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The end of academic freedom

By Baruch Kimmerling

While the members of the senior academic staff of Israel's universities are on strike in the context of their just struggle against the erosion of their salaries, a quiet political process - whose practical result will be the end of academic freedom in Israel - is currently in progress.

On January 8, 1997, the government created a public commission that was headed by retired Supreme Court Justice Yaakov Maltz, which was charged with the task of studying the organizational structure of the nation's universities "from the perspective of the goals and objectives of universities in general." The commission decided that the present structure and work procedures in Israel's universities "do not permit an efficient utilization of the human and physical resources at their disposal."

The Maltz commission was well aware of the fact that its conclusions ran counter to the spirit and letter of the Council for Higher Education Law (passed in 1958), which grants academic and administrative freedom to the country's universities. Thus, the commission began to consider how to circumvent this law. The government decided to adopt, with some minor changes, the commission's recommendations, which, in effect, turn the universities into government companies. Last September, the government came to a decision regarding what was termed a "change in the organizational structure of institutions of higher learning."

In accordance with that decision, the Council for Higher Education was instructed to introduce far-reaching changes in the way Israel's universities are managed, the principal change being the establishment of a corporate structure for the universities and the termination of their independent management under their respective staffs of professors. (The example of the Government Companies Law was cited in this context.)

The implementation of the new structure will mean, in practical terms, that the values on which universities are founded - namely, academic freedom - will lose all significance, and it will open the door not only to an authoritarian regime in the nation's universities but also to external political interference in their management.

A university's senate serves as a general assembly of full professors and elected representatives of the remaining levels in the faculty. The senate is "sovereign" and has supreme academic authority regarding all aspects of the university's management. If the new corporate structure is adopted, the number of senate members will be reduced and it will consist of officials, most of whom will be appointed. A relevant parallel would be a situation in which the government appoints the members of Israel's parliament.

The role of rector, who is in charge of academic matters, would be eliminated and the management of the university would be placed in the hands of the president, who is currently the university's administrative manager (and who does not have to be an academic). The rector would be replaced by a vice-president for academic affairs. There is thus the danger that universities would give priority to administrative matters, rather than academic ones.

In accordance with the new arrangement, even the body that is supposed to implement a university's policy - namely, its executive committee - would consist, to a significant extent, of "representatives of the public," that is, politicians and their supporters, as well as of members of the new senate.

By its very nature, a university is a hierarchical, rather than a democratic, institution. All matters concerning faculty - hiring, promotion and the granting of tenure - are in the hands of a small group, which is supposed to make decisions that are solely based on professional considerations. Academic freedom is expressed in the present structure of Israel's universities primarily through the fact that all members of the teaching staff - chiefly those who are tenured - are free to teach and research any subject within the framework of their respective area of academic specialization. Furthermore, they can voice their views in the public domain without fear of being dismissed. Granted, only a minority of faculty exercise that right; however, the members of this minority make a decisive contribution to social and political thinking (both rightist and leftist) in Israel.

Up until now, despite their hierarchical structures, a large measure of academic freedom has existed in the nation's universities, because of two factors: The abundance of power centers in the university ("overlappings," as defined by the Maltz commission) and the existence of a senate whose membership is broadly based and which creates something akin to direct democracy. Although the senate is known to be an inefficient agency, it manages to have a deterrent effect on university officials whose behavior is regarded as arbitrary by the members of the faculty.

If the conclusions of the Maltz commission are implemented, this deterrent effect would be eliminated and the universities would become oligarchies whose walls would be breached by politicians. Then, little time would elapse, relatively speaking, before government representatives would decide what subjects should be taught and how they should be taught in Israel's institutions of higher learning.

Although the salaries of senior faculty are extremely important, the struggle for academic freedom appears to be much more a matter of principle than the issue of higher salaries. In effect, both struggles should be fought simultaneously.