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### Book Review: The Chief Purpose of Universities: Academic Discourse and the Diversity of Ideas

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## BOOK REVIEW

THE CHIEF PURPOSE OF UNIVERSITIES: ACADEMIC DISCOURSE AND THE DIVERSITY OF IDEAS. By WILLIAM M. BOWEN & MICHAEL SCHWARTZ. LEWISTON, N.Y.: THE EDWIN MELLEN PRESS, 2005. Pp. XII, 438. \$129.95.

REVIEWED BY ERIK M. JENSEN<sup>1</sup>

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*The Chief Purpose of Universities: Academic Discourse and the Diversity of Ideas*,<sup>2</sup> an extended rumination on American research universities, is an amazing book. It is the result of a prodigious amount of learning and thought.

This book is interesting for many reasons. One is that Michael Schwartz is president of Cleveland State University. He was also once the boss at Kent State. I do not know the division of labor between the two authors, but I suspect that William Bowen, a professor of urban studies and public administration at Cleveland State, did most of the heavy lifting. If so, please forgive me, Professor Bowen, but in the next few pages I am going to slight your contributions. It is so unusual these days to have a book on education written by a sitting university president that the Schwartz connection deserves to be highlighted.

### I. WHAT DO UNIVERSITY PRESIDENTS DO?

Everyone seems to think that the only function of college presidents is to raise money. That view is a bit misleading, of course, but it is not totally wrong.<sup>3</sup> What else can a president do? With the demands on his or her time, it is hard to keep up with the esoterica of academic inquiry, so continuing as a scholar (assuming the president was one to begin with) is probably out of the question.<sup>4</sup> Run the

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<sup>1</sup> David L. Brennan Professor of Law, Case Western Reserve University. I should note that my colleague George Dent wrote the foreword for this volume. And I thank Professor Christopher Sagers—who, I'm sure, continues to disagree with much of what I have written—for helpful comments on an earlier draft.

<sup>2</sup> WILLIAM M. BOWEN & MICHAEL SCHWARTZ, *THE CHIEF PURPOSE OF UNIVERSITIES: ACADEMIC DISCOURSE AND THE DIVERSITY OF IDEAS* (2005).

<sup>3</sup> See BOWEN & SCHWARTZ, *supra* note 2, at 338 ("[O]ne increasingly finds university presidents who, rather than providing strong academic leadership, are dedicated exclusively to the illimitable task of raising money.").

<sup>4</sup> Cf. HENRY ROSOVSKY, *THE UNIVERSITY: AN OWNER'S MANUAL* 11 (1990) ("[N]o one who has toiled as an administrator for eleven years can again lay claim to full membership in a

university? In a very general way, perhaps, but a busy president cannot possibly play an active role in day-to-day management.

What a president can do when not on the fund-raising trail is shmooze—shmooze thoughtfully, one hopes, but shmooze nonetheless. One prominent, and unusually long-term, university president, Frank Rhodes, described the job as follows:

The president creates the atmosphere. He or she is everywhere, walking the campus, meeting with students at breakfast, faculty at brown bag lunches, alumni at reunions, everyone at campus events, entertaining at home. The president understands the hopes and concerns of the campus, energizes its efforts, challenges its complacency, raises its aspirations. No encounter is too brief, no event too small, no action too limited to have an influence—positive or negative—on the atmosphere of the campus.<sup>5</sup>

In short, the president's always on stage, always performing.<sup>6</sup>

But the shmoozing is, or should be, limited in scope. In general, we do not expect presidents to make pronouncements about important issues of the day unless the issues directly affect the university. It used to be the case that some folks became public figures precisely because they were university presidents, and their views were solicited on matters of general import. Nicholas Murray Butler of Columbia and Robert Maynard Hutchins of Chicago come to mind from the first half of the twentieth century, and there were others.<sup>7</sup> But, except for John Silber at Boston University,<sup>8</sup> presidents long ago stopped making regular appearances on the front pages of the nation's newspapers, at least until Harvard's Larry Summers came along.

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demanding academic field.”). *But see* FRANK H. T. RHODES, *THE CREATION OF THE FUTURE: THE ROLE OF THE AMERICAN UNIVERSITY* 227-28 (2001). Rhodes asserts that

[t]he president should teach, in however limited a role; should be a serious reader; should participate in the intellectual life of the campus; should remain an informed scholar in his or her own field. The pressures of the day will converge to squeeze out these activities. They must be resisted. Time must be found.

*Id.*

<sup>5</sup> RHODES, *supra* note 4, at 224-25. Rhodes was president of Cornell University from 1977 to 1995.

<sup>6</sup> “Always” means *always*. See Jacob Gershman, *Lehman's Resignation Caps Trying Year for University Leaders*, N.Y. SUN, June 13, 2005, at 4. The article describes a hypothetical want ad:

Help wanted: Excoppty at Ivy League university. Successful candidate for presidency has ability to clock-in sweatshop hours; tolerate laser like scrutiny from trustees, faculty members, alumni, parents; raise billions of dollars; work under constant threat of termination. Competitive compensation.

*Id.*; see also ROSOVSKY, *supra* note 4, at 37-55 (chronicling a seemingly endless “dean’s day” for Harvard’s dean of arts and sciences).

<sup>7</sup> Some folks who were already public figures, like Dwight David Eisenhower, became university presidents (Columbia at mid-century, in Ike’s case).

<sup>8</sup> As I write this, Silber is no longer BU’s president, but, by the time this appears in print, he might very well be president again.

Summers was, if anything, the exception that proves the rule.<sup>9</sup> In the magnitude of his difficulties, and the reporting about those difficulties,<sup>10</sup> Summers was *sui generis*. His public visibility on the matters that hit the front pages was unexpected and in the two best known cases, disputes about African-American scholar Cornel West and about the small number of women on science and engineering faculties at elite institutions, unwanted, I'm sure.<sup>11</sup>

Other university presidents generally operate in obscurity.<sup>12</sup> Unless you are an academic nerd of the first order, you do not know who the presidents of Chicago, Columbia, Princeton, Stanford, and Yale are. You might know one or two. Maybe you are an alum or you live in the institution's home city. But the probability that you know the names of all five is close to zero.<sup>13</sup> University presidents might move on to other more publicly noteworthy positions—Yale's A. Bartlett Giamatti and major league baseball, for example, or Chicago's Edward Levi and the attorney generalship.<sup>14</sup> But being publicly known because of one's presidency is quite unusual.

Being publicly obscure is not necessarily a bad thing; it is probably good that we do not routinely hear from university presidents on matters of public import. Whatever the president of Big Research University thinks about the war in Iraq, for example, she should keep it to herself. Yes, presidents are entitled to their own opinions, but if a president makes a statement on a public issue, it is difficult, if not impossible, for the public to keep the president's personal and institutional roles distinct. The statement is inevitably going to be linked to the university, and Big Research U. should have no official position on issues that do not directly affect the school.

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<sup>9</sup> I know, I know. The idea that an exception "proves" a rule is probably nonsense.

<sup>10</sup> The difficulties and the reporting were obviously not independent phenomena. It was the reporting (and the fact that *Harvard* was involved) that made nonevents into events.

<sup>11</sup> See Piper Fogg, *Harvard's President Wonders Aloud About Women in Science and Math*, CHRON. HIGHER EDUC., Jan. 28, 2005, at 12; Martin Van Der Werf, *Lawrence Summers and His Tough Questions*, CHRON. HIGHER EDUC., Apr. 26, 2002, at 29. Summers was basically set up by disaffected faculty, twice. He then made the situations worse—and the publicity greater—by caving in to pressure and apologizing abjectly.

<sup>12</sup> It is possible for disputes to spill over campus boundaries at other elite institutions. Columbia's Lee Bollinger recently had to deal with a controversy, involving the university's Department of Middle East and Asian Languages and Cultures, that attracted such attention. See, e.g., *Faculty Follies: A Selection*, NEW CRITERION, June 2005, at 1; Efraim Karsh, *Columbia and the Academic Intifada*, COMMENT., July-Aug. 2005, at 27. But that sort of thing does not happen often, and Bollinger did not become a national lightning rod as Summers did. As terrific as Columbia is, it does not attract the attention that Harvard does.

<sup>13</sup> I can do three without looking anything up, but then I am one of those academic nerds.

<sup>14</sup> And Ike, of course. See *supra* note 7. But in his case, becoming President of the United States was not really a move up from Columbia. Columbia had merely been a layover on the way to the White House. But see TRAVIS BEAL JACOBS, *EISENHOWER AT COLUMBIA* 323 (2001) (arguing that years at Columbia "were far more than an interlude between World War II and the White House"). Jacobs makes the case that "Columbia played a significant role in the General's education as a civilian." *Id.* at 327. He can not make the case—and does not try—that Ike was ever that engaged in Columbia's affairs.

On the other hand, you would expect a university president to have well-considered views about matters that *are* closely connected with universities, and to want to share those views with the world. How could a person have risen to a university presidency without having thought long and hard about the purposes and methods of education?

So, even with the demands on university presidents' time, you might expect to see many books and articles by presidents discussing higher education. But that just has not happened. Sure, any president has buzzwords ready for public occasions: "Education is good, the education at our institution is particularly good, and you should send us money." But serious thought about the purposes of a university? Hardly ever, or at least hardly ever reduced to writing in a systematic way.<sup>15</sup>

Until now, that is, and publication of *The Chief Purpose of Universities*. By participating in this book about higher education, university president Michael Schwartz is an anachronism, but a welcome one. It's good to know that at least one university president is thinking seriously about the enterprise in which he is engaged.

## II. UNIVERSITIES AND THE "VARIATION OF IDEAS"

Bowen and Schwartz's thesis is that

the university is, or should be, the institution in society primarily responsible for conserving the variation of ideas; and that the success with which society produces the knowledge needed to adapt to major social and environmental problems depends vitally upon conserving this variation. The "enemies" are idea-vetting systems that restrict or constrain the variation of ideas that can be used in inquiry, deliberation, and action.<sup>16</sup>

That statement contains at least three points worth emphasizing. One is that "variation of ideas" is a good thing: "the rate of progress and advancement in knowledge throughout society at any time is equal to the variation of ideas at that time."<sup>17</sup> *Do not restrict the ideas that can be considered!* Second, universities serve

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<sup>15</sup> There have been exceptions. *See, e.g.*, RICHARD LEVIN, *THE WORK OF THE UNIVERSITY* (2003); DEREK BOK, *UNIVERSITIES AND THE FUTURE OF AMERICA* (1990); DEREK BOK, *BEYOND THE IVORY TOWER: SOCIAL RESPONSIBILITIES OF THE MODERN UNIVERSITY* (1982); A. BARTLETT GIAMATTI, *A FREE AND ORDERED SPACE: THE REAL WORLD OF THE UNIVERSITY* (1988); CLARK KERR, *THE USES OF THE UNIVERSITY* (1963). Rhodes's book was written after he had left his presidency. *See* RHODES, *supra* notes 4-5 and accompanying text. Rosovsky's was written after his deanship was over. (Rosovsky may have anticipated a presidency—he was a finalist at Harvard—but that did not happen.) *See* ROSEVSKY, *supra* note 4. Derek Bok, who in 2006 is once again Harvard's president (although this time on an interim basis), wrote several books on education after his *real* presidency ended, including: WILLIAM G. BOWEN & DEREK BOK, *THE SHAPE OF THE RIVER* (1998) (Bowen had been president of Princeton); DEREK BOK, *UNIVERSITIES IN THE MARKETPLACE* (2003); and DEREK BOK, *OUR UNDERACHIEVING COLLEGES* (2006). *See also* JAMES O. FREEDMAN, *LIBERAL EDUCATION AND THE PUBLIC INTEREST* (2003) (published after Freedman's presidencies at Iowa and Dartmouth).

<sup>16</sup> *See* BOWEN & SCHWARTZ, *supra* note 2, at xii.

<sup>17</sup> *Id.* at 13, 47. That statement does not work as an equation: how does "rate . . . equal . . . variation?" *Id.* But we know what the authors mean.

as essential “storehouse[s] of ideas,”<sup>18</sup> which protect the critically necessary variation of ideas. *If universities do not do it, no one will.* Finally, “enemies,” often boring from within, restrict variation of ideas, to the detriment of us all.<sup>19</sup>

Everyone is hurt if the enemies succeed because variation of ideas is essential to societal progress. The process is like evolution:

The evolution of scientific knowledge is a product of variation, interaction, and selection processes. One of the university’s functions is to shepherd and consciously guide and protect those processes so as to ensure that the rate of knowledge growth is high enough to meet the needs of individuals and society. . . . The university thus wittingly or otherwise regulates the rate of knowledge growth in accordance with the degree to which it conserves the entire variation of ideas.<sup>20</sup>

In short, “[w]hen the university consciously conserves the variation of ideas, it . . . harnesses the natural forces of evolution and applies them for the betterment and development of society.”<sup>21</sup> And this is not small potatoes stuff. For Bowen and Schwartz, universities are “one of the few sources of real hope for the future of humanity.”<sup>22</sup>

### III. THE ENEMIES

Universities are under attack, argue Bowen and Schwartz. The desirable variation of ideas is endangered by “authoritarianism, supernaturalism, corporatism, irrationalism, and political correctness,”<sup>23</sup> and faculty are likely to be pushing at least some of these isms.<sup>24</sup> Damage to higher education thus results from purportedly “friendly” fire that is not friendly at all.

The enemies “restrict the range of acceptable thoughts and expressions, and in doing so they undermine the flexibility upon which creative thought depends. They tend to increase the frequency of expression of inflexible ideas about politics,

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<sup>18</sup> *Id.* at 11.

<sup>19</sup> *Id.* at 24.

<sup>20</sup> *Id.* at 83.

<sup>21</sup> *Id.* at 102.

<sup>22</sup> *See id.* at 395.

<sup>23</sup> *Id.* at 26.

<sup>24</sup> Faculty often do not shine in this book. Bowen and Schwartz correctly note that “[t]he best scholars are the best teachers.” *Id.* at 45. But too many faculty not only fail to do what they are supposed to, they also get in the way of others:

[A]ll too often those faculty members who have for whatever reason given up on scholarship are also those who are unwilling to accept the responsibility to rise above pettiness, narrow self interest, and job protectionism and to thus enable themselves to serve as reliable and judicious custodians of the curriculum. As a consequence, one observes the abuse of tenure by faculty who, by their failed commitment to scholarship and the protection of liberty, thwart organizational and institutional reform and the transformation of mediocre universities into great universities.

*Id.* at 361.

economics, science, technology, morality, and nature . . .”<sup>25</sup> The variation of ideas can be reduced in direct ways if, for example, potentially valuable ideas are simply ruled out of order by authoritarianism, irrationalism, or one of the other enemies. But direct orders are not necessary for damage to be done. The enemies also stifle discourse by creating an atmosphere in which there is fear of speaking out:

When the storehouse of ideas shrinks, disagreement becomes more risky. People tend to remain open with their honest thoughts only to those with whom they have prior reason to think themselves in agreement. When this occurs, the enemies become sufficiently influential and knowledge accordingly ceases to advance. This is when individuals tend to make clear and understandable (if wrong) decisions based in politics, superstition, irrational thought, greed or emotion rather than clear-headed and sound reason and rationality.<sup>26</sup>

*The Chief Purpose of Universities* is refreshing because Bowen and Schwartz skewer each of the enemies, including political correctness, one by one. I do not agree with all of the points they make along the way—a little variation of ideas is appropriate here too—but I applaud their effort. I will summarize a few of the high and low points about the various enemies.

Authoritarianism “recognizes in large measure, if not exclusively, the authority that resides in an individual person.”<sup>27</sup> A proposition is deemed to be “right,” that is, because a person in authority says so, not because of its merits. In contrast, “[s]cientific knowledge as such does not recognize, much less respect authority. Scientific knowledge resides in the system about which it pertains and does not recognize the individual person who expresses it.”<sup>28</sup> One would expect “vigorous debates” to “potentially challenge authority,”<sup>29</sup> and, although the authorities will not like it, vigorous debate is a good thing.

Supernaturalism “exempts itself from empirical verification, validation, or authentication processes;”<sup>30</sup> “supernatural ideas readily lend themselves to support illusions of knowledge.”<sup>31</sup> Here Bowen and Schwartz are writing, for the most part, about the unhappy effects of religion in higher education.

One of Bowen and Schwartz’s primary targets—in fact, one of the impetuses for the book—is corporatism. While “[t]he advancement of knowledge is essentially indirect and experimental,”<sup>32</sup> corporate models imported into university settings “stress conformity in thought and behavior to convention and social norms,”<sup>33</sup> push

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<sup>25</sup> *Id.* at 96.

<sup>26</sup> *Id.* at 28-29.

<sup>27</sup> *See id.* at 115.

<sup>28</sup> *Id.*

<sup>29</sup> *Id.* at 122.

<sup>30</sup> *Id.* at 148.

<sup>31</sup> *Id.* at 164.

<sup>32</sup> *Id.* at 188.

<sup>33</sup> *See id.* at 191.

“vocational training and the development of technological knowledge,”<sup>34</sup> and tend to expect immediate, economic results. As a result, education becomes a “commodity,” and the university looks primarily to the bottom line to decide what is worthwhile and what is not.<sup>35</sup>

Bowen and Schwartz provide many examples of irrational behavior in a university setting, but “[t]he most frequently occurring irrationalist positions today are rooted in the common anti-liberal presumption that ‘the existence of large disparities provides proof, or at least strong evidence, of remediable injustice.’”<sup>36</sup>

And there is political correctness with the attendant doublespeak—the push for conformity using the language of diversity, and so on.<sup>37</sup> Bowen and Schwartz are particularly pithy here, disparaging politically correct habits of thought, which “stem from the inability to imagine that others perceive the world and think completely differently from one’s self.”<sup>38</sup> This has been done before, and done well, by Roger Kimball and others,<sup>39</sup> but it is good to have Bowen and Schwartz on board.<sup>40</sup>

Bowen and Schwartz take politically incorrect positions themselves. For example, they state that “[a]cademic administrators who uphold reasonably high academic standards tend to have as a consequence fewer African American students

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<sup>34</sup> *Id.* at 192.

<sup>35</sup> *Id.* at 195. Bowen and Schwartz also argue that corporatism leads to underfunding of higher education. *Id.* at 208. You would expect a university president to say that, wouldn’t you?

<sup>36</sup> *Id.* at 222 (quoting DAVID HENDERSON, *THE CHANGING FORTUNES OF ECONOMIC LIBERALISM: YESTERDAY, TODAY AND TOMORROW* (1998)).

<sup>37</sup> “According to politically correct ideas, it is okay to compel ‘diversity’ through discrimination.” *Id.* at 258; *see also* HILTON KRAMER & ROGER KIMBALL, *INTRODUCTION, in THE BETRAYAL OF LIBERALISM: HOW THE DISCIPLES OF FREEDOM AND EQUALITY HELPED FOSTER THE ILLIBERAL POLITICS OF COERCION AND CONTROL* 15 (Hilton Kramer & Roger Kimball eds. 1999) (“Whenever one discovers a publicly bruited ‘commitment to diversity,’ one can be sure that policies designed to assure lockstep conformity are not far behind.”)

<sup>38</sup> *See* BOWEN & SCHWARTZ, *supra* note 2, at 265.

<sup>39</sup> Kimball has noted that

[most traditionalists] will sit in abject silence as they are informed by their politically correct colleagues that [ideas about merit] are reactionary, white, male, elitist, Western, and exclusionary, not to say outmoded. If the institution is up-to-date, you may even be directed to a sensitivity training class in order that you might avoid such transgressions in the future.

ROGER KIMBALL, *TENURED RADICALS: HOW POLITICS HAS CORRUPTED OUR HIGHER EDUCATION* xi (rev. ed. 1998). Bowen and Schwartz are not abjectly silent, and they gently ridicule “diversity consultants.” *See* BOWEN & SCHWARTZ, *supra* note 2, at 262.

<sup>40</sup> Bowen and Schwartz nevertheless cannot escape the pull of political correctness. In criticizing irrationalism, they assert that “[m]ulticulturalists tend to draw upon [irrationalist ideas] to otherwise rightly criticize scientists and others for their all-too-frequent Eurocentricism.” *See* BOWEN & SCHWARTZ, *supra* note 2, at 214. Is there a reason other than political correctness to characterize scientists in that way? If modern science is largely a European creation, then three cheers for Eurocentricism! (Besides, is there evidence that “Eurocentric” scientists reject ideas from Asia or Africa? I’m skeptical.)



in their programs.”<sup>41</sup> In today’s academy, one is not supposed to hypothesize about such matters. If the proposition is true, it describes a phenomenon that universities need to address, not hide from.<sup>42</sup> But the politically correct response is to ignore the issue officially, while engaging in affirmative action that effectively concedes there is a problem; or, if a heretic insists on going public, (1) to deny the issue exists and (2) to condemn the heretic.<sup>43</sup>

As I have noted, many, maybe most, proponents of the enemy positions are within the four walls of the academy, sitting in the nation’s faculty lounges.<sup>44</sup> Bowen and Schwartz state that

far too little attention [is] getting paid to the creation and maintenance of a diversity of ideas within universities and, by reflection, within society. Faculty members tend to hire other faculty members who think essentially the same things they do. They teach students to think the same things they do. They personally attack others who have different ideas, different thoughts and views.<sup>45</sup>

That is sad, but it is consistent with my experience.

#### IV. ARE BOWEN AND SCHWARTZ REACTIONARIES?

Bowen and Schwartz are generally supportive of a traditional conception of the university, but this is not a conservative book, if by “conservative” one means supportive of religion, authority, and so on. Although they suggest that supernatural ideas have generally not been a problem in constraining the expression of ideas in modern universities<sup>46</sup>—they concede that a few institutions with religious affiliations “are by acclaim among the finest universities in the country”<sup>47</sup>—they still disparage more than a few religious colleges. And their scorn is not limited to places like Bob Jones and Liberty Universities, institutions at the margins of the education establishment. They also criticize schools like Brigham Young University that house distinguished academic departments.<sup>48</sup>

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<sup>41</sup> *Id.* at 33.

<sup>42</sup> It should go without saying, but probably does not, that taking such a proposition seriously is not evidence of racism.

<sup>43</sup> The recently resigned president of my university, Edward M. Hundert, said, in his inaugural address, that “[w]e must face down the unsupported assertion that diversity is at odds with excellence.” See Barb Galbincea, *CWRU Leader Sees a Future Shaped by ‘Amazing People’; New President Vows to Deliver Excellence*, *Cash*, PLAIN DEALER, Jan. 31, 2003, at A1. That is, even though we are a major research university, we are not supposed to discuss the assertion in a reasoned way. We are to face it down!

<sup>44</sup> Or they would be, if faculty members today bothered coming to campus. See Robin Wilson, *It’s 10 a.m. Do You Know Where Your Professors Are?*, *CHRON. HIGHER EDUC.*, Feb. 2, 2001, at A10-A11 (noting that people in one Boston University department “joke about colleagues who are never around: ‘There was a sighting today!’”).

<sup>45</sup> See BOWEN & SCHWARTZ, *supra* note 2, at 396.

<sup>46</sup> *Id.* at 174.

<sup>47</sup> *Id.* at 175.

<sup>48</sup> *Id.* at 177.

Nor is the book “conservative” in a libertarian sense, although Bowen and Schwartz would, I imagine, be more comfortable on the western frontier than sitting in the pews of Calvary Baptist Church. It is not unusual for libertarians to take the position that universities should provide students with whatever the students want and are willing to pay for. If students desire summer programs in Paris, winter programs in the Bahamas, and pass/fail “grading” (with “fail” nearly impossible), universities should supply the fluff—assuming the students or mom and dad are willing to foot the bill. The consumerist perspective inevitably leads to dumbing down higher education, hardly consistent with the purpose of universities.<sup>49</sup>

#### V. A FEW GENERALLY MILD CRITICISMS

*The Chief Purpose of Universities* contains much that is powerful, but it is not perfect. I’ll make a couple of substantive criticisms and then comment on matters of style.

Bowen and Schwartz’s variation of ideas hypothesis is more appealing in some academic contexts than in others. Many fields, particularly in the sciences, cannot proceed without rejecting ideas that do not work. If the false and the unworkable could not be discarded, the search for truth would become meaningless.

Bowen and Schwartz know that all ideas are not equally valuable, of course. They write that “[p]erhaps the most important single point to make about values today is that some values and value systems are rationally superior to others.”<sup>50</sup> Indeed, the “enemies” themselves represent inferior bodies of thought. But they also write that, “[d]ue to the unpredictability of the future usefulness or viability of ideas, the best way to optimize for the number of ideas in society that can be selected, and to thereby increase the stock of utilizable knowledge, is to conserve their variation even when they are seemingly useless, and at times even repugnant.”<sup>51</sup>

For prudential reasons, that statement seems to make sense. We should err, if err we must, on the side of protecting ideas, when we know that our own positions might be wrong. But whatever conservation of variation means, it cannot be that a university is obligated to act as if the Ptolemaic conception of the solar system, say, were as worthy of study and research as the Copernican. We want to know about Ptolemy—he is part of the history of ideas—but an astronomer who insists on the legitimacy of the Ptolemaic system is not going to be hired, promoted, and

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<sup>49</sup> Recent academic novels have chronicled dumbing down in memorable ways. See, e.g., CHRISTOPHER HILL, *VIRTUAL MORALITY* 264 (2000) (“I had a T.A. tell me that I shouldn’t rely so much on essay questions, because they put people who couldn’t write well at a disadvantage.”). There have also been fictional examples of resistance to dumbing down. See, e.g., PHILIP ROTH, *THE HUMAN STAIN* 191 (2000) (“A student who tells me that I speak to her in ‘engendered language’ is beyond being assisted by me.”); SAUL BELLOW, *RAVELSTEIN* 42 (2000). Bellow’s character Ravelstein, based on Allan Bloom

took no stock in kindness. When students didn’t meet his standards he said, “I was wrong about you. This is no place for you. I won’t have you around.” The feelings of the rejects didn’t concern him. “Better for them if they hate me. It’ll sharpen their minds. There’s too much therapeutic bullshit, altogether.”

*Id.*

<sup>50</sup> See BOWEN & SCHWARTZ, *supra* note 2, at 389.

<sup>51</sup> *Id.* at 89-90.

tenured—and rightly so. Can you imagine expecting an astronomy department to teach the Ptolemaic perspective so as to preserve the variation of ideas? At least in this context, variation of ideas has to have limits.<sup>52</sup>

I am not certain, but I hope that Bowen and Schwartz would agree. Despite the expansive language they generally use, at other times they urge protection only for “*thinkable thoughts*,”<sup>53</sup> suggesting that not all ideas are equally worthy of protection in the university setting. Moreover, the sorts of things that are “thinkable” might well vary from discipline to discipline.<sup>54</sup> In any event, these are issues that require more thought.

A related matter: Bowen and Schwartz advance a version of academic freedom that is, at times, broader than it needs to be. What they say at one point is unobjectionable:

Academic freedom is a protection for the individual who feels compelled to dissent. It stipulates that members of a university community have a right and perhaps a duty to express their ideas and thoughts *about their area of specialization* and should be able to do so without the slightest fear of reprisal. . . . By making dissent feasible and guaranteeing the right of *qualified individuals* who carry dissenting ideas to express them freely, academic freedom ensures perpetuation of the conditions most conducive to the advancement of knowledge. The major current problem with it, in our view, is that it is so seldom used in this spirit (emphases added).<sup>55</sup>

When it comes to giving examples of violations of academic freedom, however, they disregard two key phrases in that passage, “their area of specialization” and “qualified individuals.” There is no reason for academic freedom to protect everything an academic does or does not do and says or does not say, and Bowen and Schwartz really do not think that academic freedom is so broad. But they discuss the case of Sami al-Arian, formerly a tenured associate professor of computer science at the University of South Florida, as if it were a fairly clear violation of academic freedom.<sup>56</sup> I am not so sure.

Al-Arian came under attack for, among other things, allegedly participating in the support of terrorism, including the acts of 9/11—acts that clearly had nothing to do

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<sup>52</sup> I realize Popper’s notion of falsifiability—that “it must be possible for an empirical scientific system to be refuted by experience”—is not universally accepted. See KARL R. POPPER, *THE LOGIC OF SCIENTIFIC DISCOVERY* 41 (2d Harper Torchbooks ed. 1968). Nevertheless, I do not think any serious scientist would disagree with the proposition that, after falsification, some ideas are no longer to be taken seriously in academic settings.

<sup>53</sup> *Id.* at 14.

<sup>54</sup> It is relatively easy to see how certain “ideas” need to be jettisoned in the hard sciences. Even in the softer fields (the arts, humanities, and social sciences), we should not let our critical faculties atrophy. We should be able to say with absolute certainty, for example, that Nazism was evil; that the “ideas” it represented were morally repugnant; and that those ideas cannot prevail in our academic setting. On those points there can be no permissible variation of ideas; to suggest otherwise would be pernicious. We should study Nazism, but not because we think it might have furthered values worth preserving.

<sup>55</sup> See BOWEN & SCHWARTZ, *supra* note 2, at 111-12.

<sup>56</sup> *Id.* at 128.

with his computer science research and teaching or any other area of academic work, for that matter. A university should tread lightly in disciplining faculty for any reason, whether or not related to the person's area of specialization,<sup>57</sup> and there were procedural problems with South Florida's handling of the al-Arian case. Nevertheless, if the allegations were true,<sup>58</sup> al-Arian was engaged in behavior that no reasonable conception of academic freedom should protect.<sup>59</sup>

Three lower order criticisms of *The Chief Purpose of Universities* are also in order. The book is way too long, in part because the authors often provide more theoretical grounding than is necessary for their arguments. For example, when Bowen and Schwartz start reviewing "the past several hundred years' worth of socio-economic theories about the source of value within society,"<sup>60</sup> you can start skimming. They are showing off, and it obscures their big points.<sup>61</sup>

In addition, although the book is generally well-written, Bowen and Schwartz use jargon that discourages the socially unscientific reader. Early in the book, they write, "[T]his is a treatise about human freedom, about how universities can unleash the potential for free human beings to change and improve themselves and their world, and about the likely effects of doing so upon social and environmental

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<sup>57</sup> For these purposes, the word "specialization" needs to be defined expansively, so as to protect interdisciplinary work and the work of polymaths who straddle many academic disciplines. My point is not that an economist should lose the protection of academic freedom by dabbling in political science or law; it is only that some behavior falls outside the boundaries of *any* reasonable conception of legitimate academic inquiry.

<sup>58</sup> Al-Arian's trial resulted in no guilty verdicts; the jury deadlocked on nine of the charges. See Eric Lichtblau, *Professor in Terror Case May Face Deportation*, N.Y. TIMES, Dec. 8, 2005, at 34. Nevertheless, al-Arian pleaded guilty to a basic conspiracy count and agreed to cooperate with efforts to deport him. See *The al-Arian Verdict*, WEEKLY STANDARD, May 1, 2006, at 2. Moreover, for purposes of the plea, he admitted he had "falsely stated" that officers of his think tank were engaged "in only scholarly work." *Id.* at 3. Despite the plea, al-Arian was sentenced to nineteen months in jail before any deportation could occur. See Jennifer Steinhauer, *19 Months More in Prison for Professor in Terror Case*, N.Y. TIMES, May 2, 2006, at 14.

<sup>59</sup> Edward Shils presented a narrower conception of academic freedom: Academic freedom is the freedom of university teachers to perform their academic obligations of teaching and research. These are obligations to seek and communicate the truth according to "their best lights." Academic freedom is not the freedom of academic individuals to do just anything, to follow any impulse or desire, or to say anything that occurs to them. It is the freedom to do academic things: to teach the truth as they see it on the basis of prolonged and intensive study, to discuss their ideas freely with their colleagues, to publish the truth as they have arrived at it by systematic methodical research and assiduous analyses. Edward Shils, *Academic Freedom*, in EDWARD SHILS, *THE ORDER OF LEARNING: ESSAYS ON THE CONTEMPORARY UNIVERSITY* 217, 220 (1997); see also *id.* at 221 ("The political freedom of academics does not extend to activities or memberships that are prohibited by law, such as collaboration in terroristic activities.").

<sup>60</sup> See BOWEN & SCHWARTZ, *supra* note 2, at 375.

<sup>61</sup> That happens several times in the book, such as in the discussions of the structure of scientific knowledge, beginning at page 57, and of supernaturalism in chapter 6. *Id.* at 57, 143.

systems.”<sup>62</sup> OK so far, but, they continue, “[i]t is about autopoietic processes.”<sup>63</sup> Boom! They just lost 2,618 readers (according to my careful, scientific study). A reader seeing a phrase like “the liminal aspect of mytholiminal rationality”<sup>64</sup> is going to surrender unconditionally on the spot.

Finally, hyperbole can get in the way of their arguments. (It is hard for that not to happen if you’re discussing the enemies of higher education.) Condemning modern universities’ move toward corporatism is fine, but it is a bit much to suggest that universities are using “corporate training centers” like McDonald’s Hamburger University as models.<sup>65</sup> And it is over the top to say that Adolf Eichmann “could easily have been a star graduate of a corporate university.”<sup>66</sup> A little perspective please, gentlemen.

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In a wonderful book on the English academic establishment, Noel Annan wrote that

[universities] exist to cultivate the intellect. Everything else is secondary. . . . The need to mix classes, nationalities and races together is secondary. The agonies and gaieties of student life are secondary. So are the rules, customs, pay and promotion of the academic staff and their debates on changing the curricula or procuring facilities for research. Even the awakening of a sense of beauty or the life-giving shock of new experience, or the pursuit of goodness itself—all these are secondary to the cultivation, training and exercise of the intellect.<sup>67</sup>

I am sure that Annan and Messrs. Bowen and Schwartz would disagree on many points, but on that basic proposition they would be on the same page (or do I now have to say the same website?). And that’s good.

*The Chief Purpose of Universities* deserves a wider audience than it can hope to have. Its price tag is extraordinary, it will not be available in general bookstores, and its physical appearance is shoddy. Even after this review, which will be read by several thousand people, I’m sure, *The Chief Purpose of Universities* is not going to have as much influence as it should. That’s too bad. Even if you are unwilling to take out a second mortgage to finance acquisition of this book, please make sure that your local academic library gets a copy (assuming, probably unrealistically, that your local academic library still buys books). And let us get more university presidents writing about the enterprise they are engaged in.

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<sup>62</sup> *Id.* at x.

<sup>63</sup> *Id.*

<sup>64</sup> *Id.* at 146.

<sup>65</sup> *Id.* at 183-84.

<sup>66</sup> *See id.* at 206.

<sup>67</sup> NOEL ANNAN, *THE DONS: MENTORS, ECCENTRICS AND GENIUSES* 3 (1999).