sciences at Stanford became more and more salient. Based on the treatment of the Ross case in *Science*, the organ of the American Association for the Advancement of Science (AAAS), the scientific perspective on academic freedom was similar to the message offered by Josiah Royce, Albion Small, and the others in the constrained and collective strand of the discourse. On January 25, *Science* published an article that reproduced much of the correspondence between President Jordan and George Howard regarding the latter’s dismissal, and made the following brief statement about academic freedom. “On the one hand, ‘academic freedom’ is absolutely essential as a condition of higher education and

⁶⁵ “Defends the Dismissals,” *San Francisco Chronicle*, January 18, 1901, 13.

research; on the other hand, academic dignity and order must be maintained.”⁶⁶

On March 8, 1901, an article appeared in *Science* that responded to two conflicting reports on the Ross case: an alumni report championing the university and supporting Mrs. Stanford and President Jordan⁶⁷ and the report issued by the American Economics Association that supported Ross, and criticized Jordan for being misleading during the events leading up to Ross’ dismissal. The article contained the following telling remarks:

The alumni maintain that the dismissal of Professor Ross did not infringe on the right of free speech, while the economists side with Professor Ross in his claim that he is a martyr. It may seem ungracious for men of science, who have in the past suffered for truth’s sake and have won the right to free scientific investigation, not to take sides with their colleagues in sociology and economics when they unit to urge the right of academic freedom. But we can not escape the conviction that the report of the three economists is a partisan rather than a judicial document.⁶⁸

It continued, arguing for conservatism in and collective freedom for the university.

Our universities should be conservative—they should be careful in the appointment of professors and doubly careful in their dismissal. But the freedom of the individual must be subordinate to the freedom of the university. Academic freedom is the right to speak academically, and the university professor not only enjoys privileges, but also undertakes obligations...A distinction must be made between freedom of speech and license of speech, between the right to investigate and the desirability of using a university as a point of vantage for propagandism.⁶⁹

The author of the article also criticized Ross for attempting to embarrass the university following his dismissal.

⁶⁶ “Leland Stanford Junior University,” *Science* 13, no. 317 (1901), 142-143.

⁶⁷ For coverage of and excerpts from the alumni report see “Dismissal of Dr. Ross Is Approved by Alumni,” *The San Francisco Call*, Jan 27, 1901, 32.

⁶⁸ “The Case of Professor Ross,” *Science* 13, no. 323 (1901), 361-370. Quote from 361.

⁶⁹ *Ibid.*, 361-362.

There were apparent differences between the sciences and social sciences regarding the limits of academic freedom in the Ross case, both in broad disciplinary terms—as evident in the articles that appeared in *Science*—and locally—as evident in the faculty statements issued to the public. On January 17, 1901, an article appeared in the *San Francisco Chronicle* that hinted at tensions at Stanford between faculty in the sciences and the social sciences. President Jordan, the article revealed, was placing other scientists on the committees that met to decide on the Ross case as well as the cases involving other faculty who supported Ross. Of course, Stanford vice-president Branner, a geologist, was on the committee, but the article noted that J. M. Stillman, the head of the chemistry department, and C. H. Gilbert, a zoologist, were also committee members. The article specified that “[t]he men who are resigning and being dealt with according to the policy of this alleged committee are all men in the departments of letters, with the exception of Dr. Little, who was in the department of pure mathematics. The estrangement between the two divisions of departments has always been on the surface.”⁷⁰ Faculty statements to the press affirmed the division between sciences and social sciences on these matters. On April 27, 1901, 27 faculty members asserted that no question of academic freedom was involved in the Ross case and that Jordan was justified in dismissing him. Of the 37 faculty members who signed the statement, 21 were in the sciences or mathematics, and 6 were in literature or languages. No professors in the social sciences signed the statement.⁷¹ Even at institutions like Stanford where there were

⁷⁰ “Professor Spencer Resigns,” *San Francisco Chronicle*, January 17, 1901, 1.

⁷¹ Ross in Error; Jordan Right,” *San Francisco Call*, April 27, 1901, 7; “Stand with Dr. Jordan,” *San Francisco Chronicle*, April 27, 1901, 3; “President Jordan Sustained,” *The Salt Lake Herald*, April

public problems, not all faculty members perceived academic freedom to be a conflicted issue, or at least not one worth fighting for in such a public manner.

The lack of academic freedom cases involving scientists during the Progressive Era reinforced the slight division between the disciplines on the issue of academic freedom. In his 1899 article, Bemis noted that in “the teaching of the natural sciences... the battle for academic freedom is practically gained.”⁷² In fact, the only incident related to academic freedom involving a scientist that received public attention from 1890-1910 occurred in 1908 when University of Illinois physiologist George Kemp attempted to use academic freedom to advance his position at the university while simultaneously using the concept as a weapon against the president and the university.⁷³

Kemp’s complaint was that University of Illinois President Edmund James failed to promote him during a period at the university which saw several other faculty promoted. Kemp felt he was as talented a teacher and scholar as others whom James promoted and subsequently charged James with “duplicity, dishonesty, and abuse of official powers.”⁷⁴ He demanded to be informed why he was not promoted by the

28, 1901; “Professor Rosse's Dismissal,” *The Times*, April 28, 1901, 15; J. C. Branner et al., “Leland Stanford Junior University,” *Science* 13, no. 332 (1901), 751.

⁷² Bemis, “Academic Freedom,” *The Independent*, August 17, 1899, 2195. For similar sentiment, see James Bryce, “Scientific Conservatism,” *Littell's Living Age*, May 10, 1890, 379. See also, Andrew White, *The History of the Warfare of Science with Christendom*, 2 Volumes (originally published in 1896, available electronically now through Project Gutenberg at www.gutenberg.org).

⁷³ “The Administration at the University of Illinois,” *The Independent*, December 31, 1908, 1629-1630; “Stand by President James,” *Chicago Daily Tribune*, December 13, 1908, 6; “Article 1--No Title,” *The Dial* 45, no. 537 (1908), 285; “Great American Universities-Ix,” *The Independent*, September 2, 1909, 514-533; “The Administration of the University of Illinois,” *Science* 28, no. 723 (1908), 643-644; “The Administration at the University of Illinois,” *Science* 29, no. 733 (1909), 108.

⁷⁴ “The Administration at the University of Illinois,” *The Independent*, December 31, 1908, 1629-1630. Quote from 1629.

president or the trustees of the university, and when he did not feel the reasons for his denial of promotion were clear he resigned out of protest.

Kemp went to the media as well as the periodical *Science* in an effort to stimulate public controversy surrounding the University of Illinois in general and President James in particular. He submitted an article and press release to *Science* on October 9, 1908 that explained his side of the story and reproduced correspondence between himself and the trustees of the university.⁷⁵ Kemp argued that the worst problems in higher education were in areas where faculty could not affect change, and he assumed that “[i]f public opinion is once aroused on the seriousness of this question, it will not take long to remedy the evil...I am trying to clean up a condition which could not exist in the light, and which will spread its poison if allowed to persist in the dark.”⁷⁶ He explained that he had been a full professor for seven years and was head of physiology when President James began his administration at the University. Under James, however, Kemp experienced tension and difficulties that eventually culminated in his being passed up for promotion. In the process of his hearing with the trustees, he alleged that James was misleading and dishonest in his remarks to the university, sending the trustees a memo behind his back.

Here I had incontestable proof of the president’s unfairness. He had presented this paper behind my back, and it was full of misleading statements--especially half truths, very adroitly presented. He attacked me on practically every point which

⁷⁵ George T. Kemp, “The Administration at the University of Illinois,” *Science* 28, no. 719 (1908), 483-488.

⁷⁶ *Ibid.*, 483.

is essential to the head of a department, viz, as an administrator, as a teacher, as a man of science, and in my relation to my colleagues. Everything was general--not a specific act was alleged.⁷⁷

Kemp was “disgusted” by not receiving more specific information regarding why he was not promoted, and was “willing to sacrifice my ‘job’ for the dignity of my profession. A university professor is entitled to more respect than to be subject to such a farce of a hearing.”⁷⁸ Thus, Kemp went public in an attempt to maintain dignity for himself and in hopes of informing public opinion so that similar events could be prevented in the future.

However, and most importantly, Kemp found little support in the media or amongst other professors at the University of Illinois. Edward Slosson—a chemist, former professor at the University of Wyoming and current editor of the periodical *The Independent*—stated that he visited the University of Illinois during the height of the controversy but found that the “question of academic freedom” was not involved.⁷⁹

Additionally, the faculty senate at the University of Illinois responded to Kemp by issuing a public statement to the media supporting President James and claiming that academic freedom was not violated at the university.⁸⁰

The Kemp controversy is interesting for several reasons. First, he clearly understood that by invoking academic freedom as a publicity-oriented weapon he could garner attention and potentially damage the university by positioning it as lacking in quality. However, Kemp’s concern was with the lack of control faculty experienced in

⁷⁷ *Ibid.*, 485.

⁷⁸ *Ibid.*, 486.

⁷⁹ “Great American Universities-Ix,” *The Independent*, September 2, 1909, 514-533. Quote from 527.

⁸⁰ “Stand by President James,” *Chicago Daily Tribune*, December 13, 1908, 6; “The Administration of the University of Illinois,” *Science* 28, no. 723 (1908), 643-644.

the university, which was certainly a professional concern but it had little to do with the traditional ideas of academic freedom that emphasized freedom of teaching, speaking as an academic expert, or publishing the results of research. The response by Slosson and the faculty statement to the press denying any abuse of academic freedom suggested that they understood academic freedom in more traditional terms and were not willing to increase public attention on the University of Illinois for Kemp's sake. Thus, Kemp's use of academic freedom was somewhat innovative, though it certainly was not immediately legitimated by the media or other faculty. Nonetheless, it was still one of the earliest uses of academic freedom in direct connection to institutional power, due process, and other university governance issues. This use of academic freedom increasingly occurred in the 1910s.

One final trend in the constrained strand of the discourse on academic freedom during this period involved the idea of genius. Many senior scholars and administrators appeared to acknowledge a need for a broad academic freedom for professors but only if they were truly brilliant, though identifying such brilliance was a problem. President of Clark University and psychologist G. Stanley Hall appeared to combine the ideas of expert and genius in his remarks on academic freedom. In 1901, Hall delivered a speech at a state university in New York in which he stated that experts are "the most precious possessions of mankind." He continued, articulating an idea of academic freedom not limited to faculty and emphasizing the cosmopolitan nature of the university. "Academic freedom is the life of the ideal president, or he will die. He is a citizen of a higher

realm.”⁸¹ As a prominent member of the university, presidents needed academic freedom too, an idea reminiscent of Royce’s implication that academic freedom was part of the university’s spirit, not just limited to faculty.

Several years later, Hall gave another speech at the opening of the graduate department of the University of Illinois that continued the need for isolation for scholars but included subtle limitations for this academic freedom.⁸² The speech itself was about the importance and need for scientific innovation from the university. In order for this to happen, however, the university need to make an exception for geniuses.

[F]or the geniuses in our faculties are the most unmanageable of all centuries. Their ideas are often ultra-unconventional and their lives sometimes far from conformable to the prim proprieties prescribed for the college don who is supposed to be a pattern in all things for all students, and the community.⁸³

The older ideas of local community-oriented colleges conflicted with the freedom necessary for knowledge creation. Hall continued, offering a vivid description of these academic geniuses.

They are not seen at their best walking respectfully along the public thoroughfares, but in striking out new ways, for they are the world’s path finders...Perhaps they are restless with perpetual spring fevers, always wanting to be away on scientific excursions or expeditions or to be released from routine teaching and settling manifold troublesome precedents. They may be moody or their brains seething with new and very upsetting schemes, veritable *enfants terribles* to the president, needing a long line, perhaps special standards and indulgence which never could be made general, but which are always liable to be plead as such by others.⁸⁴

⁸¹ “Tendencies in Education,” *New York Tribune*, July 3, 1901, 7. Hall was not the only president to use academic freedom in relation to the presidency. Harvard’s Charles Eliot made similar connections. See “D. Eliot at Cornell,” *New York Tribune*, May 30, 1907, 7.

⁸² This speech was reproduced in G. Stanley Hall, “The University Idea,” *Pedagogical Seminary* 15 (1908), 92-104.

⁸³ *Ibid.*, 98.

⁸⁴ *Ibid.*

Here, Hall's emphasis on the specialness of these standards and indulgences "which never could be made general" revealed the limitations on his otherwise broad understanding of academic freedom: not everyone deserved this level of independence. However, it was important to Hall that some do because these are the individuals who push knowledge forward.

Though none have all, all have some of these traits, but we should remember it is these men who get results, who change the currents of scientific thought and punctuate the history of culture with epochs...It is they who devise economic and industrial processes that enhance the prosperity of localities and of nations, that write the memoirs that are applauded by the consensus of the competent, the world over, that win the Nobel prizes, unearth the dinosaurs, make the gratings that analyze the spectrum, demonstrate the ultra atomic ions, freeze hydrogen, draw the latest maps of the canals on Mars, demonstrate the existence and the nature of ether, unearth antediluvian cities and decipher their history from inscriptions, create new species of plants and animals by crossing, formulate the laws that underlie industry, trade and the evolution of plant, animal and psychic life and at the same time make us all feel that though this recent progress has been so amazing, the history of science cannot yet be written because the best things have not happened or been found yet.⁸⁵

Clearly, extreme levels of independence were necessary for these few, special men of genius, but how could these individuals be identified? The discourse contained no clear answer other than the reality that there were not many of them and the implication that they were primarily found in the scientific disciplines.

There was at least some evidence that some scholars at this time felt all professors possessed genius,⁸⁶ but in most cases there were cautious limitations regarding how many there were. In 1901, E. R. Andrews, by then chancellor at the University of Nebraska,

⁸⁵ *Ibid.*, 98.

⁸⁶ See for example, L. A. Bauer, "A Plea for Terrestrial and Cosmical Physics," *Science* 29, no. 745 (1909), 566-570. Bauer quotes a British scholar on the connection between genius and academic freedom that implies that genius went hand in hand with being a professor.

delivered a commencement address that briefly addressed genius in relation to universities. Andrews argued that “Genius is sporadic. It is largely one of those ultimate facts for which there is no accounting...Schools cannot create genius, but they do what is quite as important, they call it out and train it.”⁸⁷ Genius for Andrews was natural and therefore unpredictable. In 1906, President David Starr Jordan of Stanford contributed an article in *Science* that emphasized the rarity of those who truly contribute to the advancement of knowledge championed so eloquently by Hall. “A few men, and but a few, even in the greatest universities, ever contribute very much to the direct advancement of science.”⁸⁸ For Jordan, although research was an important and pivotal piece of university life and the faculty role, faculty who had no interest in teaching and the obligations connected with it should avoid working in the university setting. The idea that teaching was a serious roadblock to true academic freedom was common in the discourse. If the independence to pursue whatever research one wanted was all that mattered, scholars should probably not pursue positions in a university or college.

The collision of academic freedom ideals and notions of genius reveal the transitory phase of faculty and scholarship from 1890-1910. The concept of genius was a relic from earlier periods, when there were fewer individuals pursuing research or scholarly inquiry. Genius was more conducive to an understanding of the faculty role as a vocation; as something one was called to do. During the Progressive Era, however, research and scholarly inquiry increasingly became associated with professionalism,

⁸⁷ “An Address by Chancellor Andrews,” *The Conservative*, September 21, 1901, 10-12. Quote from 11.

⁸⁸ David Starr Jordan, “Scientific Research,” *Science* 24, no. 616 (1906), 505.

making the connections with genius difficult. Professionals could be created, geniuses could not. Yet, the notion of genius was also a rhetorical tool in some ways that simultaneously reflected the idealism of the academic world and its practical limitations. It both acknowledged the need for academic freedom but limited it to the very few who truly pushed knowledge forward.

Thus, remarks from men of science like G. Stanley Hall sounded similar to the broad, individually-oriented academic freedom advanced by social scientists and other radicals, but they still reflected the cautious desire to constrain such freedom to a small group of faculty. Whether it was within the constraints of professionalism or granted only to the greatest of scholars, some faculty and administrators, particularly those in the sciences, stressed a narrow, limited academic freedom. As the 1900s came to a close, there was little public unity of faculty regarding the concept of academic freedom or its application, though there were instances of increased unity. The Ross case, for example, prompted increased public action of faculty in the social sciences, history, and the humanities that took the form of resignations or press statements. Nonetheless, there was no collective message regarding academic freedom during the 1890s and 1900s, and, because of that, neither faculty nor administrators became the dominant public voice on academic freedom. That title belonged to the media, and the last section of this chapter will describe how the media complicated the professoriate's struggle for professionalization during this period.

Academic Freedom, the Muckraking Spirit, and the Spectre of Agitation

The first two sections of this chapter discussed the voices of faculty and administrators in public media and how the discourse defining and using academic freedom reflected a struggle over the nature of the concept as well as the relationships between faculty, university, and community. The presence of wealthy, conservative interests as donors or trustees of universities represented a significant constraint on faculty individually and collectively. However, despite the fact that a sizable group of social science faculty positioned these business interests as the primary hindrance to their individual autonomy, the media itself was a powerful limitation to the academic freedom and dynamic professionalization processes of faculty. This section explores the role of the media on the academic freedom discourse and its related effect on the public perception and status of faculty.

Professors, perhaps more than ever before, were in the public eye during the Progressive Era. In 1902, Bliss Perry, editor of *The Atlantic Monthly* and a former university professor of literature at Williams College and Princeton University, contributed an article to the *Atlantic* entitled “College Professors and the Public.”⁸⁹ The article was an exploration of the changing role and behaviors of university professors. Perry stressed the importance of isolation to scholarly work and that there was “a more or less constant antinomy between the instincts of pure scholarship and the impulses of citizenship.”⁹⁰ The older model of professorship, in his view, was that of the solitary

⁸⁹ Bliss Perry, “The College Professor and the Public,” *The Atlantic Monthly*, vol. 89, no. 102 (Feb. 1902), 282-288. Perry would later continue his scholarly career as a professor at Harvard.

⁹⁰ *Ibid.*, 282.

scholar and it was more conducive to men who studied the dead languages, philosophy, and to a certain extent the hard sciences. The new model of being a professor--the model that Perry attributed as proper for some of the newer sciences, economics, sociology, and political science—faced more scrutiny and was therefore more constrained because the expertise of these disciplines brought professors, “into touch, at a thousand points of contact, with the material interests, the practical concerns, of the American public.”⁹¹ As a result, Perry argued these professors could not afford or even expect the same isolation in pursuing their studies, and their proximity to important public issues thrust the entire academic profession into the public eye. The professor, for better or worse, was becoming “a sort of spectacle, ” and the media was largely responsible.⁹²

In 1910, Charles Mills Gayley, a professor of English and the classics at the University of California, wrote a book entitled *Idols of Education*, criticizing much of higher education at that time. Regarding professors, Gayley argued that the etiquette of professors was coming into question with ever greater frequency.

When, not dispassionately, university professors figure in public issues they lay themselves open to the charge of partizanship. Time was when academic etiquette forbade the university professor to participate in political contests. Now there are those who dare to inject the university into prejudiced affairs--even into criminal cases pending in the courts. They have joined themselves to the idol of parade.⁹³

The central issue for Perry and Gayley was how professors could claim to be disinterested, to be objective, when they were so frequently engaged in political activity or on the front pages of the newspapers. For the faculty in the social sciences, whose

⁹¹ *Ibid.*, 284.

⁹² *Ibid.*, 285.

⁹³ As quoted in “Idols of Education,” *San Francisco Chronicle*, March 13, 1910, p. 32.

areas of scholarly expertise drove them toward conflict with business trusts and political leaders, the issue was how to advance their ideas publicly without simultaneously appearing to be labor activists, socialists, or anarchists. In the case of Gayley, there was no difference between the professors and the university; they were one and the same. For all of these reasons, the proper balance before the public was difficult, if not impossible, for faculty to achieve. For better or worse, however, professors were in the public eye, and the definitions and images of academic freedom that appeared in the media complicated the development of faculty professionalization, inhibited the public legitimation of their status, and presented faculty with a need to pay attention to and improve their publicity.

As early as 1899, professors were concerned with improving their public image, as evident in Bemis' 1899 in the *Independent*. These efforts had limited impact on the development of a collective faculty voice regarding the concept in newspapers and magazines. With the possible exception of the media coverage of the Ed Ross controversy in the early 1900s, faculty statements to the press simply were not extensive enough to spark the public movement for academic freedom that Bemis had in mind, and the faculty voices that did appear did not deliver a consistent message. Compounding these issues for faculty was the message of academic freedom disseminated by the media.

In the media, academic freedom received a mixed treatment. As part of a broader muckraking media culture, the newspapers were attracted to academic freedom during the Progressive Era because it was yet more evidence of the corruption of the titans of

industry. Yet, the media also associated academic freedom with social unrest, as journalists covered academic freedom issues in Europe and the United States by emphasizing the disorder they caused. In addition to sensationalizing the issues, however, the press, itself in the midst of a movement toward a professional ethic of objectivity, consistently placed limits on academic freedom as well. As a result of these influences, the press portrayed faculty in an interesting place in society: they were less nefarious than the titans of industry, but if they were not somewhat controlled they were dangerously close to the anarchist and socialist agitators of the time. Regarding academic freedom, then, the press asserted that faculty should be free, but not that free.

At the dawn of the Progressive Era, journalism was in the midst of shifting toward a more professional orientation toward “doing” the news.⁹⁴ In the late 19th century, many journalists were still as interested in telling good “stories” as they were in reporting information accurately. *The New York Times* emerged in the 1890s as the ideal type of the emerging “information” model of reporting, which emphasized accuracy. *The Times* appealed to the “well-to-do,” but came to be read widely by all classes as working and middle class began to mimic the newspaper-reading patterns of the upper class.⁹⁵ While *The Times* and other similar papers increasingly focused on less editorializing (unless in the letters to the editor section of the paper) and more on fact or statement-centered reporting, there were still many papers at the turn of the century where the lines between

⁹⁴ Richard L. Kaplan, *Politics and the American Press: The Rise of Objectivity, 1865-1920* (Cambridge and New York: Cambridge University Press, 2002); Michael Schudson, *Discovering the News: A Social History of American Newspapers* (New York: Basic Books, 1978).

⁹⁵ Schudson, 5, and 88-120.

the two models of journalism were blurry.

The press coverage of academic freedom during this period necessarily reflected these blurred lines, and many in the press were well aware of it. For example, in 1895 an article appeared in the Chicago-based literary and political magazine *The Dial*, commenting on the media coverage of the Edward Bemis controversy at the University of Chicago. The article characterized Bemis' departure from the university as commonplace and lamented that "a section of the newspaper press, that stern guardian of public morality, found in the matter the germ of a possible sensation, and by its familiar methods of innuendo, baseless assertion, and reckless reasoning, proceeded to exploit the case."⁹⁶ The sensation, according to *The Dial*, was that Bemis' departure had anything to do with a titan of industry limiting his academic freedom,⁹⁷ and the article later complained that the press, and particularly the newspapers in the west, had been "moralizing all summer long upon the awful consequences of a higher education controlled by class influences, and indulging in dismal vaticinations of a time when our university faculties shall have become mere hirelings of an unscrupulous plutocracy."⁹⁸ The sensationalism or class-oriented concerns of the press regarding academic freedom described by this article introduce the first important aspect of the press coverage on academic freedom from 1890-1914: its collision with the muckraking spirit, and therefore, the connection of

⁹⁶ "A Newspaper Myth," *The Dial* XIX, no. 224 (1895), 2-4, quote from 2. The article itself does not explicitly mention Bemis by name but the date (1895) and the details relayed in the article are clearly references to Bemis.

⁹⁷ In his dissertation, Cain supports the assertion that Bemis' case was not about academic freedom but about Bemis' lack of competence as a teacher and scholar. See Cain, 29-30.

⁹⁸ "A Newspaper Myth," *The Dial* XIX, no. 224 (1895), 2.

social science faculty to the anti-monopoly and social gospel movements in the Progressive Era.⁹⁹

Historians Arthur and Laura Weinburg define the Muckrakers as a group of high profile writers and journalists dedicated to “exposing the ills and abuses of society.”¹⁰⁰ Muckrakers included the more scholarly Ida Tarbell and Thomas Lawson to the more sensational David Graham Phillips and, of course, Upton Sinclair. In an attempt to mobilize mainstream society, and particularly the middle-class, many newspapers and magazines during the Progressive Era adopted the muckraking spirit as well, desiring to simultaneously expose problems in society and maximize their readership. Such a combination led to varying mixtures of the information and sensational story telling models of journalism. In regards to academic freedom, this meant that the press coverage on academic freedom was hyper-sensitive to any indication of controversy, misdeed, or abuse regarding the relationship between college or university regents or benefactors and the functioning of higher education, and that heightened sensitivity lent itself to dramatization.

To be sure, there were voices in the media that spoke in favor of academic freedom for faculty, but all of these voices did so because they perceived faculty as victims of unethical treatment or domination from big business interests. In 1895, an editorial appeared in the *New England Magazine* that offered a touch of sensationalism in

⁹⁹ See also, Arthur S. Link and Richard L. McCormick, *Progressivism*, ed. (Wheeling, Il.: Harlan Davidson, Inc., 1983), 2-24.

¹⁰⁰ Arthur Weinberg and Lila Weinberg, eds., *The Muckrakers* (First Illinois Paperback, 2001), xv.

reflecting on the Bemis controversy.¹⁰¹ The unnamed author lamented the “misfortune” of silencing faculty.

Better two centuries more of economy and poverty in the American college, of small wages and bare floors, than that great gifts of bad money...should beget any intimidation or deference inimical to the scientific spirit or to perfect freedom and courage on the part of every faithful college man.¹⁰²

These sorts of drastic and idealistic hyperbole were common in press coverage of academic freedom that solely favored the faculty perspective.

In 1899, an amateur military historian and reform-oriented journalist W. J. Abbot wrote an article on academic freedom that appeared in the *Arena*. Abbot had recently participated in the progressive reform conference in Buffalo, New York that was attended by many radical faculty including Bemis, Commons, Herron, and Ross.¹⁰³ Abbot mirrored the arguments made by many social science professors by blaming the academic freedom cases of the 1890s on the tyranny of the monopolistic corporations and trusts. Privately endowed institutions, then, were in particular trouble, as Abbot characterized their situation through the following syllogism: “Colleges are supported by endowments; Endowments proceed from the capitalistic class; Therefore, nothing obnoxious to the capitalistic class shall be taught in this college.”¹⁰⁴ The only answer was the type of liberally-funded institution advocated by Bemis, and Abbot appears to have been a strong voice in favor of such an institution at the Buffalo Conference.¹⁰⁵

¹⁰¹ “Editorial Table,” *The New England Magazine* 19, no. 3 (November 1895), 380-386.

¹⁰² *Ibid.*, 384.

¹⁰³ “Survey of the World,” *The Independent*, July 6, 1899, 1789; “The Buffalo Conference,” *Outlook*, July 15, 1899, 595; P. T., “Under the Rose,” *The Arena* 22, no. 2 (1899), 285-294.

¹⁰⁴ Willis J. Abbot, “Academic Freedom. II. Necessity of an Independent School of Economics,” *The Arena* XXII, no. 4 (1899), 472-481, quote from 477.

¹⁰⁵ See Bemis, “Academic Freedom,” *The Independent*, August 17, 1899, 2195-2199." See also,

The class-conflict connotations of the academic freedom cases were also salient for George H. Shibley, a lawyer-turned-activist at the Bureau of Economic Research. Shibley wrote two somewhat redundant pieces that appeared in the *Arena* in 1900.¹⁰⁶ In both pieces, Shibley quoted Northwestern University trustee James H. Raymond as an example of the problematic relationship between the ruling class (business interests) and institutions of higher education:

As to what should be taught in political science and social science, they [the professors] should promptly and gracefully submit to the determination of the trustees when the latter find it necessary to act...A professor is not a mere, parrot, to repeat and fairly explain to his students the diametrically opposing premises, arguments, and conclusions of the writers and teachers of the ages upon any given subject. He must of necessity be an advocate; but his advocacy must be in harmony with the powers that be, with the animus and main purposes of the institution, and with the teachings of his co-laborers.¹⁰⁷

Some of the social scientists of the time would have been happy hearing a trustee state that they should be advocates. The problem was that Raymond, and many other trustees Shibley interviewed, expected professorial advocacy to resonate with the interests of the trustees, which Raymond believed to also be the “animus and main purpose” of the institution.¹⁰⁸

The newspapers also endorsed faculty in a manner that sensationalized the story,

Survey of the World," *The Independent*, July 6, 1899, 1789; "The Buffalo Conference," *Outlook*, July 15, 1899, 595; P. T., "Under the Rose," *The Arena* 22, no. 2 (1899), 285-294.

¹⁰⁶ George H. Shibley, "Who Shall Control the Price Level?," *The Arena* 23, no.1 (Jan 1900), 68-87; _____, "The University and Social Questions," *The Arena* 23, no. 2 (March 1900), 293-300. The second was essentially a more concise version of the first.

¹⁰⁷ Shibley, "The University and Social Questions," 294.

¹⁰⁸ Shibley was also critical of faculty in institutions and in the American Economics Association who did not challenge or speak against policies that favored the existing power structure of society. Shibley was a member of the AEA during this period as well, but it appears he had limited influence within the society, most likely because he was not an academic.

and here the best examples revolve around the Ed Ross case at Stanford University. During the Ross controversy the combination of objective and sensational impulses of journalism began to clearly manifest itself. Journalists moved from occasional incorporation of small quotations from individuals pertinent to the stories they covered to reproducing entire statements or letters from these individuals. Yet, in spite of increased representation of the facts (at least the facts according to those involved), journalists retained a touch of the sensational or idealistic hyperbole.

In the coverage of Ross' departure from Stanford, the press began to use phrases that characterized the atmosphere at Stanford as highly volatile and potentially explosive, perhaps more than it really was. In many cases, the titles themselves were indicative, from the somewhat moderate variations on "The Stanford University Trouble,"¹⁰⁹ to the more blatantly sensational "Menace to Academic Freedom,"¹¹⁰ or "The War over Dr. Ross."¹¹¹ In 1901, the *San Francisco Call* published a full front page on the Stanford controversy entitled "Stanford University Safely Passes Crisis, Students Upholding President Jordan."¹¹² The article included a large amount of information, including a reproduction of remarks from Acting President John C. Branner emphasizing that faculty could not criticize university administration in front of their class (a reaction to history professor Howard's criticism of Mrs. Leland Stanford in his class). This reproduction

¹⁰⁹ "The Stanford Trouble," *San Francisco Chronicle*, January 17, 1901, 6; Charles F. Lummis, "The Stanford University "Trouble.,"" *The Independent*, Feb. 7, 1901, 313-316; "The Stanford Troubles," *The Independent*, February 28, 1901, 508-509. See also Edward Adams, "What Stanford Upheaval Means," *San Francisco Chronicle*, January 20, 1901, 13.

¹¹⁰ "Menace to Academic Freedom," *Zion's Herald*, January 23, 1901, 100-101.

¹¹¹ "The War over Dr. Ross," *San Francisco Chronicle*, March 3, 1901, 6.

¹¹² "Stanford University Safely Passes Crisis, Students Upholding President Jordan," *The San Francisco Call*, January 18, 1901, 1 and 3.

was accompanied, however, by the following remarks.

Feeling has run very high over the controversy which has shaken the university community to its center, but to-night order has come out of chaos and everything indicates that Stanford University has passed through its crisis safely and that no serious evil will follow the events which have agitated every one here so greatly.¹¹³

Use of words like “chaos” and “evil” in relation to what was going on added sensational flavor to the article, and such depictions were commonplace in the press. The sensationalism was not limited to local papers either. The *Chicago Tribune* featured stories on the Ross incident that were just as dramatic:

The immediate cause of the turmoil which has marked the whole week at Palo Alto, and which looked at one time as though it might result in the wholesale stampede of a large part of the faculty, was the demand for the resignation of Dr. George E. Howard of the chair of history, the most popular professor at Stanford, who had championed the cause of Ross. The excitement which raged for three days has now died down and peace is said to be assured.¹¹⁴

Sensationalist treatment of academic freedom stories in the media was widespread, and would continue into the 1910s.¹¹⁵

While some sensationalism related to academic freedom specifically dramatized and demonized the role of the trusts and some simply dramatized academic freedom stories in general, there were also a significant amount of press stories that emphasized

¹¹³ *Ibid.*, 1.

¹¹⁴ “Stanford Loses Six Professors,” *Chicago Daily Tribune*, January 23, 1901, 5.

¹¹⁵ See, for example, treatment of the Scott Nearing case. The Nearing case is slightly different, however, because he had closer ties to socialism than other faculty had. However, the sensationalist element remained intact. “Freedom of Speech’ Flurry Has Subsided,” *The Washington Times*, January 13, 1914, 3; “U. Of P. Alumni Insist on Airing of Nearing Case,” *New York Tribune*, June 21, 1915, 5; “The University of Pennsylvania Situation,” *New York Tribune*, June 27, 1915, 2; “Professor Socrates and Academic Freedom,” *Evening Ledger*, June 28, 1915, 1; “Nearing’s Dismissal Brutal,” *Evening Ledger*, July 1, 1915, 2; “Prof. Nearing’s Affairs,” *The Washington Times*, July 3, 1915, 8; “Nearing Case May Go into Courts,” *The Washington Times*, June 24, 1915, 2.

faculty as “agitators.” This micro-trend in the press coverage indicated that faculty did not escape the muckraking “gaze” unscathed because they were also potentially a part of the “ills and abuses of society” that journalists sought to uncover and exploit for increased circulation during the Progressive Era. One reason for the connection between faculty and other radical groups in society was their use of freedom. The discourse of dissent used by the social science faculty calling for broad, individual academic freedoms was very similar to the discourse of dissent used by workers against corporations to increase their rights at work, and by socialist or anarchist groups calling for the right to articulate and advocate for their radical social views.¹¹⁶ These connections made faculty efforts to use academic freedom to improve their public image or status challenging.

In the December 14th issue of *The San Francisco Call* in 1900, a minor story on academic freedom appeared a couple of columns away from a story entitled “An Anarchist Threat,” which briefly discussed the meeting of 500 anarchists in New York whom reportedly threatened to take President McKinley’s life if he attempted to interfere with their freedom of speech.¹¹⁷ Just a year later, after McKinley was actually assassinated by an anarchist, several state governments created laws prohibiting or condemning anarchism.¹¹⁸

Other radical claims to freedom, though perhaps not as dramatic, were similarly

¹¹⁶ See Foner; Fischer; and Feldman.

¹¹⁷ “An Anarchist Threat,” *The San Francisco Call*, December 14, 1900, 6. The academic freedom story was entitled “Colleges and Newspapers,” and it briefly summarized the remarks of Stanford University President David Starr Jordan and University of California President Wheeler at the most recent meeting of the California Editorial Association, where Wheeler compared academic freedom to freedom of the press.

¹¹⁸ Feldman, 226-234.

unsettling. For example, beginning in 1906 and continuing until 1913, members of the socialist-leaning labor group the Industrial Workers of the World (or Wobblies) utilized very public strategies to fight for their freedom to speak and advocate for the interests of the working class. Historian Stephen Feldman offered a compelling description of one of these strategies.

In the typical free speech fight, one Wobbly would begin speaking on a street corner. Given the revolutionary nature of the message, the speaker would soon be arrested for vagrancy, breach of the peace, or some similar crime. Yet, as soon as the police carted away the first speaker, a second Wobbly would start speaking at the same spot. Once again, the speaker would soon be arrested, only to be replaced by yet another speaker, and so on. Before long, the jail would be overflowing with Wobblies.¹¹⁹

With so many social and political radical groups using a broad conceptualization of freedom in ways that received extensive public attention, the professors who participated in the individually-oriented academic freedom discourse were not alone. The similarities in rhetoric and circumstance were striking.

However, appearing similar to these radical social groups, even labor groups fighting for the underclass of society, was problematic for the professoriate. The Haymarket Riot in May 1886, the actual assassination of McKinley by an anarchist in 1901, and the extensive and intense labor activism and violence from the 1880s through the 1900s made the press and many Americans in general apprehensive to the actions of groups like anarchists and socialists.¹²⁰ The role of social agitator became something of a spectre in the Progressive Era public consciousness. Progressive reformers may have

¹¹⁹ *Ibid.*, 231.

¹²⁰ Nell Irvin Painter, *Standing at Armageddon: The United States, 1877-1919* (New York: W. W. Norton and Company, Inc. 1987).

wanted change, but there were limits to how that change could look or who it could come from and those limitations affected faculty as well. Press stories about academic freedom were full of the words “agitator,” “agitation,” or the similar “social disturber.”

As the most publicized academic freedom case in the Progressive Era, the Ed Ross case coverage invoked several uses and forms of “agitation.”¹²¹ However, forms of the phrase appeared in many other academic freedom stories as well. For example, in a review of a book entitled *College Administration* by Charles Thwing, a writer for *Outlook* included “agitation” in summarizing Thwing’s perspective in the book: “Discussing the recently agitated question of academic freedom in teaching what may be obnoxious to special interests, President Thwing affirms that it is ‘more often a question of good breeding than it is of liberty.’”¹²² In some cases, faculty were explicitly connected to anarchy or socialism by journalists: a 1909 article in the *San Francisco Chronicle* stated that “[a]cademic freedom is one thing and academic anarchy is another and very different thing,”¹²³ and a later 1912 article in the *New York Times* cautioned against avoiding teaching about socialism in universities because doing so would leave the high amount of socialists in the universities unchecked.¹²⁴ Even papers like the *New York Times*, the new standard for the information model of journalism, could not avoid

¹²¹ See the aforementioned “Stanford University Safely Passes Crisis, Students Upholding President Jordan,” *The San Francisco Call*, January 18, 1901, 1 and 3 as well as “Associate Professor Spencer Follows the Lead of Drs. Ross and Howard at Stanford University,” *The San Francisco Call*, January 17, 1901, 1; “Speech Is Free in Universities,” *Chicago Daily Tribune*, February 28, 1901, 3;

¹²² “Books of the Week,” *Outlook*, October 27, 1900, 512-520, quote from 515. See also, “Concerning Academic Freedom,” *New York Daily Tribune*, June 7, 1901, 6, which uses the term “hysterical advocacy” to characterize the pro-academic freedom remarks after the Ross incident, and “Academic Freedom,” *New York Tribune*, June 7, 1901, 7.

¹²³ “A University of Cranks,” *San Francisco Chronicle*, May 20, 1909, 6.

¹²⁴ “The Socialists,” *New York Times*, April 8, 1912, 10.

such sensational portrayals of faculty when discussing academic freedom.

Finally, the media reinforced these negatively-leaning perspectives on academic freedom and the faculty involved in cases of its abuse with its similarly sensational treatments of academic unrest in Europe. In 1901, there were student uprisings in Russia over the issue of academic freedom,¹²⁵ and in 1904 there was significant disorder and conflict in St. Petersburg, Russia related to an article on academic freedom written by Russian professor Timiraseff.¹²⁶ Similarly, in 1908 20,000 students in Austria went on strike regarding the academic freedom of Dr. Wahrmund, a religious professor who made comments critical of the Roman Catholic Church and was transferred to a different university.¹²⁷ While the American press coverage of these events was not significant—there were, after all, few facts available to them to present—the coverage of academic freedom in these instances nonetheless supported the connection between agitation, social unrest, and the idea of academic freedom.

Although many journalists may have believed that the status quo in the university or society at large needed to be changed, the “agitation” issue was an area where faculty

¹²⁵ “Czar Nicholas Demands to Know What the Police Did to Forestall Riots,” *San Francisco Call*, Mar 31, 1901, 23. This was actually a case of an uprising over student academic freedom related to students having to take too many exams every year.

¹²⁶ “Rioters Told to Be Armed,” *San Francisco Chronicle*, December 13, 1904, 2; “More Disorders in Russia,” *The Washington Post*, December 13, 1904, 1; “Front Page 3--No Title,” *New York Times*, December 15, 1904, 1; “Bloody Conflict in Czar’s Capital,” *The Minneapolis Journal*, December 12, 1904, 5; “Disorder in Russia,” *Alexandria Gazette*, December 13, 1904, 1; “Czar’s Rule Menaced,” *New York Daily Tribune*, December 13, 1904, 5.

¹²⁷ “Strike in Austrian Universities,” *New York Tribune*, June 4, 1908, 7; “20,000 Students in Austria Go on Strike,” *The San Francisco Call*, June 4, 1908, 5; “Twenty Thousand Students on Strike,” *Deseret Evening News*, June 4, 1908, 8; “Teachings of Professor Cause Strike of Students,” *Los Angeles Herald*, June 4, 1908, 3; “Austrian Students Strike When Freedom of Speech Curtailed,” *Daily Arizona Sun Belt*, June 4, 1908, 1; “Obeys Vatican Order,” *The Washington Post*, June 19, 1908, 13.

were being talked about in ways that could be interpreted as dangerous to some factions of the public. This implicit and explicit negativity led to a more moderate, constrained message to the public about academic freedom itself; a message that made it more difficult for faculty to mobilize strong support for their cause.

As a result of the information model's reproductions of faculty remarks (hardly consistent themselves), the sensational muckraking spirit's ambiguous focus on academic freedom, and the relative internalization of faculty and administrative perspectives on the concept, the press collectively disseminated a definition of the concept that was constrained. By the 1900s and after, journalists sympathized with the plight of professors regarding the manipulative efforts of corporate monopolies, trusts, or other wealthy interests, but at the same time journalists did not think it was appropriate for faculty to have "perfect" freedom. Consider, for example, the following passages regarding the Ross case from *The Independent* and the *Los Angeles Times*, respectively.

The general sentiment is with Dr. Ross, and his side has been more fully given to the public; but we still doubt. The most we care to say is, that to drop a sober and learned professor for his economic teachings is an act most dangerous for the good repute of an institution, and likely to do great damage to the good name of learning; while, on the other hand, it is impossible to press this principle in defense of those few professors whose learning is not enforced by good common sense in the style of their utterances before their classes or the public.¹²⁸

College professors should, as a simple matter of right and expediency, be loyal to the best interests of the college, and should be willing, if necessary, to forego in some degree the exploitation of their personal opinions touching college policy, if the public expression of those opinions is liable to be misinterpreted to the disadvantage of the institutions which in a measure they represent...But in the wider realm of 'academic freedom' --which means the realm of abstract opinions and theories—the college professor is not to be hampered by the sort of despotism

¹²⁸ "The Stanford Troubles," *The Independent*, February 28, 1901, 509.

which Mrs. Stanford seeks to impose.¹²⁹

These two passages from publications from different sides of the country characterize the media's message on the limits of academic freedom: they should be free but only within the bounds of common sense, with common sense meaning a range of things from acting in the best interests of an ill-defined public, preserving the integrity of the university, or within the confines of professionalism.¹³⁰ If faculty were not controlled by such boundaries the result was "academic anarchy," and that was not acceptable, symbolically or literally, to anyone except the most radical professors and groups in society.

Conclusions

Faculty and administrator public remarks about academic freedom from 1890-1910 reveal a struggle to not only define the nature of academic freedom, but the place of faculty in higher education and the role of universities in public life as well. There were competing perspectives on academic freedom amongst faculty, a finding which challenges previous historical understandings that argue that the primary differences regarding the concept occurred between faculty and administrators¹³¹ or that all faculty united behind academic freedom as part of the development of a unified professional consciousness.¹³² Faculty in the social sciences, positioning themselves as victims of

¹²⁹ "The Stanford Resignations," *Los Angeles Times*, January 19, 1901, 8.

¹³⁰ For exemplary remarks of moderation from a later period see "A University of Cranks," *San Francisco Chronicle*, May 20, 1909, 6; Gaggling 'Academic Freedom'," *The Tacoma Times*, April 21, 1914, 4.

¹³¹ Arthur M. Cohen, *The Shaping of American Higher Education: Emergence and Growth of the Contemporary System* (San Francisco: Jossey-Bass, Inc., 1998); Veysey.

¹³² See Sheila Slaughter, "The Danger Zone: Academic Freedom and Civic Liberties," *Annals of the American Academy of Political and Social Science* 448 (1980), 46-61; Barrow.

business greed and manipulation, invoked an academic freedom that was broad, individually-oriented, and which reflected broader discourses on freedom made by individuals or groups that lacked power. During this same period labor unions, socialists, and anarchists were making broad appeals to freedom of speech or freedom in the workplace in political struggles with corporations or mainstream groups in society. Conversely, many faculty and presidents, particularly senior scholars and those in the sciences, emphasized a narrower, constrained, and scientifically-oriented academic freedom that emphasized professional or institutional unity over individual freedoms.

These conceptual struggles in the discourse reveal several layers of social and cultural limitations to faculty professionalization. First and foremost, the connections between conservative business interests and higher education made the more radical factions of faculty feel as though they did not belong. If colleges and universities were the new professional homes for scholars, then activating one's agency to find employment elsewhere, though a possible manifestation of personal freedom, was not desirable.

Second, the field of higher education during this period exhibited a conflict of worldviews. The first was an understanding of a scholar as an intellectual thriving in social isolation, free to advance even the most radical of ideas. The second was the scientific *habitus* articulated by Royce and others throughout this period. It was an emerging scientific worldview that emphasized the moderate, objective, and professional role of faculty when teaching or speaking. For the former, radical ideas should be

submitted directly to the public; for the latter, their discussion should be limited to those within the profession. Though not all groups of faculty embraced the scientific *habitus*, it was clear that doing so fostered acceptance amongst faculty from many disciplines and contributed to the relative unity of the academy. However, the presence of the scholar as isolated intellectual ideal also presented faculty and administrators with an alternative to offer those whom seemingly did not belong. If faculty truly wanted to be completely free they could always do their work off on their own, outside of an institution, as scholars had done for thousands of years. The problem was that academic prestige was connected to the new universities because they competed with one another for the best scholars. Leaving higher education entirely, then, was not a great option for one's professional status even if it did offer more freedom.

As a result, the Progressive Era saw the development of two different approaches to academic professionalization rather than one united professional consciousness. The first was a professionalizing scholar model, characterized by the views of Josiah Royce and Albion Small who emphasized narrow, constrained academic freedom, an objective approach to teaching or public speaking, and the unity of the university over the freedom of the individual. The second was an academic intellectual model, which included the scholars who believed in scholarly isolation and more radical faculty seeking to find in the university the broadest possible academic freedom and autonomy.

A final constraint to faculty professionalization was their constant presence in the media and the portrayal of academic freedom in the press. Ambiguous portrayals of

academic freedom by the press, while certainly influenced by tensions within journalism as it attempted to professionalize,¹³³ illuminate the social location of professors during the Progressive Era. Though faculty in the social sciences portrayed themselves as victims of lax ethics and exploitation from wealthy individuals and industrial leaders, they were still not “regular” people. They were resistant to being treated as regular workers in an administrative setting. Thus, faculty could just as easily be targeted by muckraking journalists as part of the problem. Knowledge was power and granting faculty “perfect” freedom was one step beyond what many journalists, and conceivably the public at large, could accept. In a Bourdieuan sense, professors were stranded in a social location between the business class and the middle class. They did not have the economic or institutional capital to interact fairly with members of the upper class, but their cultural capital as experts in the academic field—as academics in general or as experts in specific disciplines—was beyond the understanding and valuation of the average middle or working class citizen. Therefore, faculty found themselves undervalued by the business class and too detached from the middle and working classes to receive significant sympathy or support from those groups.

It is not surprising, then, that professors like Edward Bemis called for a more rigorous publicity campaign to educate the public on academic freedom and the state of higher education during this time period. Between inconsistent remarks by faculty and university or college administrators and the sensationally ambiguous message of the press, the idea of academic freedom within some sort of parameter and with significant

¹³³ Schudson.

qualifications was the most frequent message. An ironic sub-plot of this period was that faculty attempts to use the press to defend themselves or attack those who were constraining their academic freedom were either consumed by the sea of media stories on academic freedom or—and perhaps this was the more damaging result—they simultaneously exposed and constrained the academic profession, at least from the public’s point of view. In other words, despite their best efforts the faculty attempting to act as publicists for their profession during this period only contributed to the public spectacle of the professoriate.

Chapter 4: Academic Freedom and Professional Autonomy: Continuity and Change, 1910-1914

The years leading up to the founding of the American Association of University Professors (AAUP) in 1915 reveal the continuation of many issues from the 1890-1910 period. Despite a relative decline in highly-publicized, stirring academic freedom controversies towards the end of the 1900s, academic freedom remained in the public eye and some faculty still used and developed the concept of academic freedom in public and academic media outlets. Faculty and other academics continued their symbolic struggle using the broad-free and narrow-constrained academic freedom discourses, and their related concerns regarding the relationships between universities and colleges—and the local communities and business interests connected to them—continued through the formation of the AAUP. At the same time, contextual limitations on faculty professionalization—the connection between academic freedom discourses and socialist or anarchist uses of freedom of speech, and their public portrayal as social agitators—continued to inhibit faculty efforts to increase their status in their universities and local and national communities.

The 1910s did, however, see an increased concern with more concrete powers and roles of faculty in their institutions. As Timothy Cain noted, there was some discussion of academic governance by faculty such as James McKeen Cattell and Joseph Jastrow—both psychologists—dating back to the 1900s.¹ However, the 1910s saw an increase of

1 Timothy Reese Cain, “Academic Freedom in an Age of Organization, 1913-1941,” (University of

these discussions as well as an increased connection between academic freedom and governance issues in public and academic writings. This chapter addresses these continuities and changes in the public and academic discourses on academic freedom and emphasizes the gradual increase of more concrete discussions of academic freedom, university governance, and professional autonomy. Although many professors believed academic freedom and professional autonomy within the university or college went hand in hand, there were others who did not explicate their connection.

Continuity and Change in the Public Discourse on Academic Freedom, 1910-1914

The faculty, administrators, and journalists in the press who used academic freedom during the 1910s inherited the understandings and strategies of the 1890s and 1900s. As such, there was significant continuity in the academic freedom discourse of the 1910s, particularly the traditions of emphasizing business interests as the enemy of academic freedom, the free intellectually isolating and constrained professional understandings of the concept, and the challenges posed to higher education from local political and cultural interests. In addition to these continuities, there were changes, including a corporate foundation using academic freedom against a university and increased use of academic freedom in relation to religious education. However, the most important change in the discourse was the increased connection between academic freedom and more concrete university policy and governance discussions.

The discourse on academic freedom during the 1910s continued the two dominant
Michigan, 2005), 34-36.

trends from the 1890s and 1900s. The broad and constrained uses of the concept continued, and moderate expressions of academic freedom were commonplace. For example, in June 1910 Dr. Kirkland of Vanderbilt University delivered a commencement address at the University of Missouri. Kirkland invoked the traditional broad use of the concept by emphasizing that “[t]eachers must be given the highest liberty. No hand of authority may be laid on their shoulders. University professors must be free both from political and ecclesiastical control,” but he placed an increased responsibility on “the duty of society in establishing and maintaining great universities.”² In the 1890s and 1900s faculty commonly asserted the value of academic freedom to society, but Kirkland’s argument that it was society’s “duty” to allow for free universities was new. Taken together with his other remarks on academic freedom, however, Kirkland’s use was moderate: he called for the highest freedom for professors but acknowledged its connection to societal context, which implied an understanding that academic freedom would only exist if society wanted it.

In 1913, professor of political science J. E. Creighton wrote a pair of articles that appeared in *Science* that collectively portrayed a moderate image of academic freedom. On March 21, Creighton wrote an article responding to the dismissal of political science professor Willard Fisher from Wesleyan University. Creighton indicated that this was the continuation of Progressive Era struggles for faculty, as Fisher’s dismissal appeared to be due to the “objection felt by the president and some of the trustees of the college to his political and social views. If this is so, it only emphasizes the fact that there has been a

2 “Dr. Kirkland’s Talk,” *University Missourian*, June 9, 1910, 1 and 3. Quote from 3.

serious infringement of the principle of academic freedom.”³ He continued another Progressive Era trend by stressing the need for public protests and exposure of the issue by all corners of the academic world to “arouse public opinion and render any similar occurrence impossible in the future.”⁴ Creighton also mimicked remarks made by Edward Bemis decades earlier by arguing that the physical sciences no longer have issues with academic freedom, but he emphasized that professors in these disciplines will not fail to see the connection between themselves and men like Fisher, “[f]or freedom of speech and of research can not be limited to certain subjects: science can not exist half slave and half free.”⁵ Here, Creighton’s rhetoric invoked the connection, and fundamental opposition, between slavery and freedom that was commonly used in the broader discourse on freedom of expression toward the end of the 19th century.⁶ Nonetheless, the assertion that faculty members in the sciences would undoubtedly align themselves with social sciences on these issues was somewhat hollow given that Creighton himself was a political scientist and the majority of uses of academic freedom by scientists prior to the 1910s offered more constrained understandings of the concept. However, he was writing in *Science*, the organ of the American Association for the Advancement of Science (AAAS) and a publication generally dominated by the concerns of the physical and life sciences.

3 J. E. Creighton, “Academic Freedom,” *Science* 37, no. 951 (1913), 450-451. Quote from 450.

4 *Ibid.*

5 *Ibid.*, 450.

6 Stephen Feldman, *Free Expression and Democracy in America: A History* (Chicago: The University of Chicago Press, 2008); Eric Foner, *The Story of American Freedom* (New York and London: W. W. Norton & Company, Inc., 1998).

Around a month later, on April 18, Creighton's second article appeared in *Science*. It was a response to a letter written to *Science* by Henry Leffman, in which Leffman claimed that "academic freedom is like friendship, 'but a name that lures the soul to sleep.' Freedom of teaching is permitted only so long as no serious attack is made on widely received opinions."⁷ In response, Creighton articulated a more constrained version of academic freedom.

When the necessity of freedom for university teachers and investigators is emphasized, it is never assumed that this freedom carries with it a license to do or say anything and everything. University teachers do not claim that they constitute a class with special privileges...Freedom in this field, as everywhere, is a reasonable freedom, involving law, responsibility and due regard for others. Academic freedom has its roots and its justification in the duty which the teacher owes to his students and to the community...one side is the counterpart and complement of the other: where there is no freedom there can be no responsibility, and where there is no feeling of responsibility there can be no genuine freedom. If this is true, it would seem to follow that the limits of a reasonable freedom can not be fixed by any abstract definition.⁸

Creighton concluded by stating that the limits of freedom were contextual and must be decided in each case by "reasonable men living in a reasonable society."⁹

Together the Creighton articles reveal a moderate, though perhaps constrained-leaning, understanding of the concept. The first emphasized many of the points commonly made by more radical professors earlier in the Progressive Era: it positioned the administration and trustees as the enemies, defended the perspectives of a social scientist, and it expressed concern for publicity. The second, however, incorporated the

7 Henry Leffmann and J. E. Creighton, "Academic Freedom," *Science* 37, no. 935 (1913), 602-603. Leffman quote from 602.

8 *Ibid.*, 602.

9 *Ibid.*, 602-603.

aspects of the constrained discourse by emphasizing contextual limitations and the responsibilities of faculty to students and the broader communities in which they serve. All of these ideas were continuities from the earlier period.

The 1910s also saw the continuation of the challenges posed by local communities to academic freedom. In Washington, for example, there was a struggle to pass a Mill Tax to help fund the University of Washington quickly and without non-educational political influence. The Mill Tax was an attempt to move state funding of higher education to a more direct system away from the older “log-rolling,” or “wire-pulling” methods where politicians could hold up passage by attaching additional, non-educational funding measures to any legislative measures to fund education. The press championed the tax as a move toward academic freedom by attempting to eliminate politics from higher education in Washington.¹⁰

In Virginia, the Progressive Era struggles between historians and their local communities continued at Roanoke College in 1911. Dr. Thorstenberg of the history department was using a historical text in one of his classes that argued, among other things, that the South entered the Civil War to perpetuate the institution of slavery. In response, local Confederate groups protested the book and its portrayal of the South as demeaning and untruthful, and pressured the college to force Thorstenberg to stop using it in class. In April, faculty at Roanoke issued a statement to the press in an attempt to clarify the matter.

10 “The Mill Tax,” *The Pullman Herald*, January 6, 1911, 1; “The Proposed Mill Tax Law,” *The Pullman Herald*, December 23, 1910, 1. Quote from 1.

The faculty statement insisted that Thorstenberg had stopped using the book, though the college did not see the need to encourage students to get rid of the book. The faculty also insisted that more books on the Civil War from various perspectives were added to the library at Roanoke to provide a well-balanced understanding for any student interested in researching the topic. Finally, in an effort to breach the status strain—the difficulties experienced by these faculty’s standing in the local community caused by their academic expertise—they also emphasized their connection to the South.

Every member of the faculty, from whatever section, has the greatest admiration for the men who fought the battles of the Confederacy, but we cannot forget that we are also citizens of the United States. We believe our chief duty is not to resurrect the bitterness and animosities of the past, but to train young men for present day duties and to a patriotism that embraces the whole country.¹¹

The statement then emphasized the need for academic freedom and stressed that faculty could only answer to recognized authorities such as the board of trustees.

On May 11, President Morehead of Roanoke College offered another statement to the press stressing, yet again, that the book in question was no longer in use and taking a stand for the need for academic freedom to investigate matters thoroughly. His version of academic freedom reflected the constrained professional strand, positioning faculty as experts who impartially review all the facts, the alleged facts, and the misrepresentations.”¹² Morehead then challenged the local community to accept the need to develop a broader, national patriotism.

But while the Southerner, whose patriotism is based on convictions, will thus invite the just and fair historic estimate of the South’s past, without solicitude for

11 “Voice of the People,” *The Times-Dispatch*, April 18, 1911, 4.

12 “Personal Views of Dr. Morehead,” *The Times Dispatch*, May 11, 1911, 5.

the result, knowing that honest scholarship will do justice to its heroes and its achievements, is there not also a broader patriotism that should be inculcated in our educational work?¹³

Despite trying to emphasize the impartiality of academic professionals, Morehead's comments regarding broader patriotism did not satisfy Confederate Veteran groups. Despite these multiple press statements assuring the local community that Roanoke had quickly addressed the issue, Confederate groups still exerted pressure on and expressed distrust of the college. In June, a Confederate group met and, expressing disbelief in the discontinuation of the teaching of anti-Southern perspectives on the Civil War, resolved that the college take action.

Thas as friends of long standing, we await with deep concern the direct assurance from its management, that Roanoke College has 'unloaded,' by banishing this travesty on history altogether with all of its determined defenders, and once again to align itself thoroughly and promptly with its friends...and the friends and patrons who are vastly more 'concerned' with the text books put into the hands of their children, than for 'academic freedom.'¹⁴

It appears, then, that all efforts by the Roanoke faculty and President Morehead were to no avail; the local Confederate community did not appreciate the need for academic freedom when the education of their "children" was at stake. Not much had changed since the 1900s, when other history professors experienced similar difficulties, and local communities could still place constraints on the academic freedom and professionalization of faculty in the 1910s.

While there was significant continuity in the academic freedom discourse of the

13 *Ibid.*

14 "Meeting of Browne-Harman Camp.," *Tazewell Republican*, June 8, 1911, 1. All spellings are in the original.

1910s, there were some notable exceptions. The first highly publicized “case” of academic freedom in the 1910s was really an instance of carry-over from 1909 and in some ways it represents an inversion of roles in the discourse. Spanning the turn of the decade, a public controversy developed between the Carnegie Foundation for the Advancement of Teaching and George Washington University. For years the faculty had lamented the poor financial state of the academic profession as a whole, and these lamentations connected with ideas about job security and academic freedom common to the Progressive Era discourse. In the 1900s, at the behest of Andrew Carnegie, the Carnegie Foundation for the Advancement of Teaching began to take an interest in these issues, eventually developing the Carnegie Pension fund. Often referred to as “The Carnegie Fund,” the pension fund was designed to provide for the retirement of faculty in nondenominational colleges and universities.¹⁵

A pension system by itself would have been good news to an increasingly frustrated professoriate during the Progressive Era. However, because of the large amounts of money involved in providing for these pensions, the Carnegie Foundation developed its own standards for determining whether or not an institution was worthy of participating in the program. Henry Pritchett, the man put in charge of the fund by Andrew Carnegie, was an astronomer and a former president of the Massachusetts

15 For more, see William Grabner, “The Origins of Retirement in Higher Education,” *Academe* 65, no. 2 (Mar. 1979), 97-103; and Clyde W. Barrow, *Universities and the Capitalist State: Corporate Liberalism and the Reconstruction of American Higher Education, 1894-1928* (Madison: The University of Wisconsin Press, 1990), 60-93. As a neo-Marxist, Barrow’s interpretation explicitly connects the Carnegie Foundation Pension Fund with a system of control over higher education developed by big business interests, cultivating a conservative ideology within most Pension Fund participants under the guise of “efficiency.”

Institute of Technology, and he was enamored by Progressive Era notions of efficiency and scientific management. In developing the Carnegie Foundation's standards for colleges, universities, and professors, Pritchett hired a protégé of Frederick Taylor's to evaluate the state of higher education in America. The result of the study was a mandate for greater standardization of teaching, financial efficiency, increased specialization of professors, and a more specific division of labor within colleges and universities. Furthermore, the report suggested that the practice of tenure inhibited efficiency and proposed a free, national market where faculty competition would improve higher education writ large.¹⁶ This was exactly what faculty of the Progressive Era rallied against. It was a foundation backed by a big business tycoon exercising control over higher education.

Nonetheless, many colleges and universities did what they needed to do to receive the Carnegie funds. Some institutions went so far as dropping their religious affiliations from their charters to accommodate the Carnegie funds "non-denominational" requirements. Others, such as Harvard, Columbia, and New York University, received warnings for not following admissions requirements.¹⁷

From 1909 to 1910, the Carnegie Foundation received significant press attention for being on both sides of the academic freedom issue. In March 1909, a committee of ten presidents of denominational colleges gave a statement before the Carnegie Foundation's executive board—which they also released to the press—in which they

16 Barrow, 60-93, particularly 67-75.

17 "Educational," *The Washington Herald*, June 20, 1909, 10.

criticized the foundation for requiring a religious “litmus test” in addition to their admission and financial standards. The committee acknowledged the connection between the fund’s requirements and Andrew Carnegie’s desire to promote “the ideals of liberal education,” or an education free of “sectarian spirit.” However, they argued that “[t]he sectarian spirit against which Mr. Carnegie wished to guard we conceive to be that which limits academic freedom, by imposing a denominational test in the selection of teachers or by warping administrative policy.”¹⁸ Criticism also came from the press. In Nebraska, the state House of Representatives rejected a bill in 1909 that would have enabled the University of Nebraska system access to the pension system. In response, a journalist from a local Nebraskan paper *The Commoner* championed the action as a move toward academic freedom. While the journalist acknowledged that this move meant the University of Nebraska would not be able to offer competitive financial packages to its professors, there were more important things at stake. “Absolute and untrammelled independence is worth more to a university than are the highest paid professors.” The journalist continued:

The rejection of the Carnegie pension will mean that Nebraska is not yet ready to bow her university’s splendid head at the feet of a sordid plutocracy. It will mean that she intends her youth who are entrusted to that university to be able to look back reverently, in after years, to a spotless and pure alma mater. It will mean that Nebraska desires more that her young men and women be taught in simple truth and honor than that they shall be enabled to drink from a golden fountain of learning whose once pellucid waters are clouded by the slightest taint of impurity.¹⁹

18 “Denominational Colleges and the Carnegie Foundation,” *New York Observer and Chronicle*, April 29, 1909, 534.

19 Carnegie Pension in Nebraska," *The Commoner*, March 19, 1909.

These were familiar statements, positioning higher education in opposition to big business interests.

At the same time that academics and the press were criticizing the Carnegie Foundation for abusing academic freedom, or at least attempting to, the Carnegie Foundation used academic freedom as a rhetorical weapon against George Washington University, effectively inverting the discourse. In early 1909, professors J. Macbride Sterrett and J. H. Gore were dismissed from GWU. At least some members of the press, as well as Carnegie Foundation head Henry Pritchett, speculated that these dismissals were due to the old age of these professors in an effort by George Washington's administration to improve their institution's financial efficiency.²⁰ In a letter from Pritchett to George Washington President Harry Needham dated June 4th, Pritchett stated that the dismissals were "not only an abuse of the privileges of the retiring allowance system, but...entirely contrary to the spirit in which this foundation was conceived and is a blow at academic dignity and academic freedom."²¹ Pritchett's investigation into the manner also revealed that George Washington had failed to uphold other standards required by the Carnegie Foundation to receive the pension fund, including lower admissions standards in political science and economics compared to other universities and the inability to secure an endowment of \$200,000.²² As a result of these shortcomings and the dismissals of Sterret and Gore, the Carnegie Foundation pulled

20 "G. W. University Is Cut Off," *The Sun*, June 13, 1909, 5; "G. W. U. To Fight Latest Attack," *The Washington Herald*, June 13, 1909, 1-2; "The Carnegie Foundation and the George Washington University," *The Independent*, June 17, 1909, 1353-1355.

21 *Ibid.*, 1354.

22 *Ibid.*

George Washington from the pension program.

This public controversy was an ambiguous affair in terms of academic freedom. Pritchett's public criticism of the financially-driven dismissals of Sterret and Gore was a new move in the discourse on academic freedom. Whether it was individuals, corporations, or foundations, big business was usually on the receiving side of academic freedom accusations, not the other way around. And Pritchett's argument was sound; dismissals because of old age or financial expediency and not because of incompetence were counter to what most professors would accept. For many, this was certainly an abuse of academic freedom. At the same time, however, the Carnegie Foundation was still an external organization—and one backed by one of the most prominent industrial tycoons in the country in Andrew Carnegie—and it had no right, from the professoriate's perspective, to interfere with the day to day activities of a university.²³ Such an action was certainly a breach of academic freedom in the broader, institutionally-oriented sense.

Nonetheless, the controversy received ample attention in the local press, placing intense pressure on the university and President Needham. In response to Pritchett's publicized letter sent to George Washington, Needham stated that Gore and Sterret were eligible for retirement because of their length of service and that they "were out of harmony with the policy of the university" for trying to return George Washington to its commercial, night school roots. Needham also emphasized that the men were wealthy enough to not suffer from their retirements.²⁴ In early 1910, he resigned out of loyalty to

23 For a newspaper article reflecting similar arguments, see "Punishing a University," *The Washington Herald*, June 20, 1909, 6.

24 "Educational," *The Washington Herald*, June 20, 1909, 10.

the university and because an important bill that would grant the District of Columbia the right to use funds from the Morrill Land Grant Acts for George Washington was being delayed from passage. In his resignation statement, Needham offered the following remarks in an effort to clear George Washington's reputation as an institution abusing academic freedom:

The university will live, because it is founded upon right principles. Avoiding, on the one hand, the dangers which might arise to the republic from a university wholly maintained by the national government, and on the other dangers of a great university at the seat of the national government wholly endowed from private means to propagate sectarian, partisan, or class ideas, the George Washington University, protected in some measure by the great name it bears, holds the safe middle ground on which alone complete freedom at the seat of national power may be preserved...through academic freedom it may and will become a mighty instrument for upholding the great fundamental principles of the republic and in extending to the rest of the world those wise and conservative and universal principles of government on which this nation is based.²⁵

Despite the ambiguities regarding academic freedom in this case, Needham sacrificed himself for the sake of the institution, an action that resonated with the institutionally-oriented aspects of the constrained and professional strand of the academic freedom discourse of the Progressive Era.

Another anomalous moment in the 1910s occurred when prominent Chemist Harvey Wiley resigned from his post of 29 years as Chief of the Bureau of Chemistry on March 15, 1911 because of a breach of his academic freedom.²⁶ In a well-publicized

25 "G. W. U. Trustees Postpone Action," *The Washington Herald*, April 29, 1910, 1. See also, "Needham to Remain until Year's Close," *The Washington Times*, April 28, 1910.

26 Wiley was a prominent founding member and leader of the American Chemical Society in addition to being a government official. For more on his role in the ACS, see Charles Albert Browne and Mary Elvira Weeks, *A History of the American Chemical Society* (Washington, D. C.: American Chemical Society, 1952); Herman Skolnik and Kenneth M. Reese, *A Century of Chemistry: The Role of Chemists and the American Chemical Society* (Washington, D. C.: American Chemical Society, 1976); and Arnold Thackray, Jeffrey L. Sturchio, P. Thomas Carroll, and Robert Bud,

statement, Wiley stated that he was not forced out but left of his own choosing in response to hostility between himself and Dr. F. L. Dunlap, who was on the board of the Food and Drug Administration, and because of his opposition to a piece of legislation affecting his day to day work life.

After a quarter of a century of constant discussion and effort, the bill regulating inter-State and foreign commerce in foods and drugs was enacted into law. Almost from the very beginning of the enforcement of this act I discovered my point of view in regard to it was fundamentally different from that of any of my superiors in office... The official toleration and validation of such practices have restricted the activities of the Bureau of Chemistry to a very narrow field. As a result of these restrictions, I have been instructed to refrain from stating in any public way my own opinion regarding the effect of these substances upon health and this restriction has conflicted with my academic freedom of speech on matters related to public welfare.²⁷

Rather than continuing at his job Wiley quit, asserting that he could serve the public more freely as a citizen with specialized knowledge than a government official with narrow responsibilities. This was the first use of the term in relation to an academic professional employed outside of higher education, and yet, Wiley's use of academic freedom still resonated with the professional notions of the concept.

The 1910s also saw a brief resurgence of the religion-evolution conflict at Brigham Young University, and an increased discussion of academic freedom in conjunction with religious education. In early 1911, three faculty at Brigham Young

Chemistry in America, 1876-1976 (Dordrecht and Boston: D. Reidel Publishing Company, 1985). For the press coverage of his resignation, see "Wiley Resigns, Is Disgusted," *The Bisbee Daily Review* 1912; "Wiley's Enemies Finally Cause Him to Resign," *The Evening Standard*, March 16, 1912, 3; "Wiley, Hindered in Work, Resigns," *The Perrysburg Journal*, March 22, 1912; "Dr. H. W. Wiley Quits Uncle Sam," *The Washington Herald*, March 16, 1912, 1 and 4; "Dr. Wiley Is out, Attacking Enemies," *New York Times*, March 16, 1912, 1-2; "Dr. Wiley Quits Chemistry Bureau," *San Francisco Chronicle*, March 16, 1912, 5; "Balked, Wiley Quits," *The Washington Post*, March 16, 1912, 1.

27 "Dr. Wiley Is out, Attacking Enemies," *New York Times*, March 16, 1912, 2.

University—Henry Petersen, Ralph Chamberlain, and Dr. Joseph Peterson—received criticism for “unorthodox” teachings related to evolution.²⁸ Petersen, who was dean of the Teachers College, made a statement to the press clarifying his perspective.

Evolution as I view it, does not mean that man sprang from the monkey. Neither does it mean that the universe is the process by which God creates, --It means, in the language of some people, ‘eternal progress.’ Viewed as the creative process of God, evolution is faith promoting, not faith destroying.²⁹

He continued, asserting that teaching students about evolution was not damaging to students, and defended his position by stressing the importance of academic freedom.

Finally in college work I believe in ‘academic freedom.’ Where this is hampered or circumscribed by authoritative limitations, higher study cannot be carried on. Fear of honest truth-seeking investigation is inconsistent with college work. It is certainly inconsistent with the views of those who hold that the gospel embraces all truth. Colleges will not prosper where fear of scientific or other truth prevails. It is a small matter to drop three instructors; even they might soon recover from that shock. But it is no matter for hasty and inconsiderable action to decide the fate of institutions and the future attitude of a people to scientific and revealed truth. Such decisions require time and mature deliberation.³⁰

Despite these remarks emphasizing the importance of academic freedom to truth-seeking, higher education and society, Petersen closed his public statement by stating that his views were not necessarily representative of the other professors, nor was he “in league” with them against university authority.³¹ These ideas were familiar, and his caution reflects an appreciation of the connection between academic freedom and radicalism that was so prominent from 1890-1910.³²

28 “Evolution God’s Creative Scheme,” *The Evening Standard*, February 23, 1911, 6.

29 *Ibid.*

30 *Ibid.*

31 *Ibid.*

32 See this dissertation, Chapter 3.

Religion also entered the discourse in the 1910s in the form of concerns related to making religious education more scholarly and scientific by appealing to the scientific *habitus* and academic freedom. Beginning in 1911, Charles M. Sharpe, Dean of Bible College at the University of Missouri, wrote a series of articles that appeared in the journal *Religious Education* about the need to modernize teaching of the Bible. In university instruction, all academic subjects were directed by faculty, but not the study of the Bible. In order to increase student interest and knowledge of the Bible, Sharpe argued that “[t]he church must take the Bible into University circles and teach it in the scientific spirit.”³³ It needed to be treated like any other academic area of knowledge and taught by scholarly experts. Sharpe continued, connecting the incorporation of religious education into the university with academic freedom.

These positions are not only in accord with ideals of academic freedom but are positively required by those ideals. Give the student liberty to study the facts of religion with the same encouragement, and thoroughness that he studies the facts in other great fields of life and thought.³⁴

Implicit in these comments is an understanding about academic freedom that is somewhat different. While many participants in the public and academic discourse on academic freedom during this period emphasized a dogma free perspective regarding what should be taught in the universities, Sharp emphasized the need to allow religion to be a part of the curriculum from a democratic perspective. It was neither fair nor in agreement with the principles of academic freedom, according to him, that students did not have the

33 Charles M. Sharpe, “How Arouse Intellectual Interest in the Bible?,” *Religious Education* 6, (Apr. 1911-Feb. 1912), 234-240, quote from 236

34 *Ibid.*, 237.

opportunities to learn about the Bible in the same way that students learned about chemistry.³⁵ Of course, to make this appeal, Sharp had to emphasize a more scientific study of religion that would be conducive to the scientific *habitus* exercising influence over higher education during this period.

Sharp was not alone. In 1912, Walter S. Athearn, a religious professor at Drake University, contributed an article to *Religious Education* that mirrored Sharp's position.³⁶ In speaking about the move by state universities to limit religion in their official curricula and allow student clubs such as the YMCA to take on more of the burden of religious education, Athearn spoke of discrimination.

The discrimination against religion by farming it out to Y. M. C. A. student teachers, denominational lectureships, or even affiliated colleges, is unfair and entirely out of keeping with our boasted 'academic freedom.' Religion should be given an equal place in the college course with philosophy, political science and kindred subjects and it should be taught in the same scholarly manner as are these subjects. Anything less is either a denial that religion is a vital factor in life, or an admission of cowardice on the part of college faculties.³⁷

Similar to Sharp, Athearn understood academic freedom as an equality amongst academic subjects within the university and argued that it should receive the same respect as any other academic subject. Additionally, Athearn also continued the move to argue for a more scientific, scholarly treatment of these topics to appeal to the scientific *habitus*.

35 See also the similar remarks by Sharp in another *Religious Education* article, Charles M. Sharp, "Religion at the State Universities," *Religious Education* 6, (April 1911-Feb-1912), 596-600. Consider, for example, the following quote "While it is true that religion in the fullest sense can not be taught, but must be caught, I nevertheless hold that it will never become epidemic in any university community where all facts, ideas and phenomena do not receive that free, full and fair consideration that is accorded all other important human interests," 596.

36 Walter S. Athearn, "Religion as a Liberal Culture Subject," *Religious Education* 7, (April 1912-February 1913), 72-81.

37 *Ibid.*, 77.

The articles by Sharp and Athearn reflected an understanding that the modern university or college, and particularly the state university, was no longer a place for inculcating students into one particular worldview, and they recognized the dominance of the scientific *habitus*—of the scholarly culture that valued objectivity and expertise. Their use of academic freedom, then, was different because of its application to religious education and its disciplinary equality, but it was a continuity because of its connection to that scientific and professional understanding of the academic world.

While the use of academic freedom by the Carnegie Foundation and religious faculty, and the brief resurgence of the evolution versus science conflict represented important but minor changes to the discourse on academic freedom, these paled in comparison to larger changes in the discourse that were taking place during the 1910s. Though there were some roots dating back to the 1900s, discussions of academic freedom in public and academic sources in the 1910s increasingly incorporated issues of organization and university governance, and this had a profound impact on notions of professional autonomy. In the earlier period, when it appeared in conjunction with academic freedom, professional autonomy was understood as the state of being free from interference in a professor's research or teaching. In the 1910s, professional autonomy increasingly incorporated ideas about professorial control over their institutions.

James McKeen Cattell, Columbia University, and Academic Governance

James McKeen Cattell, a psychologist at Columbia University, played a

significant role in this increase in concrete uses of academic freedom. Between his commentary on issues surrounding faculty at Columbia during the 1910s as well as publications related to a book he published called *University Control* in 1913, Cattell became one of the most public leaders of faculty and champions of increased faculty participation in university governance in the years leading up to the founding of the American Association of University Professors (AAUP) in 1915.

Cattell was particularly worried about university systems that were overly autocratic in nature, and these concerns stemmed from experiences at his own institution, Columbia University. At the end of the 1909-1910 academic year, Columbia University president Nicholas Murray Butler suspended faculty Harry Thurston Peck for calling Butler autocratic.³⁸ In response to this and other Butler actions at Columbia, Cattell wrote and distributed a pamphlet to his colleagues and the press condemning Butler's actions. In the pamphlet, Cattell explicitly connected autocratic bureaucracies like the one at Columbia with the abuse of academic freedom. "The present tendencies in university control do not attract able and independent men. The bureaucratic system by which nearly everything is done by the President is subversive to academic freedom."³⁹ While issues of control were commonly connected with academic freedom, particularly related to control of curriculum or other conditions of teaching, the explicit connection between the emerging bureaucratic nature of higher education and academic freedom was relatively new. Cattell's pamphlet also lamented the way Columbia exploited men of

38 "President Butler Autocratic, He Says," *New York Times*, July 4, 1910, 2.

39 *Ibid.*

genius. “The university takes advantage of the man of genius’s scientific interest to place him in a position which is less independent and less adequately paid than he would have in other professions.”⁴⁰ Connected to this was, according to Cattell, the relative decline in quality of Columbia’s scientific departments compared to other prominent universities that was resulting in a loss of scientific distinction and prestige for Columbia.

Cattell was not targeting a corporate benefactor or the trustees for bowing to corporate interests—both considered the main enemies to academic freedom in the preceding two decades—instead, he was targeting Butler and his approach to running a university, a move reminiscent of Professor George Kemp’s criticism of the administration at the University of Illinois in 1908 and 1909. The events at Columbia and Cattell’s response to them reflect an increased understanding of administration in opposition to faculty. However, this perspective was not universally held by professors.

For his part, President Butler maintained his support for academic freedom within the constraints of institutional mission and common sense. In December 1910 Butler’s annual report to the trustees reached the press and his remarks there championed both a constrained academic freedom and the need for bureaucratic administration.⁴¹ Take for example, these two passages from the annual report reproduced in the *New York Tribune*

40 *Ibid.* Cattell had taken a keen interest in studying the development of academic science since the 1900s. See, for example, J. McKeen Cattell, “A Biographical Directory of American Men of Science,” *Science* 21(1905), 899; ———, “A Biographical Index of the Men of Science of the United States,” *Science* 16(1902), 746-747; ———, “Homo Scientificus Americanus,” *Science* 17(1903), 561-570; ———, “A Statistical Study of American Men of Science. Ii. The Measurement of Scientific Merit,” *Science* 24(1906), 699-707.

41 “President Butler Autocratic, He Says,” *New York Times*, July 4, 1910 1910., 2. “Columbia Needs Money Urgently,” *New York Times*, December 12, 1910, 8; “Butler’s Annual Report,” *New York Tribune*, December 12, 1910, 5.

addressing the needs for administration and academic freedom, respectively.

The Office and value of administration to a modern university...are not yet clearly understood. But they are vitally important if the wisest use is to be made of limited resources, if waste and confusion are to be prevented, and if the conditions surrounding teaching and investigation are to be such as to make easily possible the prosecution of successful intellectual endeavor.

But freedom...imposes responsibility, and there are distinct limitations which ought to be self-imposed upon that academic freedom which has been won at so great a cost and which has produced such noble results. A teacher or investigator who offends against common morality has destroyed his academic usefulness, whatsoever may be his intellectual attainments. A teacher who offends against the plain dictates of common sense is in like situation...A teacher who cannot give to the institution which maintains him common loyalty and that kind of service which loyalty implies ought not to be retained through fear of clamor or of criticism. Men who feel that their personal convictions require them to treat the mature opinion of the civilized world without respect or with contempt, may well be given an opportunity to do so from private station and without the added influence and prestige of a university's name.⁴²

Despite the additional concerns related to bureaucracy, Butler's remarks on academic freedom were nothing new as they reflected the discourse common to administrators, senior scholars and many professors from the sciences regarding the constrained nature of academic freedom. Butler's comments also indicated an understanding of the importance of being in a university to a professor's standing in the national academic context.

Implied within these remarks is the potential tension between professorial freedom and institutionally-oriented freedom. Professors could experience greater freedom on their own outside of the university setting, but if they left the university they would likely lose status in academic circles.

Unlike many of the cases of the 1890s and 1900s, issues at Columbia did not

42 Both passages are quoted in "Butler's Annual Report," *New York Tribune*, December 12, 1910, 5.

dissipate after the initial flurry surrounding Peck's dismissal but continued for several years. In March 1911, Butler dismissed Joel Spingarn, professor of comparative literature at Columbia, because of a series of comments by Spingarn criticizing the autocratic bureaucracy at Columbia.⁴³ Spurred by the interests of some Columbia alumni, a pamphlet entitled "A Question of Academic Freedom: Being the Official Correspondence between Nicholas Murray Butler and J. E. Spingarn During the Academic Year 1910-1911 with Other Documents" appeared in 1911, which reproduced the correspondence between Butler and Spingarn as well as letters Spingarn received from students and alumni in support of him after his dismissal. Spingarn is likely the author and compiler of the unattributed pamphlet due to the correspondence and details it provides.⁴⁴

The pamphlet began with an excerpt from John Milton's *Areopagitica* emphasizing the need for independence in teaching.

And how can a man teach with authority, which is the life of teaching,--how can he be a doctor in his books, as he ought to be, or else had better be silent,--when all he teaches, all he delivers, is but under the tuition, under the correction of a patriarchal licenser, to blot or alter what precisely accords not with the hide-bound humour which he calls his judgment?⁴⁵

The sentiment of the Milton quote, only partially reproduced here, certainly resonated

43 "Prof. Spingarn's Case," *New York Times*, November 27, 1911, 10.

44 "A Question of Academic Freedom: Being the Official Correspondence between Nicholas Murray Butler and J. E. Spingarn During the Academic Year 1910-1911 with Other Documents," (New York: Columbia University, 1911). Though the pamphlet does not attribute Spingarn as the author, it is clear that Spingarn had a large role in creating it by providing a large number of letters written to him by students, parents of students, and alumni in the aftermath of his dismissal for inclusion in the pamphlet. Furthermore, the introduction to the pamphlet, though written in 3rd person, contains details of Spingarn's interactions with Butler that also suggest he is the author.

45 *Ibid.*, 2.

with much of the discourse on academic freedom since 1890 with its emphasis on the importance of free teaching to social progress, but in the context of the story told by Spingarn regarding his dismissal Milton's words seem out of place.

In the introduction, Spingarn explained that the pamphlet was necessary to clarify the events leading up to his dismissal in response to press treatments of it that did not capture everything correctly. "Certainly, it is important that whatever publicity is attracted to the worst defects of our universities should not only be based on trustworthy data, but be adequate and complete." The pamphlet thus reproduced all the correspondence between Spingarn and Butler "in the hope that, by the very fact of publicity, and by the light which they shed on the administration of the University, they may serve to arouse attention to the cause of academic freedom."⁴⁶ Spingarn continued, listing a series of concerns related to the problematic administration and governance of Columbia: 1) the institution had a self-perpetuating board of trustees and none of them were scholars, 2) the president was the only officer of the university who sat on the board, 3) professors were subject to the whims of the president and board for much of their livelihood within the institution (arbitrary promotions, dismissals, and no due process for these actions), 4) and the educational committee which controlled the educational policy of the institution was dominated by the president and a few board members who were close friends of his.⁴⁷ Too many aspects of the university, according to Spingarn, depended on the honor of the president.

46 *Ibid.*, 3

47 *Ibid.*, 3-5.

The remainder of the introduction, as well as the letters between Spingarn and Butler, described the complicated events that led to Spingarn's dismissal. There were two main issues. The first was related to his relationships with other faculty in his department. Spingarn was a professor of comparative literature, which used to be its own department but had recently been subsumed by the English department. President Butler received a letter from the chair of the English department indicating that Spingarn was not very friendly or cooperative with his new department and refused to take part in committee work. This issue was a source of continual disagreement for Butler and Spingarn throughout the correspondence, as Spingarn maintained that those department issues had been resolved and Butler that they had not.⁴⁸

The second issue—the issue Spingarn argued was the real result of his dismissal—was related to Spingarn's response to Peck's dismissal. At a meeting of the Faculty of Philosophy, Spingarn moved to pass a resolution honoring the dismissed Peck for his long years of service to the University and its students. The chair of that meeting tabled the issue for a later date, a fact which frustrated Spingarn and led him to consider sending the chair a letter to clarify why the issue was tabled. This issue was a source of conflict throughout the correspondence as well. Spingarn claimed that Butler warned him to stop pursuing the Peck issue in a personal meeting: "If you don't drop this matter you will get into trouble." In response, Spingarn stated "I am not in the habit of altering my conduct because of the prospect of trouble, Mr. President."⁴⁹ Butler, however, indicated in one of

48 *Ibid.*, 20-24. See specifically the letter from Butler to Spingarn, dated February 3, 1911, and from Spingarn to Butler, dated February 8, 1911.

49 *Ibid.*, 7.

his letters that his remark was in reference to the letter Spingarn was planning on sending to the chair of the Faculty of Philosophy meeting, not the resolution supporting Peck's work.⁵⁰

Spingarn maintained he was dismissed because of his support of the recently dismissed Peck, and lamented the lack of clarity from Butler as well as the lack of a fair process. For Butler, the dismissal was a result of economic expediency, Spingarn's general attitude toward working cooperatively with his colleagues, and, based on letters from Butler to Spingarn in the pamphlet, because of Spingarn's aggressive tone and demeanor in dealing with Butler and the trustees.

It is not my intention to make an argument over which perspective on Spingarn's dismissal is more accurate, though based on the pamphlet alone a combination of all of these reasons is likely. More important to my purposes here is Spingarn's use of academic freedom—his use of the Milton quote as well as his own references to it—in light of the details provided by the Spingarn-Butler correspondence. The Spingarn case has very little to do with traditional notions of freedom of teaching and freedom of research. Even if one takes Spingarn's side and assumes that his dismissal was due to his support of the recently dismissed Peck, one would need to take a very broad understanding of academic freedom as complete free speech rather than a more mainstream understanding of the concept as protecting independence of research and teaching to make a case. In light of this mismatch, I argue two things. First, Spingarn was continuing the tradition of using academic freedom as a public weapon to discredit

⁵⁰ *Ibid.*, 20-22. See letter from Butler to Spingarn, dated February 3, 1911.

the university and, in this case, its administration despite the fact that his use of the concept did not resonate with its use in the preceding decades. And second, that Spingarn's academic freedom had a much stronger professional autonomy component, and therefore a more concrete connection between university policy and academic freedom than was present in the discourse in the 1890s and 1900s. It is this concrete understanding of academic freedom that would increase in usage during the formation of a national association of university professors, and the concerns related to faculty autonomy and faculty control of the university at Columbia set the stage for James McKeen Cattell's work in the following years.

Undoubtedly in response to the consistent conflicts between various faculty members and President Butler at Columbia, Cattell's interest in thinking about university governance issues in relation to academic freedom continued. He traveled across the country, delivering speeches on the need for a more democratic form of university governance at some of the major universities including Johns Hopkins University, the University of Illinois, and the University of Indiana.⁵¹ In 1913, Cattell published the culmination of his thinking in a book entitled *University Control*.⁵²

Mobilizing his extensive social network gained from his years as members of various scientific societies—including the American Psychological Society, the American Physiological Society, and the American Society of Naturalists—and through his work on academic science that led to his earlier book *American Men of Science, University*

51 James McKeen Cattell, "University Control," *Science* 35, no. 908 (1912), 797-808.

52 James McKeen Cattell, ed., *University Control*, vol. III, Science and Education (New York and Garrison, New York: The Science Press, 1913).

Control contained a series of essays written by Cattell and other scientists as well as numerous anonymous excerpts from letters written to Cattell by administrators and professors from the scientific disciplines on the topic of a more democratic form of university governance. As such, *University Control* offers unique insight into scientific perspectives on academic freedom and governance; insight not available from other sources.

The first chapter of *University Control* was a reprint of one of the papers Cattell gave at universities across the country, and which appeared in *Science* in 1912 under the title “University Control.”⁵³ He celebrated the academic freedom present in European universities, ancient and modern. The bureaucratic system and its problematic role for presidents as well as the presence of endowments and private boards of trustees so common in America was, at least for Cattell, overshadowed by faculty freedoms throughout Europe until recent times. Like many others in the discourse, he expressed wonder at the apparent reverence for academic freedom in the universities of Germany, despite the increase of bureaucracy there in the 19th century. In comparison, the American universities were using an outdated model of university governance that might have worked for the small, local colleges of the 18th and early 19th centuries, but was no longer adequate for the democratic needs of the 20th century. On the current state of higher education, Cattell wrote that

...[I]t is no longer possible for each trustee and for each professor to share intelligently in the conduct of the whole institution. We appear at present to be between the Scylla of presidential autocracy and the Charybdis of faculty and

53 *Ibid.*, 3-16; and J. McKeen Cattell, “University Control,” *Science* 35, no. 908 (1912), 797-808.

trustee incompetence. The more incompetent the faculties become, the greater is the need for executive autocracy, and the greater the autocracy of the president, the more incompetent do the faculties become.⁵⁴

In response to this perceived mismatch of need and practice, Cattell sent a letter to 300 administrators and professors in the sciences outlining the issues as he saw them and proposing a new, more democratic model of governance. He received letters from many of these scholars in return and reproduced both his own ideas and their responses in subsequent chapters of *University Control*.

Cattell's proposal outlined a series of reforms designed to limit the autocratic tendencies of the modern university presidency and to foster greater academic freedom for faculty. These reforms included:

- 1) Creation of a "corporation" of professors, university officers, alumni, and community members to govern universities. In public institutions, the corporation should be elected by the public.⁵⁵
- 2) University professors and officers should elect presidents who have "expert knowledge of education and university administration."⁵⁶
- 3) "The unit of organization within the university should be the school, division or department, a group of men having common objects and interests, who can meet frequently and see each other daily," and these departments should have "as complete autonomy as is consistent with the

54 James McKeen Cattell, ed., *University Control* (New York and Garrison, New York: The Science Press, 1913), 17-18.

55 *Ibid.*, 18.

56 *Ibid.*, 19.

welfare of the university as a whole."⁵⁷

- 4) Nominations for new professorships or promotions should be made by a board of advisers that includes two outside experts and two professors within the university from related departments. The faculty senate, however, should be the final voice. Once elected for appointment, the appointment should be for life, "except in the case of impeachment after trial."⁵⁸
- 5) Departments should have power to appoint representatives for committees and faculty senate (as opposed to having these representatives appointed by the president).⁵⁹

In closing out and summarizing his set of reforms for the university in the letter he sent out to faculty, Cattell emphasized an extensive state of freedom within the system. "There should be as much flexibility and as complete anarchy throughout the university as is consistent with unity and order."⁶⁰ Implicit in many of these reforms, and this final quotation, is the connection between faculty autonomy and academic freedom. The phrase "consistent with unity and order" reflected the sentiment of the constrained academic freedom discourse despite the radicalism inherent in using the term "anarchy" just a few words earlier.

The remainder of Cattell's contribution to *University Control* elaborated on his

57 *Ibid.*, 19-20.

58 *Ibid.*, 20.

59 *Ibid.*, 20-21.

60 *Ibid.*, 21.

perspective on the how the university ought to be. Chapter 3, “The corporation and the President,” emphasized the mismatch between American democracy and boards of trustees autocratically controlling universities.⁶¹ Cattell stressed that these boards, and the entire university system in general, needed to be more subservient to the public, even in private institutions. Furthermore, he clarified that he did not envision a university totally under the control of the faculty.

Experts and intellectuals are not, as a rule, to be trusted to act for the common good in preference to their personal interests. The professors of an endowed university cannot be given the ultimate control...No one believes that a city should be owned by a small self-perpetuating board of trustees who would appoint a dictator to run it, to decide what people could live there, what work they must do and what incomes they should have. Why should a university be conducted in that way?⁶²

In this passage, Cattell’s limiting of professorial activity was, in part, a rhetorical tool to illustrate that neither faculty nor trustees should have complete control of the university. Yet, his remarks countered one of the main sentiments of the academic freedom discourse, that the faculty *could* be trusted to act for the common good and that their professionalism demanded it.

Chapters 4 and 5 filled out Cattell’s perspective, arguing for proper treatment of and compensation for faculty in the universities⁶³ and describing the duties of professors,⁶⁴ respectively. He argued that the governance issues plaguing universities severely depressed the appeal of academic professions to many of America’s “men of

61 *Ibid.*, 26-35.

62 *Ibid.*, 35.

63 *Ibid.*, 36-48.

64 *Ibid.*, 49-63.

genius.” In doing so, he connected the university’s problems with social progress, for fixing them would lead to greater knowledge gains because presidents or boards of trustees would no longer exercise arbitrary control over them and more gifted scholars would flock to the universities. Of course, he noted, autocratic control was not just a danger to the university, but also to individual departments.

In certain departments of certain universities instructors and junior professors are placed in a situation to which no decent domestic servant would submit. Clearly there is no breeding ground for genius and great personalities.⁶⁵

To Cattell, all of these problems would be rectified by his proposals to increase the faculty voice in university and college governance, by giving individual faculty more autonomy in the departments and by giving departments more representative voice in institution-wide matters. On a more general level, making the university or college more public would also support improvements.

Truth, openness, publicity, are the safeguards of free institutions. It is better to wash your dirty linen in public than to continue to wear it. The affairs of a university should be conducted in the full light of day. The proceedings of the trustees, the discussions and conclusions of faculties and of committees, the activities of the president, the work of professors, salaries and the provisions of the budget, the appointment of officers and the rare cases in which it is necessary to dismiss a professor, should be open to all. Light is an excellent disinfectant; what is of more consequence, it is essential to healthy life and growth.⁶⁶

Here Cattell continued the publicity concerns of the academic freedom discourse dating back to the late 1890s. Collectively, though he did not explicitly use “academic freedom” here, these remarks illustrate how professorial freedom and related concerns in the public discourse were connected to university governance issues in Cattell’s writing. This

65 *Ibid.*, 50.

66 *Ibid.*, 59.

connection was also present in many of the letters reproduced in *University Control*.

Cattell's own summary of the letters he received about his ideas from other scholars was somewhat oversimplified. Cattell indicated that of the 299 replies he received from professors 46 favored the current system over his proposed reforms, 68 favored greater control for the faculty, and 185 favored his proposed reforms for democratic governance.⁶⁷ He elaborated, emphasizing that a majority favored limiting the university presidency in favor of augmenting the role of professors.

Five sixths of those holding the most important scientific chairs at our universities believe that there should be a change in administrative methods in the direction of limiting the powers of the president and other executive officers and making them responsible to those engaged in the work of teaching and research.⁶⁸

"This," he stated, "is surely which foretells reform or bankruptcy." The stakes were high and change was imminent, and Cattell interpreted the collective message of the letters he received as ample evidence that the majority of professors agreed with him.

Cattell's broad summary of the letters he received, however, overlooked the multiplicity of perspectives of the scientific professors and administrators who responded to him. While many did favor reform they did so with caution and expressed a wide array of concerns with the specifics of Cattell's proposal that indicate more moderation amongst professors when it came to ideas about increasing the faculty role in university or college governance.

Many of the faculty writing letters from Harvard or Yale did not favor Cattell's proposed changes. Cattell interpreted this as resulting from the fact that those institutions

67 *Ibid.*, 23.

68 *Ibid.*, 24.

already had systems that struck the right balance between presidential authority and democracy.⁶⁹ Some of the letters verify that impression. For example, one professor from Harvard described what he felt the most desirable situation was like and indicated that Harvard provided that environment.

What one wants is to get all the forces expressed in the university life, without arbitrary mutual interference, but with constant and mutual criticism, and without anarchy, although with plentiful individual freedom. On the whole that is what we have at Harvard.⁷⁰

Other Harvard letters championed the quality of past and present Harvard presidents, emphasizing their wisdom and leadership.⁷¹ Professors at these older, prestigious institutions certainly valued the systems and presidencies already in existence, but there were other, more general reasons that these professors did not favor Cattell's proposals as well.

Many faculty at Harvard and Yale, and many of the other institutions represented in the letters, were cautious of increasing the faculty role in the university. One professor at Yale, for example, generally approved of Cattell's proposals, but worried about the effect of increased faculty participation in governance on the president as well as the faculty.

[I]t is equally clear that the efficiency of the president should not be hampered by the necessity of keeping in favor with all the professors...There is danger of professors being required to waste too much time in executive work and keeping to themselves powers which should be delegated to executive officers.⁷²

69 *Ibid.*, 24-25.

70 *Ibid.*, 66. See also, letters from Yale faculty on 85, 86, 88.

71 *Ibid.*, 67-68.

72 *Ibid.*, 88.

The notion that participation in governance was “waste” was common throughout all of the letters. One Harvard faculty indicated that “[p]ersonally, the less I have to do with the details of running the university, the happier I am.”⁷³ Others cited the poor quality of faculty across the country as a primary reason to be opposed to more democratic governance.

The main reason why I feel doubt about your scheme is that the averages of our faculties the country over are still so low intellectually. Mediocrity is the almost unbroken rule.⁷⁴

Now the majority of the men whose vote is necessary for a choice under your plan are not themselves scientifically first-rate men, nor do they know a first-rate man when they see him.⁷⁵

Though academic freedom is not mentioned in either of these letters, the sentiment of these sorts of criticisms was similar to the claims made by the constrained strand of the academic freedom discourse: only the truly “first-rate” professors deserved the sort of autonomy Cattell proposed. In this view, academic freedom and autonomy belonged to a very narrow portion of the professoriate.

Faculty at Harvard and Yale, then, had more reasons to disagree with or question Cattell’s reforms than the fact that their institutions had relatively few overt problems with autocracy or academic freedom. Similarly, professors from the other institutions, even those who favored reform, offered more complicated responses to Cattell’s ideas than he himself acknowledged.

One professor at Columbia expressed being in favor of Cattell’s plan, but worried

73 *Ibid.*, 71.

74 *Ibid.*, 69.

75 *Ibid.*, 69-70.

about giving complete control over nominations for new professorships to the faculty.

“Human nature being what it is, democracy in such matters tends, I fear, to mediocrity.

On the whole I am not averse to benevolent despotism in such matters; but how shall we make sure of the benevolence?”⁷⁶ Another Columbia faculty member worried about the long term effect of a representative system in the universities.

One danger of it is that it tends to foster cliques, ‘kitchen politics’ now infecting the larger German universities, and may lead to practical oligarchy, which may be defined as a conspiracy of the strong or the unscrupulous against the weak or the scrupulous.⁷⁷

A faculty member from the University of Pennsylvania who favored Cattell’s reforms had similar issues with granting too much freedom to departments.

The difficulty is to strike the means by which a department may be left autonomous as long as its actions are progressive, but may be brought up with a firm hand when it appears that a group of its professors are working for selfish ends or are exhibiting evidences of servile incompetency.⁷⁸

For each of these professors, a system granting university faculty more powers could result in negative outcomes, either mediocrity in appointments of new faculty members, a new form of subversion within the university where one group of the faculty exploited another, or general selfishness and incompetency. Even professors in favor of democratic reform worried about how to ensure that faculty freedoms, academic and professional, would remain free from interference.

Faculty from state universities had similar concerns to those in private universities. One faculty member from Wisconsin expressed interest in faculty autonomy

76 *Ibid.*, 93.

77 *Ibid.*, 93-94.

78 *Ibid.*, 101.

at the department level, but thought that it would be hard to execute in practice without strong supervision.

I agree that the departments or divisions should be as independent as is consistent with general welfare, but that so long as human nature remains the same, there will have to be a strong supervisory power in order to produce the greatest efficiency and economy.⁷⁹

Other faculty from state universities specifically worried about professors nominating presidents or other faculty members because of a variety of limitations. One professor explained, “[m]embers of faculties are not free from bias, for very selfish reasons.”⁸⁰ Another complained that faculty could not be expected to select administrators because their specialization prevents them from understanding “what a public-service institution should be...”⁸¹ Even state university faculty doubted the success of such democratically-oriented university reforms.

While few of the scientific professors whose letters appeared in *University Control* explicitly used academic freedom, the issue was implicitly connected to many of the discussions related to the autonomy of faculty and representation in governance. More faculty involvement in university proceedings, particularly those that were connected to educational aspects of the institution, was a concrete step toward solving the abstract complaints of many professors from the preceding decades. If the primary enemy to academic freedom was indeed trustees or regents taking too large a role in directing university policies, then the types of reforms proposed by Cattell and discussed

79 *Ibid.*, 206.

80 *Ibid.*, 222.

81 *Ibid.*, 223-224.

by many of the scientific faculty in *University Control* can be seen as connected to the issue despite the relative lack of explicit academic freedom discussion.

Nonetheless, the absence of academic freedom from these letters is puzzling, and I offer the following justifications for it. First, as scientific faculty, the issue of academic freedom had not been as salient an issue as it was for social scientists. Despite occasional flaring up of the evolution versus religion debate, there were few scientific issues that warranted serious scrutiny during this time. Thus, that aspect of academic freedom—the need to develop and use the concept as part of a publicity campaign—was a non-issue for faculty members in the sciences. Second, these were private letters written to Cattell and published later. Some of the implicit connections to academic freedom may have been taken for granted by these faculty members as they were writing to a fellow professor. Third, and perhaps most important, these scientific professors were more interested in concrete solutions to the problem than articulating and developing any symbolic justification for it. The implication, then, is that while scientific faculty members may have taken for granted their academic freedom—having won, according to some,⁸² their own war for academic freedom decades before—they were still deeply concerned in more concrete factors within their institutions affecting their autonomy and status.

Clearly, scientific perspectives on governance portrayed in *University Control* were mixed. Some felt that professional autonomy was a crucial issue and that new

82 Edward Bemis, “Academic Freedom,” *The Independent*, August 17, 1899, 2195. For similar sentiment, see James Bryce, “Scientific Conservatism,” *Littell's Living Age*, May 10, 1890, 379. See also, Andrew White, *The History of the Warfare of Science with Christendom*, 2 Volumes (originally published in 1896, available electronically now through Project Gutenberg at www.gutenberg.org).

policies needed to be developed to safeguard it. For others, these issues were not a concern, and while these professors or administrators felt policies needed to change they did not wholeheartedly agree with all pieces of Cattell's proposed plan. Particularly problematic to these faculty members were the more extreme measures proposed by Cattell, such as faculty control over presidential appointments or increased committee work for professors as part of a faculty-inclusive governance plan. To be sure, more of a role in faculty governance was seen as another barrier to faculty independence, not a step in favor of it. Despite some measure of disagreement over the actual policies, however, there was enough of a concern for professors to start referring to a democratic movement in the universities and colleges.

Professors in the sciences were not the only professors concerned with academic freedom in relation to university governance or other faculty organization. These non-scientific voices in the discourse continued the convergence of specific issues with the more traditional understandings of academic freedom inherited from the 1890s and 1900s. Take, for example, two articles written by George C. Cook and George Hellems, respectively. In late 1913, Cook published an article that appeared in *Forum*. Cook, using what was not an uncommon rhetorical strategy, emphasized what he perceived as poor standards of academic freedom in the United States when compared to other European countries. Cook's academic freedom lamented the professoriate's self-preservation and championed the revolutionary intellectual. "Deprived of that freedom in which alone arise the daring, energy, and joy essential to creativeness, our teachers avoid

ideas threatening change of things established with an instinct like that of certain animals avoiding poisonous plants.”⁸³ Here again was the individually-oriented academic freedom, similar to much of the earlier social science discourse. However, Cook’s emphasis on creativity was relatively new, and he specifically emphasized the importance of revolutionary thought to social progress.

Cook’s article also illustrated a changing emphasis because, while he blamed regents and administration for academic freedom issues, he offered two paths for the professoriate to take. The first was democratically oriented self-government of the faculty within universities and colleges, and the second was that the professoriate focus their efforts on a public media campaign to “rouse public opinion” and form a guild.⁸⁴ He then closed with a statement that had Marxist undertones. “If the intellectual class fails to organize and strengthen itself and get itself into right relations with the working class which is the nation, the coming supremacy of that working class may sweep away--wheat with chaff--the culture of the world.”⁸⁵ This was not the work of detached scientific professionals, but the collective action of a body of faculty-intellectuals that Cook presumed was fundamentally and uniformly radical.

In March 1914, University of Colorado English professor F. B. R. Hellems wrote a response to Cook that reflected a more professional position to academic freedom. Hellems stressed that the democratic, mass education system developing in the United States made cultivating academic freedom to the same extent as Europe a difficult task.

83 George Cram Cook, “The Third American Sex,” *Forum*, October 1913, 447.

84 *Ibid.*, 459-460.

85 *Ibid.*, 462-463.

For “European universities aim at [teaching] a hundred, while we aim at a million.”⁸⁶ He argued that faculty self-governance was not a perfect solution because it would still be a system that lacked balance. Regarding the spree of dismissals in recent memory, Hellems suggested that they were “comparatively rare in proportion to the vast number of [faculty] chairs,” though he did not think that a faculty member should be dismissed because “he holds advanced views on eugenics or matrimony, nor because he happens to be an agnostic, or atheist, or socialist, or even an anarchist.”⁸⁷ Finally, Hellems professed that a union was not desirable to faculty, not because they lacked courage as Cook presumed, but because they “are not interested in organizing themselves for their own profit.”⁸⁸ Instead, being a faculty member was a calling and, as Hellems implied, faculty ought to organize as professionals.

Conclusions

By the mid-1910s, it was clear that there was a lack of unity amongst faculty regarding the concept of academic freedom. While many professors could align behind placing the trustees with their big business interests or autocratic presidents as the enemies to academic freedom, there was still considerable disagreement regarding the exact nature and application of academic freedom. The broad-free perspectives connecting academic freedom to free speech and the constrained versions of academic freedom that emphasized professionalism and the scientific *habitus* began by professors

86 F. B. R. Hellems, “The Professorial Quintain,” *Forum*, March 1914, 324.

87 *Ibid.*, 326.

88 *Ibid.*, 330.

in the 1890s continued into the 1910s. These two conceptual groupings represented broad areas of agreement, within which there was room for extensive variation. As such, this research offers support to Stanley Anderson's findings about general and special academic freedom during this period.⁸⁹ With the Cook and Hellem's contributions, then, the individual-absolute and collectivist-constraint strands of the discourse were positioned to continue into the 1910s and beyond.

At the same time, the 1910s saw the continuation of professorial concern and struggle with publicity. Many professors continued to articulate the need to expose practices at universities and colleges in order to purify higher education and advance the academic profession. In doing so, many of them continued to use academic freedom as a weapon against their institution's presidents or boards of trustees, or as a tool to professionalize other professors. Yet, continued presence of professors in public media meant the perpetuation of the public association of radicalism and the concept of academic freedom which had been a problem for faculty since the 1890s.

However, the first half of the 1910s also revealed an additional level of conceptual variation that marked a period of change. Together with the scientific voices present in Cattell's *University Control*, the discourse on academic freedom revealed an increased

89 Stanley David Anderson, "An Analysis of the Meaning of academic freedom in American higher education, 1860-1920," (Baylor University, 1980). Anderson's analysis of the meaning of academic freedom found similar trends, and also utilized John Searle's two concepts of academic freedom. Searle's special concept of academic freedom applies the the collective, professional strand of the discourse and his general concept of academic freedom applies to the broader aspects of the discourse that emphasized faculty as ordinary men with the same rights to free speech as everyone else. See especially, 156. Also, John Searle, "The Two Concepts of Academic Freedom," in Edmund Pincoffs, ed., *The Concept of Academic Freedom* (Austin: University of Texas Press, 1972), 76-96.

concern for governance issues and faculty organization compared to the two previous decades, and these concerns would continue well into the 20th century.⁹⁰ It was in the midst of this governance movement—a movement characterized by increased concrete and practical orientations toward academic freedom—and the ongoing publicity struggles of the professoriate that John Dewey at Columbia and Arthur Lovejoy at Johns Hopkins began to take steps to form a national body of university professors.

90 Cain, “Academic Freedom in an Age of Organization,”; “‘Learning and Labor’: Faculty Unionization at the University of Illinois,” *Labor History* 51, no. 4 (2010), 543-569; “The First Attempts to Unionize the Faculty,” *Teachers College Record* 112, no. 3 (2010), 875-913; Philo A. Hutcheson, *A Professional Professoriate: Unionization, Bureaucratization, and the AAUP* (Nashville: Vanderbilt University Press, 1991); Lionel S. Lewis and Michael N. Ryan, “The American Professoriate and the Movement toward Unionization,” *Higher Education* 6, no. 2 (1977), 139-164.

Chapter 5: Disciplinary Perspectives on Academic Freedom and the Needs
of the Professoriate during the Formation of the AAUP, 1913-1915

In 1915, the American Association of University Professors (AAUP) was founded, representing the first national, all-discipline-inclusive organization for faculty in the United States. Historians generally position the formation of the AAUP within the context of the resurgence of well-publicized academic freedom cases in the 1910s, most notably the controversies surrounding John Mecklin at Lafayette College and Scott Nearing at the University of Pennsylvania.¹ This perspective, heavily dependent on the seminal work on the history of academic freedom by Richard Hofstadter and Walter Metzger from 1955, provides the impression that the period from 1905-1912 was relatively tranquil for faculty and that the Mecklin and Nearing cases rejuvenated faculty interests in securing academic freedom and protecting the professoriate. However, as Timothy Cain argued—as well as the preceding chapter of this dissertation—academic freedom issues persisted from 1905-1912, particularly for faculty at institutions in the South.² However, whether they emphasized a continuity or resurgence of academic

¹ See, for examples, Richard Hofstadter and Walter P. Metzger, *The Development of Academic Freedom in the United States* (New York: Columbia University Press, 1955); Frederick Rudolph, *The American College and University: A History* (New York: Alfred A. Knopf, Inc., 1962); Laurence Veysey, *The Emergence of the American University* (Chicago: The University of Chicago Press, 1965); John S. Brubacher and Willis Rudy, *Higher Education in Transition: A History of American Colleges and Universities, 1636-1976*, 3rd edition, revised and enlarged (New York: Harper and Row, Publishers, Inc., 1976); Stanley David Anderson, “An Analysis of the Meaning of academic freedom in American higher education, 1860-1920,” (Baylor University, 1980); Ellen Schrecker, “Academic Freedom: The Historical View,” in *Regulating the Intellectuals: Perspectives on Academic Freedom in the 1980s*, ed. Craig Kaplan and Ellen Schrecker (New York: Praeger Publishers, 1983).

² Timothy R. Cain, *Establishing Academic Freedom: Politics, Principles, and the Development of*

freedom struggles, most histories of this period still directly connect academic freedom to the foundation of the AAUP. Often, historians have paid special attention to the importance of the AAUP's 1915 Declaration of Principles to illustrate this connection.

The Declaration is certainly an important historical document worthy of the vast attention it has received, but there is still a need in the historiography to take a deeper look into the years 1913 and 1914 to understand whose goals and ideals for the professoriate—including whose definitions of academic freedom—were legitimated by the AAUP's formation and by the ideas used by faculty to create the Declaration of Principles that the newly founded organization published in 1915.

This chapter describes the wide array of opinions related to academic freedom and professionalism evident in private correspondence related to the formation of the AAUP between a large number of faculty and John Dewey and Arthur O. Lovejoy, and their connection with the AAUP's constitution and the 1915 Declaration of Principles. This chapter emphasizes that the formation of a national organization that would stand the test of time was not inevitable. Many professors worried that a national organization of university professors would intensify the divide between faculty and administration and destroy higher education or that the national organization would be dominated by radical voices, a move which could alienate the perspectives of more conservative faculty. In addition to these concerns, there were diverging perspectives regarding the primary purposes of the organization and who would be eligible for membership. Finally, this chapter argues that while the formation of the AAUP and the 1915 Declaration of

Core Values (Palgrave Macmillan, 2012)

Principles reflect a conservative approach toward defining academic freedom by embracing a more constrained version, the AAUP's early actions were all related to academic freedom, which was a nod to the radical base of the professoriate.

In this context, I use "radical" and "conservative" as a way to provide an approximate ideological position of professors within a fluid spectrum of ideas related to academic freedom and professionalization. The more radical side of the spectrum emphasized broader, individually-oriented academic freedom, increased, if not absolute, faculty control in university and college governance, or more general views that could be seen as increasing divisions between faculty and administration in higher education. In contrast, then, the conservative side of the spectrum reflects more constrained views on academic freedom or the advocacy of more cooperation or harmony within the university.

Throughout the correspondence analyzed in this chapter, all perspectives directly or indirectly underlined the need for faculty to address the public image problems, particularly in relation to the concept of academic freedom, that had plagued them since as early as 1890. The newly formed AAUP was to be as much about symbolism as it was about action.

The Question of a National Association of University Professors

In *University Control*, James McKeen Cattell closed his arguments for a more democratic form of governance of the university with a call for organization.

Trade-unions and organizations of professional men, in spite of occasional abuses, have been of benefit not only to those immediately concerned, but to society as a

whole...If we can unite to improve the conditions of the academic career, so that it will attract the best men and permit them to do their best work, we make a contribution to the welfare of society which is permanent and universal. It may be that the time has now come when it is desirable and possible to form an association of professors of American universities, based on associations in different universities, the objects of which would be to promote the interests of the universities and to advance higher education and research, with special reference to problems of administration and to the status of the professors and other officers of the university.³

Cattell was not alone. Though his remarks were more public than others, there was a group of faculty following the leadership of John Dewey and Arthur Lovejoy already moving toward organization in 1913.

Timothy Cain argued that the AAUP was brought together by an elite group of professors under the leadership of John Dewey and Arthur Lovejoy.⁴ The professors who corresponded with Dewey and Lovejoy throughout the formation process were among the most respected scholars from the most prestigious institutions during the period, including Harvard University, Princeton University, Yale University, Columbia University, Cornell University, Michigan University, Stanford University, the University of California, the University of Wisconsin, and the University of Chicago.

The initial move toward organization was a letter from several members of the faculty at Johns Hopkins University, including Lovejoy, to the faculty at major universities inviting them to discuss the possibility of a national organization and a future meeting of representatives to meet over these matters.⁵ The letter indicated that “[t]he

³ James McKeen Cattell, ed., *University Control*, vol. III, Science and Education (New York and Garrison, New York: The Science Press, 1913), 61.

⁴ Timothy Reese Cain, “Academic Freedom in an Age of Organization, 1913-1941,” (University of Michigan, 2005), 33.

⁵ Cain noted that Dewey felt it was crucial that the movement begin at a well-established and

reasons which seem to demand the formation of such an association are fairly evident.”⁶

There were two functions of the professor, one as a researcher and the other as a member of the faculty at an institution. The Hopkins letter argued that the research function was well-tended by various disciplinary associations, but the faculty function “as a member of the legislative body of his local institution” was not yet addressed by any existing scholarly body.⁷

The purpose of a new faculty association, then, would be to “promote a more general and methodical discussion of the education problems of the university; to create means for the expression of the public opinion of the profession; and to make possible collective action, on occasions when such action seems called for.” Included in these issues were how to deal with graduate students, particularly their fellowships and scholarships; methods of university government, including tenure and defining the “legitimate” grounds for faculty dismissals; the creation of a professional code of ethics, and the establishment of an investigative committee regarding alleged abuses of “freedom of teaching.”⁸ To the Hopkins faculty, and presumably to Lovejoy, the issues of academic freedom were very much a part of the proposed organization as they were explicitly mentioned and connected to other matters such as faculty dismissals and tenure of office.

prestigious research university like Hopkins.

⁶ Copy of Circular Letter from Johns Hopkins University Faculty Regarding a National Association of Faculty, 1913, AAUP Records, Historical File Box 4, General A. O. Lovejoy Lovejoy File 1913, quote from p. 1.

⁷ *Ibid.*

⁸ *Ibid.*, 2.

Initial response to these ideas is difficult to assess based on correspondence available in the AAUP archives. However, the evidence that is available indicates that professors were cautiously optimistic. James McKeen Cattell favored the organization but thought that it might be best to have the American Association for the Advancement of Science (AAAS) appoint a committee to decide if another large faculty organization was even “desirable.”⁹ Similarly, political science professor J. E. Creighton wrote to Lovejoy regarding the response to the Hopkins letter at Cornell University, indicating that two prominent professors there “were impressed by the names of the J. H. U. signers; but wanted assurance that the idea behind the movement was not that of attacking the existing condition of affairs in any destructive or antagonistic spirit.” Creighton emphasized that he personally did not share these concerns, but worried more that the organization would be focused on unimportant matters of university procedure.¹⁰

The caution revealed in this letter reflected the awareness faculty had of their public image. Dating back to the 1900s, there was a connection in the press between academic freedom cases and the negative activism—the agitation—associated with labor unions, socialists, and anarchists.¹¹ If all the new organization focused on was championing these radically-appearing faculty or providing an organization which would defend them to whatever end, it would not appeal to the type of faculty Creighton described in his letter. This sentiment became more common as the formation process

⁹ J. M. Cattell, Letter to Lovejoy, April 5, 1913, AAUP Records, Historical File Box 4, General A. O. Lovejoy File.

¹⁰ J. Creighton, Letter to Lovejoy, May 23, 1913, AAUP Records, Historical File Box 4, General A. O. Lovejoy File.

¹¹ See Chapter 3 of this dissertation.

moved forward.

Regarding the composition of the initial faculty meeting on organization, Cattell introduced an idea that would resonate throughout the formation process. He argued that only faculty from the top eight research universities, based on either institutions belonging to the Association of American Universities or, his preference, on the amount of doctoral degrees granted in the past fifteen years. Such a list included Columbia, Harvard, Yale, Chicago, Johns Hopkins, Pennsylvania, Cornell, and Wisconsin. If that were too small, Cattell recommended branching out to include Clark, New York, Michigan, Boston, California, Princeton, and Illinois, though he stressed that he favored the smaller list of the more elite institutions.¹² Although Cattell's original recommendation referred to the universities involved in the preliminary meeting, the idea that the more elite research institutions should be the primary participants influenced early ideas about the membership and scope of the proposed association. From a Bourdieuan perspective, this selection of elite universities was important because it would grant a greater degree of distinction and legitimation to the new organization.

On Monday, November 17, 1913, a small group of delegates met to discuss the organization for the first time at Johns Hopkins University in Baltimore, Maryland. The representatives were nearly all from the natural and medical sciences, as the meeting was held on the evening before the National Academy of Sciences meeting held in Baltimore at that time.¹³ In addition to Lovejoy, Dewey, and Cattell, there were also representatives

¹² Cattell, Letter to Lovejoy, 1913, AAUP Records, Historical File Box 4, General A. O. Lovejoy File 1913.

¹³ Cattell, Letter to Lovejoy, Nov. 24, 1913, AAUP Records, Historical File Box 4, General A. O.

from Clark, Cornell, Harvard, Princeton, Yale, Wisconsin, and several from Johns Hopkins at the meeting.¹⁴ The consensus emerging from their meeting suggested that membership should be comprised of faculty with elite standing in their disciplinary fields, and that these men should be tenured faculty at their institutions.¹⁵

In response to the Baltimore meeting, Dewey, acting as chairman of a newly formed committee for creating the national organization of professors, sent out letters to professors soliciting feedback on two key issues: who was eligible for membership and the purposes of the new organization. Regarding the membership issue, Dewey specifically asked these professors to weigh in on whether membership should be individual or institutional in nature and the appropriateness of using the standard of scholarly excellence that was agreed upon at the Baltimore meeting. For Dewey, selecting only those with “acknowledged standing as productive scholars” would effectively limit membership to those with “genuine distinction” but would also potentially allow non-faculty personnel into the organization and make membership dependent on individual characteristics and not institutional affiliations. He also relayed the sentiment among some professors at the Baltimore meeting that productivity standards would be hard to establish in some disciplines.¹⁶

Throughout the formation process, Dewey and Lovejoy took great pains to ensure

Lovejoy File 1913.

¹⁴ Untitled Record, 1914, AAUP Records, Historical File Box 4, General A. O. Lovejoy File 1913. This document contains an excerpt from the original Hopkins letter about the idea of a national faculty association, and then contains some material related to the Baltimore Meeting in 1913.

¹⁵ Edward Capps, Edwin W. Kemmerer, and Howard C. Warren, Letter to Lovejoy, Nov. 24, 1913, AAUP Records, Historical File Box 4, General A. O. Lovejoy File 1913.

¹⁶ John Dewey, Letter to Committee on Organization, 1913, AAUP Records, Historical File Box 4, General A. O. Lovejoy File 1913

that they were including not only representatives from all of the major institutions but also from all major disciplines. They used faculty from other disciplines that they knew personally or who were recommended to them by those they knew to get a representative group of faculty opinions that were not dominated by one institution or one discipline.¹⁷ Thus, faculty who sent letters in response to Dewey's solicitation of opinions on the formation of the organization came from a wide array of academic disciplines including astronomy, geology, history, English literature, the classics, philosophy, political science, economics, psychology, and anatomy and other medical sciences. In fact, the Committee on Organization Dewey and Lovejoy put together had only one notable absence: there were no sociologists formally involved in the process, though there were professors from other social science disciplines. On a more general level the Committee on Organization had slightly more scientific faculty, with 7 from social sciences (if history is included), 10 from the humanities, and 15 from the sciences (including math and engineering).¹⁸

Committee responses to the questions surrounding the membership issue varied widely from extreme perspectives in favor of either institutional memberships or individual memberships to several hybrid models, and connected to these ideas were a variety of understandings about the selectivity of the proposed society. According to Lovejoy's notes, responses to Dewey's letter revealed that 55 faculty favored individual

¹⁷ See for examples these letters: Cattell, Letter to Lovejoy, Nov. 24, 1913, AAUP Records, Historical File Box 4, General A. O. Lovejoy File 1913; L. Loeb, Letter to Dewey, May 18, 1914, AAUP Records, Historical File Box 4, General Dewey File 1914.

¹⁸ For a list of the Committee on Organization, see "A National Association of University Professors," 1914, AAUP Records, Historical File Box 4, General Dewey File 1914. There were over 30 members, many from scientific disciplines.

membership, 15 favored institutional membership, and 26 for some sort of combination of the two. On the issue of member eligibility, 14 voted for only full professors, 14 for full and associate professors, 27 for all permanent faculty and selection by a committee, and 38 for all individuals with teaching responsibilities.¹⁹ Comments from the letters themselves reveal the extent of concerns over how the initial membership model correlated with the character of the new organization.

On the membership issue, professorial opinions had little to do with disciplinary affiliations. However, the variety of opinions did reflect a vast and differentiated awareness of the needs of the professoriate, including concerns over the organization's symbolic role to the entire body of professors as well as to the public. In other words, there were two arenas of symbolic importance inherent in these discussions. The first was internal to the academic profession, focusing on the role of the proposed organization in fostering communication amongst professors and developing a more unified understanding of academic professionalism. The second was external to the academic profession, and focused on the organization's role in acting as a formal, professional, collective voice for the professoriate and as a custodian of the image of faculty in the press.

Those in favor of institutional memberships voted that way as a means to ensure the quality of membership, which would enhance the prestige and quality of the organization's image. For example, though Cattell favored broad democratic

¹⁹ Lovejoy, Vote on Questions, 1914, AAUP Records, Historical File Box 4, General Lovejoy File 1914 Jan-Nov.

membership in the long run, he thought it was more prudent to start the organization off on the right foot by admitting only the more elite faculty.²⁰ Frank Thilly, philosophy professor at Cornell, shared this perspective. “I do not favor admission to membership of men whose reputation in scholarship is low, and I do not favor the exclusion of men of high scholarship who are not connected with institutions of the first rank.”²¹ For professors like Cattell and Thilly, the key to the new organization was that it represent the best institutions, which, in turn, would assure the quality of the professors admitted to the organization.

Even for those who favored individual memberships, use of professorial rank or of an established list of universities was an important part of the membership criteria to assure member quality or as a means to prevent an image of favoritism or partisanship in the press. William Hobbs, professor of Geology at the University of Michigan, worried that individual memberships

...would not only arouse dissensions and invoke unfavorable outside criticism likely to injure the prestige of the association, but it would further effectually prevent the expression of any opinion which could be accepted as the voice of the body of American Professors.²²

Reflecting a similar sentiment, some professors recommended using a pre-established list of institutions such as institutions that were members of the American Association of

²⁰ Cattell, Letter to Lovejoy, 1913, AAUP Records, Historical File Box 4, General A. O. Lovejoy File 1913; Cattell, Letter to Dewey and Lovejoy, May 20, 1913, AAUP Records, Historical File Box 4, General A. O. Lovejoy File 1913.

²¹ Frank Thilly, Letter to Dewey, April 3, 1914, AAUP Records, Historical File Box 4, General Dewey File 1914.

²² William Hobbs, Letter to Dewey, April 8, 1914, AAUP Records, Historical File Box 4, General Dewey File 1914, 1-2.

Universities.²³ Use of lists of institutions that were created by other organizations would help limit public scrutiny of the new faculty association regarding the choice of professors, which was a critical issue to professors who worried about the reception of a new national organization of professors by the press.

For the most part, faculty accepted the “productive scholar” criteria for individual membership established by Harvard medical professor Charles Minot at the Baltimore conference. However, some worried about the exact definition of “productive.” To many, even those in the sciences, it was deemed difficult to establish the proper nature of scholarly productivity. One biologist from Wisconsin simply wanted to deny membership to “the large body of instructors and assistants who are merely testing themselves out and in some cases adopting their present occupation as a temporary expedient.”²⁴ Astronomy professor Comstock agreed with the “productive scholar” criteria as long as it “may be sufficiently shown by work of instruction or administration of a character distinctly stimulating and inspiring to students or colleagues.”²⁵ Faculty in the humanities and social sciences shared this desire for broader parameters. In a letter to Dewey, J. E. Creighton from Cornell indicated that many men in his discipline favored a professional standard for membership that was based on teaching experience.

If the Association is to be professional in character, it was said, any man who has taught for a certain period of time—seven or five years—ought to be eligible

²³ For one example, see a letter from University of Virginia physiologist Theodore Hough. Theodore Hough, Letter to Dewey, April 12, 1914, AAUP Records, Historical File Box 4, General John Dewey File 1914.

²⁴ No author identified, Letter to Lovejoy, Dec, 3, 1914, AAUP Records, Historical File Box 4, General A. O. Lovejoy File 1914 DEC.

²⁵ Comstock, Letter to Dewey, April 6, 1914, AAUP Records, Historical File Box 4, General John Dewey File 1914.

for membership, provided that he is in good standing in a reputable institution of university or college rank.²⁶

Here, Creighton's colleagues expressed a combination of the concerns for institutional status, individual status, and experience.

There were, of course, those who favored allowing all faculty of any type or quality into the organization. John Effinger, acting dean of the College of Liberal Arts and Sciences at Michigan recommended broad membership and suggested that "the more inclusive such an organization can be, the greater its influence."²⁷ Medieval historian George Burr agreed and argued that having broad requirements would limit public criticism of partisanship.²⁸ Whereas the various forms of limited membership models reflected concerns about professionalism and the importance of organizational prestige and public image, these broader perspectives emphasized more of a union model for membership whereby membership was granted by being in any sort of faculty role regardless of credentials, scholarly record, or disciplinary status and which emphasized the ability of the organization to exert political influence.

After receiving and digesting the variety of opinions on the membership questions, Dewey sent out another mass letter. He suggested that instead of "productive scholar," the phrase "recognized standing as teachers and scholars" should be used for the

²⁶ Creighton, Letter to Dewey, Dec. 31, 1914, AAUP Records, Historical File Box 4, General A. O. Lovejoy File 1914 DEC.

²⁷ John R. Effinger, Letter to Dewey, Dec. 31, 1914, AAUP Records, Historical File Box 4, General A. O. Lovejoy File 1914 DEC.

²⁸ George Lincoln Burr, Letter to Lovejoy, Dec. 11, 1914, AAUP Records, Historical File Box 4, General A. O. Lovejoy File 1914 DEC. See also anonymous from a faculty at the University of Chicago, Letter to Lovejoy, May 16, 1914, AAUP Records, Historical File Box 4, General Dewey File 1914.

criteria of individual membership because it more accurately encompassed the majority of faculty opinions on the matter. Dewey also indicated that there were still significant differences of opinions on how these criteria affected the admission of faculty who also had administrative duties or administrators who had recognized standing as scholars in their disciplines. To address this issue, Dewey solicited more specific votes and responses from faculty on memberships for administrators.²⁹

On the administration issue there was considerable division. Some professors had reached a point in their view of the faculty role in higher education that positioned presidents as completely different from faculty, if not oppositional to them. This perspective had roots in the series of academic freedom cases during the Progressive Era as well as the increased trend to bureaucratic forms of university management. Edward Capps, a faculty in languages at Princeton, indicated that

I am strongly of the opinion that we would best not include presidents; but I would include Deans and other officers of administration, provided, however, that any members who were elected to the Presidency of an institution ipso facto withdrew from the Association.³⁰

Similarly, J. R. Benton, a professor of physics and electrical engineering at the University of Florida, wrote a letter to Lovejoy on behalf of his colleagues indicating that they believed “that the organization should be made distinctly representative of the profession of university or college teaching, as distinguished from administration.”³¹ As such,

²⁹ John Dewey, To The members of the Committee on the Organization of an American Association of University Professors, 1914, AAUP Records, Historical File Box 4, General A. O. Lovejoy File 1914 DEC.

³⁰ Edward Capps, Letter to Dewey, April 20, 1914, AAUP Records, Historical File Box 4, General John Dewey File 1914.

³¹ J. R. Benton, Letter to Lovejoy, December 2, 1914, AAUP Records, Historical File Box 4, General A. O. Lovejoy File 1914 DEC.

Benton elaborated that no faculty who had “executive” administrative work should be admitted to the organization even if they also had significant teaching roles in their institutions.

For other professors, the recognized standing as a scholar criteria as well as personal experiences with administrators led to more inclusive perspectives on administrator involvement in the university. Cornell political science professor J. E. Creighton, who had advised Dewey and Lovejoy from the beginnings of the formation movement, was among those in favor of including presidents.³² Professor Richard Harbody from Teachers College at Columbia wrote in favor of administrative memberships in order to promote harmony within higher education.

I should also hope that membership might be given to all presidents of Universities, and approved colleges, whether they were now members of the teaching staff or not. I certainly believe that cooperation between the representatives of the general policy and those interested in the special policy will produce greater results than work and organization on the part of the teachers alone.³³

One faculty from the University of Chicago emphasized that presidents “either are or always have been teachers and belong with the rest of us.”³⁴ Ross Harrison, a zoology professor, agreed.

I am rather in favor of making no discrimination against such officers whose duties primarily are administrative. Practically all deans and most presidents are recruited from the professorial body, and it would be hardly feasible to ask such

³² Creighton, Letter to Dewey, Dec. 31, 1914, AAUP Records, Historical File Box 4, General A. O. Lovejoy File 1914 DEC.

³³ Richard Harbody, Letter to Dewey, December 2, 1914, AAUP Records, Historical File Box 4, General A. O. Lovejoy File 1914 DEC.

³⁴ Anonymous letter to Dewey, Dec. 28, 1914, AAUP Records, Historical File Box 4, General A. O. Lovejoy File 1914 DEC.

persons on assuming administrative offices to relinquish their membership in the association. I have in mind a number of deans who have high rank as productive scholars whom all would wish to see in the Association.³⁵

Comstock, professor of astronomy at Harvard, offered a more specific case against excluding presidents.

I dissent emphatically...why should Charles Eliot be eligible as professor of chemistry and become ineligible upon promotion to the rank of president?...I am unwilling to assume that their interests and capacities have been dwarfed by their new duties. To exclude them seems an invidious and useless emphasizing of what I regard as a most unfortunate breach between the two sides of the academic profession.³⁶

Comstock, Harrison and others argued, then, that being a scholar transcended the specifics of an individual's role in higher education. If recognized standing as a scholar or teacher was to be the standard for membership to the new national association of faculty, then it was clear that a significant number of professors from several disciplines understood this to be inclusive of administrative and even presidential officers rather than exclusive.

Faculty perspectives on the appropriate parameters for membership in the organization reflected concerns about whether the organization would emphasize professional quality or political power. The formation period correspondence also contained more direct concerns about the direction and purpose of the proposed organization. Based on Lovejoy's notes, the three most commonly mentioned purposes in the initial correspondence were governance issues that connected directly or indirectly to

³⁵ Ross Harrison, Letter to Dewey, May 18, 1914, AAUP Records, Historical File Box 4, General Dewey File 1914.

³⁶ Comstock, Letter to Lovejoy, May 9, 1914, AAUP Records, Historical File Box 4, General Dewey File 1914.

academic freedom, albeit in more concrete forms: 1) the relationship between faculty and university governance (mentioned by 14),³⁷ 2) the methods of faculty appointment and promotions (mentioned by 11),³⁸ and 3) the tenure of professorial office (mentioned by 10).³⁹ This focus makes sense, given the context of an increased orientation toward these sorts of concrete policy issues dating back to the late 1900s. In fact, the correspondence reveals little disagreements over whether the organization should address these governance issues in some way. Faculty generally championed these purposes of the proposed organization as a step toward clarifying their role in university life and to encourage policies that eliminated the potential for the sort of autocratic, whimsical administration made public by Cattell in *University Control* in 1913.

However, there was some disagreement amongst faculty over the more abstract or general purposes of the proposed organization. For example, some professors argued the organization needed to focus on creating a collective sentiment or voice amongst faculty. University of Pennsylvania faculty and librarian Morris Jastrow suggested that what faculty needed was “one body that can speak with a certain degree of authority for University professors as a whole.”⁴⁰ This remark resonated with the common perspective dating back to the 1890s that faculty needed to improve their public image in the press.

³⁷ Lovejoy, “Subjects: Relation of Faculties to Univ. Government,” 1914, AAUP Records, Historical File Box 4, General A. O. Lovejoy File, Historical File 1914, Jan.-Nov.

³⁸ Lovejoy, “Subjects: Methods of Appointment and Promotion,” 1914, AAUP Records, Historical File Box 4, General A. O. Lovejoy File, Historical File 1914, Jan.-Nov.

³⁹ Lovejoy, “Subjects: Tenure of Professional Office,” 1914, AAUP Records, Historical File Box 4, General A. O. Lovejoy File, Historical File 1914, Jan.-Nov.

⁴⁰ Morris Jastrow, Letter to Dewey, April 23, 1914, AAUP Records, Historical File Box 4, General Dewey File 1914. See also, O. K. McMurray, Letter to Lovejoy, December 4, 1914, AAUP Records, Historical File Box 4, General A. O. Lovejoy File 1914 DEC.

Others more directly talked about a collective consciousness. Historian William Dodd, now at the University of Chicago, called for a stronger “esprit du corps among the teaching and research branches of our university life” to rival the rising public esteem for administration.⁴¹ Similarly, R. A. Daly, professor of geology and geography at Harvard, thought that the proposed organization needed to cultivate the “that long felt need, a place and an occasion for the growth of the ‘collective consciousness’ of teachers and research men in our universities.”⁴²

Other faculty members, however, indicated that there was already too much collective sentiment amongst faculty or expressed worries about the results of increasing it. Alexander Lissex, an engineering professor at Michigan, stated that “[c]lass spirit is a dangerous thing,” and declined involvement with the committee on organization because he was skeptical of the movement’s success and generally not in favor of actions that increased the administrative commitments of faculty.⁴³ L. A. Heidal was similarly cautious about joining.

Every profession, as every Trade, needs to have a well developed group consciousness. There is, I think, no need to cultivate one in our professions, since it already exists in an exaggerated form, as witness the present hysteria regarding ‘academic freedom.’ ...I sincerely hope that the Association will adopt neither the aims nor the methods of the Trades union. The rights and privileges of the profession must spring from superior intellectual power and spiritual ideals. They cannot be enforced by strikes or black lists.⁴⁴

⁴¹ William Dodd, Letter to Dewey, March 31, 1914, AAUP Records, Historical File Box 4, General Dewey File 1914.

⁴² Lovejoy, R. A. Daly, Letter to Lovejoy, Dec. 8, 1914, AAUP Records, Historical File Box 4, General A. O. Lovejoy File 1914 Dec.

⁴³ Alexander Lissex, Letter to Dewey, Dec. 7, 1914, AAUP Records, Historical File Box 4, General Dewey File 1914.

⁴⁴ L. A. Heidal, Letter to Dewey, Dec. 23, 1914, AAUP Records, Historical File Box 4, General Dewey File 1914.

Here again, the concerns about excess of class or group consciousness reflected concerns about the professoriate avoiding negative connotations associated with radicalism, agitation, and unionism.⁴⁵

Whether there was already too much collective consciousness or not enough, many professors in the formation correspondence hoped the new organization would improve professional standards. Heidal hoped that instead of going the unionism route the organization would simply help “raise the esteem of its members.”⁴⁶ One way of doing this was through guarding the professoriate from internal abuse and disseminating a professional code of ethics. Librarian and professor of medieval history at Cornell, George Lincoln Burr shared the concerns of other faculty members who thought there was already too much self-awareness, but thought that the aims of the organization should be as broad and representative of all faculty interests as possible “so can it be guarded, if at all, from the use of its high name for purposes narrow or partisan.”⁴⁷ Burr felt some professors were abusing the name of professor by acting outside of his understanding of professionalism and the organization would help prevent such behavior. Similarly, a faculty member from Johns Hopkins informed Dewey that he was sympathetic of the association so long as its aims were not to restore the image of the professor but to protect and advance a professional approach to the role in the

⁴⁵ In the correspondence, some professors use class consciousness to refer to the academic profession’s consciousness specifically not to a broader sense of class consciousness.

⁴⁶ *Ibid.*

⁴⁷ George Lincoln Burr, Letter to Lovejoy, December 11, 1914, AAUP Records, Historical File Box 4, General A. O. Lovejoy File 1914 DEC.

university.⁴⁸ The notion of “restoring” the image of the professor appeared in other letters in relation to defending academic freedom, thus this letter can be taken to mean that the association should focus not on addressing issues between faculty and their environment but rather on addressing issues internal to the profession. Other faculty members, particularly those in the sciences, made more explicit suggestions for the need of a professional code of ethics.⁴⁹

The formation of the new organization of university faculty came in the midst of a crisis in professionalism, in a period when professors were caught between their past, the limitations of the present, and their hopes for the future. The growth in higher education since the 19th century, the corresponding growth of faculty positions, and the relative “crystallization” of the modern university placed the professoriate in a position to augment their status.⁵⁰ The new reverence for research in American higher education would never completely overtake teaching as the dominant function of the American university,⁵¹ but it still provided professors with a means to prestige and at least the possibility of power within their institutions or the wider “imagined communities” of

⁴⁸ Author’s name illegible, Letter to Dewey, December 29, 1914, AAUP Records, Historical File Box 4, General A. O. Lovejoy File 1914 DEC.

⁴⁹ See for example, E. G. Conklin, Letter to Dewey, March 28, 1914, AAUP Records, Historical File Box 4, General Dewey File 1914; Comstock, Letter to Dewey, April 6, 1914, AAUP Records, Historical File Box 4, General Dewey File 1914.

⁵⁰ Veysey; Martin J. Finkelstein, “From Tutor to Specialized Scholar: Academic Professionalization in Eighteenth and Nineteenth Century America,” *History of Higher Education Annual* 3(1983), 99-122; ———, *The American Academic Profession: A Synthesis of Social Scientific Inquiry since World War II* (Columbus: Ohio State University Press, 1988); John R. Thelin, *A History of American Higher Education* (Baltimore and London: The Johns Hopkins University Press, 2004).

⁵¹ Roger L. Geiger, *To Advance Knowledge: The Growth of American Research Universities, 1900-1940*. (New York: Oxford University Press., 1986).

higher education writ large and American society.⁵² However, despite increased numbers of faculty and respect for the role of science in America throughout the Progressive Era,⁵³ the years that saw the formation of the American Association of University Professors still presented faculty with contextual barriers. The same public caution and sensationalism, as reflected in the media, toward radical socialists, anarchists, or any other groups threatening to make social changes constrained the ability of faculty to effectively use the concept of academic freedom to improve their public image and, as a result, their status.⁵⁴ One result of this movement was an increased discussion of more concrete measures related to academic freedom evident in public discourse since 1910⁵⁵ as well as throughout the correspondence between Dewey, Lovejoy, and the group of faculty attempting to organize the professoriate.

Of course, academic freedom itself did not disappear as a central concern, but it received less attention from faculty in the formation correspondence than the more concrete governance issues. According to Lovejoy's notes, only 5 professors explicitly mentioned protecting or championing academic freedom in a general connection with the purpose of the organization,⁵⁶ and only two explicitly mentioned investigating academic freedom abuses.⁵⁷ However, academic freedom was mentioned in several letters in the

⁵² Benedict Anderson, *Imagined Communities: Reflections on the Origin and Spread of Nationalism* (New York: Verso, 2006).

⁵³ Jackson Lears, *Rebirth of a Nation: The Making of Modern America, 1877-1920* (New York: Harper Perennial, 2009).

⁵⁴ See Chapter 3, this dissertation.

⁵⁵ See Chapter 4, this dissertation.

⁵⁶ Lovejoy, "Subjects: Academic Freedom. I. Gen.," 1914, AAUP Records, Historical File Box 4, General A. O. Lovejoy File, Historical File 1914, Jan.-Nov.

⁵⁷ Lovejoy, "Subjects: Academic Freedom. II. Judicial Investigation..." 1914, AAUP Records, Historical File Box 4, General A. O. Lovejoy File, Historical File 1914, Jan.-Nov.

correspondence, both positively and negatively.

Faculty members with positive perspectives saw the organization as the perfect place for academic freedom to be developed, defended, and addressed, and many saw it as directly connected to the other governance issues being discussed.⁵⁸ Harvard astronomy professor Comstock advocated for an organization that improved the status of faculty, developed a code of professional ethics, and determined the “proper limits (if any) upon the professors freedom of speech and action.”⁵⁹ Important here is Comstock’s use of freedom of speech as opposed to academic freedom. This suggests that while many scientists may not have shared the concerns about academic freedom in the traditional sense (freedom to research and teach) that the social sciences and humanities did, they may have still interpreted the issue to be of grave importance in terms of more general freedom of speech. One English faculty member from the University of Missouri indicated that “the question of academic freedom is one upon which some general policy at least should soon be adopted by the association, in case it is formed. Incidents in the last few years go to point the necessity of some such policy.”⁶⁰ Professors from many disciplines understood and championed the connection between academic freedom (or the more general freedom of speech) and the new faculty association.

There were, however, still negative perspectives on academic freedom evident in

⁵⁸ C. F. Ansley, Letter to Dewey, December 24, 1914, AAUP Records, Historical File Box 4, General A. O. Lovejoy File 1914 Jan-Nov.

⁵⁹ Comstock, Letter to Dewey, April 6, 1914, AAUP Records, Historical File Box 4, General Dewey File 1914.

⁶⁰ Fairchild, Letter to Lovejoy, Dec. 1914, AAUP Records, Historical File Box 4, General A. O. Lovejoy File 1914 DEC.

the correspondence and these illustrate that despite the continued academic freedom cases in the 1910s, there was still significant faculty division regarding the concept. In addition to the remarks of faculty who pointed toward the academic freedom cases as an example that there was too much class spirit amongst the professoriate, some professors advised against any connection between the new association and academic freedom. For example, H. W. Conn indicated that such a connection could be as damaging as it was productive.

So far as I have been able to judge from what I have read in the public press the primary purpose of your association has been to investigate cases where someone had reason to believe academic freedom had been threatened. I am somewhat doubtful whether more evil than good may not be done by such investigations. Before expressing myself as in sympathy with such an Association I should wish to wait to see whether it was really proposing any constructive work rather than simply destructive criticism. I can see how such an Association could be the means of a deal of good and also do a deal of harm.⁶¹

Conn was likely referring to the article written by Howard Warren that appeared in *Atlantic Monthly* in 1914 that made explicit connections between academic freedom and the new organization.⁶² Conn connected himself here with the common professorial apprehension regarding the radical-as-agitator media image of faculty involved in prominent academic freedom cases dating back to the 1890s and 1900s.

George Moore from Harvard expressed concerns about the perspective developed by Warren in the *Atlantic Monthly* piece, and took Warren's view to be the view of all of those attempting to put together the national association.

⁶¹ H. W. Conn, Letter to Dewey, Dec. 11, 1914, AAUP Records, Historical File Box 4, General Dewey File 1914.

⁶² Howard Crosby Warren, "Academic Freedom," *Atlantic Monthly* 114 (Nov. 1914), 689-699.

He sets in with a definition of ‘academic freedom,’ or ‘freedom of teaching’ as some can understand the term,’ which does not in the least correspond to my understanding of that somewhat familiar phrase, and draws a picture of a very unhappy state in which I do not recognize myself.⁶³

Moore elaborated, indicating that academic freedom to him meant being free from administrative duties so that he could pursue his research and scholarly interests. He admitted that though the situation in higher education was not perfect he often found faculty acting without dignity and making more out of their grievances than they should. Moore both challenged the connection between academic freedom and faculty organization made by Warren and implied that there were too many radical agitators in the professoriate.

One economics and political science professor, A. F. Gephart at Washington University at St. Louis, even suggested that he would primarily favor a national organization “if it does not concern itself with such questions as academic freedom and other questions of a labor-union character.”⁶⁴ The tension between factions of the professoriate in favor of professional organization or union-type organization continually manifested in the correspondence, and for many of the more conservative faculty the radical connotations of a union-oriented presence and its connection with academic freedom was enough to keep them away from the formation process.

Of course, academic freedom was only one aspect of the new organization that limited faculty participation in the formation process. As noted throughout this chapter,

⁶³ George Moore, Letter to Lovejoy, December 22, 1914, AAUP Records, Historical File Box 4, General A. O. Lovejoy File 1914 DEC.

⁶⁴ A. F. Gephart, Letter to Lovejoy, December 14, 1914, AAUP Records, Historical File Box 4, General A. O. Lovejoy File 1914 DEC.

many faculty members simply worried that the new organization would intensify the already growing divide between administrators and faculty, would antagonize the powers and interests backing colleges and universities, and would represent yet another distraction for a faculty body that was already, in the eyes of some, being pulled in too many directions.

Despite doubts of many faculty consulted from 1913 and 1914, the general framework for the association was essentially agreed upon by the end of 1914. It was to be an association composed of individuals with “recognized standing as scholars or teachers” that would focus on a variety of university governance issues as they related to faculty professionalism and, albeit much less explicitly or directly, academic freedom. However, nothing was set in stone. The final section in this chapter addresses which of the many ideas about the new organization were legitimized by the AAUP’s constitution and the association’s first major statement, the 1915 General Declaration of Principles.

The AAUP Constitution and the General Declaration of Principles (1915)

John Dewey’s inaugural address as President of the AAUP reflects the breadth of purposes of the organization as intended by the founders as well as the prominence of academic freedom in the first year of the organization. After all, Lovejoy and the others contributing to the AAUP’s Committee A on Academic Freedom and Tenure investigated alleged violations across the country, including those at the University of Colorado, University of Utah, and the University of Pennsylvania. Dewey spoke about the

importance of balancing local chapters of the organization with the purposes and strength of the national body, and he responded to member concerns regarding the heavy focus on academic freedom during the first year of organization. He emphasized that he, along with the other officers, did not consider such a heavy focus as “typical or even as wholly normal,” and continued “[w]hile the question of academic freedom and academic tenure has thus, unexpectedly, had the center of the stage during the year, its consideration has not precluded the formation of investigating committees for other subjects.”⁶⁵ These concerns that Dewey responded to reflected many of the fears of conservatives involved in the AAUP’s formation process; namely, that academic freedom concerns would dominate the organization.

To be sure, Dewey’s assurances that the organization did exist for other purposes resonated with the constitution adopted by the faculty involved in the formation process. The constitution voted on in the initial meeting on January 1915 reflected a compromise between different factions of the professors involved in the formation process. The first article addressed the purpose of the organization.

Its object shall be to facilitate a more effective co-operation among teachers in universities and colleges for the promotion of the interests of higher education and research in the United States, and for the methodical examination and discussion of questions relating to education in higher institutions of learning; to provide means for the expression of the public opinion of college and university teachers; and in general to increase the usefulness and maintain and advance the standards and ideals of the profession.⁶⁶

⁶⁵ John Dewey, “Address of the President: Delivered at the Annual Meeting of the Association: December 31, 1915,” *Bulletin of the American Association of University Professors* 1, no. 1 (1915), 7-13.

⁶⁶ “Constitution and by-Laws Proposed for the American Association of University Professors,” *AAUP Records*, Historical File Box 4, General A. O. Lovejoy File 1914 DEC.

Note here the explicit absence of academic freedom, though it is certainly implied in many of the functions of the organization. This was certainly a nod to the professors consulted during the formation process who worried about a more central focus on academic freedom and any divisiveness that would result from such a focus. The article also reflected a compromise between faculty concerns about the professional standards of the academic profession and a desire to create an organization with potential to have a political impact on universities and colleges.

The second article addressed who was eligible for membership in the new organization, requiring members to have seven years experience teaching or researching at a university or college. This reflected a compromise of the varying methods of membership, as it was individual but emphasized both teaching and research and the seven years requirement effectively limited eligible members to those who had proven themselves to be serious members of the profession as opposed to those who were just passing through university teaching on the way to another vocation. It also meant that the organization had significant potential for growth as opposed to the institutional model of membership, which would have constrained membership to a much more selective number that would have stayed relatively stagnant in terms of size. On the administrative question, the article allowed administrators who still taught to be members, but other administrators, even if they had the highest scholarly background, would not be eligible.⁶⁷ Thus, the second article also represented a compromise between the various perspectives on the needs of the professoriate.

⁶⁷ *Ibid.*

Though academic freedom was not explicitly mentioned in the constitution, the initial mode of organizing the association had significant ramifications for academic freedom. Since the organization took the direction of speaking for and representing all university teachers, even if initially there were only a limited number of members, anything that it would do in relation to academic freedom would presumably affect all faculty members. Furthermore, it was clear that its intention was for the organization to act as a symbolic voice for the professoriate before the public, and, as such, any movements the organization might make regarding academic freedom would be taken to represent the position of all faculty, even if it did not. These implications would become crucially important in the early years of the organization, when faculty had to navigate continued social pressure to not appear as socialist, anarchists or other radical social actors as well as pressure to appear loyal to the United States during World War I.

While the constitution reflected a combination of the intended purposes of the organization, which minimized academic freedom in favor of other important aspects of academic professionalism, the General Report of the Committee on Academic Freedom and Tenure presented at the annual meeting of the AAUP at the end of 1915 reflected the inherited discourse on two different axes: first, it reflected both the constrained-collective, and broad, individual strands of the discourse that had been present since the 1890s; and second, it reflected both the older idealistic aspect of academic freedom as well as the newer concrete-oriented orientation to the concept.

The report itself was the result of a summary and reflection of the entire year's

worth of academic freedom investigations. The primary authors, Columbia University professor E.R.A. Seligman and Arthur Lovejoy, suggested that in light of the 11 cases of alleged academic freedom abuse brought to the attention of the committee that year there was a need to develop an official statement on academic freedom as well as suggest policy reforms that might prevent institutions from infringing on the lauded principle.⁶⁸

Part one of the report, “I. General Declaration of Principles,” cited the German roots of the concept and emphasized three aspects to academic freedom: freedom of research, freedom of teaching, and “freedom of extra-mural utterance and action.”⁶⁹ The first, the authors suggested, was almost never interfered with and was therefore disregarded in their statement of principles, but the second and third were very important. They indicated that their report focused mostly on freedom of teaching but that the majority of the principles could apply to freedom of speech outside the university “subject to certain qualifications and supplementary considerations.”⁷⁰

Before continuing, it is important to note how this basic extrapolation of academic freedom principles reflected the inherited discourses about the concept at the time. In congruence with Stanley Anderson’s argument about the meaning of academic freedom in the General Declaration of Principles, the more traditionally German focus on freedom of research and teaching resonated with the inherited constrained-professional strand of the discourse that was commonly advocated by those in the sciences or by senior members of

⁶⁸ E. R. A. Seligman et al., “General Report of the Committee on Academic Freedom and Academic Tenure: Presented at the Annual Meeting of the Association: December 31, 1915,” *Bulletin of the American Association of University Professors* 1, no. 1 (1915), 15-43.

⁶⁹ *Ibid.*, 20.

⁷⁰ *Ibid.*

the profession, including administrators.⁷¹ The third area, however, incorporated concerns for freedoms outside of the reach of the more traditional understanding of the concept. The freedom of extra-mural utterance and action connected with the broad and individually-oriented strand of the academic freedom discourse utilized by many social scientists or other radical professors during the Progressive Era. Indeed, the nature of this third aspect of academic freedom merged conveniently with American notions of free speech from what historian Stephen Feldman calls the “discourse of dissent.”⁷²

In addition to accommodating the two competing strands of the public discourse, Seligman and Lovejoy also connected academic freedom to three areas of crucial importance to understanding their perspective on the academic profession. First, they dictated that trustees should be in financial control of their institutions, but that they should acknowledge the academic authority of the professoriate. One key to this conceptualization was the distinction between private and public institutions. Private institutions, whether supported by a single church or religious denomination or by individuals or groups with other worldviews, “are essentially proprietary institutions, in the moral sense.” As such, they continued, there were topics that could be conceived as outside the protection of academic freedom because these private institutions did not

⁷¹ Stanley David Anderson, “An Analysis of the Meaning of academic freedom in American higher education, 1860-1920,” (Baylor University, 1980). Anderson’s analysis of the meaning of academic freedom found similar trends, and also utilized John Searle’s two concepts of academic freedom. Searle’s special concept of academic freedom applies to the collective, professional strand of the discourse and his general concept of academic freedom applies to the broader aspects of the discourse that emphasized faculty as ordinary men with the same rights to free speech as everyone else. See especially, 156. See also, John Searle, “The Two Concepts of Academic Freedom,” in Edmund Pincoffs, ed., *The Concept of Academic Freedom* (Austin: University of Texas Press, 1972), 76-96.

⁷² Feldman.

intend “to advance knowledge by the unrestricted research and unfettered discussion of impartial investigators, but rather to subsidize the promotion of the opinions by the persons, usually not of the scholar’s calling, who provide the funds for their maintenance.” Seligman and Lovejoy acknowledged, then, the right of trustees and educational benefactors of private universities and colleges to exert some influence over the professors at their institutions. Implied in these remarks too were the apparent differences in their conceptualizations of the purposes of research universities and private universities and colleges with more academic freedom granted to the former. Despite these acknowledged limitations, the authors still argued that even private institutions were increasingly acknowledging the value of academic freedom.⁷³

In contrast to private institutions, Seligman and Lovejoy characterized “ordinary” institutions of learning as a “public trust.” In these cases, there is no proprietary claims, no moral right to limit academic freedom. “All claim to such right,” they argued, “is waived by the appeal to the general public for contributions and for moral support in the maintenance, not of propaganda, but of a non-partisan institution of learning.”⁷⁴

Stressing such a distinction between public and private institutions provided a clear and easily definable way to simplify what had been an otherwise muddled issue. This is supported by the fact that Seligman and Lovejoy stressed that private institutions should make it clear what their boundaries are to their faculty as well as to the media and general citizenry so as to clear up any confusion. It is interesting, and somewhat

⁷³ Seligman et al., 21.

⁷⁴ *Ibid.*, 23.

puzzling, that they did not assert that private institutions still serve the public, even if it is what might be conceived as a narrower segment of it. Similarly, the assertion that public institutions have no moral boundaries that might limit academic freedom reflects a naive understanding of public interests. As Barrow argued, throughout the Progressive Era professors often relied on a conceptualization of the public as an abstract general will.⁷⁵ While this general conceptualization matched faculty understandings of professionalism—that faculty should not serve partisan interests—, it also fails to grasp how boards of trustees might feel pressured by majority public opinions as well as other interested members of the “general” public such as alumni or political officials. To be sure, the publicity factor was a crucial, and perhaps heretofore under-emphasized, component of academic freedom cases during the Progressive Era as trustee fears of their institutions appearing to represent values that not only they, but many Americans in the so-called ‘general’ public, did not approve. Finally, this conceptualization of the public as a general, essentially content-less entity fails to acknowledge how both faculty and trustees are also members of the communities of the institutions in which they serve.

The second factor Seligman and Lovejoy articulated the nature of the academic calling, particularly in relation to society. Here, they invoked a rationalization for academic freedom because of its importance to social progress.

If education is the corner stone of the structure of society and if progress in scientific knowledge is essential to civilization, few things can be more important than to enhance the dignity of the scholar’s profession, with a view to attracting

⁷⁵ Clyde W. Barrow, *Universities and the Capitalist State: Corporate Liberalism and the Reconstruction of American Higher Education, 1894-1928* (Madison: The University of Wisconsin Press, 1990), 198.

into its ranks men of the highest ability, of sound learning, and of strong and independent character.⁷⁶

As part of their social function, professors needed to be free to disseminate their expertise gained through research via publishing and teaching, and, in turn, the “lay public is under no compulsion to accept or to act upon the opinions of the scientific experts whom, through the universities, it employs.”⁷⁷ In this sense, the freedom of faculty and the freedom of the public operated as checks on the other. However, this conceptualization still revealed the same tensions—the same status strain—between the professorial role and their membership in the ‘general’ public that are revealed elsewhere in the Declaration. As Stanley Anderson argued, these professors did not just want free speech; they wanted freedom from the social consequences of free speech.⁷⁸ The professoriate could not control how their ideas would be received in public and if their research, academic teachings, or public utterances could be construed as radical or inducing agitation the potential for social consequences from their communities, the press, or their universities was high. Nonetheless, Seligman and Lovejoy emphasized that their expertise demanded that only other academic experts had the right to judge and constrain professors.

The final component of Seligman and Lovejoy’s articulation of academic freedom in relation to the academic profession focused on the function of universities or colleges. They understood the function of academic institutions to focus on three areas: 1) the

⁷⁶ Seligman, et al., 24.

⁷⁷ *Ibid.*, 25.

⁷⁸ Anderson, 256-257.

promotion of research and the advancement of knowledge, 2) teaching students, and 3) developing experts for public service.⁷⁹ For all functions, academic freedom was of central importance.

The responsibility of the university as a whole is to the community at large, and any restriction upon the freedom of the instructor is bound to react injuriously upon the efficiency and the morale of the institution, and therefore ultimately upon the interests of the community.⁸⁰

Academic freedom was good for the professoriate, good for the university, and good for the community. Still, they acknowledged two main dangers. In private institutions, history suggested the danger of academic freedom constraints from trustees exercising their moral rights over their institutions. In public institutions, the danger was always that the university would become caught up in political controversies. As part of the challenge facing institutions that served the public, Seligman and Lovejoy wrote about the need to position the university, and the professoriate by extension, as independent of public opinion.

The tendency of modern democracy is for men to think alike, to feel alike, and to speak alike. Any departure from the conventional standards is apt to be regarded with suspicion. Public opinion is at once the chief safeguard of a democracy, and the chief menace to the real liberty of the individual...An inviolable refuge from such tyranny should be found in the university. It should be an intellectual experiment station, where new ideas may germinate and where their fruit, though still distasteful to the community as a whole, may be allowed to ripen until finally, perchance, it may become a part of the accepted intellectual food of the nation or of the world.⁸¹

This was perhaps the most explicit articulation of the professoriate's desire to

⁷⁹ Seligman, et al., 27.

⁸⁰ *Ibid.*, 30.

⁸¹ *Ibid.*, 31-32.

simultaneously have high status within their local and national communities while avoiding the social consequences that might affect normal citizens because of the cosmopolitan nature of their academic expertise.

Seligman and Lovejoy balanced this radical positioning of faculty with a more conservative acknowledgment of the limits to academic freedom, and in doing so they invoked the constrained, professional strand of the academic freedom discourse.

The liberty of the scholar within the university to set forth his conclusions, be they what they may, is conditioned by their being conclusions gained by a scholar's method and held in a scholar's spirit, that is to say, they must be the fruits of competent and patient and sincere inquiry, and they should be set forth with dignity, courtesy, and temperateness of language.⁸²

Faculty should teach impartially, allowing students to think for themselves, though their classroom utterances should be considered private utterances as they are often made to spark conversations or arouse thought and may not represent the actual opinions of professors. At the same time, teachers need to be wary of their role in shaping the young minds of America and be cautious of allowing their teaching to come off as partisan or propagandizing.⁸³

Seligman and Lovejoy followed their compromising, inherently contradictory, articulation of academic freedom principles with policy recommendations that reflected the more concrete concerns increasingly common in the academic freedom discourse since 1910. First, they recommended universities and colleges create advisory committees, comprised at least in part by members of the professoriate, whose purpose

⁸² *Ibid.*, 33-34.

⁸³ *Ibid.*, 33-35.

would be to give faculty more voice in university governance, including hiring and dismissal procedures. Second, they urged institutions to clarify the process and regulations behind tenure so as to limit confusion for faculty. And third, they advised university presidents and boards of trustees to clearly articulate the reasons for any faculty dismissal they made. Collectively, these policy reforms would limit the amount of academic freedom cases and protect universities from unjust attempts by disgruntled faculty to use academic freedom to injure their institutions.⁸⁴

Conclusions

The AAUP's early constitution and the first report of the Committee A on Academic Freedom and Tenure reflected a series of compromises to accommodate the wide array of views held by faculty. The explicit absence of academic freedom in the early constitution of the association, as well as Dewey's presidential address, suggest that the early form of the AAUP was heavily influenced by the conservative faculty, particularly those in the sciences, who championed an organization that was more focused on increasing the dignity, prestige, and status of faculty across the nation.

For its part, the General Declaration of Principles articulated an academic freedom within professional constraints that would have been favored by most conservative faculty. This finding supports, to a certain extent, the findings of Barrow and Slaughter, who have criticized the AAUP for bowing to financial interests who did not favor

⁸⁴ *Ibid.*, 40-41.

complete freedom for faculty.⁸⁵ However, that the General Declaration of Principles itself existed at all reflected the concerns of radical faculty, and it also contained radical ideas about academic freedom. Specifically, the connections between academic freedom and social progress that Seligman and Lovejoy made reflected a positioning of faculty as independent of their communities, and, as Anderson argued, free from the social consequences of free speech that would otherwise constrain them. Faculty wanted to serve their public communities without acknowledging their own membership within them.

In this sense, academic freedom, even in its most articulated form, had an inherent status-strain component to it, an inherent paradox. The very things that give academic experts social value simultaneously limit them. Academic expertise separates faculty from the general public and aggressive claims for immunity from social consequences come off as elitist or as socially subversive if sectors of the public, small or large, do not value the professional advice they receive. Even in situations where faculty could successfully exercise their academic freedom, there would never be a guarantee from all sectors of the public that they would not sanction faculty with the same consequences that they would normal citizens. As part of this, the imagined space between the professional academic communities and the more concrete geographically-oriented communities reinforces this status-strain: how could professors simultaneously be members of a cosmopolitan community that transcends the social, cultural, or political biases of local

⁸⁵ See Barrow and Sheila Slaughter, "The Danger Zone: Academic Freedom and Civic Liberties," *Annals of the American Academy of Political and Social Science* 448(1980), 46-61.

communities, but also be treated as regular members of those local communities? Thus, even though the General Declaration of Principles represented the most thorough American articulation of academic freedom, there were still issues for faculty intrinsic to their understanding of their academic role and the nature of academic freedom itself that necessitated the constant potential for conflicts between faculty and other members of their local and national communities.

While the definitions of academic freedom articulated by the AAUP in its first year did not effectively clear up all these issues on an ideological level, the new organization still endeavored to represent all professors and had plans that would enable a significant number of the professoriate to join their ranks over time. Furthermore, the compromises between the professionalizing and the politicizing aspects of the organization fostered rather broad interest and participation in the AAUP that included all disciplines. Take, for example, the initial members of the council for the AAUP. Primarily comprised of the faculty who participated in the formation process, the council included 13 faculty in the sciences (including 2 in mathematics), 7 faculty in the humanities (including languages), 5 faculty in the social sciences (including history), and 3 from professional schools (law, medicine, and education).⁸⁶ The lower number of social sciences in the council compared to sciences and humanities reflected both the fact that the early formation process began with the well-respected faculty known to Dewey, Lovejoy, and Cattell and the widespread desire to avoid an appearance of radicalism in

⁸⁶ "Officers of the Association," *Bulletin of the American Association of University Professors* 1, no. 1 (1915), 3.

the new organization.

With the new national faculty association finally established, there was new hope for the future of the professoriate. A body was in place that could regulate, speak, and presumably act on behalf of all professors in an official, symbolic, and political capacity. The first several years of the AAUP's existence would offer ample opportunities to test the strength and purpose of the new organization. The years 1915-1919 saw the continuation of the all too familiar pressures for faculty to avoid appearing as socialists, anarchists, or other radicals and, with the United States joining World War I in 1917, the incorporation of new anti-German and anti-pacifist pressures as well.

Chapter 6: Academic Freedom, Publicity, and the Challenges of War, 1915-1919

Founded in 1915, the new American Association of University Professors (AAUP) and the professors central to its activities organized themselves in the midst of a crucial period of transition in American society. As World War I began and raged on in Europe, the public apprehensions toward radical socialists and anarchists that had lingered in the American public mind since the turn of the century gradually incorporated an anti-German component. To be a socialist, anarchist, or any other brand of radical became synonymous with being German, with being un-American. For American professors, this slight shift in public consciousness meant an increased danger for the professors willing to place themselves in the public eye or use publicity as a means toward advancing academic freedom, the status of the academic profession, or to damage the image of universities they deemed to be abusing academic freedom. Whereas “radical” faculty members risked being connected to the spectre of the agitator years earlier, they now risked losing, symbolically at least, their status as national citizens as well.

This chapter traces these shifts in the context constraining the discourses on academic freedom, and subsequently ongoing processes of academic professionalization, as well as faculty responses, individually and collectively via the AAUP, from 1915 to 1919. The first section illustrates how the press merged the earlier connections of academic freedom with socialism or anarchism with new concerns about national loyalty,

and more specifically anti-German sentiment. The second section then focuses on the discursive movements of individual faculty in the press as well as the collective presence and actions of the AAUP in the midst of these changes. Despite attempting to unify and solidify professorial understandings of academic freedom in 1915 via the General Declaration of Principles, the first five years of the AAUP underlined the need for more widespread understanding of what constituted an abuse of academic freedom and what were tolerable limitations on professors. Indeed, many of the early academic freedom reports were as much public instruments of symbolic instruction as they were investigations intended to protect endangered faculty members. From this perspective, the highly controversial statement on academic freedom in wartime published by the AAUP in 1918 was rooted in a publicity-oriented mindset as well as legitimate concerns amongst its members about the abuse of academic freedom in wartime.

Shifts in the Media Treatment of Radicalism from Scott Nearing to World War I

In January of 1915, Eugene Debs, a noted socialist and leader of the International Workers of the World, spoke at the University of California. After the speech, University of California president Benjamin I. Wheeler shook hands with Debs, which caused a brief media outcry from the conservative press and started a short-lived attempt to remove Wheeler from his position. As one socialist paper in Washington noted, “[a]cademic freedom has not yet become so glaring a joke,” and the efforts to remove him went nowhere.¹ In Washington, similar issues emerged surrounding attempts by various

1 “Debs in the Famous Greek Theatre at the University of California,” *The Washington Socialist*,

members of the state legislature to fire or constrain professors at the University of Washington who embraced or taught socialist ideas.² These events in California and Washington reveal broader concerns about the connection of American universities with radicalism.

By 1915, Progressive patterns of thinking in the United States remained active. Many Americans were still apprehensive of the public roles of big business tycoons and the men who represented them, and they were still concerned with the moral and functional inefficiencies of important public institutions, including universities and colleges. As a result of these continuities, the ambiguous portrayal of academic freedom in the media that began decades earlier continued as well. Many journalists continued to defend professors when they were seen as victims of the corrupt practices of businessmen. At the same time, journalists also attacked professors when they could be seen as part of the corruption of higher education. Connected to this was the development of a spectre of agitation by the media and their ability to portray and criticize faculty members who appeared to be too similar to radical socialists, anarchists, and labor activists. In the last half of the 1910s, this negative portrayal of radical faculty continued but also increasingly incorporated anti-German sentiment. Thus, by the end of

January 21, 1915, 1.

2 "Rea Says Regents Won't Fire Profs," *The Tacoma Times*, April 16, 1915, 8. For a radical press treatment, see Seattle Star Lands on Col. Hartley, Everett Representative.," *The Washington Socialist*, Feb. 11, 1915, 1; "Tribune's Defense of Col. Hartley Weak," *The Washington Socialist*, Feb. 11, 1915, 1; "President of University Admits Institution Is Not Free," *The Washington Socialist*, Feb. 11, 1915, 1. In response to the troubles surrounding the University of Washington, president of the nearby College of Puget Sound released a brief statement ensuring its independence from wealthy benefactors and its commitment to academic freedom. See, "Todd Says C. P. S. Won't Sell Ideals," *The Tacoma Times*, September 14, 1915, 6.

the decade being painted as a radical meant that faculty professors were not just social agitators but potentially disloyal Americans or even spies for the Germans. This section traces this shift in media treatment of radical professors, and therefore academic freedom, by emphasizing media coverage of two prominent cases from 1915-1919: the controversies surrounding Scott Nearing at the University of Pennsylvania and James McKeen Cattell at the University of Columbia.

As John Dewey, Arthur Lovejoy, and a few other well-respected, elite, and moderate professors worked toward founding the first national organization of university professors, the most publicized academic freedom case since the Ross controversy at Stanford in the early 1900s was under way at the University of Pennsylvania. Scott Nearing had been an instructor in the Wharton School of Economics at the University of Pennsylvania for years, and was well-respected for his ability to engage his students in his lectures. In 1914, he was promoted to assistant professor after some hesitation from the trustees of the university.³ Nearing often spoke about economic issues in public, particularly in challenging existing economic issues such as child labor practices. In response, the trustees of the University of Pennsylvania began considering his dismissal, eventually choosing not to renew his contract in the spring of 1915. Nearing's case was all too familiar to professors who vividly remembered the flurry of academic cases surrounding social, economic, or politically radical faculty from 1890-1910. Nearing was yet another radical member of the academic profession engaged in a struggle for

3 Edward Potts Cheyney, *History of the University of Pennsylvania, 1740-1940* (Philadelphia: University of Pennsylvania Press, 1940), 369.

academic freedom with a conservatively-oriented board of trustees. Naturally, the media gave the controversy ample attention.

One feature by Isaac Russell in the *New York Tribune* claimed in a subtitle that the Nearing case was the “Biggest Battle for Academic Freedom This County Has Seen.”⁴ Russell connected the case with older cases by portraying it as a liberal professor, backed by other faculty, alumni, and students with liberal attitudes, against a board of trustees that was conservative and close to business. Nearing, he continued, commonly spoke to or shared his teachings with many groups that were radical or activist in nature.

It was Nearing’s inveterate habit of carrying his teachings into lectures before working men’s assemblies, before women’s clubs, into popular magazine articles and into books for the laity that gave him a strategic value to those who want to fight the issue out on its broadest possible terms.⁵

Part of Nearing’s supposed danger to society, implied by Russell here, was that by being a passionate scholar and teacher he had a powerful affect on those who listened to him, and he had a greater public presence than perhaps any faculty involved in an academic freedom controversy in recent memory.

...never before had it [academic freedom] centred about a man who had a hold on the public as well as upon the professional teachers—who was as well known in the homes of the humble workers who might telegraph their indignation to the trustees as in his class room.⁶

Thus, Russell’s article also reflects a great awareness of the role of the public in academic freedom issues. Professors hoped that by exposing these issues Nearing’s wide following

4 Isaac Russell, “Shall Professors Have Free Speech? Or Are They to Mirror the Views of University Trustees?,” *New York Tribune*, June 27, 1915, section III, 2.

5 *Ibid.*

6 *Ibid.*

would exert enough pressure on the University of Pennsylvania to alter the trustee's decision to not renew his contract. Therefore, instead of organizing a mass resignation movement amongst the faculty, the professors supporting Nearing hoped that their publicity strategy would make a greater symbolic mark and recognized that if the public did not respond the way they hoped their strategy would fail. "The issue...is in the hands of the people, to be settled at last through public opinion—if public opinion will only become as militant as they want it to."

One flaw in the strategy, however, was the professoriate's undervaluing of the amount of public opinion in opposition to Nearing in specific or radicalism in general. Citizens wrote letters of complaint to the university and journalists publicly questioned Nearing's appropriateness for the professorial role. One article appearing in the *Washington Times* on July 3, 1915 reflected both of these issues.⁷ The author of the article compared Nearing to Socrates, but emphasized that Nearing "may not be so wise" as the latter. "It is a pretty broad question as to how much latitude a man who is engaged in educating the youth of the country may take in the inculcating of his own ideas when those ideas are at variance with wide public opinion." The author continued by quoting one of the trustees to stress that faculty members could not hold views that were "discordant with the ethical sense of the community." Both professors and trustees, then, appealed to the public to defend their positions and there was tension over who contributed to "wide public opinion." This article in the *Washington Times* also reveals the broader, long-running challenge faced by professors trying to use publicity to improve

⁷ "Prof. Nearing's Affairs.," *The Washington Times*, July 3, 1915, 8.

their position: the media was not always on their side. Though the language in this article was toned down a little compared to some, the message was the same message relayed by media from 1890-1910. In terms of academic freedom, faculty should be free but not that free.

Some articles even doubted the presence of an academic freedom issue at the university at all. In an article entitled “From Socrates to Nearing” that appeared in the *Evening Ledger* on June 29, 1915, George W. Douglas wrote

It is an open question whether there is any issue of academic freedom in the University of Pennsylvania. We are told that there is by a lot of professors who are talking so freely that there is not room in the newspapers for all that they say in denunciation of the trustees who are supposed to deny them the right of free speech.⁸

If there really was a problem, Douglas inferred, these professors would not be speaking so freely to the press. He continued, stressing that “study” of academic freedom revealed the need for faculty to be responsible.

No man can study the history of academic freedom without being impressed by the effect of responsibility upon the point of view. The professors defend the right of free speech with scarcely any qualifying clauses; but the presidents of the universities, including Columbia, Yale and Harvard, insist that the professor must recognize the obligations of his position and pay decent respect to the opinions of mankind even when his own opinions are different.⁹

Of course, this statement revealed an ignorance of the breadth of faculty uses of academic freedom since the turn of the century, but it nonetheless reiterated the common sentiment that faculty freedoms needed to be checked.

Other articles reflected more extreme characterizations of academic freedom and

8 George W. Douglas, “From Socrates to Scott Nearing,” *Evening Ledger*, June 29, 1915, 8.

9 *Ibid.*

the need for controlling the use of the concept by professors. On June 20, 1915 an article simply titled “Academic Freedom” appeared in the *New York Times* that directly connected academic freedom and radicalism.

But just as the Constitutional guarantee of free speech is always loudly invoked in behalf of anarchistic agitators, so it often happens that the principle of academic freedom is subjected to a like misuse. Some young crank gets into a professor’s chair, and immediately begins to rewrite the constitution of the universe. Pretending to work against social injustice, these cub professors are too often engaged in preaching the doctrine of laziness. They point out to the incapable and the mindless how they can get a good living and enjoy themselves if they only know how to seize upon the fruits of the labor of the efficient, and of those who have minds and are not too lazy to use them.¹⁰

Faculty members, or others who were rushing to the defense of men like Nearing, were similar to the men and women speaking and acting on behalf of anarchists. The article continued, arguing that if professors really felt so strongly that they cannot avoid speaking and acting in these ways they should form their own university. The call for radicals to leave existing institutions in favor of their own was not new, but rejuvenated an old argument advocated by conservatives and radicals alike earlier in the Progressive Era.¹¹

Many alumni who sided with the trustees also used publicity as a strategy, exacerbating these issues for faculty. For example, William A. Redding, president of the General Alumni Association of the University of Pennsylvania, released a statement to the *New York Tribune* that appeared on June 23, 1915.¹² Redding was “in favor of academic freedom but not license,” thus invoking the constraint strand of the academic

10 “Academic Freedom,” *New York Times*, June 20, 1915, 14.

11 See Chapter 3 of this dissertation.

12 “Penn Graduates Here Have Little Pity for Nearing,” *New York Tribune*, June 23, 1915, 5.

freedom discourse. He suggested that there were two positions on the issue. The first was held by a radical minority who were in favor of complete freedom of speech “regardless of what the university stands for.” The second was held by more conservative individuals who embraced freedom of speech for professors related to their areas of expertise but limited their freedom when dealing with matters outside of the university’s sphere of influence. Redding, continued, connecting the Nearing case to socialism.

I’ve been a student of philanthropy, and I know that the greatest enemy of reform is the reformer. Some of us have come to accept Socialism on a broad, practical plane. But those who are radical, overencouraged by the growing acceptance of Socialism, overstep all bounds and become fanatical. And nothing is so discouraging to those who are working for higher ideals as a fanatic. In this way the word ‘socialism’ comes to be used only to be abused.¹³

Here again, the press perpetuated the connection of academic freedom and “fanatical” radicalism, in this case socialism. Whether it was through the media or others commenting on the case, the Nearing controversy continued the troubling tradition of connecting faculty, implicitly and explicitly, to the spectre of social agitation.

As World War I took on more prominence in American psyche and the media, this tradition began to incorporate more overt loyalty issues. These tendencies were present earlier in the Progressive Era but in much less explicit ways. To be sure, part of the widespread, public apprehension of socialism and anarchism was that they were foreign ideologies because of the challenges they posed to American democracy. However, the term “disloyal” American did not enter the discussion until World War I, when they could

13 *Ibid.*

be directly connected to negative perceptions about Germany.¹⁴

Prior to 1917, American opinion about entering the war varied. However, once the United States entered the war, and President Wilson was able to effectively situate the war as one for the livelihood of democratic principles everywhere, public sentiment increasingly favored participation in the war and ostracized individuals who still favored neutrality, pacifism, or expressed any reluctance about fighting against Germany. Beginning in 1916, Wilson repeatedly legitimated this loyalist and Nativist sentiment by discrediting “disloyal Americans” and associating the label with individuals who were less than enthusiastic about the war in his public remarks to the nation and Congress.¹⁵ Thus, during the war apprehensions about radical social actors combined Progressive Era concerns about ideologies that challenged American democracy or capitalism with concerns specific to the war. Anti-radicalism merged with anti-neutrality sentiment, and individuals who appeared as pacifist were not only portrayed as anti-American but often as socialist or anarchist as well.

In higher education, regents, trustees, and many professors held similar concerns about loyalty and radicalism during the war, resulting in dismissals of professors at universities and colleges across the country who had strong connections to Germany or expressed strong, publicized views against the war.¹⁶ At the University of Minnesota,

14 Carol S. Gruber, *Mars and Minerva: World War I and the Uses of Higher Learning in America* (Baton Rouge: Louisiana State University Press, 1975); John Higham, *Strangers in the Land: Patterns of American Nativism, 1860-1925* (Rutgers University Press, 1983); David M. Kennedy, *Over Here: The First World War and American Society* (New York: Oxford University Press, 2004).

15 *Ibid.*

16 Gruber, *Mars and Minerva*.

William A. Shaper, a professor of political science who had German parents, was dismissed for having pro-German views and being active in demonstrations related to the war.¹⁷ At the University of California, three professors—I. W. D. Hackh, Alfred Forke, and Herman J. Weber—were dismissed for beliefs and actions deemed to be “disloyal” by the Board of Regents. University of California President Benjamin Wheeler also experienced pressure from the regents because he was actively in favor of neutrality before and during the war. Wheeler kept his job, however, but the Board of Regents did create committees around him to help minimize his power during the war.¹⁸

One of the most publicized of these wartime dismissals involved James McKeen Cattell at Columbia University. Cattell was a self-identified radical on university governance and had actively challenged the administrative methods of President Butler for years. His 1913 book *University Control* advocated a more democratic approach to the relationships between faculty, presidents and governing boards.¹⁹ His passionate activism regarding university governance combined with a difficult personality and made Cattell the focus of several dismissal attempts dating back to the early 1910s. Cattell’s complicated history with Butler and his peers at Columbia make the nature of his case clouded and unique. Carol Gruber argued that his dismissal was the result of a combination of factors: he was a long-time agitator for university reforms, he was difficult to get along with, he lacked proper etiquette toward addressing his colleagues

17 *Ibid.*, 176-179.

18 Verne A. Stadtman, *The University of California, 1868-1968: A Centennial Publication of the University of California*. (New York: McGraw-Hill Book Company, 1970), 193.

19 See Chapter 4 of this dissertation.

throughout his troubles with administration, and he was publicly critical of the war.²⁰ The wartime hysteria offered President Butler and Columbia's Trustees an acceptable opportunity and reason to dismiss Cattell from the university.

Shortly after the war began, Cattell wrote a letter to several members of Congress expressing his distaste for the war in general and for conscription in particular. The letter was written from Cattell's personal stationary, which displayed his address at Columbia University. Thus, his views on the war became linked to the university. Members of congress sent several letters to President Butler pressuring him to dismiss Cattell, and in the public eye the patriotism of Columbia, via its faculty, was in question. Cattell was dismissed, along with Professor Henry Longfellow Dana, for being disloyal.

The Cattell case received a high level of press coverage, in part because of its connection with wartime hysteria and because Columbia was located in New York so it was a local issue for many of the country's largest newspapers, including the *New York Times*. On October 13, 1917 the *Times* published an article about the dismissals of Cattell and Dana, citing "fomenting disloyalty" as the reason for their removal. The author stated that all universities or colleges seem to have faculty intending to rouse the students with "mischievous, unreasonable, and dangerous speech, a specious radicalism that tends to mislead the young. They practice insubordination. They glory in sensation." The article continued, connecting radicalism to disloyalty.

The largest tolerance of professorial opinion must stop at professorial opinion that opposes and seeks to undermine the primary obligations of the citizen, the

20 See Gruber, *Mars and Minerva*, 187-206; ———, "Academic Freedom at Columbia University, 1917-1918: The Case of James Mckeen Cattell," *AAUP Bulletin* 58, no. 3 (1972), 297-305.

security, the existence of the nation. The fantasies of ‘academic freedom’ may protect an agnostic professor in a theological seminary. They cannot protect a professor who counsels resistance to the laws and speaks, writes, disseminates treason. That a teacher of youth should teach sedition and treason, that he should infect, or seek to infect, youthful minds with ideas fatal to their duty to the country, is intolerable.²¹

This article was misleading in terms of its portrayal of what Cattell actually did to lead to his dismissal, but the connections it made between academic freedom, radicalism, and disloyalty were powerful and inhibiting.

On October 17, an article entitled “Free Speech” appeared in *Outlook* articulating similar concerns about Cattell.²² The article stressed that Columbia’s image had suffered from various anti-war statements by students and professors. The article criticized Cattell for attempting to use his position in the university to urge his private views “upon Congress” by writing on his “university letter-head.” No tradition existed, the argument continued, that could justify a professor attempting to get students or the university to violate the law.

The right of free speech does not mean irresponsible printing. . .it does not mean that a college professor has a right to take advantage of his position to conduct a propaganda against the efficient conduct of the war and use the name of the college in doing so.²³

Even the more liberally-leaning periodical, *The Independent*, argued that Cattell and Dana had overstepped the bounds of acceptable utterances during the War.²⁴

21 “The Expulsions at Columbia,” *New York Times*, October 3, 1917, 12.

22 “Free Speech,” *Outlook*, October 17, 1917, 238.

23 *Ibid.*

24 “The Public, the University and the Professor,” *The Independent*, Oct 20, 1917, 118. The article stresses that Butler and the Trustees had issued a warning on June 6, and that Cattell and Dana acted after the warning, thus making them more accountable for their actions. Despite favoring a general degree of academic freedom, even during the war, the article emphasized balance between the interests of faculty, trustees, alumni, and parents.

The connection between radical professors and propaganda was perpetuated by press coverage of various university presidents speaking against the use of academic freedom for treasonous purposes. Dr. John Grier Hibben, president of Princeton University,²⁵ and President Butler of Columbia both expressed such limitations.²⁶

More general press commentary about academic freedom during the war also reflected the nature of the emerging connections between anarchism, socialism, and disloyalty. In April 1917, *The Washington Times* published an article entitled “The Intolerance of Patriotism.” The article called pacifism illogical and directly connected it with Pro-German sentiment. “Patriotism is in the ascendent, and pacifism henceforth is identified in the popular mind with pro-Germanism. To be calling for a craven peace with Germany at this time is to be unpatriotic and anti-American.”²⁷ If democracy was intolerant during the patriotic fervor of war, then academic freedom could easily be limited.

In early December 1917, an article by Phillip Marshall Brown appeared in the *New York Times* that argued the war brought out more anarchism from American society. Brown defined anarchism as the “demand for the utmost freedom from restraint. It is the extreme expression of the spirit of individualism.” In contrast, the spirit of democracy emphasized community and the “subordination of the individual to the good of the whole,

25 “Hibben Hits at Speaker,” *The Washington Times*, October 20, 1917, 2; “Dr. Hibben Defines Service of College to State,” *New York Tribune*, Oct 20, 1917, 5.

26 “Dr. Butler Raps Propagandists,” *New York Tribune*, Nov 15, 1915, 5; “Butler Warns of Academic Bolsheviki,” *New York Tribune*, December 3, 1917, 14; “President Butler Says There’s No Place for Bolsheviki at Columbia,” *New York Tribune*, December 9, 1917, V, 2; “Columbia Closed to All Academic Bolsheviki Ideas,” *The Washington Times*, December 4, 1917, 9.

27 “The Intolerance of Patriotism,” *The Washington Times*, April 2, 1917, 6.

the willingness of the citizen to submit to restraints.” To Brown, this had wide applications to recent changes in American society, including in higher education.

In the field of education one naturally observes special manifestations of this intellectual anarchism. Our vaunted freedom of thought, our sacred ‘academic freedom,’ has led away from the tested truths to the wildest realms of experiment. The demand for independence and originality of thought has not infrequently results in an intellectual orgy.²⁸

Brown went further, indicating that individuals who could not accept the country’s decision to enter the war and could not let go of their individual opinions were not “loyal citizens” and were in danger of becoming anarchists because they were not bending to the will of the community. America could not tolerate freedom of speech from these people because “[w]hen the rights of a nation and the freedom of the world are at stake, efforts of any extreme individualists to confuse the issues, to nullify the will of the people, and endanger the ultimate success of the conflict, must be thwarted at all cost.” This article reflects a deep connection between the media’s apprehension of radicalism and the new context of the war.

By 1918, all aspects of social radicalism could be connected to American anti-German sentiment. On September 13, 1918, the *New York Times* published an article entitled “The Enemy in this Town.” The article briefly discussed a local meeting of American socialists in New York, purposely connecting them to Germany by calling them “the American—that is, German—Socialist Party.”²⁹ The article connected to the anti-radicalism sentiments of the earlier portion of the Progressive Era because of Scott

28 Phillip Marshall Brown, “War’s Intellectual Anarchism,” *New York Times*, Dec. 2, 1917, SM3.

29 “The Enemy in This Town,” *New York Times*, Sep 13, 1918. See also, “Socialists,” *New York Times*, Nov 7, 1918 .

Nearing, who was nominated as the Socialist Party candidate for Congress in the 14th District of New York. Thus, the article also connected academic freedom and radicalism to the newly Germanized image of socialism.

The years 1910-1915 saw continued public pressure for faculty claims to academic freedom, independence, and autonomy through the media and the impressions of other interested individuals such as alumni or parents who could influence university actions by writing letters to presidents or trustees. The spectre of agitation that posed problems for faculty earlier in the Progressive Era continued into the war period, and converged with an increasingly Nativist, Anti-German, and pro-war version of American identity. As such, when faculty were heavily visible to the public because of academic freedom they risked being connected with images that could connect them to radical, if not un-American ideas that effectively limited academic professionalization processes during this period. The movement to use publicity to advance academic freedom, then, met increased public scrutiny and caused increased status strain for many professors. To the extent that the cosmopolitan nature of academic freedom de-emphasized local and national identities, it simultaneously weakened faculty connections to the dominant understanding of what it meant to be a loyal American, and it was the challenge of the newly formed Association of American University Professors to negotiate this tension for faculty.

Faculty and AAUP Uses of Academic Freedom: the Solidification of Self-Constraint

Conceptually, the nature of the academic freedom discourse from the AAUP and individual faculty continued the trends of earlier periods. The broad, individually oriented and constrained, professionally-oriented understandings continued through the 1915-1919 period. However, the broad and individual strand experienced a temporary decline, as professionally oriented academic freedom and more concrete, procedural discussions increased. This discursive move was a safe way for faculty to navigate their professional identities within the increasingly intense negativity towards radical social groups that peaked after the United States entered World War I.

Though the Scott Nearing controversy at the University of Pennsylvania and the storm surrounding James McKeen Cattell at the University of Columbia were the most prominent academic freedom “cases” from 1915-1919, they were hardly the only situations where questionable administrative practices led to faculty claims of academic freedom abuse. The year 1915 itself saw a number of academic freedom investigations by the AAUP, including a mass dismissal at the University of Utah, the questionable circumstances surrounding the decision not to continue the contract of Professor James Brewster at the University of Colorado, and the dismissal of Professor Fisher from Wesleyan University. This renewed attention to the issue of academic freedom, the shifting characteristics of the Progressive Era’s aversion to radical social positions, and the presence of a national organization shaped public discourse on academic freedom.

The open, individually-oriented discourse of academic freedom that was strikingly

similar to regular freedom of speech could still be found from 1915-1919, though with a diminished presence. In 1915, professors at the University of Pennsylvania demanded an explanation of the board of trustees' actions regarding Professor Nearing, and this move was mirrored by a local group of Baptist ministers who passed a resolution connecting the Nearing situation with free speech and publicity.

Resolved, That we express our regret over the action of the trustees of the University of Pennsylvania in dismissing Dr. Scott Nearing from the faculty of the Wharton School on grounds they have not disclosed to the public. Their silence concerning the reason for his dismissal we believe to be a blow to free speech. Our action in this protest we do not wish to be considered an approval of the doctrines advocated by Professor Nearing or an attempt to pass judgment on his case. But we believe that the public has a right to know the causes that led up to his dismissal.³⁰

Despite the direct connection to free speech here, the desire to not be connected to Nearing's specific beliefs reveals understanding of the difficulty of supporting radical professors during this period and, subsequently, the diminished nature of the broad, individual strand of the discourse.

Elsewhere, Harvard President Lawrence Lowell also used academic freedom in this broad, free speech strain when he defended his university from criticisms regarding the outcomes of a recent poetry contest. Kuno Meyer, a visiting professor at Harvard from the University of Berlin, was critical of an anti-German poem that won a recent student contest. In response, Lowell emphasized that the university would not interfere with such matters because of its reverence of academic freedom.

As you are aware, the freedom of speech of neither the professors nor the students in an American university is limited, nor are they themselves subject

30 Nearing's Colleagues Demand Explanation of Penn Authorities," *Evening Ledger*, June 21, 1915, 3.

in their utterances to the direction of the authorities... This policy of freedom of speech we shall continue to pursue, for we believe it to be the only one which accords with the principle of academic freedom.³¹

This incident foreshadowed later academic freedom issues related to Germany.

As World War I became more and more important to American faculty, the presence of the broad and free strand of the academic freedom discourse decreased. One notable exception to this trend was a satirical piece written by University of Kansas English Professor Josephine Burnham in July of 1917 entitled “The Devil that Knows Us Best.” Published in the *Sewanee Review*, the piece was highly critical of the status of faculty in higher education. Burnham mentioned a recent faculty meeting, perhaps fictional, where she first saw “The Devil that Knows Us Best.” The faculty members at the meeting were discussing a group of supposedly anarchist students who were attempting to get a speaker they wanted to hear to appear on their campus. In response, a professor of English at the meeting spoke against the student group and a professor of philosophy spoke in favor of academic freedom. During the philosopher’s speech, Burnham states that she saw “The Devil” speaking into the ears of her colleagues, whispering concerns about the safety of their positions or the support of the trustees. “For most, however, the whisperer had but three refrains: the president--the trustees--my position, my position, my position.”³² Burnham identified this mysterious, doubt-

31 “Harvard Chief Insists on Right of Free Speech,” *Chicago Daily Tribune*, April 29, 1915, 2. See also, “Lowell’s Reply to Kuno Meyer,” *Los Angeles Times*, April 29, 1915, 12; “Lowell Replies to Kuno Meyer,” *New York Times*, April 29, 1915, 2; “Head of Harvard Answers German,” *San Francisco Chronicle*, April 29, 1915, 2; “War Poem Is Upheld,” *The Washington Post*, May 2, 1915, 15.

32 Josephine M. Burnham, “The Devil That Knows Us Best,” *The Sewanee Review* 25, no. 3 (1917), 284.

whispering identity as “The Devil of Reasonable Fear.” It was based on the negative experiences of the professoriate in the past and it was constraining most professors in higher education.³³

The fear, Burnham argued, was that of loneliness, of being wrong or in favor of the unproven, and it inhibited social progress.

With this practical fear of the untried goes the intellectual fear of the unknown; the fear of abysmal questions thinly covered by our trim and comfortable creeds. So the progress of our race goes on in halting, perplexed fashion, so the individual life moves lamely; because the demon of prudence, of caution of plausible fear, has shackled us all. I have called this spirit The Devil that Knows Us Best. Are you loyal? Are you tenderhearted? Are you faithful to your responsibilities? Have you suffered injustice? Has drastic experience taught you common sense? Then through your loyalty, your fellow-feeling, your inescapable obligations, your self-love, your good sense, your enemy will find you out. You shall become wise but no longer original, comprehending more and daring less.³⁴

Here, Burnham’s opposition of wisdom and progress, of loyalty and innovation, referred to the social obligations of faculty during the war, and her criticism of moderate positions was rooted in a belief that at least some faculty needed to be daring and truly free in terms of academic freedom. Yet, this passage also underlined the costs of such freedom: intellectual and social loneliness, perhaps even to the extent of disloyalty.

Positions as ambitious and stark as Burnham’s were rare from 1915-1919, as more moderate and constrained perspectives increased. From the utterances of individual professors to the views legitimated by the AAUP’s report on academic freedom during the war, these moderate positions either emphasized the constraints of professionalism or

33 *Ibid.*, 285.

34 *Ibid.*, 291.

an ideology-free focus on procedure and prevention.

On June 23, 1915, *The New York Times* printed a letter to the editor from Johns Hopkins University professor of political economy Jacob Hollander. Hollander wrote in response to a recent editorial on the Nearing case, and indicated that the collective attitude of the professors in his discipline was not to rush to defend Nearing but to reserve “final judgment until all the facts are known.”³⁵ Despite this sentiment, which reflected a more professional, non-partisan reaction to the Nearing case, Hollander did stress that the professors in his discipline strongly urged that a proper investigation take place.

On August 23, a letter written by Arthur Lovejoy appeared in *The Independent*. Lovejoy was writing in response to both the Nearing case and the mass dismissal of faculty at the University of Utah. Back in July *The Independent* had compared the boards of regents of these two institutions and Lovejoy wanted to clarify the difference between the two. The regents of the University of Utah had, according to Lovejoy, resisted widespread sentiment for an investigation of what had transpired at the institution. However, they were still not as nefarious as the regents at the University of Pennsylvania.

The Pennsylvania trustees, however, are represented as taking the view that ‘no one has the right to question’ them, and that neither the public nor the university teaching profession is entitled to any information whatever as to the reasons for the dismissal of teachers, or for other acts of the board.³⁶

What is interesting here is Lovejoy’s focus on the Pennsylvania trustees’ refusal to make procedural accommodations, namely giving professors specific information regarding the reasons for their dismissals.

35 Jacob H. Hollander, “As to Mr. Nearing,” *New York Times*, June 23, 1915, 10.

36 Arthur O. Lovejoy, “No Title,” *The Independent*, August 23, 1915, 245.

Lovejoy was not continuing the rallying cry of academic freedom by arguing that a board of trustees had no right to limit the research, teachings, or public utterances or teachings. This, of course, does not mean that Lovejoy did not find that aspect of the Nearing case problematic—he undoubtedly did. However, in these public remarks, as an advocate of faculty and representative of the AAUP, Lovejoy focused on the much less problematic procedural aspects of academic freedom instead of defending a radical professor on more idealistic grounds.

On October 22, 1915, Professor John Dewey, writing as president of the AAUP, contributed a similarly general and moderate letter to *The New York Times* entitled “Professorial Freedom.” Dewey argued that *The Times* was generally in favor of economic interests and that faculty often received negative treatment in the newspaper. He argued, based on an October 9th editorial entitled “The Philadelphia Martyr,” that *The Times* was under the impression that “a modern university is a personally conducted institution like a factory, and that if for any reason the utterances of any teacher, within or without the university walls, are objectionable to the Trustees, there is nothing more to be said.”³⁷ To the contrary, Dewey argued that professors understood the university to be a public serving institution and their individual roles as truth-seekers as a public function exercised on behalf of society as a whole.

Consequently they regret, and are fast coming to resent, arbitrary exercises of a legal right based on the conception of the relation of a factory employer to his employe. They ask for no special immunities or privileges for themselves.

37 John Dewey, “Professorial Freedom,” *New York Times*, October 22, 1915, 10.

They will be content, for their own protection, with any system which protects the relation of the modern university to the public as a whole.³⁸

Dewey was repeating and underlining the perspective laid out in the AAUP's General Declaration of Principles, and in doing so he was not advocating for complete "unfettered" freedom but for a freedom in service to and therefore constrained by the general public. Of course, his remarks here do not address the inherent tension within the idea of faculty as truth-seekers serving an ill-defined public's interests, and his assertion that faculty did not ask for special privileges was similarly problematic even if they underlined the moderation of his position. This was a safe, public-oriented impression of academic freedom Dewey offered.

Years later, in 1917, as wartime academic freedom issues became more prominent, Joseph Leighton, professor of philosophy from Ohio State University, wrote two pieces making a case for academic freedom in the *New York Tribune*. The first piece, appearing on October 18, 1917 entitled "The Case for Academic Freedom," argued that faculty needed more control of the university and used the recent controversy surrounding Cattell at Columbia as a springboard. Leighton began by explaining that he did not agree with pacifist sentiment. "I radically disagree with the attitude toward the war attributed to Dr. Cattell...I am for no peace with the Kaiser and his devil's star chamber."³⁹ However, he challenged the idea that trustees were qualified to make educational decisions and argued that in order to protect academic freedom, now and in

38 *Ibid.*

39 Joseph Alexander Leighton, "The Case for Academic Freedom," *New York Tribune*, October 18, 1917, 8.

the future, professors needed to be given the autonomy to regulate themselves.

If a professor commits treason or any other crime he is amenable to the law of the land like any other citizen. But if it be a question of whether he has violated the ethics of his own specialized calling, should not his fellows be called in judgment? Lawyers and physicians, who may be within the law of the land, are subjected to such judgment by their fellows.⁴⁰

This was a clear argument for a more fully realized professional status for faculty.

Leighton argued that the old-fashioned approach of local or private interests controlling higher education may have worked when most colleges were religious institutions.

However, “these were not universities.”

Leighton’s remarks reflect what sociologist Pierre Bourdieu would call a struggle over the rules of the “game,” a struggle over symbolic control of the field of higher education.⁴¹ University trustees may have had legal tradition on their side and economic control of universities, but, according to Leighton, they did not understand what being a university meant. They did not have symbolic control. To Leighton, and presumably other professors, a university could not withstand the type of narrow partisanship as did the older denominational colleges.

A university is an institution in which men who have been called and trained for noble spiritual ends are enabled, by the provision of a living salary, by command over the disposition of their time, and by the discharge of the duty to give a reasonable amount of instruction, to dedicate themselves wholly to investigation and reflection upon the problems of nature and human nature and their interrelationships and to communicate to youth fitted to receive such communications, not only the results, but, still more vital, the methods and attitudes of mind by which knowledge is discovered in sincerity of spirit and

40 *Ibid.*

41 Pierre Bourdieu, *Distinction: A Social Critique of the Judgment of Taste*, trans. Richard Nice (Cambridge: Harvard University Press, 1984), 246-253. See also Jonathan H. Turner, *The Structure of Sociological Theory*, 7th Edition ed. (Belmont, CA: Wadsworth, 2003), 491-501.

propagated in the reverent faith that by knowledge of the truth is man made the free arbiter of himself and his world.⁴²

This vivid, discovery-centered notion of the academic profession was not conducive to the perspective ever-present in the press: that professors are primarily teachers serving what some other individual or group desire. “If I must accept, in order to do my work, the dictation of men who have no expert knowledge in my field, my supposed position and influence as a scholar become a mockery. In such case to call an institution an organ for the discovery and propagation of truth is a lie.”⁴³ This tension revealed struggles between faculty views of higher education and those of administrators, alumni, parents of students, and the press. In this way, the status strain for faculty occurred on multiple lines. Within higher education, faculty struggled with boards of trustees and, in some cases, university presidents over the purposes of higher education and the role of faculty within those functions. Outside of higher education, professors had a similar challenge with parents, alumni, or any other interested citizen. In either case, professors who consistently focused more on research than teaching risked alienation in their relationships with trustees or professors and in their relationships with various members of the public. On the other hand, if professors moved too far toward trustees’, administrators’, or the public’s definitions of higher education they risked losing status and respect within the academic profession.

Thus, Leighton articulated, albeit in a different way, the struggle professors faced

42 Joseph Alexander Leighton, “The Case for Academic Freedom,” *New York Tribune*, October 18, 1917, 8.

43 *Ibid.*

throughout the Progressive Era. It was a struggle for symbolic and material control of higher education. It was clear that faculty knew that they would likely never capture complete control of their institutions, and perhaps they would not have even wanted that level of control. However, their vision of academic freedom and their professionalism was intrinsically connected to their understanding of the university, and their struggle for academic freedom was also a struggle for legitimation of their understanding of the university. It was a struggle for the legitimation of their cultural ideals. To be sure, their efforts often had unintended consequences. As earlier chapters of this dissertation illustrate, faculty used claims to distinction as a group of academic experts to legitimate themselves professionally but their expertise could also be a source of status strain when interacting with members outside of their profession, including trustees and individuals in the broadly-defined public.

In response to Leighton's article, *The Tribune* printed a letter to the editor on October 23 entitled "Academic Freedom: Why Professors Are Disqualified From Judging Each Other" that underlined the difficulties faculty faced as they attempted to assert themselves as professionals. In this case, the issue was not with the radicalism of the particular perspectives embraced by individual professors—as it had been in other instances—but with a general distrust in the ability of faculty to be disinterested in judging one another. The author, Robert Wright, argued that professors think of themselves as separate from society and do not appear to be able to judge one another fairly.

Professors are disqualified from acting as judges of their peers because their attitude to each other, as it affects the general public, is that they are residing in a sort of holy of holies. In other words, they demand the same attitude from the public that they receive in the schoolroom. They are appointed to teach the people what to think, not to be judged by the public...⁴⁴

Wright continued, indicating that throughout the press coverage of wartime academic freedom cases he had not seen any professor criticize or negatively judge another.

Instead, professors were only supporting each other in public. To Wright, this appeared as partisanship, not professionalism.

Leighton's remarks in favor of more faculty control and autonomy emphasized educational matters, and Wright's criticism of faculty as partisans emphasized publicity and political issues like loyalty. However, this relative misimpression of Leighton's point only served to underline the social divide between faculty and public citizens like Wright as well as the distance between their respective understandings of what function higher education served in society. Despite repeated emphasis in a variety of forms throughout the Progressive Era, and particularly after the foundation of the AAUP in 1915, professors continued to struggle to get the public to understand what academic freedom and autonomy meant.

In addition to various individual remarks favoring a constrained or procedural perspective on academic freedom, the AAUP itself legitimated self-constraint in its special Report on Academic Freedom in Wartime, published in 1918. Written by Arthur Lovejoy from Hopkins, Edward Capps from Princeton, and Allyn Young from Cornell,

44 Robert C. Wright, "Academic Freedom: Why Professors Are Disqualified from Judging Each Other," *New York Tribune*, October 23, 1917, 10.

the report explained that the AAUP's General Declaration of Principles and its discussion of academic freedom applied to peacetime. Wartime required a separate discussion.

The report emphasized that professors participated in the nation's war efforts via military service, special instruction, special service, and through their offspring serving in the military. For professors, there were two sides to citizenship during the war. The first was general, requiring faculty members to sacrifice to meet the needs of the emergent situation. The second was more unique to professors.

It should, namely, at such a time as this be an essential and insistent, though secondary, general aim of public policy to take care that, in the adjustments necessitated by the crisis, and in the abnormal conditions which are inseparable from war, no avoidable injury is done to the permanent interests of society--and, especially, to those interests for the sake of which the war itself is being fought.⁴⁵

As part of protecting the future, the authors argued, the academic profession needed "to guard against these harmful concomitants even of a struggle in a just cause; to see to it that patriotism be not made a mantle for private intolerance, nor the loyalty of the people exploited for selfish and unworthy ends."⁴⁶ Academic freedom and freedom of thought were incredibly important to society and could not simply be cast aside during the war. Lovejoy, Capps, and Young were aware of the dangers of being too caught up in patriotic fervor, and, at least initially, their wartime report indicated a desire to protect faculty from being excessively penalized for holding unpopular opinions during the war.

The difficulty was finding the proper balance between the cosmopolitan demands

45 Arthur O. Lovejoy, Edward Capps, and Allyn A. Young, "Report of Committee on Academic Freedom in Wartime," *Bulletin of the American Association of University Professors* 4, no. 2/3 (1918), 31.

46 *Ibid.*, 32.

of academic freedom and the nationalist demands of the war, and the remainder of the report illustrated the limitations of their defense of these professors and the solidification of self-constraint during the war. The report articulated four situations or areas where the dismissal of a professor was deemed appropriate by the AAUP during the war: 1) if the professor was convicted of actually breaking the law or other civil disobedience,⁴⁷ 2) if the professor instituted a propaganda that might lead others to breaking the law,⁴⁸ 3) if the professor participated in movements intended to prevent people from voluntarily participating in the war,⁴⁹ and 4) if the professor was from Germany or Austria and had a clear pre-war, pro-German sentiment that would likely not disappear now that a war was going on.⁵⁰

Lovejoy, Capps, and Young did indicate that there were some issues that were not permissible. Primarily, they objected to broader social movements attempting to completely suppress all public discussion concerning the war.

There is a tendency on the part of some loyal citizens to assume that all views differing from their own, with regard to the war, are eo ipso disloyal; to seek to suppress all public discussion concerning the objects of the war, the terms of peace, and the military policy of the government; to silence all criticism of the methods of administrative or military officials; and to attempt to carry out this program of repression by extra-legal methods of intimidation or coercion.⁵¹

Thus, the authors of the report did promote some measure of freedom related to war issues, and they urged institutions to be straightforward about what they would tolerate

47 *Ibid.*, 34-36.

48 *Ibid.*, 37-39.

49 *Ibid.*, 40.

50 *Ibid.*, 41-43.

51 *Ibid.*, 43.

during the war and provide due process and information to faculty that were being dismissed.

The Wartime report was an important moment in the history of academic freedom. Prior to its publication, professors generally favored the cosmopolitan aspects of academic identity over national or local interests. It was the pursuit of truth and the security and strength of the academic community that usually mattered the most. The Wartime report, however, indicated a realization that the context of the war required greater attention be paid to national identity at the expense of academic cosmopolitanism. In this way, the Wartime report offered an argument for constraint. The majority of other arguments for constraining academic freedom emphasized professional control and autonomy, and the wartime report continued this focus by stressing the need for due process (which included jury by peers). However, the Wartime report also emphasized a temporary, contextual restraint on faculty identity, urging professors to temporarily give greater credence to their national community than to the academic community. This move not only reflected what many faculty actually believed was the right thing for them to do, but it also represented sound public strategy during a time when being against the war connected faculty to other radical positions that could undermine them publicly. The early years of the AAUP were characterized by an ongoing concern with the publicity of professors, academic freedom, and the organization itself.

The AAUP and Publicity from 1915-1919

From 1915-1919, the AAUP saw steady growth, with a slight drop off during the peak of the war. At the end of 1915, there were 867 members representing 60 institutions, though there were relatively more members from the more prestigious research universities. For example, there were 69 professors in the AAUP from Columbia, 48 from Harvard, 46 from Chicago, and 43 from Princeton.⁵² By the end of 1919, membership grew to 2,400 professors nationwide.⁵³ During this period, the AAUP began to alter its approach toward membership, gradually weakening its stance on scholarly productivity as one of the main criteria for membership, decreasing the amount of time professors needed to be in the profession before they were eligible for membership, and increasing the numbers, roles, and responsibilities of local chapters.⁵⁴ Despite these changes toward membership, the AAUP still retained a primarily professional orientation, and this is clearly evident in its handling of academic freedom.

The AAUP hardly had time to settle itself before it was called upon by faculty throughout the country to investigate and comment upon reported abuses of academic freedom. Such intense attention given to academic freedom worried many professors, as evident in the inaugural presidential address by John Dewey in 1915 as well as Arthur

52 "The Second Annual Meeting of the Association," *Bulletin of the American Association of University Professors* 2, no. 2 (1916), 10.

53 H. W. Tyler, "Report of the Secretary," *Bulletin of the American Association of University Professors* 5, no. 7/8 (1919), 43.

54 See, for example, John H. Wigmore, "President's Report for 1916," *Bulletin of the American Association of University Professors* 2, no. 5 (1916), 47; and "Program of the Sixth Annual Meeting, Dec 27-29, 1919," in *AAUP Records* (DC: Gelman Library at GW, 1919), Historical File Box 2; Arthur O. Lovejoy, "Annual Message of the President," *Bulletin of the American Association of University Professors* 5, no. 7/8 (1919), 30-32.

Lovejoy's address in 1919.⁵⁵ However, given the AAUP's intention of serving the publicity needs of the professoriate, it is not surprising that academic freedom issues took more immediate attention than other aspects of professional development or the state of higher education. Experiences in the 1890s and early 1900s illustrated to professors that they needed a stronger publicity campaign to educate and persuade the public about the state of higher education and the need for greater autonomy for faculty, and the AAUP's response via its publicly disseminated statements and reports reflected the severity of these concerns. The participation of individual professors in public discourse did not disappear, but it was apparent that, for better or worse, more and more professors depended on the AAUP to speak for them.

The AAUP reports themselves became instruments of instruction. Rather than attempting to investigate all claims of academic freedom abuse, the AAUP's Committee A on Academic Freedom handpicked cases that had unique aspects, introduced new problems, or addressed important issues related to academic freedom that the committee desired to communicate publicly to all who might be interested, including boards of trustees, university presidents, and other university professors.⁵⁶ In this way, the academic freedom investigation system developed by the AAUP in its early years is best understood as a publicity mechanism rather than as a defensive mechanism.

55 John Dewey, "Address of the President: Delivered at the Annual Meeting of the Association: December 31, 1915," *Bulletin of the American Association of University Professors* 1, no. 1 (1915), 11-12; Lovejoy, "Annual Message of the President," *Bulletin of the American Association of University Professors* 5, no. 7/8 (1919), 19.

56 See, for example, "Report of the Third Annual Meeting", *Bulletin of the American Association of University Professors* 3, no. 2 (1917), 12.

In addition to serving as publicity tools themselves, many of the reports of academic freedom investigations from 1915 to 1919 underlined the role of publicity in general to academic freedom cases. In 1916, the AAUP investigations of the controversies surrounding Scott Nearing and Brewster underlined the importance of publicity in these cases.

The committee investigating the Nearing case emphasized that what transpired at the University of Pennsylvania related to his dismissal amounted to a serious offense of academic freedom. The primary reason for this was that Nearing was dismissed despite strong recommendations from his colleagues at the university, particularly the dean and the head of the economics department. For the committee proclaimed that these actions appeared “to be one of the capital circumstances of the case.”⁵⁷ The committee did not completely reject that the trustees were acting within their rights, but lamented their interference in “professional” matters and their refusal to acknowledge the importance of due process in dismissing faculty.⁵⁸ Although Nearing was known to hold radical perspectives, the authors of the report thought the increased public attention given to Nearing in the press by journalists and alumni was what influenced the board to act, and the trustees themselves failed to attribute any other reasons to his dismissal.⁵⁹ Thus, for paying greater respect to public opinion than they did to professorial opinion and for failing to provide due process for Nearing, the committee found the trustees’ actions to be

57 Edward Robins et al., “Report of the Committee of Inquiry on the Case of Professor Scott Nearing of the University of Pennsylvania,” *Bulletin of the American Association of University Professors* 2, no. 3 (1916), 12.

58 *Ibid.*, 34-35.

59 *Ibid.*, 14-21.

in violation of academic freedom.

At the same time that the Nearing case was being investigated, the AAUP also sent representatives to the University of Colorado to investigate the allegations against the university made by law Professor James H. Brewster in June of 1915.⁶⁰ Prior to being hired by the university in 1914, Brewster took part in an investigation of miners in Colorado in 1913 at the request of Colorado Governor Ammons, and he also acted as counsel for miners' unions before a congressional committee investigation of a miner's strike in 1913.⁶¹ In 1914, the university hired Brewster to replace a deceased member on their faculty and Brewster was under the impression that he would be hired again the following year. However, shortly after beginning his appointment, Brewster was asked to appear before the Commission on Industrial Relations to testify about a labor relations issue connected to his work in 1913. Brewster claimed that he was intimidated against testifying by Farrand or he would lose his job, and Farrand claimed that he simply acknowledged that the testimony would be injurious to the institution and it would be better if Brewster emphasized that he was a temporary faculty member.⁶²

Immediately after testifying, the local press criticized Brewster, sensationalizing and fabricating the nature of his testimony.⁶³ At this point Governor Ammons contacted University of Colorado president Farrand, asking for Brewster's removal from the

60 "Introduction," *Bulletin of the American Association of University Professors* 2, no. 2, Part 2 (1916), 3.

61 "Preliminary Facts," *Bulletin of the American Association of University Professors* 2, no. 2, Part 2 (1916), 7.

62 "Introduction," *Bulletin of the American Association of University Professors* 2, no. 2, Part 2 (1916), 3.

63 "Preliminary Facts," *Bulletin of the American Association of University Professors* 2, no. 2, Part 2 (1916), 8.

institution. Farrand resisted, citing the need to uphold academic freedom. However, in 1915, Brewster was notified that his services would no longer be needed. Farrand claimed that Brewster was let go because he no longer fit into the University after a restructuring of the law school that was already planned before they hired him. Brewster claimed to be aware of the restructuring but not that it would lead to his termination. Instead, he felt he was being fired because of his work and testimony regarding the mining labor issues.

The investigating committee ultimately decided that the university's claims about restructuring were legitimate and that the issue was not related to academic freedom. Brewster was not a tenured faculty member and had no reason to expect continued employment. On the matter of the threat to his job, the committee found that there was simply a miscommunication between President Farrand and Brewster grounded in Brewster's mistaken belief that he was not a temporary faculty member. The committee did, however, criticize the university for not being clear about the nature of his appointment and for not giving enough advanced notice to Brewster when they decided not to reappoint him.⁶⁴ Thus, while the committee found there was no serious academic freedom infringement, the role of publicity figured prominently in this case as the negative media storm surrounding Brewster led to Governor Ammons request for his dismissal, and although Farrand acted in favor of academic freedom he was clearly cognizant of the role that the negative publicity of the whole affair had on the University

64 Percy Bordwell et al., "Summary of Findings," *Bulletin of the American Association of University Professors* 2, no. 2, Part 2 (1916),

of Colorado.

In 1917, the AAUP published a report on a similar incident where publicity issues made it appear as though there was an academic freedom case when there was not. In May 1915, the Board of Regents of the University of Washington asked Dean Frederick Bolton and Professors Herbert Lull and Joseph Hart of the department of education for their resignations by the following year, effectively dismissing them with a one year notice. The regents emphasized disharmony and lack of coordination within the department as the primary reason for their dismissals. However, Hart wrote a letter to AAUP President Wigmore on February 28,, 1916 indicating his belief that the other professors were dismissed to cover up the regents real issues with him.

Now, it was freely charged at the time, charges appearing in several papers, and being voiced by representative men and women of the city and state, that the whole matter was a political 'frame up,' for the express purpose of getting rid of *me*; that there was no intention of dismissing Dean Bolton; that there were no real charges against Associate Professor Lull; but that, since I had been very active in all sorts of social and civic work, and since my name had been freely mentioned...in the legislature as one who must be got rid of, the real object of the move was to secure my dismissal, using a departmental difficulty to hide the *political* nature of the action, thus making it all seem like a purely *educational* affair.⁶⁵

After investigating the situation in July 1916, the committee essentially ruled in favor of the university as they found ample evidence of lack of harmony and cooperation and they were not convinced of the role of the supposed public and political pressure on the ensuing dismissals.

65 Harvey Beal Torrey et al., "Academic Freedom: Report of the Sub-Committee on the Case of Professor Joseph K. Hart of the University of Washington," *Bulletin of the American Association of University Professors* 3, no. 4 (1917), 14-15.

Just as in the Brewster case, publicity appeared to confuse the issues as the press fabricated and sensationalized stories of universities abusing academic freedom as a means to create controversy and to appear in support of the professors involved. As such, the academic freedom investigations and reports in these situations were important for the maintenance of the AAUP's public image in the field of higher education and the broader public, and they also hoped to foster the regulation of appropriate uses of academic freedom amongst professors. Both Brewster and Hart were willing to use academic freedom, to different extents, as a means to discredit their institutions in an attempt to gain enough leverage to be reinstated. By finding in favor of the institutions in these cases, the AAUP sent the message to universities, faculty, and individuals in the general public that it would not blindly support any faculty claiming academic freedom abuse, and that it did not accept all media stories on these issues as fact, even if local media sided with faculty.

Concerns with publicity also peppered messages and addresses from AAUP presidents. In 1916, President John Wigmore, Law professor at Northwestern University, argued that academic freedom was not an issue that could be "solved in a year or in ten years by this Association or by any other. Immediate Utopia cannot be hoped for."⁶⁶ Instead of assuming that the AAUP's General Declaration of Principles or any other statement would end academic freedom issues for all time, Wigmore emphasized patience and publicity.

66 Wigmore, "President's Report for 1916," *Bulletin of the American Association of University Professors* 2, no. 5 (1916), 14.

We must patiently proceed to formulate our own views of the needs of our own time, and must then endeavor to impress these views on the community at large. Our function is to build up a sound public opinion. More than this we should not and do not yet attempt to do...Its only means of influence is publicity, and thereby an appeal to the common sense of justice.⁶⁷

It was clear Wigmore conceived of the public in a general way, referring to all people but also other professors and university administrators as well, indicating that one result of the publicity campaign in 1916 was that a university president contacted him for help and a serious issue was avoided at that president's institution.

In 1917, AAUP president Frank Thilly, philosophy professor at Cornell, continued the publicity argument for academic freedom.

[W]e are, there can be no doubt, helping to create a healthy public opinion and encouraging the establishment of conditions which will increase the dignity and efficiency of the professorate at large and benefit the cause of education throughout the land.⁶⁸

Similarly, in 1919, Arthur Lovejoy, then AAUP president, argued that there was still a need for more publicity on the issue of academic freedom, despite all of the efforts made by the AAUP in its first four years and he called for faculty to do more in their local communities.

Since so considerable a part of the more or less educated public does not yet understand why freedom of opinion and of teaching is indispensable to the performance by our profession of certain of its most important and useful social functions, members should take advantage of suitable opportunities for presenting the meaning of the principle, and the arguments for it, in their own communities.⁶⁹

67 Ibid.

68 Frank Thilly, "Report of the President," *Bulletin of the American Association of University Professors* 3, no. 7 (1917), 16-17.

69 Lovejoy, "Annual Message of the President," *Bulletin of the American Association of University Professors* 5, no. 7/8 (1919), 19-20.

While university presidents consistently delivered the message that publicity was one of their primary strategies for addressing academic freedom issues, it was easier said than done. Evidence from academic freedom reports, AAUP minutes, and other AAUP sources reveal that the publicity aspects were a source of some frustration for professors.

At the second annual meeting of the AAUP on December 31, 1915 and January 1, 1916, discussion of the already published General Declaration of Principles focused on whether the report actually represented the collective views of the professors in the association. Professors John Wigmore, Andrew West, and John Commons, among others, thought it was best to hold off on distributing the statement of principles for at least another year because there were specifics in the report that did not resonate with their own understandings of the nature of academic freedom and because many faculty in the association had not had the opportunity to contribute their perspectives and ideas to the statement.

Others, including Professors Jacoby, George Howard, and Edward Seligman, one of the primary authors of the statement, thought that it was better to distribute it as is and to stand behind the report as a profession. Jacoby argued that “[w]e will deprive ourselves of its principal efficiency if we do not on every occasion when it is possible so to do, stand united behind it.”⁷⁰ Howard essentially agreed, adding that the time was ripe for such collective action.

If we leave this room today and merely accept this report, it will, instead of being the basis of argument and power during the next year, be used against us

70 “Report of Proceedings. Second Annual Meeting. The American Association of University Professors,” in *AAUP Records* (1916: Gelman Library at GW, 1916), Historical File Box 2, 77.

on the ground that its alleged radicalism was not accepted by this body, and from some acquaintance with stated universities in recent years, I feel that we have reached a crisis in the matter of freedom of action, freedom of speech outside of university walls.⁷¹

Seligman, arriving late to the session, acknowledged that the statement was merely a starting point but agreed that time was of the essence because “[t]he whole country is waiting for some sort of a statement, if we don’t give it now or within the next few months, we would miss the psychological moment.”⁷² Seligman successfully defended the report, by emphasizing it as a starting point and that it was the result of intense deliberation by his committee, and they moved forward with plans to disseminate the report.

This episode related to the General Declaration of Principles revealed some of the challenges for the AAUP in uniting and solidifying professorial opinion regarding academic freedom. From a practical perspective it was likely not possible, even if another year was taken, for such a document to incorporate all opinions on academic freedom at the time. However, the prevailing notion was that the symbolic solidarity of providing a statement that represented a “collective opinion” of professors was more important than ensuring the statement was actually representative on an ideological level.

A similar difficulty arose regarding the public reception and symbolic importance of professorial unity years later when the statement on Academic Freedom in Wartime was discussed at the annual meeting. After the report was read, Professor Merrill from the University of Chicago disagreed with the notion in the report that indicated the sub-

71 *Ibid.*, 77-78.

72 *Ibid.*

committee on Academic Freedom in Wartime thought there were conditions where they found dismissals of faculty appropriate.

I am not a pacifist or a pacificist or anything else of that horrid sort. I am belligerent, distinctly, but in spite of my loyalty and I hope that is undoubted, the United States won't have my services but it's got that of my only children--in spite of my belligerency and my loyalty, I do believe there is a loyalty for the future that we ought to look out for and there is more danger of freedom of speech suffering under our present warmth of feeling with regard to the war what is necessary than there is that academics will somehow commit some injury against the state.⁷³

Instead of fully endorsing the report, Merrill moved that the report be printed and the AAUP issued a statement in support of loyalty but not in support of any sort of discipline.

Professor Hedrick disagreed, arguing that there were issues central to academic freedom in wartime that needed to be clarified: that there were some faculty who agreed with the endorsement of dismissal in certain cases and that there were other cases where support of academic freedom should be normal. The problem was drawing the line and avoiding negative publicity in the process.

Certainly, if we do not discriminate we shall either encourage the punishment of men who ought not to be punished or else we shall put ourselves before the public in a light that I believe to be utterly false in so far as the public would clearly suppose that we meant we were rather luke-warm about this matter and didn't believe that anybody should be punished for anything.⁷⁴

In response, Merrill clarified his position that he did not advocate any actual changes to the report, only a careful public statement to accompany the report. "At a time when our political and social ideals and institutions have joined issue in a world conflict we have

73 "Minutes of the Fourth Annual Meeting, 1917," in AAUP Records (DC: Gelman Library at GW, 1917), Historical File Box 2, 40-41.

74 *Ibid.*, 43.

no business to make a fetish of academic freedom and tenure.” He continued, arguing that university professors have more of a public importance than most of them realized.

The very criticisms that have been passed upon the luke-warmness and the pacifism and the pro-Germanism of some of our University teachers by their own students, indicates a sensitive appreciation of the power of University teachers that perhaps has awakened some of us to the fact that we are more important members of the community than we have often supposed ourselves to be.⁷⁵

In light of this importance, Merrill thought it important to remind his colleagues that they are “intellectual servants of the community and it behooves us to show that we are thoroughly American,” and he reiterated that they should avoid making “a fetish of academic freedom.”⁷⁶

Still, other faculty members felt it was a very important time for the professoriate to make a public statement. Professor Joseph Jastrow argued, to the approval of those attending the meeting, that they needed to make a public distinction between “the academic view of what promotes loyalty and a great deal of a popular view which is very much more needed where we have to arouse large elements of the community.” The press, he continued, promoted a “hurrah kind of loyalty” but professors needed to illustrate to the public how they could express their loyalty in ways unique to their profession.⁷⁷

Collectively, this discussion over the wartime report revealed, yet again, the difficult place of the professoriate and the challenge for them publicly. Merrill’s remarks

75 *Ibid.*, 44.

76 *Ibid.*, 45-46.

77 *Ibid.*, 48.

underlined the status strain experienced by professors because of their participation in both the cosmopolitan academic community that minimized the importance of their local connections and the national and local communities which their universities served. The cosmopolitan nature of their work, as Merrill implied, tended to prevent many professors from fully realizing their place in their national and local communities. Fetishizing academic freedom, to use Merrill's phrasing, had the potential to make faculty appear too "radical"—in this case, the more specific pro-German brand of radical. Yet, as Jastrow argued, faculty members needed to stand up for themselves as well and instruct the public at large about academic freedom and the public role of the professor.

The discussion closed with a discursive reminder of the need for faculty members to appear unbiased. Professor Davis from the University of Nebraska explained that he did not find it appropriate for professors to "institute a propaganda" at their universities or colleges but that they needed to teach students to "look impartially at both sides of the question and come to their conclusions and not to follow him. He must be first of all an investigator."⁷⁸ Here again was the importance of constrained professionalism to academic freedom. Ultimately, the wartime report was approved without any additional statement.

Conclusions

The years immediately after the founding of the AAUP saw the continuation of several trends. On the public front, American university professors still faced the

78 *Ibid.*

symbolic constraints of the spectre of agitation. From 1915-1919, the American public consciousness continued to be apprehensive, if not aggressive, towards variations of social and political radicalism and as America's involvement in the war increased concerns about radicalism incorporated pacifist or pro-German views as well. These intellectual barriers tightened the contextual parameters for faculty identity. It became increasingly difficult for faculty to prioritize their cosmopolitan, place-less, academic professional identities over their more local or national community identities. To do so presented faculty with intense levels of status-strain within American society and, potentially, high levels of symbolic conflict within their institutions.

Thus, it is not surprising that faculty, individually and collectively, increasingly used more moderate, constrained, and ideology-free definitions and uses of academic freedom; a movement that culminated in the AAUP's wartime statement which endorsed, albeit in a limited fashion, faculty dismissals during the war. Furthermore, during this time period the disciplinary differences in using the concept all but disappear, though faculty in the sciences continued to remain the most absent from the discourse. Indeed, the faculty discourse on academic freedom from 1915-1919 underlined a collective desire to appear as professionals, to avoid public controversy, and to increasingly rely on the AAUP as a publicity-oriented organization.

The historiography on academic freedom during this period often laments the movement of the AAUP to embrace the wartime statement because it seems a temporary abandonment of academic freedom in favor of increased status in service of a

patriotically-charged nation-state.⁷⁹ How could disinterested faculty do such a thing? I understand and sympathize with these concerns. However, I ultimately conclude that these are based on a somewhat romantic notion of academic freedom. Prior to the war, more professors used constrained, professional, and concrete versions of the concept of academic freedom in public. Arguments in favor of complete “unfettered” freedom did not disappear but were still rare in the years before the war as it was increasingly difficult for professors to defend such positions because of how such discourse placed faculty members alongside socially undesirable groups such as anarchists and socialists. And that was *before* the war. In this way, the wartime statement was not a complete surprise but the next step, and certainly an understandable step in light of the tightened social context of the war.

AAUP archival records and correspondence reveal how strong the symbolically and professionally unifying impulses of professors were during this period. Members of the AAUP repeatedly ignored or quickly worked through individual differences in understanding and applying academic freedom in favor of appearing before the public as a professional and united body. To put it another way, faculty members appeared to favor diminishing the public spectacle of faculty even if it meant all but abandoning the isolated, scholar or radical-intellectual aspects of their scholarly heritage. Professors

79 Gruber; Matthew W. Finkin and Robert C. Post, *For the Common Good: Principles of Academic Freedom* (New Haven and London: Yale University Press, 2009); Sheila Slaughter, “The Danger Zone: Academic Freedom and Civic Liberties,” *Annals of the American Academy of Political and Social Science* 448(1980), 46-61; Clyde W. Barrow, *Universities and the Capitalist State: Corporate Liberalism and the Reconstruction of American Higher Education, 1894-1928* (Madison: The University of Wisconsin Press, 1990), 228-235.

slowly realized that the professional expert role could not accommodate extreme freedom of utterance, even if that freedom was oriented toward the common good or the progress of society. After all, the same realities that faced scholars from earlier decades remained in place: if radical scholars wanted complete freedom in public writings, utterances, and actions they could easily find it outside of the university. To be a professor in the university meant balancing freedom with professional responsibilities; to the pursuit of knowledge and to other professors, administrators, parents, and students.

Chapter 7: Academic Freedom in the 1920s:

Extremism, Discursive Expansion, and the Maintenance of Publicity

The old historiographical perspective on the 1920s emphasized Warren G. Harding's famous sentiment about returning America to "normalcy" after World War I and subsequently treated the 1920s as an introspective, reactionary yet decadent decade. However, historian Lynn Dumenil argued that in the midst of reaction and decadence American society and culture continued many trends from the Progressive Era, namely anti-radical hysteria, concerns of increasing social complexity and the loss of local autonomy, and the desire to reform society in light of the perceived negative impacts of industrialization, urbanization, and modernization.¹

For professors and their struggle to clarify, disseminate, and defend their notions of academic freedom and professional autonomy to their colleagues in higher education and the public at large, the combination of these social and cultural contexts translated to a continuation of the long-running connection between academic freedom and social radicalism in the public consciousness and, in turn, continued efforts by the American Association of University Professors to guard the publicity of the professoriate. However, the 1920s did see some important changes in the academic freedom discourse: the increased application of the term to public school teachers, an increased sense that fundamentalist religion and not business was the primary enemy of academic freedom,

¹ Lynn Dumenil, *Modern Temper: American Culture and Society in the 1920s* (New York: Hill and Wang, 1995).

and an increased number of organizations tending to issues of academic freedom.

This chapter first discusses the continuation of the spectre of radicalism in relation to academic freedom in the 1920s, where a new concern with reactionary agitation converged with the hysterical sentiments surrounding radicalism in the press. The presence of reactionary groups combined with academic freedom being connected to numerous organizations in the 1920s to weaken, or at least delay, the connection between professors and radicalism. The second section addresses the continuation of the broad-free and constrained-professional strands of the academic freedom discourse, and underlines the ways that a religious “enemy” enabled many faculty to return to a broader use of academic freedom without risking as much damage to their public image. This chapter then closes with a discussion of the connection between the AAUP’s emphasis on cooperation between professors and other interested university groups, and the series of events that led to the gradual decline of the AAUP’s publicity mission by the end of the 1920s.

The Spectre of Agitation from the Margins and Increased Noise in the Media

As the 1920s continued Progressive and World War I era social concerns regarding the role of radicalism in American life, it is not surprising the media coverage and use of academic freedom continued its earlier association of academic freedom with radical social groups such as labor unions, socialists, and anarchists throughout the 1920s. However, as the Fundamentalist Christian movement grew and exerted social and

political pressure on American society, the spectre of radicalism was joined, and somewhat offset by apprehension of reactionism. At the same time, the press increasingly connected academic freedom to public schooling and to organizations other than the AAUP. Collectively, these shifts in the media's attention regarding academic freedom translated to more diverse coverage of the concept and decreased fixation on professors, which effectively decreased the level of spectacle for faculty in the newspapers.

The media's practice of connecting academic freedom to radical social groups and associating academic freedom cases with big business continued throughout the 1920s. Reminiscent of the Progressive Era, some journalists continued to cover the giving of endowments to institutions for higher education because of their potential for exploitation. In 1925, for example, *The Independent* printed a story entitled "The Other Side of Endowed Education" on the substantial amount of educational philanthropy in the 1920s.² In the aftermath of World War I, and as a result of continued development of the American economy, the United States was now the wealthiest nation on Earth. Many wealthy individuals were taking it upon themselves to give their money to education, a movement the author of the article acknowledged as ultimately good but not without its "social dangers." The article focused on the recent endowment of \$5 million given to Trinity College by tobacco and electricity tycoon James Duke with the caveat that the name of the college change to Duke University. In comparison, the author continued, public state institutions, mostly in the west, were state-funded institutions serving the

2 "The Other Side of Endowed Education," *The Independent*, January 17, 1925, 62.

public. As such, those giving to private colleges should control their selfish impulses.

But in such giving our rich men will be well advised if they restrain their managing impulses and give their money without strings attached. By so doing they will afford means the limitation of academic freedom, hobbling the search for truth, or hobbling expression of that truth for policy's sake, then education might better remain poor.³

Similarly, John D. Rockefeller received negative media attention for his educational philanthropy during the decade as well, particularly his donation of \$70,000,000 to the general education board in New York and he was publicly denounced by the New York State Federation of Labor.⁴ Articles like these reflected the media's desire to continue to monitor the interactions between higher education and the wealthiest Americans, as these were the primary "enemies" to academic freedom in recent memory.

At the same time, the media also continued to connect academic freedom to those radical minority groups, either ideologically by opposing capitalism, democracy, or America in general, or materially through employment. In April 1920, an article entitled "A Week of the World" in the publication *The Living Age* succinctly characterized much of the social and cultural conflicts that would interact with the discourse of academic freedom during the 1920s. The article suggested that the majority ruled in America and that American society exhibited far less concern and respect for minorities than the countries of Europe, particularly in terms of freedom of speech and expression. "In the United States political and social dissent is popularly regarded as imported and anti-

3 *Ibid.*

4 See, for example, "Attacks Education Gifts," *The Lehi Sun*, February 24, 1921, 5; "Labor in Attack on Oil Emperor," *The Morning Tulsa Daily World*, February 21, 1921, 1.

American, and instinctive national prejudice is therefore aroused against it.”⁵ The Nativist sentiment implied here in connection to political and social dissent was not new as the dangers of socialism and anarchism had always been implicitly connected to the foreignness of their ideologies when compared to America’s democratic and capitalist ideologies. However, in the 1920s Americanism and anti-radical hysteria intensified as Americans became more conscious of social change.⁶ These issues became much more explicit in the academic freedom discourse of the 1920s.

In 1921, the *Los Angeles Times* covered a meeting of the National Civic Federation at which New York University President W. B. Otis spoke against socialist or communist teachers and their “demand for freedom of speech to preach violent revolution [that] would destroy the constitutional guarantee of freedom of speech itself.”⁷ At the same meeting, A. E. Stevenson also spoke against such radicalism, arguing that “those who advocated unrestricted freedom of speech are those who either seek to overthrow the government or who are moved by sympathy for the convicted enemy aliens.”⁸ In this case, the press perpetuated the connection between radicalism and Nativism simply by reproducing the remarks of others without editorializing.

In June 1922, Charles Kelly, managing director of the Berkeley Chamber of Commerce in California, wrote an article that appeared in the *San Francisco Chronicle*

5 “A Week of the World,” *The Living Age*, April 20, 1920, 1.

6 Dumenil; John Higham, *Strangers In the Land: Patterns of American Nativism, 1860-1925*, 2nd edition (New Brunswick and London: Rutgers University Press, 2002).

7 “Accuses Clergymen of False Doctrines,” *Los Angeles Times*, February 16, 1921, I4.

8 *Ibid.* See also, “Hammond Assails College Radicals,” *The Washington Post*, April 18, 1923, 4; “Denounces Borah as Soviet Defender,” *New York Times*, April 18, 1923, 5.

that mirrored these sentiments.⁹ “America today is justly fearful of the insidious propaganda of Bolshevism and ready to safeguard her youth against dangerous teaching.” The challenge for higher education, according to Kelley, was to safeguard America from such alien propaganda while also supporting academic freedom. He emphasized that one way of doing this was to ensure faculty were comprised of men and women of culture.

A teacher in a university should be a man or woman of culture...Culture is the contact with the traditions, the science, art and government of many lands and of the past as well as the present. The very existence of Bolshevism is the overthrowing and ignoring of history and tradition. The man of culture knows that the world can only progress as a process of orderly growth out of the life and experience of the past. If culture were made the test of academic fitness (rather than the particular doctrines taught) Bolshevism would be automatically eliminated.¹⁰

From Bourdieu’s perspective, this passage highlights Kelley’s attempt to project his own notions of “culture” on higher education. His cultural prescription was similar to that offered by trustees, administrators and many outside of the professoriate since the 1890s: it was a culture that avoided “radicalism” and balanced the past with the future, and tradition with progress. However, one of the prevailing attitudes he saw in higher education favored progress too much and emphasized the constant search for new truths at the university level. To Kelley, this was “the German type of research, foisted upon our American universities and persisting in spite of the war.”¹¹ Here again, was the concern about foreign ideas or impulses in the American colleges and universities.

Kelley’s implication that the “German type of research” was somehow forced on

9 Charles Keller, “What’s Trouble with University of California?,” *San Francisco Chronicle*, June 25, 1922, E1.

10 *Ibid.*

11 *Ibid.*

American institutions of higher education starkly contrasted with the earlier reverence of German higher education during the Progressive Era and underlined the long term impact of the War on the American psyche.

The tendency to connect academic freedom to radicalism was perhaps most explicit in press coverage surrounding events in Wisconsin related to a public conflict between Senator Robert La Follette and the University of Wisconsin. The university had a reputation for being a liberal-leaning institution, and there were some concerns about the academic freedom of conservative faculty who did not support or embrace the positions of La Follette. During the War, La Follette was adamantly opposed to American involvement in the conflict and was an outspoken advocate of free speech during the war. A group of professors at Wisconsin publicly criticized these positions and, in response, the state legislature of Wisconsin passed a resolution condemning those professors.

Professor William Stearns Davis of the University of Minnesota wrote a letter in response to these events to the *New York Times* in which he worried about the fate of these professors during the La Follette Regime and speculated that it would be difficult for the University of Wisconsin to retain its reputation as a university in favor of academic freedom. “This is a time to discover the real and the self-alleged friends of academic freedom.”¹² In response to Davis, the *New York Times* connected academic freedom solely to radical ideas, at least in the public discourse.¹³ The author indicted that what was happening in Wisconsin was indeed a “grave menace to academic liberty and free

12 William Stearns Davis, “Academic Freedom,” *New York Times*, March 17, 1923, 12.

13 “Sifting the Truth,” *New York Times*, March 17, 1923, 12.

speech.” However, they also argued that the academic freedom of conservatives was not something many professors would fight for. “Academic freedom is a priceless possession if the free academicians hold ‘liberal’ opinions. Freedom to hold conservative opinions is not likely to rouse the enthusiasm of many liberals.”¹⁴ The implication was that professors were mostly radicals and they more often applied their concept of academic freedom to defend professors who were also liberal.

The same year, President Alexander Meiklejohn of Amherst College was dismissed from his post because he was too supportive of radical social sciences. In response, six faculty members resigned and several graduating seniors refused to accept their degrees in protest. Dwight Morrow, of JP Morgan and Company was rumored to have a significant role in his dismissal, which was connected with Meiklejohn’s remarks in his most recent commencement day speech in which he criticized the continuing trend towards class-ism in the United States.¹⁵ On June 22, a group of students from across the nation connected to the League of Industrial Democracy passed a resolution criticizing the trustees of Amherst for their actions.¹⁶ Though true, reporting the connection between a labor group such as the League of Industrial Democracy and Amherst only perpetuated long running concerns about the social positioning of higher education.

The continuation of the association of academic freedom with radical social groups also took a different direction in the 1920s with the increase of colleges and programs designed to educate the working class in American society. From the summer

14 *Ibid.*

15 “Dr. Meiklejohn and the Issue of Academic Freedom,” *Current Opinion*, Aug 1, 1923, 212.

16 “Sides with Meiklejohn,” *New York Times*, June 22, 1923, 6.

program for teaching working class women at Bryn Mawr to the labor union colleges such as the one in Katonah, New York, the social and political positioning of these programs received significant attention from the press as they went out of their way, with varying degrees of success, to convince the public that they were neutral institutions.

In the summer of 1921, Bryn Mawr started a summer program to teach women “workers of industry.” In its dealings with the press, the program emphasized its distance from labor unions and assured the public that it “shall not be committed to any dogma or theory, but shall conduct its teaching in a broad spirit of impartial inquiry, with absolute freedom of discussion and academic freedom of teaching.”¹⁷ This statement reflected the constrained-professional version of academic freedom. However, in describing the curriculum the statement reflected at least some special curriculum. In addition to classes such as politics, economics, history, English, writing, and physiology the program offered instruction in industrial organization and labor problems. And though the program hoped to emphasize the mutual benefit of working class women interacting with women from the middle and upper classes, the program still received its share of public criticism because of its radicalism by association with labor. On June 5, 1921, the *New York Times* printed an article entitled “Bryn Mawr’s First Step” detailing the high level of apprehension amongst many members of society, including President Calvin Coolidge, regarding the relationship between organized labor and higher education.¹⁸

Other programs had similar difficulties separating themselves from the radical

17 “Educating Women in Industry,” *Outlook*, June 29, 1921, 359.

18 “Bryn Mawr’s New Step,” *New York Times*, June 5, 1921, 72.

connotations of the labor unions. In 1921, the Brookwood Labor College was founded in Katonah, New York. Just as the Bryn Mawr program did, the Brookwood's initial interactions with the press emphasized ideological neutrality. In Brookwood's case, they acknowledged a direct connection between the labor movement in America and the new college but stressed that they still practiced academic freedom.

It was decided to unite with the American labor union movement a force of education that will serve American labor with trained, responsible, liberally educated men and women from the ranks of the workers. The new college is not intended to act as a propagandist institution.¹⁹

The founders stressed that the college would emphasize academic freedom, shared governance, and cooperation. However, mirroring a problem that institutions continuously faced, the college also committed to serving the labor unions. What this service would actually look like was an open question and at least one member of the media maintained skepticism about the new college's ability to maintain neutrality while also wondering about the quality of its new professors.

On April 4, 1921, a short editorial entitled "A Problem for the Professors" appeared in the *New York Times*, commenting on a group of Cincinnati painters' recent refusal to use spray machines despite their proven efficiency and, according to the editorial, ability to increase work and wages for painters.²⁰ The author of the editorial assumed that this sort of information would be included in the new curriculum at Brookwood if the college's claims to ideological neutrality were legitimate. "So the

19 "First Resident Workers College Is Established," *The New York Tribune*, April 2, 1921, 9. See also, "Academic Freedom in Labor College," *New York Times*, April 2, 1921, 8.

20 "A Problem for the Professors," *New York Times*, April 4, 1921, 12.

Katonah professors will be obliged to teach if they know anything at all about economics and if they are permitted to enjoy the ‘academic freedom’ to maintain which is among the announced objects of the new college.”²¹ The skeptical, if not sarcastic, tone of the article reflected in this quote underlined the difficulty posed to institutions or programs attempting to teach the working class because of the strong negative association between radicalism and labor groups.

For Brookwood, despite advances in institutional governance policy by 1925,²² the association between the radicalism of labor groups and the college would only grow stronger by the end of the 1920s. In late 1928 and early 1929, the college received significantly negative press attention because one of its economics professors, Arthur Calhoun, was an admitted communist.²³ Despite initial support of Calhoun, the college eventually felt compelled to dismiss him. Even in a labor college, the radicalism associated with socialist or communist politics proved too much to bear.

While the association between radicalism and academic freedom continued throughout the 1920s, two other related movements in America led the media discourse in directions that muddled and, in some cases, offset public concerns about radicalism. Beginning in the early portion of the decade, the issue of evolution in all levels of education became increasingly important, culminating in 1925 with the trial of John Scopes in Tennessee. With the increased attention given to evolution, the 1920s saw a

21 *Ibid.*

22 A. J. Muste, “The Labor Union College,” *New York Times*, March 15, 1925, XX18.

23 “Denounces Action on Brookwood School,” *New York Times*, November 10, 1928, 7; “Brookwood Drafts Appeal to A. F. Of L.,” *New York Times*, Nov 5, 1928, 33; Dr. Calhoun Quoted by Labor College,” *New York Times*, June 10, 1929, 24.

more diverse discourse on academic freedom than previous decades in that it expanded the scope of academic freedom discourse to public schools and added Fundamentalist Christianity as an ‘enemy’ of academic freedom.

World War I heightened public awareness of Charles Darwin’s theory of evolution, as Allied propaganda connected German militarism and atrocities during the war with, in the words of historian George Crook, “the demonic role of Prussianised Social Darwinism in starting the war.”²⁴ In addition to Allied propaganda, a group of German scientists also published a manifesto in 1914 that minimized the fault of Germany in the war and connected their need to be militaristic with a sort of national, Darwinian struggle for existence.²⁵ While the connection between Germanic militarism and evolution did not dominate public perspectives on evolution during the 1920s, it still appeared from time to time as apprehension of evolution converged with broader social and cultural concerns about social decay that had been present in some form since the Progressive Era. At the same time, the 1920s saw more and more students entering education at all levels and the issue of what was taught in universities, colleges, and schools received heightened public attention.²⁶ The context was ripe for controversies

24 Paul Crook, *Darwinism, War and History* (Cambridge and New York: Cambridge University Press, 1994), 1.

25 Translated excerpts of this manifesto appear in a translated book by a German physiologist G. F. Nicolai entitled *The Biology of War* (New York: The Century Co., 1918), ix-xiv. Nicolai objected to this view of the war and Germany’s place in it, and the book represented a counterargument to the 1914 manifesto. For his trouble, Nicolai faced academic freedom issues at the University of Berlin in 1920. See “Untitled,” *Advocate of Peace Through Justice* 82, no. 4 (1920), 118; “A Week of the World,” *The Living Age*, April 20, 1920, 1; “A Week of the World,” *The Living Age*, April 20, 1920, 1.

26 Jeffrey P. Moran, ed. *The Scopes Trial: a Brief History with Documents* (Boston and New York: Bedford/St. Martin’s, 2002), 20.

over the teaching of evolution.

In at least one case, the controversy took an altogether different turn. In May 1923, Henry Delaney, president of the board of trustees for Goucher College in Baltimore City, Maryland, resigned his position. Goucher was a Methodist college for women and Delaney objected to the teachings of Dr. C. Sturges Ball, instructor of biblical literature. Ball apparently disagreed with the Fundamentalist Christian position on evolution advocated by William Jennings Bryan and, in what had become a familiar course of action, Delaney demanded that Ball resign. However, President W. W. Guth of Goucher refused to support Delaney and instead advocated for Ball's academic freedom. A journalist for the *New York Times* suggested that it was "the first case in which a layman who had made large financial contributions had resigned because he found his own views in conflict with the educational teachings of the institution."²⁷ Indeed, the outcome at Goucher was still a rarity, as illustrated by the string of dismissals at the University of Tennessee at Knoxville in 1923.

In March 1922, Dr. Jesse Williams Sprowls of the department of psychology at the University of Tennessee at Knoxville taught a course in genetic psychology. Sprowls assigned *The Mind in the Making* by James Harvey Robinson as the textbook for the course.²⁸ Robinson's book discussed many things related to history, philosophy, biology, and psychology in his work on the creation of the modern mind. In doing so, the work accepted various aspects of evolutionary thought. The sixth chapter, for example, was

27 "Quits Goucher Post on Evolution Issue," *New York Times*, May 30, 1923, 4.

28 "University Disturbed by Row over Faculty Dismissals," *New York Times*, July 22, 1923, XX11.

titled “Our Animal Heritage,” and opened with the following problematic remarks: “There are four historical layers underlying the minds of civilized men—the animal mind, the child mind, the savage mind, and the traditional civilized mind. We are all animals and never can cease to be...”²⁹ When Sprowls’ superior, professor and head of the department of education John A. Thackston, saw the book in the university’s book store he immediately sent them back. Sprowls protested to the administration and Thackston subsequently recommended that Sprowls contract not be continued for another year, a recommendation that the administration followed. These initial actions led to widespread concerns about academic freedom amongst the faculty and students, eventually leading some faculty to ask the AAUP for an investigation.

At this point, Dr. Maurice Mulvania, dean of the pre-medical school department, conducted a series of interviews with faculty to see if he could prevent things from getting out of hand and to see what faculty thought could be done to improve the university. He found that 27 of 31 of the professors he interviewed favored more faculty involvement in student affairs. In June of 1923, another dean, James Hoskins, brought select members of the faculty in to his office to ask them about, among other things, their knowledge of who was responsible for the AAUP petition for an investigation. As a result of that investigation several well-respected faculty were notified of their dismissals, including Dr. Robert S. Ellis of psychology, Dr. Robert Somerville Radford of Latin and Roman archeology, and Mulvania for varying degrees of involvement, knowledge, and

29 James Harvey Robinson, *The Mind in the Making* (New York and London: Harper & Brothers Publishers, 1921), 65.

participation in activities that led to the AAUP petition.³⁰ Though there was certainly more going on here than simple restrictions of academic freedom regarding the teaching of evolution, evolution still played a role in kick-starting the chain of events that led to the mass dismissals of faculty.

While evolution began to appear in media articles about academic freedom in the early 1920s, the most popular and sensational academic freedom “case” pertaining to evolution was the mid-decade trial of John Scopes in Tennessee. Historian Jeffrey Moran argued that the Scopes trial was as much a revolt against the effects of modernization and urbanization as it was a revolt against Darwin’s theory of evolution. Within Christianity the same social and cultural apprehension about social progress and radical thought manifested itself in a conflict between Modernist and Fundamentalist theology. Modernists were more academic, critical, and favored a symbolic reading of the Bible whereas Fundamentalists maintained that the Bible was the word of God and should be taken at its word. Some Modernists were more embracing of science in general or evolutionary theory in particular, but Fundamentalism, behind the passionate and eloquent leadership of William Jennings Bryan, became actively and militantly involved in the social movement against evolution in the 1920s.³¹

In January 1925, the Tennessee state legislature passed an anti-evolution law outlawing the teaching of evolution in public schools. The law passed both houses of the

30 “University Disturbed by Row over Faculty Dismissals,” *New York Times*, July 22, 1923, XX11.

31 Moran, *The Scopes Trial*, 1-78. See also Timothy Reese Cain, *Establishing Academic Freedom: Politics, Principles, and the Development of Core Values* (New York: Palgrave Macmillan, 2012), 101-120.

legislature with overwhelming support and received little public resistance from teachers or professors in Tennessee as the bill was extremely popular in the state. However, the American Civil Liberties Union (ACLU) saw the law as a breach to freedom and wanted to find a test case so they could start fighting the law in the legal system. A small group of representatives from Dayton, Tennessee saw it as an opportunity to increase publicity for the small town, and got Scopes to turn himself in to the local authorities and admit to teaching evolution in the public schools. The result was a trial that attracted national media attention. The prominent radical attorney Clarence Darrow and leader of the Fundamentalist Christian movement William Jennings Bryan joined the Scopes and people of Dayton legal teams, respectively, effectively increasing the hype surrounding the case even more.³² Media coverage of the Scopes trial characterized two significant trends of the public image of academic freedom during the 1920s: the positioning of Fundamentalist Christianity as the new enemy to academic freedom and widespread use of the concept beyond higher education.³³

Even in the press coverage of the Scopes Trial, academic freedom was connected to radicalism. However, the radicalism of pro-evolution scientists and teachers was offset

32 *Ibid.*, 21-27.

33 For insight into the breadth of this media coverage, see Neal L. Anderson, "Extremists on Both Sides--Proponents of the Theory Seen Warring on Religion--Bryan's Attitude Scored.," *New York Times*, July 18, 1925, 12; "Editorial of the Day. Shall We Have an Established Church?," *Chicago Daily Tribune*, May 30, 1925, 4; "Evolution Trial Raises Two Sharp Issues," *New York Times*, May 31, 1925, XX4; "Truth Will Reign, Declare Speakers after the Verdict," *The Washington Post*, July 22, 1925, 4; "Man Vs. Monkey Tilt Has Aspect of Circus," *Los Angeles Times*, July 5, 1925, C1; "Final Scenes Dramatic," *New York Times*, July 22, 1925, 1; "Sees Crucifixion of Liberties by Hand of Bigotry," *Chicago Daily Tribune*, September 20, 1925, 24; "Malone Says Bryan Led 'Sinister' Cause at Time of Death," *New York Times*, September 20, 1925; "Reply by Malone to Bryan Assails Fear Psychology," *The Washington Post*, September 20, 1925, 10; and W. R. Cole Jr., "Evolution and Religion," *New York Times*, July 7, 1925, 18.

by the reactionary perspective of the Fundamentalists. For example, Neal Anderson's article from the July 18th issues of the *New York Times* portrayed the issues as a war between two extreme parties. He began by asking if America was going to lose "the dearly bought liberty of thought and speech in America," and continued by setting up the extremism surrounding the trial. "Are we now to sacrifice it all to the religious hysteria of the masses, and the supercilious, haughty, irreligious libertinism of the intelligentsia who would mold the thinking of the youth of the land?"³⁴ The "libertinism of the intelligentsia" was a clear connection to the trend of the academic freedom discourse since the 1890s that demanded professors understand and embrace the distinction between freedom and license, and its use here was hardly flattering for professors and teachers. However, the juxtaposition with "the religious hysteria of the masses" muddled the situation. This was now a conflict between two small, somewhat strange social groups, not the academics versus business battle so common to the discourse prior to the 1920s.

One journalist even went so far as to say that in light of the Scopes Trial in Tennessee, professors and all others who were interested in the existence of academic freedom might reconsider their relationships with and attitudes toward businessmen.

The Tennessee fever may spread. A number of States have hovered very close to the edge of imposing a dictatorship of the anti-intellectual proletariat on their universities. But they are none of them States in which the urban element, which is to say the business element, is dominant. It may yet come to pass that the cause

34 Neal L. Anderson, "Extremists on Both Sides--Proponents of the Theory Seen Warring on Religion--Bryan's Attitude Scored.," *New York Times*, July 18, 1925, 12.

of academic freedom in its widest sense, the cause of free inquiry and free teaching, will have to be defended against the democratic State universities by the 'capitalistic' endowed institutions.³⁵

The sense that this was a conflict between rural and urban life as well as between Fundamentalism and Modernism, in the form of evolution, resonated with the broader pulses of 1920s cultural life in America.³⁶

However, by connecting the conflict over academic freedom to the rural-urban, Fundamentalist-modernist pulses, the media gave advocates of academic freedom the ability to appear less extreme because the mostly rural Fundamentalists would increasingly be labeled as uneducated bigots. For example, in the same article the author closed with lines that connected Fundamentalism with "the survivals of eighteenth century bigotry in the backwoods and the open county."³⁷ Another journalist argued that the Fundamentalists were "agitators" who continuously attempted to rouse enthusiasm against science.³⁸ With Fundamentalist Christianity replacing the professoriate as the "agitators" in academic freedom stories, the amount of social pressure on faculty as a result of their appearance in the media slightly decreased. They were still not perfectly understood nor was their concept of academic freedom, but for the first time since before the Progressive Era they were involved in a public conflict in which they were not

35 Simeon Strunsky, "About Books, More or Less: One Misunderstood Citizen," *New York Times*, June 7, 1925, BR4.

36 Dumenil; Moran.

37 Simeon Strunsky, "About Books, More or Less: One Misunderstood Citizen," *New York Times*, June 7, 1925, BR4. The 'bigotry' connection in the press was also somewhat the result of Clarence Darrow's remarks to the press in the aftermath of the trial, which he characterized as the first of its kind since the witchcraft trials centuries earlier: "Sees Crucifixion of Liberties by Hand of Bigotry," *Chicago Daily Tribune*, September 20, 1925, 24.

38 Woodbridge Riley, "The Fight against Evolution," *The Bookman: a Review of Books and Life*, May 1927, 282-284.

viewed as the most extreme party.

The Scopes Trial also marked a period of increased attention toward public schooling in the media coverage of academic freedom. With more and more children attending public schools, concerns over public school teaching increased during the 1920s. In 1927, the American Federation of Teachers formed their own “magna charta” on academic freedom, and began publishing their own reports about restrictions of the concept throughout the country.³⁹ In 1928, the National Educational Association made similar efforts.⁴⁰ There were indeed remarks against academic freedom reproduced in the media during this period as well, but now they often focused on the entire field of education or the public schools specifically. For example, in late July 1927 the *New York Times* reported on a radio address given by Archibald E. Stevenson, chairman of the National Civic Federation Committee on Free Speech. In this case, Stevenson grouped teachers, professors, and clergymen into a group that commonly cried out about the abuses of their freedom in situations where it was not relevant.

Apparently, whoever pays the intellectual’s salary has no freedom whatever. The pay check must be drawn once a month even though the teacher, professor or clergyman flatly refuses to teach or preach what he is paid to do. The employer has an unquestionable right to demand that he be given what he pays for. If the employe feels that his demand limits his academic freedom, he is free to resign and go elsewhere to express himself as he pleases.⁴¹

This argument about academic freedom was not new, but its application to a group

39 Harper Leech, “Teachers Want Right to Live as Ordinary Folks,” *Chicago Daily Tribune*, June 28, 1927, 12; “Setting Dress, Habits Example Tires Teachers,” *Chicago Daily Tribune*, July 1, 1927, 3;

40 “Educators Will Meet in Atlanta,” *Los Angeles Times*, July 7, 1928, 2; “Academic Freedom,” *Chicago Daily Tribune*, June 19, 1928, 10.

41 “Freedom of Speech Discussed over Radio,” *New York Times*, July 27, 1927, 26. See also, “Educators Discuss Use of Esperanto,” *New York Times*, August 10, 1927, 38;

broader than professors of higher education was, and it characterized the media coverage of the late 1920s. In the press, images or uses of academic freedom presented to the reader no longer immediately sparked thoughts of radical professors. As Fundamentalist Christianity came to replace big business as the main social enemy to academic freedom the spectre of agitation was no longer solely applicable to radical groups. At the same time, the media increasingly connected academic freedom to social groups or individuals outside of higher education. The combination of these factors resulted in a more complicated, ambiguous treatment of the concept before the public, and it was no longer solely a concept used in reference to professors of universities and colleges.

A Return to Discursive Balance

As the new primary enemy to academic freedom in the discourse became Fundamentalist Christianity, faculty found themselves matched up against a group that was more extreme than the business trusts of the Progressive Era. And, with the press increasingly connecting the concept to other organizations such as the American Civil Liberties Union, the National Education Association, and the American Federation of Teachers, faculty found themselves in a context that was less rigid and less fixated on higher education. Thus, in the 1920s, professors and administrators of higher education utilized broad-free notions of academic freedom with greater frequency than they had the previous decade. However, the constrained-professional strand remained very much intact; with prominent AAUP founders John Dewey and Arthur Lovejoy both continuing

trends that saw the AAUP legitimate moderate perspectives on the concept. Furthermore, with the unique “enemy” of Fundamentalist Christianity, fewer individual professors spoke out in favor of academic freedom, favoring the collective voice and actions of various organizations.

Throughout the 1920s, variations of the broad-free strand of the academic discourse experienced rejuvenation amongst all types of professors. Whereas it used to be the primary discourse of radical faculty in the social sciences or humanities, the unique situation of higher education led many professors, as well as many university and college presidents, to emphasize the “untrammled” academic freedom needed for higher education to serve its social function.

In 1920, an excerpt of a letter from Harvard physics professor Edwin Hall was quoted in *Outlook* that endorsed broad academic freedom and expressed confidence in the ability of college youth to judge even controversial educational topics for themselves. In late 1919, Boston police went on strike and in the midst of this the radical social views of one of Harvard’s history instructors, Harold J. Lasky, became the center of a local controversy. Whereas Lasky supported the police, many professors and students at Harvard did not. In fact, Hall himself launched a public attack on Lasky. Despite the disagreement over the labor issue, Hall lauded the fact that Lasky was not dismissed from Harvard. Writing Harvard president A. Lawrence Lowell, Hall indicated that he had not changed his mind but that he was happy at the state of academic freedom at Harvard.

I have more faith in free discussion than in repression, as a means of combating dangerous theories, and I trust much to the good sense and right feeling of

Harvard undergraduates. Political and social matters are not so occult to our young men that they feel obliged to take the opinion of any teacher thereon as final.⁴²

Many other professors, as well as the press, did not always share this confidence in the ability of college students to deal with exposure to radical ideas, and compared to the majority of earlier uses of the broad-free discourse Hall's remarks come off as rather simple. Nonetheless, here was a professor from the sciences quoted in a media magazine supporting a professor with radical social views related to labor. This had not happened very often in the public discourse on academic freedom since 1890.

The continuation of the broad and free discourse also enabled professors and the press to apply academic freedom to the public schools. In 1921, for example, David Snedden, a professor from Teachers College at Columbia University, gave a speech before the New York Academy of Public Education that called for the freedom of teaching of social sciences in public schools.⁴³ Public school teachers were not the same type of experts as professors in higher education, so to apply the academic freedom discourse to them necessarily required a broadening of the concept to resemble freedom of expression as opposed to a professional freedom based on research-based expertise. Indeed, the strength of emphasizing the similarities between academic freedom and broader American freedoms lay in this sort of conceptual flexibility.⁴⁴

42 "The American Spirit in Education," *Outlook*, May 26, 1920, 146.

43 The speech was covered by *School and Society* as well as in the AAUP's *Bulletin*: "Liberty of Teaching in Social Sciences," *Bulletin of the American Association of University Professors* 7, no. 4 (1921).

44 See also "Editorial News and Editorial Comment", *The Elementary School Journal* 26, no. 1 (1925), 1-12, which illustrates the convergence of religious freedom and academic freedom.

One of the more interesting shifts related to the broad and free discourse on academic freedom was the increased presence of university presidents among its participants. For example, in 1927 Wisconsin governor and recent U. S. Senator-elect J. J. Blaine heavily criticized recent work on taxation by University of Wisconsin professor H. MacGregor. In response, University of Wisconsin President Glenn Frank took a strong public defense of MacGregor.

As long as I am President of the university complete and unqualified academic freedom will not only be accorded to members of Faculties but will be vigorously defended, regardless of the pressure, the power or the prestige that may accompany any challenge of this inalienable right of scholarship.⁴⁵

Prior to the 1920s, with few exceptions, university or college presidents did not use such free, unqualified versions of academic freedom in their public remarks.⁴⁶ However, the 1920s saw an increased unity of interests for professors and administrators, and particularly in response to Fundamentalist Christianity, university and college presidents increasingly defended, without qualification, the rights of their faculty to research and teach. As Timothy Cain noted, in the late 1920s University of North Carolina President Harry W. Chase, Rollins College President Hamilton Holt in Florida, and University of Minnesota President Lotus D Coffman all gave strong defenses of the freedom to teach science in their states.⁴⁷

While the association of academic freedom in relation to social radicals continued into the 1920s, the majority of the broad and free academic freedom discourse in the

45 “Glenn Frank Refuses to Discipline Teacher,” *New York Times*, January 27, 1927, 15.

46 See especially this dissertation, chapter 3.

47 Cain, *Establishing Academic Freedom*, 116.

decade came, implicitly or explicitly, in response to the heightened religious attacks on higher education in the 1920s, particularly those coming from Fundamentalists.⁴⁸ In 1922, Arthur Wakefield Slaten lost his position at William Jewell College in Missouri because his religious views were too radical. In response, Slaten released a statement to the press challenging the practice of limiting the academic freedom of professors at denominational colleges.

The real issue is far greater than a mere personal one. It is the issue of academic freedom. Shall the teachers in denominational colleges be free to teach what their researches convince them to be true, or shall they be controlled in their teaching by the opinions of non-professionals who assume to know the truth already?⁴⁹

Here, Slaten's remarks reflect a position on academic freedom broader than that endorsed by the AAUP's General Declaration of Principles in 1915, which accepted limitations to academic freedom at denominational colleges so long as they were made known to professors prior to signing a contract.⁵⁰ Slaten continued, emphasizing the truth-searching and disseminating function of higher education in modern American society. "Giving the people what they want is a shortsighted policy of playing safe; what the people at heart want and welcome is the truth presented in sincerity and tempered by genuine education."⁵¹ Though Slaten's exact phrasing masked it, this was really a use of the rationale that society needed its scholars to freely seek the truth for American society to progress into the future.

48 Cain, *Establishing Academic Freedom*.

49 "Biblical Professor Ousted as Radical," *New York Times*, December 16, 1922, 4.

50 E. R. A. Seligman et al., "General Report of the Committee on Academic Freedom and Academic Tenure: Presented at the Annual Meeting of the Association: December 31, 1915," *Bulletin of the American Association of University Professors* 1, no. 1 (1915).

51 "Biblical Professor Ousted as Radical," *New York Times*, December 16, 1922, 4.

In 1925, Charles Thwing, ex-President of Western Reserve University, offered similar argument for a broad and free freedom against the intolerance of the Fundamentalist movement against the teaching of evolution. Thwing emphasized the high level of support amongst scientists, professors, and academic organizations against the Fundamentalists, and heavily criticized the impulse behind the movement.

What the colleges should teach is not a matter of popular verdict. What the colleges should teach is not a matter for Legislatures to decide. As well might the law-making body of a State determine the methods of practice in surgery as to determine the content of instruction in biology. The attempts, however, to inculcate certain methods of biological instruction give evidence of ignorance on the part of the people of certain Commonwealths, which is both lamentable and surprising.⁵²

Thwing emphasized the need for curriculum in higher education to be controlled by academic experts, and condemned the intellectual stature of the states and local communities who attempted to restrict the teaching of evolution.

Collective and organizational responses to Fundamentalism were also common. In addition to playing a role in the development of the Scopes Trial, the ACLU continued to concern itself with stopping the anti-evolution movement throughout the 1920s.⁵³ At the same time, general scientific organizations such as the American League for Science, particularly with its pamphlet entitled “War on Modern Science,”⁵⁴ and the American Association for the Advancement of Science (AAAS) provided public resistance to the Fundamentalists as well. In 1922, the AAAS passed a resolution that it would republish

52 Charles F. Thwing, “New Trend in Colleges Stresses Personal Need,” *New York Times*, June 7, 1925, xx11.

53 Cain, *Establishing Academic Freedom*, 101-120.

54 *Ibid.*

two other times in the 1920s in response to the Fundamentalist movement. The resolution emphasized that the theory of evolution was based on actual evidence from the study of plants, animals, and humans, that the evidence was such that it convinced “every scientist of note” in the world, and that preventing it from being taught was a grave mistake.

The council of this association is convinced that any legislation attempting to limit the teaching of any scientific doctrine so well established and so widely accepted by specialists as is the doctrine of evolution would be a profound mistake, which could not fail to injure and retard the advancement of knowledge and of human welfare by denying the freedom of teaching and inquiry that is essential to all progress.⁵⁵

In 1925, the American Medical Association passed a resolution that reached the press containing similar language despite the explicit absence of academic freedom or freedom of teaching.

Therefore be it resolved by the House of Delegates of the American Medical Association, that any restriction of the proper study of scientific fact in regularly established scientific institutions be considered inimical to the progress of science and to the public welfare.⁵⁶

At the same time, the press often reported on the proceedings of the AAUP’s annual meetings or other association activities that addressed the teaching of evolution to position the AAUP in opposition to the Fundamentalist movement.⁵⁷

55 American Association for the Advancement of Science, “Statements on the Present Scientific Status of the Theory of Evolution,” December 1922, 2-3, AAUP Records, Historical File Box 5, Lovejoy Files 1928 Fundamentalism. Reprints appeared in *Science*, January 26, 1923, 103 and *Science*, May 29, 1925, x.

56 “Doctors Asked to Hit Anti-Evolution Laws,” *New York Times*, May 27, 1925, 25.

57 See for example, Woodbridge Riley, “The Fight against Evolution,” *The Bookman: a Review of Books and Life*, May 1927, 283; “Professors Fight Bans on Evolution,” *New York Times*, January 2, 1929, 14; “Academic Freedom Goal of American Professors,” *Los Angeles Times*, September 22, 1929, 15.

The relative strength and prevalence of these organizational defenses using some form of academic freedom and the increased tendency for local presidents to use broad understandings of academic freedom to defend the teaching of evolution were all the more important given the lack of publicity from local professors in states where the Fundamentalist movement was strongest. In Tennessee, for example, no faculty or administrator from the University of Tennessee spoke out against the anti-evolution movement or the legislation that was passed banning the teaching of evolution in public, tax-supported institutions. Professors in other states such as Kentucky and Florida offered similar responses.⁵⁸

One noted exception to this occurred in Florida surrounding the freedom of teaching at the University of Florida. In 1924, Williams Jennings Bryan indicated that he preferred University of Florida President Albert A. Murphree as the democratic nominee for President of the United States, and would nominate Murphree if he was selected as a delegate to the national convention. The press misinterpreted this as meaning Murphree agreed with Bryan on the topic of evolution, resulting in a brief controversy.⁵⁹ In response, faculty from the biology department at the University of Florida, Professors J. Speed Rogers, Frank Thorn, John Gray, and T. H. Hubbell, published a statement that was quoted in various newspapers as well as *Science*, the outlet for the AAAS.⁶⁰ The

58 Cain, *Establishing Academic Freedom*. See also AAUP Records, Historical File Box 5, Lovejoy Files 1928 Fundamentalism, which contains a number of letters between Arthur Lovejoy, AAUP secretary H. W. Tyler, and various faculty, deans and presidents from institutions in the state of Florida that reflect a belief that publicity would only do it harm.

59 "Murphree for Evolution," *New York Times*, January 28, 1924, 14.

60 *Ibid.*, J. Speed Rogers, "The Teaching of Evolution at the University of Florida," *Science* 59, no. 1518 (1924), 126.

statement stressed that “[e]ntire academic freedom is enjoyed by all members of the teaching staff of the biology department. No effort has been made to influence in any way either the manner or the matter of teaching.”⁶¹ This move to defend the president and university at large was one of the only attempts by local professors to defend themselves against the otherwise dominant local movements against teaching evolution. The sentiment against teaching evolution was too strong in some communities that many professors failed to see the benefit of being more active in the press. Additionally, by that point in time many professors, particularly those within the AAUP, began to see cooperation, publicly and behind the scenes, with presidents and boards of trustees as a more effective way to advocate for professorial interests than resorting to the press.

The 1920s, then, saw the broad-free variations of academic freedom increase in public discourse, particularly among college and university presidents. A key component of this resurgence was the development of Fundamentalism as the newest menace to academic freedom. Matched up against such a reactionary social movement, the risks of appearing as academic radicals by using a broad academic freedom disappeared amidst the spectacle and sensation of a science versus religion debate, even if many professors did not see the situation in such simple terms. In fact, just as many professors used public and academic media to express for moderate and constrained versions of academic freedom, even in the midst of the Fundamentalist “agitation” against the teaching of evolution.

In the 1920s, the constrained-professional strand of the discourse continued to be

61 *Ibid.*

a vital component of the academic freedom discourse. Even with the reactionary Fundamentalist Christians taking over the role of public academic enemy number one, many professors stressed the need to limit the academic freedom of individuals within the development of academic professionalism and their responsibilities to the public. Furthermore, in the 1920s, this tradition of the discourse incorporated strong ideas about the need for professors to cooperate with one another and with members of the administration, and that the professoriate, as scientists and scholars, needed to reevaluate its relationship with the public.

Many of the same ideas about the need to balance academic freedom with a sense of propriety and professional self-restraint continued in the 1920s. At the very beginning of the decade, the newly elected president of the University of California, David Barrows, was quoted in the *San Francisco Chronicle* advocating a familiar position on academic freedom in speaking about the professor.

The bounds upon his action must be those of his own defining—the consciousness that he is speaking as one in authority—as one appointed to act with such consideration and courtesy as become a gentleman, and that any lapse into utterance that is foolish and uninformed will affect the esteem in which he is held. The bestowal of the rank of professor is conditioned upon maturity of experience, soundness of knowledge, sincerity of character...⁶²

Barrows continued, emphasizing the difference between this freedom and less constrained ideas about freedom of speech.

Having said this, I wish to distinguish a university as a place where those who belong to it have free utterance from a place where every corner may have freedom of speech. The two ideas are not consistent. The university is not an open forum. Its platforms are not free to the uninstructed or to those without

62 “Dr. Barrows Assumes State University Presidency,” *San Francisco Chronicle*, March 24, 1920, 13.

repute. It is not a place where any sort of doctrine may be expounded by any sort of person.⁶³

Here, Barrows remarks reflected the constrained strand of the academic freedom discourse through a professional orientation and by underlining the differences between academic freedom and more general American ideas about freedom. However, his remarks also reflected concerns about what the university as “open forum” might look like in an age when the American public was deeply apprehensive of foreign ideologies infiltrating educational institutions.

Other participants in the constrained trend of the discourse went further than Barrows and directly connected the need to limit academic freedom to the need to protect the innocent American youth. In the spring of 1922, noted social radical Scott Nearing, dismissed from the University of Pennsylvania the previous decade, was invited to speak before a student club at Clark University. While Nearing was delivering his speech, Clark University President Wallace Atwood decided to stop Nearing and disband the meeting because Atwood was “unwilling to have the university in any way responsible for our students listening any longer to the sentiments which were being expressed by the speaker.”⁶⁴ The events caused a local controversy, and the press speculated about the status of academic freedom at Clark. In response, faculty released a statement reassuring the public that their academic freedom had always been secure, and indicating their belief that speakers to student clubs should be approved by a faculty committee in conjunction

63 *Ibid.*

64 “For Academic Freedom,” *New York Times*, April 3, 1922, 14. See also, Clark Faculty Free,” *Evening Public Ledger*, April 3, 1922.

with the president.

For his part, Atwood responded by writing an article about the importance of protecting student innocence that received attention from the press. Atwood emphasized that student character was not yet fully formed when they entered the college or university and, therefore, teachers must exercise caution when interacting with students.

I believe in absolute academic freedom within the university but the problem is to define that term. We who wish academic freedom must always remember that we are members of a public service institution, granted special privileges because we have agreed to furnish special service for the good of society. We must recognize, as educators, that we have intrusted to our care the minds and characters of the young people of this country.⁶⁵

Whereas many of the uses of academic freedom in the broad-free discourse of the 1920s emphasized the knowledge-creation and dissemination function of higher education, Atwood emphasized the role of students in his constrained remarks on academic freedom and he was not alone. In 1922, the American Association of Colleges (AAC) began work toward creating a statement on academic freedom of its own. Spearheaded by Oberlin College professor and Dean C. N. Cole, the AAC commission on the topic also emphasized limiting the academic freedom of professors “in deference to the immaturity of students.”⁶⁶ The connection between academic freedom of professors and immature students was legitimated by the AAUP’s General Declaration of Principles in 1915, but with more students entering colleges and universities every year, its presence in the

65 As quoted in G. W. Felton, “Student Freedom,” *Los Angeles Times*, January 26, 1923, II6.

66 “Free Speech in Colleges,” *New York Times*, January 15, 1922, 31. See also, “Extracts from Report to the Association of American Colleges,” *Bulletin of the American Association of University Professors* 8, no. 8 (1922), 57-63; Raymond Pearl, “Vital Statistics of the National Academy of Sciences. II. Elections of Young Men,” *Proceedings of the National Academy of Sciences of the United States of America* 11, no. 12 (1925), 757-760.

discourse increased in the 1920s.

Perhaps the most important aspect of the constrained-professional discourse on academic freedom in the 1920s was a marked increase in attention to ideas about cooperation, either professionally amongst professors and other intellectual workers or in a more broadly social manner connecting faculty members more directly in service to their national and local communities. Furthermore, the move toward cooperation was particularly strong from professors working in the sciences, as many of the articles in this strand of the discourse appeared in *Science* magazine.

In March 1924, a group of scientists contributed an article to *Science* entitled “The Organization of Scientific Men.”⁶⁷ The authors argued that “the traditional policy of individualism which animates so many intellectual workers” was harmful to science and society and “that it must ultimately be abandoned and replaced by a policy of cooperation.”⁶⁸ The authors referred to the AAAS, which was very inclusive but limited financially; the American Medical Association, which was strong but focused only on doctors or intellectual workers connected with the practice of medicine; and the AAUP, which they criticized for being too limited in membership. To achieve the cooperation they sought, the authors called for an organization with vast membership that would work for the security of academic freedom, increased pay for intellectual workers, the development of a code of ethics, improved standards of intellectual training, promotion passage of legislation to regulate intellectual work, cooperation with other organizations,

67 C. B. Brown et al., “The Organization of Scientific Men,” *Science* 59, no. 1523 (1924), 230-231.

68 *Ibid.*, 230.

and regulation of the publicity of intellectual workers. The article closed with a call for unification because the old system placed too much emphasis “on each man for himself alone and for his work alone.”⁶⁹ Despite the absence of a critical tone and its aim to create an organization that would incorporate all intellectual workers and not just professors, this article was clearly a critique of existing organizations, particularly the AAUP, because the list of objectives for the proposed organization was almost entirely contained within the AAUP’s mission statement. And while the AAUP had increased its membership considerably since its origin, it was still far from an organization that represented all professors.⁷⁰

Other arguments for cooperation emphasized the importance of a more collective approach to research for the purposes of social progress.⁷¹ In 1925, Walter Taylor wrote an article entitled “Cooperation Amongst Scientific Men” that appeared in the April issue of *Scientific Monthly*. Taylor wrote broadly about the need to improve the economic status and intellectual freedom of intellectual workers, but did so by emphasizing cooperation over individuality. He argued there were three roads to power.

The road of the genius, whose power is a gift from the gods; the road of the plutocrat, whose power is derived from the money he has made or he has taken; and the road of the cooperator, whose power comes from the agreement of many minds on certain fundamental issues. The road to be taken by the intellectual

69 *Ibid.*, 231.

70 See also , which criticizes the AAUP for not doing enough toward defending academic freedom. This criticism was not unique. In *Establishing Academic Freedom*, Cain highlighted the role of the ACLU and the AFT as organizations that also offered faculty academic freedom protections in light of the perceived weakness of the AAUP.

71 Walter P. Taylor, “Cooperation among Scientific Men,” *The Scientific Monthly* 20, no. 4 (1925), 345-357; Frank. E. E. Germann, “Cooperation in Research,” *Science* 63, no. 1630 (1926), 324-327.

worker is plain. On the average he certainly is not a genius; nor is he a money maker; but he has demonstrated that when he desires to do so he can become a cooperator.⁷²

Taylor's use of genius was reminiscent of its use by participants of the constrained discourse in the 1900s, who acknowledged that while some individuals were so brilliant as to require complete freedom from intellectual restraints the majority of scholars were not geniuses. Taylor advocated the collective enterprise for scientific progress, and suggested that his scientific peers abandon the "ultra-individualism" common to the scientific heritage they inherited. "One essential to effective cooperation among scientific men is the definite abandonment of ultra-individualism, and its replacement by group loyalty, sympathy and mutual helpfulness."⁷³ These sort of remarks reflected a belief in a professional constraint on the academic freedom of the individual as necessary for scientific progress. Together with the ideas about the political power offered by professional organization, these scientists made a compelling argument for the need to act as a unit instead of as individuals.

The 1920s also saw several professors acknowledge, perhaps more strongly and specifically than ever before, the need to connect professors more strongly to the communities they serve. In 1920, J. J. Stevenson, a professor at New York University contributed an article to *Scientific Monthly* about the nature of recent unrest in the academy. Stevenson argued that the days of social isolation were over for everyone, let

72 Walter P. Taylor, "Cooperation among Scientific Men," 346. For similar sentiments about the rarity of genius in the scientific fields see Vernon L. Kellogg, "Isolation or Cooperation in Research," *Bulletin of the American Association of University Professors* 12, no. 5 (1926), 341-342.

73 *Ibid.*, 347.

alone for scholars.

A man, sole occupant of a far-off island, is untrammelled save by physical conditions; but in a community no such freedom can exist. Each man has rights, but, in exercising them, he must not interfere with the rights of other men. This law is recognized as obligatory especially upon men in responsible positions, who, in the nature of the case, may not do many things, which an ordinary citizen may do. They have consented to curtailment of freedom because they prefer honor or emolument.⁷⁴

Stevenson emphasized that this situation was a matter of choice for those who entered positions like the professions. No doctor, lawyer, or professor was forced into their position and, as such, it was a voluntary “curtailment of freedom.”

For other participants in this group, the complexity of modern social life was incorporated through advancing the professional service rhetoric that had been common since the 1900s. For example, in 1922, R. M. MacIver, a professor of political economy at the University of Toronto, wrote an article that appeared in the *Annals of the American Academy of Political and Social Science* on professional ethics.⁷⁵ MacIver emphasized the importance of ethics representing the internal beliefs of an autonomous group of experts and argued that professional ethics was connected to how a professional group served the public. The article itself did not solely focus on the academic profession, though it referenced it several times. However, MacIver emphasized that professions had multiple and sometimes competing interests. For the professoriate, their desire to seek the truth for truth’s sake always had the potential of conflicting with their interest in

74 J. J. Stevenson, “Academic Unrest and College Control,” *The Scientific Monthly* 10, no. 5 (1920), 475-465.

75 R. M. MacIver, “The Social Significance of Professional Ethics,” *Annals of the American Academy of Political and Social Science* 101(1922), 5-11.

serving society.⁷⁶ He did not articulate a resolution for these professional groups, but the acknowledgment of the conflict itself was important as faculty rarely admitted to this source of potential status strain as inherent to their profession.

Perhaps most important, the two most influential men in the AAUP's history, Arthur Lovejoy and John Dewey, also articulated perspectives on academic freedom in public media that emphasized the real and necessary constraints on the academic profession. In 1924, Lovejoy wrote an article in the *North American Review* about the relationship between professional ethics and social progress. Reflecting on the issue of the *Annals of the American Academy of Political Science* that published MacIver's piece on the professions, Lovejoy highlighted the creation of codes of professional ethics in numerous professional fields in recent years. Similar to MacIver, Lovejoy discussed at length the paradoxes that professional groups experience; namely that "it is always possible that the specialist may, in the progress of his science or his art, come upon some new discovery which will be unwelcome to the vested interests from which derives his support."⁷⁷ This conflict, which Lovejoy called the "antinomy of the professions," was perhaps most acute for professional groups in fields of social, economic, religious, or moral professions. He made special reference to the state of conflict over the teaching of biology, and acknowledged that communities that wished to control or resist the ideas they did not like were "doubtless within their constitutional rights."⁷⁸

76 *Ibid.*, specifically 8-10.

77 Arthur O. Lovejoy, "Professional Ethics and Social Progress," *The North American Review* 219, no. 820 (1924), 398-407. Quote from 403.

78 *Ibid.*, 404.

However, despite acknowledging these rights, Lovejoy's following remarks also reflected a somewhat confused resolution. He referred the reader to the AAUP's General Declaration of Principles on the need for academic freedom for social progress, and he argued that the very existence of the academic profession suggested that society wanted it to exist. "But it seems frequently to forget that a necessary part of the cost is the scholar's liberty to express conclusions which may be entirely obnoxious to those who pay for that service."⁷⁹ This line is somewhat curious because the community cannot have forgotten something it never knew in the first place. While Lovejoy went to great lengths to recognize the right of communities to resist new ideas, his attempt to argue that the very existence of universities reflected an implicit acceptance of academic freedom rings hollow in light of the continuous struggle of individual professors and the AAUP to educate the public about the definition and nature of academic freedom. Nonetheless, the article revealed Lovejoy's moderate position, torn between acknowledging the rights of local communities and his desire to spread academic freedom everywhere. Furthermore, regardless of the effectiveness of the argument, the article as a whole clearly identified the reality facing the academic profession and was an attempt at offering a resolution.

For his part, John Dewey more fully embraced the complexity of the relationship between community and institution. In a series of two articles that appeared in *The Independent* in the spring of 1924, Dewey reflected on the nature of liberal education in American colleges.⁸⁰ In the first, he emphasized the connection between liberal

79 *Ibid.*, 404-405.

80 John Dewey, "The Prospects of the Liberal College," *The Independent*, April 26, 1924, 226; and "The Liberal College and Its Enemies," *The Independent*, May 24, 1924, 280.

education and freedom of thought. In speaking about the “academic isolation” of American colleges and universities, he argued that it was “highly metaphorical.”⁸¹

Union of academic life with the life of the community is now so pervasive that it is as inept to impute the weaknesses of the former to some single particular cause, like deliberate economic pressure, as it is to ascribe to it superior virtues. Our college life shares in the defects and excellencies of our general life.⁸²

As such, Dewey continued, if a community undervalued academic freedom it would be revealed in the institution, and vice versa, and he argued that larger institutions generally had less issues than smaller ones.

In the second installment, Dewey emphasized that American institutions, due to their unique history and situation, could not have the type of academic independence apparent in European institutions of higher education. In the long run, American society would inevitably benefit from their close proximity, he argued, but he criticized American colleges and universities for failing to be more specific about the meaning and nature of the academic service offered by professors. For Dewey, the lack of communication on this issue was a potential barrier to academic freedom, as was interference from other professors. Similar to Lovejoy’s article, Dewey’s reflected a moderate position. He fully accepted the complicated relationship between higher educational institutions and the communities they served, though he argued that their closeness did not always translate to constraints on academic freedom. For Dewey, the key problem was how educational institutions that reflected their communities could effect change in their communities. He did not provide a clear answer, but the acknowledgment of the dilemma was important.

81 Dewey, “The Prospects of the Liberal College,” 226.

82 *Ibid.*

The constrained-professional strand of the discourse reflected an increased concern about cooperation as faculty increasingly called for professors to work more closely together and to accept, if not embrace, their proximity to local communities. This strand of the discourse provided an important contrast to the free-broad discourse, which was at its strongest defending professors and institutions against the Fundamentalist threat in the 1920s. Collectively, they both illustrate the breadth of the movement for cooperation. The increased presence of presidents and organizations in the broad-free discourse resonated with the calls for cooperation in the constrained-professional strand of the discourse. This finding underlines the importance of the broad-free strand of the discourse to the defense of the professoriate from external threats and the constrained-professional strand to the development of a professional orientation to the professorial role, and analysis of the AAUP's actions in the 1920s reinforces these findings.

The AAUP in the 1920s: Cooperation and the Relative Decline of the Publicity Mission

Analysis of the AAUP during the 1920s reveals an organization going through a slight shift in direction and emphasis. Just as the public discourse revealed an increased sense of cooperation within higher education, remarks from AAUP leadership as well as the organization's actions reinforced these cooperative sentiments, culminating in the multi-organizational attempt to agree upon principles of academic freedom and tenure in 1925. At the same time, the publicity-mission of the organization saw a relative decline by the end of the 1920s as investigations of Committee A, the presence of

Fundamentalists as an extreme enemy to academic freedom, and the aforementioned spirit of cooperation led AAUP leadership to recommend that professors avoid resorting to use of publicity on the individual level because it did more damage than good. To be sure, the AAUP still acted as a guardian of publicity at a collective-level, but its actions during the 1920s incorporated more behind the scenes activity in an effort to keep academic freedom issues out of the public eye. As such, the 1920s saw a relative decline in the publicity mission of the organization.

From the AAUP's perspective, the shift toward cooperation began the previous decade. In the movement to form the AAUP itself, professors revealed concerns that the organization would come to emphasize conflict between professors and administration or would further damage the relationships between the two groups on colleges and university campuses. As a result, the AAUP's initial constitution reflected a desire to avoid conflict and an implicit desire to improve cooperation between faculty and administration.⁸³ Furthermore, Timothy Cain noted that both Arthur Lovejoy and AAUP secretary H. W. Tyler were writing and thinking about cooperative activities between the AAUP and other organizations such as the AAC prior to the 1920s.⁸⁴

In the 1920s, however, presidents and other prominent leaders of the AAUP continued to call for cooperation or emphasize the cooperative nature of the organization and of faculty in general. In one of his reports on Committee A as chairman, Frederick S. Deibler assessed the extent to which the AAUP's investigations of academic freedom had

83 See, chapter 5 of this dissertation.

84 Cain, *Establishing Academic Freedom*, 76.

impacted institutions across the country.⁸⁵ Based on an internal report conducted by Committee A, in which they sent questionnaires to 59 local AAUP chapters across the country, he indicated that 25 percent of those institutions now had faculty-centered governance practices that were helping to protect academic freedom.⁸⁶ In light of this information, he stated that professors in these institutions had a “considerable” level of influence over faculty appointment and dismissal procedures, and he concluded that “[t]he principles set up by this Association are gradually becoming recognized as reasonable standards to be attained.”⁸⁷ However, Deibler also noted that there was still considerable room for improvement, noting the lack of knowledge many professors still had about the AAUP’s mission and the reports of its various committees.

Discussion of these matters, especially in their adaptation to local situations, will tend to create an interest and aid in developing a public opinion among the members of the profession, from whom the educating influences on general public opinion pertaining to these questions of such vital interest to the profession must come.⁸⁸

Deibler clearly argued for the need for the AAUP to serve as a publicity organization for the academic profession, specifically in an internal sense, and connected the resulting increase in professional consciousness to strengthened sentiment in the “general public.”

In addition to stronger internal publicity for the professoriate, Deibler called for better cooperation between the AAUP and other organizations such as the AAU, AAC, or ACE because “[a]n acceptable standard code of what academic freedom means and of

85 F. S. Deibler, “Committee a, Academic Freedom and Tenure,” *Bulletin of the American Association of University Professors* 8, no. 2 (1922), 36-57.

86 *Ibid.*, 37.

87 *Ibid.*, 51.

88 *Ibid.*, 52.

what it does not mean should be worked out by collaboration of the parties in interest.”⁸⁹ Deibler’s call for cooperation, though it was not the first, represented the convergence of the cooperative sentiment amongst professors and the movement toward more practical solutions to academic freedom problems from the 1910s, and it indicated a recognition that the interests of faculty and the university-at-large were not divergent. As the 1920s progressed, this recognition increased.

In 1924, H. F. Goodrich, Deibler’s successor as chairman of Committee A, reiterated the need to cooperate with organizations such as the AAC, who had by then circulated their own statement on academic freedom and tenure through the press.

It seems highly desirable that our Association should assist in every possible way in cooperation with other bodies in settling questions of vital concern, not only to educators, but to all those come in contact with educational institutions. By ourselves we can only investigate cases and point out wherein principles which we believe to be fundamental have been violated.⁹⁰

Goodrich’s remarks are important, as they reflected not only the cooperative sentiment developing in the 1920s but also a realization that the AAUP’s power to effect change by themselves was rather small. Publicity of reports had offered a start, as the internal study from 1922 suggested, but to foster greater change at institutions throughout the country would require more and the AAUP could not do it by themselves.

Still, by 1924 the changes in the professoriate and higher education in general were enough to warrant AAUP president J. V. Denney’s applause. In his address to the organization marking the 10th anniversary of its existence, Denney congratulated the

89 *Ibid.*, 54.

90 H. F. Goodrich, “Report of Committee a, Academic Freedom and Tenure,” *Bulletin of the American Association of University Professors* 10, no. 2 (1924), 9-13, quote from 12.

AAUP for its work in improving the professionalism of the professoriate.

There is no doubt that this association has increased the true professional spirit among teachers and investigators in universities and colleges...He cooperates with his colleagues on committees with greater effectiveness...We are also building up a better academic code. The cooperation that we foster has sharpened the feeling of group responsibility.⁹¹

In this sense, Denney referred to internal cooperation, professors working and living with greater awareness of each other. He continued, arguing for better relationships and cooperation between faculty, presidents, and trustees in the face of Fundamentalism, “the most sinister force that has yet attacked freedom of teaching. Attempted coercion by commercial and political interests has never shown a tenth of the vitality and earnestness of this menace.”⁹² Though the trend toward cooperation began before Fundamentalism became the primary public threat to academic freedom in the press, Denney’s 1924 address to the AAUP underlined the importance of Fundamentalism to the cooperative movement. Prior to the 1920s, boards of trustees were such problematic entities for professors because of their close connections to the business interests of local communities. However, as economic and business-related political issues shifted to the background in the 1920s in favor of the extremism of the Fundamentalist movement against evolution, there was less overt conflict along previous lines and more possibilities for professors to unite with presidents, and potentially even boards of trustees, in defense of their universities and colleges. In other words, the shifting context of the 1920s provided an incentive for cooperation that was not available the previous decade.

91 J. V. Denney, “President’s Address,” *Bulletin of the American Association of University Professors* 10, no. 2 (1924), 18-28, quote from 18.

92 *Ibid.*, 27.

Similarly, the presidential address of Armin O. Leuschner in 1926 underlined shifts in the types of men in presidential positions that fostered cooperation between presidents and faculty as well. Leuschner's address contained similar remarks to Deibler's about the apparent lack of knowledge amongst faculty across the country regarding the purpose of the AAUP.

This association has not set itself the goal of gaining absolute control of functions hitherto exercised in most institutions exclusively by trustees, presidents, and administrative officers. It is investigating and reporting on suitable methods of cooperation between the recognized authorities and faculties which may raise institutions of higher education to the highest degree of efficiency.⁹³

Throughout the address, Leuschner emphasized the recent trend of professors becoming university and college presidents. Whereas the differences between administrators and professors was a subject of tension for some faculty members involved in the formation of the AAUP, Leuschner now stressed that the differences between the professor and the president were "in form only." They shared the same aims and principles.⁹⁴

As evidence of how the time was ripe for cooperation, Leuschner pointed toward the recent statement on academic freedom and tenure that resulted from the 1925 meeting of the American Council of Education, the AAUP, AAC, AAU, and several other higher educational organizations. The definition of academic freedom in the 1925 resonated with the definitions present in various AAUP statements and reports as well as recent AAC articulations: it primarily emphasized a constraint-oriented definition of the

93 A. O. Leuschner, "Address of the President," *Bulletin of the American Association of University Professors* 12, no. 2/3 (1926), 90-99, quote from 90-91.

94 *Ibid.*, 91. He refers to the president-faculty similarity later on 93 as well.

concept.⁹⁵ In the words of Tim Cain, the 1925 ACE statement “made a case for academic freedom for faculty who operated within established bounds and made a strong case for tenure protections for established professors.” However, the statement did not elaborate on how long a probationary period for new professors would last, “thus avoiding comment on the continued existence of long-term instructors and assistants.”⁹⁶ Despite initial optimism from the AAUP, the AAC was the only organization that actually adopted the 1925 statement at that time. Nonetheless, the spirit of cooperation reflected in the ACE meeting on academic freedom and subsequent statement set the stage for ongoing collaboration within higher education that would eventually culminate in the creation of the 1940 Statement of Principles on Academic Freedom and Tenure.⁹⁷

The AAUP’s move toward cooperation and behind the scenes action complemented a trend that also developed in the 1920s: the relative decline of publicity. Throughout the 1920s, Committee A investigations revealed the difficulties posed by professors placing themselves and their cries for academic freedom too strongly or hastily before the public, eventually leading AAUP leadership to recommend that professors not engage with the local or national press in an attempt to improve their plight or damage their colleges or universities.

In 1920, Committee A investigated the dismissal of history professor W. Lawrence, Jr. from Middlebury college. In late 1919, Lawrence wrote an article in the local press addressing recent strikes in the United States. As a result, the Board of

95 “Formulate a Code of Academic Freedom,” *New York Times*, Feb 4, 1925, 5.

96 Cain, *Establishing Academic Freedom*, 96.

97 *Ibid*, 177-178.

Trustees of Middlebury College received an anonymous letter criticizing the college's faculty for being pacifists, socialists, and Bolsheviks. According to the AAUP's investigation, most of the trustees ignored the letter, the exception being Charles Swift, who sent a copy of the anonymous letter to the John Thomas, president of the college, along with his opinion that Lawrence should either change his views or take his talents elsewhere. As a result of this pressure, Thomas advised Lawrence, and the faculty in general, about such "careless expression of opinion."⁹⁸ Lawrence admitted his article could be misinterpreted by some and was apparently already considering a move to a position at another institution. In January 1920, Lawrence was offered the other position and subsequently asked Thomas if his tenure would be secure at Middlebury if he chose to stay. Thomas informed him that, due to the trustees' pressuring, his tenure would not be secure.

At the same time that all of this was transpiring, another professor came up for review of appointment, professor of economics James G. Stevens. Stevens was known for his radicalism, and on December 2, 1919 he was told that he would not be continued because he was a "misfit." Stevens was on an annual contract and when he defended himself to Middlebury's faculty committee, they were undecided on how to proceed because of his contract status. They did not find his behavior to warrant dismissal, but despite their decision the administration did not reappoint Stevens. In response to this, Lawrence wrote an anonymous, sarcastic letter to the *New Republic* that referred to the

98 M. J. Elrod et al., "Report of the Sub-Committee of Inquiry for Middlebury College," *Bulletin of the American Association of University Professors* 7, no. 5 (1921), 28-37, quote from 28.

recent dismissal of three faculty at Middlebury College. In addition to general criticism of the decisions to dismiss the professors and some details about the actions leading to the dismissals, the article also included a line suggesting that people should seek to learn more about Bolshevism before passing final judgment on it. In light of the details involved in the letter, it was easy for the trustees to figure out who wrote the letter.⁹⁹ It caused a local controversy and led to the initial call for the AAUP's involvement.

Ultimately, the AAUP ruled that Lawrence's academic freedom was not abused in the case, though they were troubled by the letter as well as the lack of precision in the resolutions which the faculty committee followed at Middlebury. Apparently, trustee Swift was reported to have said that the letter to the *New Republic* alone was grounds for dismissal, but it was not clear that the other trustees agreed with him or how powerful Swift was amongst them. Adding into this uncertainty for the committee, though they did not explicitly state it, was the puzzling timing of it all as Lawrence seemed to be on his way out before he wrote the article to the *New Republic*. Thus, this early case began a series of reports addressing the use of the press as a means to inform the public or to criticize members of college or university administration.

In 1924, details related to the highly-publicized dismissals of several faculty of the University of Tennessee contributed to AAUP concerns about the negative aspects of publicity. Though the Tennessee case was rather complicated and involved many individuals, the case of Professor of zoology A. A. Schaeffer is the most relevant to the

99 *Ibid.*, 30-33.

publicity problems of faculty in the 1920s.¹⁰⁰ Schaeffer had been one of the most vocal in opposition to the dismissal of professor Sprowls, which started the series of controversial dismissals at the University of Tennessee. The administration charged Schaeffer with failing to cooperate with administration and for cultivating an oppositional spirit toward the administration through the media. He was accused of meeting frequently with local journalists and newspaper editors and for being involved in stories published by local papers that demonized the University of Tennessee throughout the coverage of the Sprowls case and the ensuing controversy.

Schaeffer did admit to meeting, along with other faculty members, with an editor of a local paper that had been critical of the institution, but Schaeffer and the other professors confirmed that the meeting was about the desirability of launching a local anti-Fundamentalist media campaign. Ultimately, the group decided against such action, hoping instead to let the Fundamentalists “talk themselves out.”¹⁰¹ The investigating committee found inconclusive evidence about his other alleged involvements with the press, including some information he leaked in confidence but which appeared in print anyway, and an article about a developing faculty-authored new constitution for the University of Tennessee that was misleading and dramatized the dissatisfaction amongst some members of the faculty at the university. Though they could not come to strong conclusions about all of the details of Schaeffer’s case here, their concluding statement was nonetheless instructive.

100 “Annual Meeting,” *Bulletin of the American Association of University Professors* 14, no. 2 (1928), 21-68.

101 *Ibid.*, 36.

If he did this, and we express no opinion as to the truth or falsity of the charge, his conduct was to say the least a very grave indiscretion. The information given to a newspaper which at the time was engaged in a vigorous criticism of the administration of the University and which, as generally understood at the time, might be expected to publish the information in such sensational form as to be likely to mislead the public, and to create a false impression regarding conditions at the University.¹⁰²

Whether the charges of Schaeffer's involvement with the press as part of an anti-Colvin or anti-University of Tennessee propaganda campaign were true or not, the investigators from Committee A took the chance to use the case as an example of what not to do.

Using the media to criticize administrators or institutions was no longer a recommended course to rectifying local academic freedom issues, and the press itself was no longer deemed a universally trustworthy means of communicating to the public.

By 1927, the AAUP had come to the conclusion that individual professors should avoid use of newspapers or other public media altogether. A Committee A investigation of the experiences of professors Louis Gottschalk and Rolf Johannesen at the University of Louisville offered yet more compelling evidence against the use of publicity by individual faculty members.¹⁰³ On March 16th, Gottschalk asked the AAUP to investigate the dismissal of Johannesen and the next day he was himself dismissed. In June of 1926, George Colvin became president of the University of Louisville and promptly set about a cultural shift that made many members of the faculty at the institution nervous. Colvin had a reputation for favoring professors that embraced teaching more than research, and he was particularly critical of the state of the economics and history departments.

102 *Ibid.*, 37.

103 "Report on the University of Louisville," *Bulletin of the American Association of University Professors* 13, no. 6 (1927), 429-469.

Gottschalk was going to be dismissed because of evidence of inefficiencies related to his teaching of undergraduate students.

In the midst of these events, anonymous letters appeared in the local media criticizing Colvin and the direction of the institution. Colvin apparently believed the letters to be authored by Gottschalk, though the investigators from Committee A suggested there was little evidence to support that claim. However, there was a contract issue involving Johannesen that led Gottschalk to actually write an article that appeared in the press. Johannesen was hired two years prior with an agreement that he would make more money and take on the title of associate professor if his contract was renewed at the end of the 1925-1926 academic year. He was renewed and granted the title but did not receive the salary increase in his new contract, and he questioned Colvin about the situation. Colvin responded by simply telling Johannesen that if he could not accept the contract as is to let him know, which Johannesen interpreted as a sign that Colvin did not want him to accept the contract. At this point, Gottschalk wrote an article that appeared in local newspapers on Johannesen's behalf. Johannesen remained at the University of Louisville but Gottschalk was ultimately dismissed.

A faculty committee at the University of Louisville eventually responded by calling for Colvin's removal from the institution. The investigators from Committee A lauded the commitment of the faculty committee to their university's excellence, but were less supportive of Gottschalk's behavior.

...[T]he committee feels that his resort to the public press is a procedure which is, as a general rule, likely to produce diseases worse than the ills for which a remedy

is sought. The Committee, therefore, has no desire to recommend recourse to the public press, by a member of the faculty, as a method of obtaining redress for a colleague.¹⁰⁴

This statement of caution appeared again in Committee A's annual report on academic freedom and tenure at the AAUP's annual meeting in early 1928.

No good comes from rushing to the public press on the first notice of dismissal. It is a difficult position in which the professor is put. Charges and public hearing are apt to damage his professional reputation even if the verdict is in his favor.¹⁰⁵

By the end of the 1920s, the members of Committee A had come to the conclusion that publicity was a dangerous thing for professors acting individually. And though the AAUP still acted as a publicity organization for the professoriate, particularly in the internal sense of improving communication amongst the professoriate, it was clear that they either advocated that professors work locally behind the scenes with administration or rely upon the AAUP to act as the collective mouthpiece of the profession. The individual acts of publicity that had been common since the Progressive Era were no longer deemed desirable.

In dealing with Fundamentalism the cooperative and publicity impulses of the AAUP in the 1920s converged. Though Denney had argued that Fundamentalism was the most serious threat to academic freedom in the history of American higher education and the AAUP created Committee M to specifically address the issue of freedom of teaching in science in 1923,¹⁰⁶ the long term fallout from the publicity of the Scopes trial

104 *Ibid.*, 443-444.

105 "Annual Meeting," *Bulletin of the American Association of University Professors* 14, no. 2 (1928), 92-118, quote from 104.

106 Cain, *Establishing Academic Freedom*, 101-120.

in 1925 and the ensuing actions of the Fundamentalists in the late 1920s helped minimize the damage it could cause higher education. The anti-evolution movement increasingly became associated with ignorance and bigotry and it became harder for them to force legislative change. By the end of 1927, professors in states facing the strongest anti-evolution opposition began calling for less public activity from the AAUP because the laws being passed were interpreted by some professors as toothless and not really as limiting as they appeared.¹⁰⁷

In 1929, Arthur Lovejoy wrote an article that appeared in *School and Society* as well as the AAUP's *Bulletin* about the law passed in Arkansas in 1928. In addition to arguing that passing legislation that restricted the teaching of evolution would only serve to heighten the interests of the youth it sought to protect, Lovejoy offered a deep analysis of the legislation itself. Ultimately, he argued, the only thing the law restricted was efforts by instructors to "inculcate" pro-evolution perspectives in their students. The law did not restrict a neutral, non-dogmatic teaching of the theory of evolution. Lovejoy even argued that the law would actually support the professionalism of teaching.

[T]he tendency of the law should be to discourage all kinds of dogmatism in the presentation of the topic in question, and to place the whole matter in the arena of free inquiry, free discussion and individual judgment. this assuredly, is a result much to be desired. And where nothing more than this is required, a conscientious teacher may, it appears to me, properly hold that no restrictions are imposed which the ethical code of his profession obliges him to reject.¹⁰⁸

These ideas were in perfect alignment with the constrained-professional strand of the

107 *Ibid.*, 117.

108 Arthur O. Lovejoy, "Anti-Evolution Laws and the Principle of Religious Neutrality," *Bulletin of the American Association of University Professors* 15, no. 4 (1929), 307-314.

academic discourse that had been present amongst faculty since Josiah Royce and Albion Small in the 1890s. Lovejoy's use of it here reinforced the AAUP's support of a professional orientation toward academic freedom as well as minimizing the threat of the Fundamentalist movement.

Still, of all the Southern and Midwestern states where Fundamentalism attempted to pass legislation to prohibit the teaching of evolution, Florida remained a concern for the AAUP at the end of the decade. Local anti-evolution propaganda in Florida remained active and effective, and a local journalist, Frederick von Falkenberg wrote to Lovejoy in late 1927 and throughout the next couple of years regarding the possibilities of starting a counter-publicity movement in the state.¹⁰⁹ Von Falkenberg thought it was imperative that a massive movement against the Fundamentalists take place, and Lovejoy, though concerned, was somewhat skeptical. The AAUP, through Lovejoy and secretary H. W. Tyler reached out to AAUP members from institutions in Florida to get their perspective. The responses they received all exhibited a sense that the main conflicts were over and that the best approach would be to stay out of the public eye and cooperate with their institution's presidents and trustees.¹¹⁰

Writing to Lovejoy in March of 1928, Raymond Bellamy thanked Lovejoy for his support regarding the anti-evolution situation in Florida and tried to offer an explanation

109 See for examples Friedrich von Falkenberg, Letter to Lovejoy, December 10, 1927; Friedrich von Falkenberg, Letter to Lovejoy, February 24, 1928; and Arthur Lovejoy, Letter to von Falkenberg, March 28, 1928 in AAUP Records, Historical File Box 5, Lovejoy Files 1928 Fundamentalism.

110 See for example, L. M. Bristol, Letter to Tyler, September 29, 1927; Vivianne R. McClatchy, Letter to Tyler, September 30, 1927; Walter Peterson, Letter to Tyler, October 1, 1927; and Raymond Bellamy, Letter to Lovejoy, March 18, 1928 in AAUP Records, Historical File Box 5, Lovejoy Files 1928 Fundamentalism.

regarding the lack of activity amongst the faculty at Florida.

It probably appears to you that we are very unappreciative and lacking in courage. Undoubtedly, the faculty, as all faculties, would fail to measure up to that standards of fearlessness which we would like to see. But that is not all there is to our failure to cooperate readily in Mr. Von Falkenberg's plan of publicity. There is quite a respectable group of teachers here who would go a long way in carrying on a fight if they could just see clearly where the benefit would accrue.¹¹¹

The earlier message of the AAUP had apparently been well-received. These professors in Florida, although perhaps influenced by fear of their jobs to a certain extent, were also weary of committing themselves to a local publicity campaign without a solid sense of how effective the campaign would be. The sentiment from AAUP members in Arkansas was similar, as the report of Committee M to the annual meeting at the beginning of 1929 reflected a desire to keep the issue quiet as the law was not as bad as the press made it seem.¹¹²

Conclusions

The 1920s saw important shifts in the context influencing the professionalization experiences for professors in colleges and universities in the United States. Prior to the 1920s, the academic freedom discourse emphasized that business interests via the boards of trustees or benefactors of higher education were the primary barriers to academic freedom and professional autonomy, and the early actions of the AAUP legitimated that to a certain degree by emphasizing policy and procedural changes within institutions to

111 Raymond Bellamy, Letter to Lovejoy, March 18, 1928 in AAUP Records, Historical File Box 5, Lovejoy Files 1928 Fundamentalism.

112 "Annual Meeting," *Bulletin of the American Association of University Professors* 15, no. 2 (1929), 96.

protect professors and safeguard academic freedom. In the 1920s, these forces did not completely disappear from the contextual landscape but shifted to the background as the Fundamentalist-driven anti-evolution movement took over as the most prominent barrier, publicly and from many professors' perspectives. This shift decreased the public pressures faced by faculty members who used academic freedom in public discourse, as the nature of the conflict in press coverage shifted from the faculty versus administration or faculty versus business dynamic to a science versus Fundamentalist dynamic. In the press, then, the discursive connection between radicalism and academic freedom became blurred by the presence of a competing Fundamentalist-as-reactionary-agitator motif.

Assessing the strength of the Fundamentalist threat to academic freedom is complicated. Through the leadership of prominent figures like William Jennings Bryan, among others, they were able to create a significant political movement that resulted in varied anti-evolution legislation in several states, particularly in the South. However, the reactionary, extreme image of the Fundamentalist movement as anti-intellectual, if not prejudiced, perpetuated by many of the major newspapers across the country created a symbolic check on their political power. By the end of the 1920s, though anti-evolution legislation continued to pass, their nature and application were increasingly interpreted by professors as toothless or actually supporting academic professionalism in the teaching of evolution.

At the same time, the increased connection between academic freedom and other organizations, discursively and materially, meant that academic freedom was no longer

solely connected to higher education or radical professors. That the AFT, ACLU, and AAC all began making statements about or fighting for academic freedom increased the noise in the public discourse about academic freedom. What had primarily been a concept articulated by and applied to the realm of professors of higher education prior to the 1920s, increasingly became a much more complicated concept in terms of who was concerned about its definition and application.

In the midst of these contextual shifts surrounding the ideas and individuals relevant to the concept of academic freedom, the actual faculty discourse surrounding academic freedom continued and built-upon the trends of the previous twenty years. The broad-free strand of the discourse experienced a renaissance of sorts, as the presence of Fundamentalism enabled more professors to emphasize “untrammeled” academic freedom without being directly connected with radical social groups. Furthermore, this strand received a level of legitimation by university and college presidents who commonly used it to defend their institutions from the anti-evolution movement in the mid-to-late 1920s. Indeed, this defensive use of academic freedom had always been an aspect of the broad-free strand, but its use by professors and administrators alike was noteworthy. At the same time, the constrained-professional strand of the discourse remained very much intact, and continued to be the primary understanding advocated for and legitimated by the AAUP.

As part of their continued advocacy and legitimation of a constrained and professionally oriented notion of academic freedom, the AAUP emphasized a cooperative

approach to managing the academic profession in the 1920s. This cooperative approach demanded two things: 1) an increased sense of professionalism when interacting with administrators and trustees at the local level culminating in professionalism, and 2) a recognition that publicity that could injure the university necessarily injures the faculty of that institution. As such, I argue that this prevailing understanding of and approach to the academic profession represented an understanding that the interests of administration and professors were more similar than the professoriate had previously acknowledged. From this perspective, the move toward cooperation was not solely the result of faculty choosing to serve the needs of dominant business-interests in exchange for a relative degree of autonomy and job security, as implied by historians Slaughter and Barrows,¹¹³ nor was it motivated solely by a desire to retreat from the issue of academic freedom.¹¹⁴ Instead, it was a voluntary maturation of academic professionalism that recognized that an overly-simplistic, dichotomous faculty-administration orientation did not resonate with the complexities of modern society, did not offer the professoriate the best chance to advance its own interests without damaging its public image, and did not reflect the nature of the constrained-professional strand of the discourse on academic freedom.

113 This is the argument made by Sheila Slaughter and Clyde Barrow. See Sheila Slaughter, "The Danger Zone: Academic Freedom and Civic Liberties," *Annals of the American Academy of Political and Social Science* 448(1980) and Edward T. Silva and Sheila Slaughter, *Serving Power: The Making of the Academic Social Science Expert* (Praeger, 1984); and Clyde W. Barrow, *Universities and the Capitalist State: Corporate Liberalism and the Reconstruction of American Higher Education, 1894-1928* (Madison: The University of Wisconsin Press, 1990).

114 This is at least implied in Cain, *Establishing Academic Freedom*, 118.

Chapter 8: Afterword

“Alle Freiheit ist beschränkte Freiheit, jede Freiheit fordert die Schranken Ordnung, aber allerdings nur die Ordnungsschranken, welche dem Wesen der Sache entsprechen, um die es sich handelt.”

“All freedom is limited freedom, every freedom promotes the limits of order, but certainly only the order’s limits that comply with the nature of the matter to which it concerns.”

--Georg Kaufmann 1898

Professor of History at University of Wrocław in Poland

In 1898, Georg Kaufmann delivered an address at a town hall in Nürnberg, Germany about the history of the freedom of teaching in German universities in the 19th century.¹ He opened by emphasizing the inherent limitations to freedom, and he continued by underlying the limitations of *Lehrfreiheit* in Germany posed by the relationship between universities and the state and their local communities, and by the scholarly process itself.² Indeed, much of his speech explained the history of 19th century higher education in Germany.

The notion that academic freedom had practical limitations was one that took time for some American professors to realize. That this was the case is curious, in light of the fact that prior to the AAUP’s General Declaration of Principles in 1915 the most

1 Georg Kaufmann, “Die Lehrfreiheit An Den Deutschen Universitäten Im Neunzehnten Jahrhundert” (Leipzig: S. Hirzel, 1898). Opening quote is on p. 3. Translation is my own.

2 *Ibid.*, 3-4.

extensive discussion of academic freedom in the English language came from a book on the German academic system by the German professor Friedrich Paulsen that was translated into English in 1906.³ Paulsen emphasized similar barriers to academic freedom in Germany as Kaufmann mentioned that stand in stark contrast to some of the late 19th and early 20th century remarks by American professors remembering their German experiences or using the German system's free nature as a means to criticize limitations on academic freedom in the United States.

The historiographical consensus on the history of academic freedom in the United States is correct in emphasizing the changes to the concept as it was adopted on American soil.⁴ The American multifaceted-tradition of freedom provided a strong, deep set of American ideas from which the borrowed German concepts could mix, a combination that enabled academic freedom to survive during and beyond the anti-Germanism of the World War I era. However, the different context of freedom itself was not the only important area of change to the concept of academic freedom.

German historians and European sociologists have noted that Germany lacked a notion of the professional, which is an Anglo-American concept, and even resisted specialization or the development of what, in the American sense, appeared as professionalism.⁵ Dating back to the medieval era, scholars noted stronger connections

3 Friederic Paulsen, *The German Universities and University Study* (New York: Charles Scribners's Sons, 1906).

4 Richard Hofstadter and Walter P. Metzger, *The Development of Academic Freedom in the United States* (New York: Columbia University Press, 1955); Frederick Rudolph, *The American College and University: A History* (New York: Alfred A. Knopf, Inc., 1962); Laurence Veysey, *The Emergence of the American University* (Chicago: The University of Chicago Press, 1965)

5 Joseph Ben-David, "Science and the University System," *International Review of Education / Internationale Zeitschrift für Erziehungswissenschaft / Revue Internationale de l'Education* 18, no. 1

between specialized occupational groups and the state in many European countries, including Germany.⁶ More specifically, in 19th century Germany, the German education system (*Bildung*) created a strong, united middle class culture and therefore group identity for individuals in educated occupational groups was formed around that class cultural unity rather than a unity surrounding the specific occupation. As a result, in Germany a notion of the “*Bildungsburgertum*” (educated middle class) developed as opposed to more specialized professional group identities.⁷ Thus, as academic freedom became incorporated into American society and culture it had to be converged and refitted with the developing American conception of the academic professional.

Beginning in the 1890s participants in the academic freedom discourse invoked two different types of academic professionalization: one that connected with 18th and 19th century ideas about the independent, disinterested scholar and one that reflected a more scientific, objective, and cooperative understanding of the profession. Over time, the first perspective gradually drifted toward the background, particularly after the founding of the AAUP in 1915, which legitimated the more objective and cooperative approach. By the mid-1920s, cooperation became even more important in the midst of the crisis surrounding the teaching of evolution, and fewer and fewer faculty fought for a completely independent sort of autonomy. By the end of the 1920s, the majority of

(1972), 44-60, especially 49-53; Michael Burrage and Rolf Torstendahl, eds., *Professions in Theory and History* (London: Sage Publications, Ltd., 1990).

6 Michael Burrage, “Introduction: The Professions in Sociology and History,” in *Professions in Theory and History*, ed. Michael Burrage and Rolf Torstendahl (London: Sage Publications, 1990), 1-23.

7 Jurgen Kocka, "'Burgertum' and Professions in the Nineteenth Century: Two Alternative Approaches," in *Professions in Theory and History*, ed. Michael Burrage and Rolf Torstendahl (London: Sage Publications, 1990), 62-74.

professors appeared to acknowledge, publicly at least, that they were not an isolated community who answered to no one but rather a self-respecting, professional group with profound obligations to society that both enabled and constrained their academic freedom and autonomy. For neither the colleges and universities nor the professors could prosper without the other. The institutions needed their professors to perform their teaching functions, and academics needed their institutions because although they could pursue employment elsewhere few opportunities existed that offered the combination of scholarly activities and academic prestige as the college or university.

Acknowledging such a unity of interests with their institutions meant acknowledging a loss of individual independence at some level. This was the purpose of the constrained-professional strand of the academic freedom discourse. And while some historians of academic freedom in the early 20th century have interpreted this unity of interests as an abandonment of pure professional autonomy made out of fear or in exchange for job security,⁸ I argue that this interpretation overlooks or oversimplifies the role of the imperfect experience of academic professionalization in this process.

The hope of some sort of purely autonomous profession reflected in these historical criticisms does not accurately reflect the progress of the academic freedom discourse from 1890-1929 nor the corresponding notions of the academic profession.

8 Sheila Slaughter, "The Danger Zone: Academic Freedom and Civic Liberties," *Annals of the American Academy of Political and Social Science* 448 (1980), 46-61; Edward T. Silva and Sheila Slaughter, *Serving Power: The Making of the Academic Social Science Expert* (Westport, Conn.: Greenwood Press, 1984). Tim Cain also supported this perspective. See, for example, his criticism of the AAUP for pursuing the behind the scenes strategy in the mid-late 1920s in *Establishing Academic Freedom*, 118-120.

The age of the independent scholar was diminishing and, with the significant increases in the numbers of professors during this period, the ability to claim independence to secure the genius of the faculty was weak. Most professors would probably have agreed that there were still scholars or scientists of genius out there, researching and innovating, but how to identify those individuals amidst the relative masses of specialized experts was a problem without an articulated solution.

In an age of increased specialization, the corresponding realms for academic autonomy were increasingly smaller. Indeed, some professors from 1890-1929 even saw the struggle for shared governance within their institutions as something that interfered with their academic freedom. The difficulties expressed by many AAUP leaders and members regarding the poor local participation of the faculty at some universities and colleges reinforced this notion. However, this need not be interpreted as a lack of professionalization. Instead, it merely indicates the complexity of the academic experience because of the multiple groupings of professors that surrounded it. Academic freedom itself emphasized research and teaching that stemmed from research as the foundation of academic professionalism. Faculty members who adhered to that strict interpretation were as much in favor of academic freedom as their colleagues who felt the need to struggle with the administration locally or nationally, often at the expense of personal health, research, or teaching time. Furthermore, both groups also advocated a collective professionalization perspective.

Instead of a conflict between an individual and the profession writ-large, this

problem was inherently an internal status strain type of problem as professors were caught between two aspects of their profession.⁹ Academic specialization, which focused on disciplinary affiliation and research, often not only pulled faculty away from the center of their colleges or universities, but also from other groups of professors. And yet, that draw was very strong and professors could gain significant advantages from doing so within their disciplines. At the same time, other professors, such as many of the leaders of the AAUP, could choose to pursue interests more central to all academic specializations such as university governance issues at either the local or national level. These efforts too were part of academic professionalization and could lead to personal, professional gains for those who fought for them, but not without sacrifice. As Timothy Cain noted, the AAUP experienced considerable difficulty convincing professors to take leadership positions within the organization, such as the chairmanship of Committee A on Academic Freedom and Tenure, which were known to take up considerable time and energy.¹⁰ That some professors took one route and others took another reveals competition within the collective orientation toward professionalization.

Finally, my perspective emphasizes the continuous nature of professionalization through shifting contextual barriers, and the history of academic freedom and academic professionalization from 1890-1929 reflects this continuity. From the primary barriers of big business interference, autocratic administrations, various versions of anti-Radicalism, and the reactionary intolerance of Fundamentalist Christianity, the ability of professors to

9 Andrew Abbott, "Status and Status Strain in the Professions," *The American Journal of Sociology* 86, no. 4 (1981), 819-835.

10 Cain, *Establishing Academic Freedom*.

advocate for themselves, individually or collectively, met with continued though varied resistance. However, the same could be said of their institutions. Professorial attempts to use public means to improve their status, either rhetorically or by attacking the individuals or institutions inhibiting their professional functions, often damaged their institutions as well as themselves. The barriers to faculty status and prestige, then, were the same barriers that universities and colleges faced during this period, and the media played an important role in expressing and even advancing those barriers.

The relative decline of the publicity strategy of individual faculty and the publicity mission of the AAUP in the 1920s that I address in chapter 7 of this dissertation can be seen as conflict avoidance, as argued by Cain. However, I suggest that this conflict avoidance was not necessarily due to professors shrinking back out of weakness. It was a realization that the professoriate's strength and authority was not centered in the public realm but in disciplines and institutions which everyday people did not understand, that perpetuating the public spectacle of the faculty had not helped them very much since 1890, and that staying out of the public media as much as possible was a move in favor of self-respect for the profession and the institutions within which they operated.

In accessing the statements of professors in public and academic media, this dissertation provides ample evidence of the various professorial perspectives on academic freedom. Even after the founding of the AAUP, the professoriate did not possess a unified understanding of academic freedom. Beginning in 1890 and continuing through the 1920s, professors the broad, free, "unfettered" individually-oriented understanding of

academic freedom was used beside more constrained, professional understandings of the concept. And while notions of academic professionalization shifted away from the independent scholarly intellectual model in favor of a more constrained professionalization model, the broad-free understanding of academic freedom did not completely disappear from public discourse in favor of the constrained, professional version of the concept. The reason for this continuity in the academic freedom discourse is due to the rhetorical utility of the broad and free understanding of the concept. Throughout the time period studied in this dissertation, professors and administrators commonly resorted to “unfettered” academic freedom in their public remarks to criticize and attack the political and social individuals or bodies attempting to limit the academic freedom of individual professors or universities. This weaponized use of the concept retained value through time, as evident by its usage from university presidents in response to the anti-evolution movement in the 1920s.

Though this dissertation incorporates the voices of many professors, prominent and obscure, from a variety of universities and colleges throughout this period, there are notable absences in the academic freedom discourse I analyzed. First, the voices of female professors are underrepresented, with a few exceptions where female professors or administrators were involved in cases investigated by the AAUP. Second, the voices of African-American professors, as well as professors of other minority groups, are completely absent. More research is needed to understand the role that gender and race played in the discourse on academic freedom. Future historians might accomplish this

through increased study of academic freedom at American institutions, particularly at women's colleges and historically black colleges and universities, and the local newspapers and periodicals serving the communities of those institutions during this period.

Despite these absences, however, this dissertation still provides a richer, more varied portrayal of professorial understandings of academic freedom before and after the founding of the AAUP than the historiography for this period usually offers. Even the historical works that do acknowledge multiple ideas about academic freedom before or after the AAUP tend to stop with emphasis on the ideas perpetuated by AAUP statements and reports.¹¹ While the AAUP statements and reports had important professionalizing and publicizing functions, the ideas discussed in and disseminated by them never fully represented the complexity of the discourse on academic freedom even if they often reflected a certain degree of compromise. Nonetheless, despite ongoing criticisms that the AAUP did not do enough to define and defend professorial freedoms in their first fifteen years, they were still able to exercise significant influence among the professoriate itself and with various administrative officers at institutions of higher education throughout the country.

In writing about the enduring legacy of the medieval university, historian J. K.

11 Stanley Rolnick, "The Development of the Idea of Academic Freedom in American Higher Education, 1870-1920" (Dissertation, University of Wisconsin, 1951); Gabe Sanders, "Selected Aspects of Academic Freedom in American Colleges and Universities (1918-1951)" (Dissertation: Teachers College, 1952); Christopher John Lucas, "American Conceptions of Academic Freedom in the Twentieth Century" (Dissertation, The Ohio State University, 1967); and Stanley David Anderson, "An Analysis of the Meaning of academic freedom in American higher education, 1860-1920," (Baylor University, 1980).

Hyde attributed the ability of universities to survive in some form through many centuries to their corporate structure. “But in the long run it was the ability of the universities to support mediocrity that we must appreciate. It was the long, steady slog in which the universities excelled, and they did so because of their corporate structure.”¹² The history of academic freedom from 1890-1929 resonates with this sentiment, as the realization of shared interests between professors and institutions in the 1920s was an acknowledgment of the need for institutional security, though imperfect and mediocre to some, for universities and colleges to survive the shifting social, cultural, economic, and political landscapes and stand the tests of time. In this sense, the legitimation of what some historians have called conservative, but what I call the constrained-professional perspective on academic freedom was part of a process that enabled the continued professionalization of the faculty to the present day. The AAUP in its early years was not perfect, nor were its efforts to clearly define and secure academic freedom, but the AAUP and the faculty role it envisioned in higher education survived by working with colleges and universities, not against them. It has been a recipe of disappointment and frustration for some, but the continuity of the organization itself and the modern conception of the academic profession is its enduring legacy.

12 J. K. Hyde, “Universities and Cities in Medieval Italy,” in Thomas Bender, ed., *The University and the City: From Medieval Origins to the Present* (New York and Oxford: Oxford University Press, 1988), 13-21, especially 20-21.

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