News from the University of Rochester

OFFICE OF PUBLIC RELATIONS
ROCHESTER, NEW YORK 14627
Phone GReenfield 3-3000 Ext. 534, 565, 634

FOR RELEASE 3 p.m., Sunday,
June 5, or thereafter

1966

The following is the text of the University of Rochester Commencement Address delivered by former Vice President Richard M. Nixon at the University's 116th Commencement Sunday afternoon, June 5.

ACADEMIC FREEDOM

Academic freedom is no "academic question;" it is one of the most powerful forces in human history.

Princes, presidents, even generals tremble in its presence.

Academic freedom is a free society's greatest single advantage in its competition with totalitarian societies.

No society can be great without the creative power it unleashes.

Yet while it can create, it can also destroy and it can consume itself.

A generation ago, "Four Freedoms" became a rallying cry for the forces of democracy: Freedom of speech and of worship, freedom from fear and from want. Today let us discuss the Four Academic Freedoms.

There is the academic freedom of the student to investigate any theory, to challenge any premise, to refuse to accept old shibboleths and myths.

There is a second academic freedom of the student to espouse any cause, to engage in the cut and thrust of partisan political or social debate, both on and off campus, without jeopardy to his academic career.

The third academic freedom is for the teacher -- freedom from fear of reprisal while speaking or publishing the truth as he sees it, governed by the dictates of his own intellect and of the disciplines of scholarship.

Finally, there is a fourth academic freedom -- this one within the academic community -- that is, the freedom of the student from tyranny of the faculty, and conversely, freedom of the faculty from student tyranny.

- more -

These are the four academic freedoms that underlie the education you have received. Without these freedoms, teaching becomes indoctrination -- a mockery of education.

Academic freedom is closely related to the freedom of expression guaranteed by the First Amendment to our Federal Constitution. Because this reference is made so often, I think it may be useful to consider at the outset one important similarity, and one important difference, between Academic Freedom and First Amendment freedom of speech.

First, I think it is clear that the same basic premise underlies both freedoms. That premise, with which we can all agree, holds that the complete free play of ideas and opinions is the best process for advancing knowledge and discovering truth.

Mr. Justice Holmes stated the case for this proposition in a classic dissent almost fifty years ago:

> "...When men have realized that time has upset many fighting faiths, they come to believe...that the ultimate good desired is better reached by free trade in ideas --that the best test of truth is the power of the thought to get itself accepted in the competition of the market..."

In 1964 what had been the dissent became the majority opinion and the law of the land. In the words of Mr. Justice Brennan in New York Times Co. vs Sullivan:

> "We consider this case against the background of a profound national commitment to the principle that debate on public issues should be uninhibited, robust and wide-open, and that it may well include vehement, caustic, and sometimes unpleasantly sharp attacks on government and public officials."

These basic ideas common to academic freedom and First Amendment freedom have come to be accepted by all. We now accept as principles of both our political and academic societies that no opinion stands immune from challenge; that an individual who seeks knowledge and truth must hear all sides of the question, especially as presented by those who feel strongly and argue militantly for a different view; that suppressing discussion or muffling the clash of opinion prevents us from reaching the most rational judgment and blocks the generation of new ideas.

In another sense academic freedom is different from and indeed greater than the Constitutional freedom of expression. I refer to the fact that the Constitution protects freedom of expression only from interference by government. It provides no protection from action by one private individual against another because of what he believes or says. This means that those of you who leave the academic community may find that your advancement many be retarded -- or you may even be dismissed by your employer -- merely because of the exercise of your right of free expression.

Addressing himself to this aspect of academic freedom, Professor Hacker has stated:

> "We are a nation of employees dependent on the goodwill of others...Most of us pay a price with our silence in hope of advancement in life...The understandable reaction is to ask why there should exist a mandarin caste that is somehow exempt from the risks and penalties that ordinary Americans encounter."

The answer is that wherever academic investigation has been suppressed or a climate hostile to scholars created, society has suffered. On the other hand, those societies that protect academic freedom are able to mine human resources most effectively.

This special status granted the academic community does not result from some abstract principle, a privilege to be enjoyed merely at the sufferance of others. The strength of academic freedom is that it has been earned. History has taught us that teachers do their job best when they are free. The special rights and privileges of academic freedom are conferred not so much for the benefit of the academic community but for the benefit of the society which the academic community serves.

The American scholar stands at the height of his power. His prestige and influence reach into every sector of our national life.

In all the turbulence of crisis and change in recent years, students and teachers throughout this country have been a tremendous force -- more so than any academic generation since the American Revolution.

Today's students are not merely blowing off steam in campus horseplay. They are making decisions and taking action to implement these decisions.

Woodrow Wilson's distinction between men of thought and men of action can no longer be made: The man of thought who will not act is ineffective; the man of action who will not think is dangerous.

Today's scholar has become a man of action as well as a man of thought. The challenges he faces have become infinitely more difficult.

Complex choices, without historical guidelines, potentially affecting the survival of mankind and frequently turning on narrow differences of degree, have become a condition of the daily life of our political and academic leaders.

This generation will have to maintain and extend freedom under conditions of utmost peril. It will have to learn to distinguish not only among friends, but among enemies, as the effort to secure a lasting peace without sacrificing freedom goes on.

This generation will have to live with the thought that there will never again be a declared war. A limited conflict would be escalated by a declaration of war; a major conflict would be over before war could be declared.

This brings me to the paradox that confronts the academic community today and which presents all of us with real problems of choice. The power of the scholar in the United States has never been greater. Yet that enormous

power of the academic community, which is the product of academic freedom, potentially threatens academic freedom.

Let us remember that we are considering here a freedom which derives its protection not from the law but from the respect and confidence the academic institution enjoys in the community in which it is located. Members of the academic community have a special status in our society for two reasons. One, a determination by society that the recipient must enjoy a maximum freedom of expression to serve society effectively; and, two, a respect by society for the judgment of the particular group, a confidence on the part of society that the privilege will not be seriously abused.

I believe that academic freedom in the United States is now so strongly supported that it will never be destroyed by its enemies -- but it may be endangered by those who claim to be its friends.

Teachers must of course be free to take positions on all issues. But the position they hold in our society requires them to act with self-restraint.

To illustrate that point, let me turn to the controversy which developed on this campus after it was announced that I had been invited to be your commencement speaker. The question at issue is -- what limits, if any, should be placed on academic freedom during wartime?

War is the most difficult test of a nation.

It tests a nation's military preparedness.

It tests the productivity of its economy.

It tests the courage of its people.

It tests the strength of its institutions of freedom.

In every war in which America has been engaged in this century we have had the same difficult question -- how can we defend freedom abroad without denying freedom at home?

Landmark cases in the Supreme Court have dealt with this problem. America's greatest jurists have often divided deeply and sometimes even bitterly on where the line should be drawn between freedom and security.

The war in Vietnam presents this problem in even more difficult terms. Like the war in Korea, it began without a formal declaration of war approved by the Congress.

There is confusion and uncertainty as to what America's war goals are.

This is the first war in America's history in which a President has been unable to unite his own party behind the war.

This is America's first foreign war in which our European allies have not only refused to assist us in fighting the enemy, but have continued to aid the enemy by trading with him.

In the light of these circumstances to what extent should academic freedom protect those who protest the war effort? I do not agree with those who would sharply curtail the right of dissent on our college and university campuses on the ground that such demonstrations give aid and comfort to the enemy. I do not question the patriotism of the protestors -- I do not question their academic freedom to be against war, to be against this war, to be against the way this war is conducted, to be against the inequities in the draft.

I believe also that academic freedom should protect the right of a professor or student to advocate marxism, socialism, communism, or any other minority viewpoint provided he does so openly and is not in violation of the law of the land.

But there is a far more difficult question: Should academic freedom protect a professor when he uses the forum of a state university to welcome victory for the enemy in a war in which the United States is engaged? I know that in answering "no" to that question I am expressing disagreement with many of the faculty and graduating class of this institution. However, since academic freedom includes the right to espouse an unpopular cause, let me tell you how I reached this strongly held conviction.

To those who would welcome victory for the enemy I would respectfully suggest that they do not know the enemy.

I have seen what the enemy has done to freedom in the third of the world which communism now occupies.

I am convinced that victory for the enemy in South Vietnam will mean not only the blotting out of freedom for fifteen million South Vietnamese but an immense escalation of the danger of World War III. I am convinced that history will record that what many believe to be a "quicksand war" was the war that had to be fought to prevent World War III.

In the light of these convictions I could not take what would have been the much more expedient course of refusing to comment on an issue of such importance to the freedom and security of the nation. I believe that any teacher who uses the forum of a university to proclaim that he welcomes victory for the enemy in a shooting war crosses the line between liberty and license. If we are to defend academic freedom from encroachment we must also defend it from its own excesses.

Examine the spectrum of freedom. At one extreme is anarchy -- too much freedom, where nobody is really free at all.

At the other end of the spectrum is tyranny -- the totalitarian state which stresses order to the exclusion of personal liberty.

In the center is limited freedom, with its very limits posing a kind of defense perimeter against the extremes of anarchy and tyranny.

Here at the points of contact -- on the defense perimeter of freedom -- is the area of the most difficult choice.

It is easy enough to avoid the choice, to try to escape the tensions along the perimeter by advocating the extreme positions of total control or no control.

The simple answers, the easy solutions, lead to the simple and easy destruction of liberty. The hard choices, the delicate balances along the perimeter of limited freedom, are the ones you will have to face. Not one of us will be right in his choice every time -- but we will always be right to face the hard choices as to where to draw the line.

If you agree that a line must be drawn somewhere, as I believe most members of the academic community do, the next question is -- where do you draw that line?

I submit that no one person, and no single group has the right or the power to draw that line by itself. Only through the interplay of free discussion can a balance be struck, with each of us willing to speak out on our interpretation of the line that not only limits -- but defends -- academic freedom.

When the American experiment in government began two centuries ago, it was predicted that all order would disappear under the strain of our drastic guarantees of freedom.

The expectation of our collapse can be traced to the basic belief that freedom and order are mutually exclusive. The wisdom of our people to limit freedom so as to ensure freedom has kept our nation strong and given it direction.

This is the paradox of our government. For as we criticize, debate and disagree, in the final analysis we must support the actions taken by our duly elected representatives. We cannot for instance, refuse to pay our taxes if we disagree with the law which imposes them or the purposes for which they are used; we cannot refuse to enroll in social security or evade jury duty; and, should our government decide to wage war, we may criticize that decision, we may try to convince others of its inadvisability, we may even call for a change in leadership; but we should not root for the other side, we should not refuse to participate if called, we should not create the impression abroad that our government has been deserted by its people.

I ask you to take part in demonstrating to the world that while among ourselves we speak with many voices, we are as one; that even though we may disagree with our government we still do not support the enemy; that although we may not agree with the decision to wage war, we will not publicly pray for the defeat of our country, will not give active assistance to the other side, will not refuse to serve in our country's armed services -- that we will, instead confine our opposition to those avenues provided by the system itself -- criticism, demonstrations and elections.

A generation has passed since President Roosevelt spoke of the Four Freedoms. Despite three major wars since then, the world is still not free from fear or from want, and millions of human beings are still denied the freedom to speak and to worship as they choose.

Let us hope that the Four Academic Freedoms, in this coming generation, will fare better. For students, the freedom to challenge myths and the freedom to debate; for teachers, the freedom to responsibly express unpopular points of view; for both student and teacher, freedom from tyranny by the other.

On this we can all agree: The more the Academic Freedoms deepen and spread their roots, the greater are the world's chances to achieve all the other basic human freedoms.

This afternoon, we have been discussing freedom in the abstract and in the specific; for a moment, I would like to relate these freedoms to the members of the graduating class.

Each one of you is a product of the academic freedoms. Each one of you has the opportunity to carry the spirit of academic freedom into a larger arena.

Life in the larger arena is less free, but freedom in the larger arena is no less precious. You will have to decide the nature and extent of your own freedom in the world outside the university -- and you will have to continually fight for it.

You will have to decide how much freedom of expression you are willing to compromise in order to "get ahead" or "get along." You will have to decide how much freedom of action you are willing to compromise in order to build a family and build a career.

I have dwelt at some length on the limits of freedom within the university, just as you will have to consider how much you will have to conform outside the university.

I would hope, however, that you never forget that the limits of freedom are also its defense; that you have not been trained to inquire freely now so as to submit meekly later; that you have not been encouraged to think and act independently in your college years only to become abject conformists in later years.

Let me commend to you the words of another, earlier President Roosevelt on the subject of this larger arena:

> "It is not the critic who counts...the credit belongs to the man who is actually in the arena, whose face is marred by dust and sweat and blood; who strives valiantly...who knows the great enthusiasms, the great devotions; who spends himself in a worthy cause; who at the best knows in the end the triumph of high achievement, and who at the worst, if he fails, at least fails while daring greatly, so that his place shall never be with those cold and timid souls who know neither victory nor defeat."

I am sure there are no "cold and timid souls" among you. As one who has been in the arena and who has known both victory and defeat, I wish you all victories.