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## Risking Responsibility

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### Abstract

This paper attempts to refocus the conversation about academic freedom (whose virtues it neither elaborates nor questions) around the companion concept of “responsibility.” It proceeds by teasing out the assertion that the “freedom” of academic freedom has both a philological and socio-historical context, one that it shares with “responsibility.” This context is initially traced through founding formulations concerning “academic freedom,” formulations that in the hands of Arthur Lovejoy contrast the freedom for which academics are responsible in the struggle against communism. To problematize this rendering of responsibility, the paper then considers the peculiar symmetry that defines the discussion of “freedom and responsibility” in the works of Friedrich Hayek and Jean-Paul Sartre. It concludes by teasing out a countervailing account of responsibility, one that might be said to have been at stake in the recent controversy concerning Professor Salaita.

Section 1 of the code governing faculty tenure at the University of Minnesota reads, in part, The Regents of the University of Minnesota reaffirm the principles of academic freedom and responsibility. . . . Academic freedom is the freedom to discuss all relevant matters in the classroom, to explore all avenues of scholarship, research and creative expression and to speak and write as a public citizen without institutional discipline or restraint. Academic responsibility implies the faithful performance of academic duties and obligations, the recognition of the demands of the scholarly enterprise and the candor to make it clear that the individual is not speaking for the institution in matters of public interest.<sup>1</sup>

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This language and the code in which this text appears have acquired a certain national prominence in the wake of the Supreme Court case *Garvetti vs. Ceballos*, in which faculty speech directed at institutional practices (as opposed to matters of scholarly dispute) was, in principle, set outside the protections of academic freedom, producing—as is widely known—something of a professional panic within higher education and not merely for the tenured or tenure track faculty. At precisely the moment when faculty members need, most assuredly, the freedom to speak about the conditions of their labor, this type of speech was deemed not only unfree but also potentially subject to litigation, casting a peculiar, even menacing, light on the entire burgeoning field of scholars writing precisely on the practices of universities and colleges. Here one thinks of the work of people like Chris Newfield, Jeffrey Williams, and Marc Bousquet, or, in a rather different register, Jacques Derrida in the late essay, “The University Without Condition.” As Walter Benjamin reminded us, “Even the dead will not be safe from the enemy if he is victorious.”<sup>2</sup>

Much of what has attracted the public eye here centers, rightly, on the principle and concept of freedom—so much so that the attention focused on academic freedom has actually foreclosed, whether deliberately or accidentally, the entire question of responsibility, and one of the ambitions of this paper is to complicate this foreclosure. In effect, the template of my argument derives from a different essay of Benjamin’s, “Surrealism: the Last Snapshot of the European Intelligentsia,” where one finds the following formulation:

Since Bakunin, Europe has lacked a radical concept of freedom. The Surrealists have one. They are the first to liquidate the sclerotic liberal-moral-humanistic ideal of freedom, because they are convinced that “freedom, which on this earth can be bought only with a thousand of the hardest sacrifices, must be enjoyed unrestrictedly in its fullness without any kind of pragmatic calculation, as long as it lasts.” And this proves to them that “mankind’s struggle for liberation in its simplest revolutionary form (which is nevertheless liberation in every respect), remains the only cause worth serving.”<sup>3</sup>

Although Benjamin immediately goes on to query whether the Surrealists have met the terms of their own challenge, he senses, in a way that I wish to repeat, that freedom is not freestanding. Its meaning and value derive from a problematic within which it answers certain questions but not others. Here, my focus will be on how freedom not only leans upon but also shapes what deserves to be called the “concept of responsibility.” My aim is to ask, with all the requisite impertinence, whether the partisans of “academic freedom” have a “radical concept” of responsibility. In short, before we dig in to defend the principles enshrined in tenure codes like the one at Minnesota (which is far from idiosyncratic), we ought to ask whether the principles are worth our noble exertions.

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At the textual level of the University of Minnesota tenure code, the relation between freedom and responsibility is compensatory. Responsibility is adduced largely as a curb on, or counterweight to, the protections of academic freedom. In other words, if academics are granted the license to “speak and write without institutional discipline or restraint,” then they will also be obliged to do so under certain conditions, conditions summoned under the rhetorically charged phrases *faithful performance*, *recognition of demands*, and *candor to clarify*. Here one senses rather clearly the long arm of Immanuel Kant’s “What is Enlightenment?” in which the public use of reasoning is premised on, and conditioned by, private cooperation with a regime called upon to protect public reasoning. *Responsibility* is thus another way to phrase *cooperation*, and while a critical account of this form of complicity is warranted, even necessary, my point will be different. Instead, I want to use the occasion of these remarks to think about how the relation between freedom and responsibility has been organized by what I have called elsewhere the neoliberalization of knowledge. Or, put somewhat more capaciously, I invite us to consider in what way the failed economic policies of neoliberalism have drawn what energy they had *from* a preexisting relation between freedom and responsibility, and, in doing so, given that relation a precarious, even vulnerable, character.

The language of the tenure code at the University of Minnesota, revised as recently as June 10, 2011, did not descend from paradise. It derives, in its basic conception and guiding precepts, from the language developed by the AAUP from 1915 to 1940—that is, from one world war to the next. Precisely *not* paradise. If I draw attention to this it is to entertain the notion that the encounter between higher education in the United States and what we now refer to as neoliberalism is far older than we think. Even in my own work, evoked above in passing, I have concentrated more on the policy initiatives that have so obviously taken their toll on the public sector in recent decades, at the expense of overlooking some of the “congenital” encounters between academic freedom and neoliberalism. To begin the genealogical labor of teasing out and articulating these encounters one must bring into focus the very founding, both personally and conceptually, of the AAUP.

As Matthew Finkin and Robert Post remind us in *For the Common Good*, from 2009, the AAUP emerged out of, and consolidated around, the early exertions of Arthur Lovejoy and Edwin Seligman. Along with Seligman, the founding membership of the organization included two other economists: Richard Ely and Frank Fetter. The presence of Fetter, an epigone of the Austrian School and of Hayek in particular, might well imply that neoliberalism was represented in the very founding of the AAUP. But more urgent, I would argue, is the fact that the philosopher “king” of the group, Arthur Lovejoy, spilled much ink attempting to bring the concept of “freedom” in academic freedom into alignment with anti-Communism. Although he makes no overt appeal to Hayek’s infamous *The Road to Serfdom* (1944), in which the concept of economic planning is described as having an intimate and irrevocable relation to feudalism—that is, to antidemocratic

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backwardness—his argument produces the conceptual analogue: freedom and Communism are not simply antinomies; they cancel out each other. If one believes in Communism, one does not believe in freedom. After laying out what he characterizes as the “philosophy of academic freedom,” this is the way Lovejoy puts the matter in “Communism *versus* Academic Freedom,” from 1949:

It is, then, first of all, to safeguard academic freedom that members of the Communist Party should be excluded from university teaching positions. They are allies of the most threatening enemy of that freedom now existing in the world; and, even though at present they have no prospect of suppressing it in America, they cannot be depended upon to carry on their professional activity in a free institution by the method and spirit of the scientific investigator. If they are consistent and devoted party members, the conclusions they express will conform to the shifting dictates of the party line—which is to say that they will not be conclusions resulting from the free pursuit of knowledge, uninfluenced by extraneous pressures and irrelevant motives.<sup>4</sup>

Lest one object that this quotation long postdates the founding of the AAUP, it must be pointed out that the definition of academic freedom that Lovejoy sets to work in this piece is literally lifted from his 1920 article in *The Nation*. In short, it is not a precipitate of the Cold War. It is a principled, if invidious, formulation that seeks to make sense of the intellectual implications of the Russian Revolution, one deeply influenced by debates within the leadership of the AAUP over the critique of capitalist economics embodied in the revolution.

To further clarify this while bringing into focus the problem of the concept of responsibility I turn, briefly, to Hayek’s chapter “Responsibility and Freedom” from the *Constitution of Liberty*. Here is how Hayek yokes together the two titular concepts:

Liberty not only means that the individual has both the opportunity and the burden of choice; it also means that he must bear the consequences of his actions and will receive praise or blame for them. Liberty and responsibility are inseparable. A free society will not function or maintain itself unless its members regard it as a right that each individual occupy the position that results from his action and accept it as due to his own action.<sup>5</sup>

Later in this chapter, which includes a compulsory diatribe against modernity and its impact on the social context in which the consequences of one’s action might or might not be discerned, Hayek explicitly justifies socioeconomic inequality by proposing that those who decry such inequalities have simply failed to grasp the fact that in freely choosing to avoid taking responsibility for their (in)actions, they have condemned themselves to social deprivation and misery. Although in the final chapter, “Why I Am Not a Conservative,”

Hayek continues to grope toward the neoliberal moniker, it is clear that his construal of the coercive relation between freedom and responsibility (if you want to be free, you better assume responsibility for your actions) is neoliberal to the core. One might even say that Hayek contradicts himself in insisting that freedom is about being free of constraints on one's actions, while stressing that responsibility is tied to freedom in constraining individuals to act so as to secure the freedom to do so. Moreover, like Lovejoy, Hayek abjures what he calls socialism because it complicates the relation between freedom and responsibility by preaching that "every child has a natural right, as citizen, not merely to life, liberty and the pursuit of happiness, but to that position in the social scale to which his talents entitle him."<sup>6</sup> One clearly hears here the rant against "entitlements" that so dominated the last US elections, as well as the account of socialism that allowed President Obama's anodyne Keynesianism to be misconstrued as the Russian Revolution.

Against such a view, and in the name of a more robust account of responsibility, one might be drawn to a less illiberal account of responsibility such as is found in Jean-Paul Sartre's *Being and Nothingness* (1943), notably the section of part 4 simply titled "Freedom and Responsibility." What both links and separates Hayek and Sartre stands out clearly in the following passage from the Barnes translation:

The essential consequence of our earlier remarks is that man being condemned to be free carries the weight of the whole world on his shoulders; he is responsible for the world and for himself as a way of being. We are taking the word "responsibility" in its ordinary sense as "consciousness (of) being the incontestable author of an event or of an object." In this sense the responsibility of the for-itself is overwhelming since he is the one by whom it happens that *there* [emphasis in the original] is a world; since he is also the one who makes himself be, then whatever may be the situation in which he finds himself, the for-itself must wholly assume this situation with its peculiar coefficient of adversity, even though it be insupportable. . . . It is therefore senseless to think of complaining since nothing foreign has decided what we feel, what we live, or what we are.<sup>7</sup>

What Sartre and Hayek share is their insistence on the essential tie between freedom and the individual. Little semantic daylight separates either the individual "burden" of choice—and a *pour-soi* condemned to be free—or the individual member of a society who accepts the consequences of his or her actions and a subject who is the incontestable author of his or her acts. Georg Lukács's well-known disagreement with existentialism might well have stressed this perplexing tie between phenomenological ontology and proto-neoliberalism, but it did not. We, of course, are compelled to entertain this very perplexity, but in doing so one should not overlook what separates Sartre and Hayek on freedom and responsibility.

Put concisely: ontology.

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What leaps out in Sartre is precisely what is ruled out in Hayek's remark "In a free society there cannot be any collective responsibility of members of a group as such."<sup>8</sup> By contrast, Sartre—and it is here that even the Sartre of the 1940s earns his leftist credentials—stresses repeatedly that each individual "carries the weight of the whole world on his shoulders."<sup>9</sup> Put differently, freedom and responsibility are yoked together at the ontological level in bearing upon, indeed in defining the situation of, all subjects as they arise within the intersubjective field of what Martin Heidegger called *Mitsein*. Formulated in terms that mattered to Sartre during the war, we are all *responsible* for the unfreedom inflicted upon us in the Occupation in that we have not yet acted to end it.

The dismal conjuncture of higher education in the United States, especially from the vantage point of those filling out the precarious and ever-swelling ranks of adjuncts or of those huddled debtors barred from ever entering the ranks, might well resemble an occupied territory, but such resemblances can always be overstated, serving neither party to the comparison especially well. Regardless, what is deeply inadequate about the ethical dyad of freedom and responsibility that I have been teasing out becomes clear when it is invoked to explain, or even justify, what I have called our dismal conjuncture. Has it been freely chosen, and are we therefore responsible for it? I certainly understand why Michael Bérubé and other leaders in the profession have been compelled to urge a "responsible" rethinking of graduate education. But what resists, and rightly so, being comprehended in such advice are the concepts deployed in the articulation of the principles potentially sheltered through adherence to such advice. Again, as important as tenure codes are, do they contain concepts worthy of our exertions? I am not convinced they do.

Here, obviously enough, we return to the concept of responsibility that is active in formulas like "academic freedom and professional responsibility." So as not to further try your patience, allow me to briefly invoke another thinker of responsibility: Emmanuel Levinas. While it is certainly worth stressing that Levinas extends, and thus radicalizes, Sartre's ontological collectivism by insisting that all responsibility worthy of the name is responsibility for or to the other, more intriguing is his proposition that *substitution* might be a proper synonym for responsibility. In an interview with Philippe Nemo, Levinas glosses the point thus: "Usually, one is responsible for what one does oneself. I say, in *Otherwise than Being* that responsibility is initially a *for the other*. This means that I am responsible for his very responsibility."<sup>10</sup> What this opens up—beyond the individualism of either Sartre or Hayek—is a relation to responsibility structured by a certain metacritical ontology. One is compelled to ask not merely what responsibility must be such that I am obliged to substitute mine for the other's but also what *freedom* must be such that it could be said to derive from, or otherwise take shape, within this structure? Put differently, Levinas demands that we pose and respond to the question What

is responsibility? and, perhaps more specifically, What is responsibility for those who freely profess in its name?

Because such rhetoric always threatens to revert to a gaseous state, I will conclude by proposing, in utterly concrete terms, that the question of responsibility is of fundamental concern to educators. Not simply philologically—that is, as a matter of clarifying what we think we mean by the term—but also pedagogically. If we are not prepared to accept the surprisingly tenacious neoliberal account of a responsibility designed to induce us to exercise our freedom to teach and to learn in a certain way, then we need to abandon it. Better, I think, would be to take the risk of responsibility, to grasp it as the reason and drive for conducting ourselves in ways that transgress the limits of its exercise. The point is not to justify our freedom but to exemplify what in research, teaching, and service constitutes the threat that responsibility is otherwise thought to hold in check. Perhaps, just perhaps, in order to do our jobs, we are compelled to risk them.

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## Notes

<sup>1</sup> “Faculty Tenure. Section 1. Academic Freedom.”

<[www.regents.umn.edu/sites/regents.umn.edu/files/policies/FacultyTenure1\\_0](http://www.regents.umn.edu/sites/regents.umn.edu/files/policies/FacultyTenure1_0). Online.

<sup>2</sup> *Walter Benjamin: Selected Writings*, ed. Michael Jennings, vol. 4, 1938–1940 (Cambridge, MA: Harvard University Press, 2003), 391.

<sup>3</sup> *Walter Benjamin: Selected Writings*, ed. Michael Jennings, vol. 2, 1927–1934 (Cambridge, MA: Harvard University Press, 1999), 215.

<sup>4</sup> Arthur Lovejoy, “Communism versus Academic Freedom,” *The American Scholar* 18 (1949): 335.

<sup>5</sup> Friedrich Hayek, *The Constitution of Liberty* (Chicago: University of Chicago Press, 1960), 71.

<sup>6</sup> *Ibid.*, 82.

<sup>7</sup> Jean-Paul Sartre, *Being and Nothingness*, trans. Hazel Barnes (New York: Philosophical Library, 1956), 553–54.

<sup>8</sup> Hayek, *The Constitution of Liberty*, 83.

<sup>9</sup> *Ibid.*

<sup>10</sup> Emmanuel Levinas, *Ethics and Infinity*, trans. Richard Cohen (Pittsburgh: Duquesne University Press, 1985), 96.