ACADEMIC FREEDOM AND THE “FURLOUGH QUESTION”
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The Committee on Academic Freedom has thoroughly considered whether the university’s prohibition on faculty reduction of their teaching load, at a level proportional to the work reduction announced by the furlough (approximately 8 percent) violates academic freedom. As a point of departure, we took the language of APM 10, which specifies academic freedom as “freedom of inquiry and research, freedom of teaching, and freedom of expression of publication.” The question before us is whether the prohibition violates, or seriously threatens, the academic freedom of teaching. We conclude that the prohibition, as currently implemented, does indeed either outright violate, or seriously threaten, that freedom. This is for a very specific reason, which we would like to explain carefully, so that our opinion and the basis for it are not misunderstood.

We all agree that freedom of teaching means, in the culture of our profession and in the plain language of APM 10, the ability, on the part of the instructor, to choose the subject, content, and method of teaching. We do not mean to suggest that, in addition, freedom of teaching extends to matters of workload, and certainly to an ability to reduce one’s own teaching hours. However, the prohibition raises an important issue which is quite distinct from that type of ability; and it is that issue which concerns academic freedom of teaching. We see no reason axiomatically to limit the meaning of freedom of teaching to the intellectual choice noted above. We think that freedom of teaching also protects our colleagues from university actions which, with a high degree of probability, may adversely affect the three areas of freedom explicitly enumerated by APM 10. Our committee’s charge is to be alert to those university actions. The prohibition clearly poses that threat, for two closely related reasons.

1. The problem with the prohibition is not that faculty is, or should, as a matter of principle, be free to reduce their working hours—that is, that freedom of teaching somehow entails a “freedom from teaching”—but that, as implemented, the prohibition is internally inconsistent and therefore arbitrary. It is the arbitrariness, not the putative issue of workload reduction that threatens freedom of teaching in this situation. On the one hand, a furlough is a mandatory reduction in workload. On the other hand, no corresponding reduction in expected activity or productivity is specified by the policy. One way or another, the faculty is facing a prohibition of what it has been mandated to do. This kind of arbitrariness, unless corrected, sets a precedent for arbitrary action by the university which, if widely accepted, may undermine freedom of teaching understood in the conventional sense of intellectual choice noted above.

2. In addition, the prohibition is, at least arguably, an outcome of a process of decision-making inconsistent with good practices of shared governance. Especially in conjunction with its arbitrariness, its implementation does, in our view, threaten the freedoms explicitly enumerated by APM 10. A combination of arbitrariness and administrative action inconsistent with shared governance may, for self-evident reasons, affect the conditions which enable the existence and secure enjoyment of these freedoms. The intersection of academic freedom and shared governance is currently an urgent issue throughout our profession as well as at the University of California, and the committee intends to examine the university’s activities in that light.