

# Scott Gelber: Does Academic Freedom Protect Pedagogical Autonomy?

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## SPEAKERS

Scott Gelber, Rahne Alexander

### Rahne Alexander 00:00

Hello and welcome to the Hopkins Press Podcast. My name is Rahne Alexander, and I am the senior publicist for the Journal's Division of Hopkins Press. Today, we are talking with Scott Gelber, a professor of education who currently serves as chair of the Education Department at Wheaton College. His recent article for *Review of Higher Education* is titled "Does Academic Freedom Protect Pedagogical Autonomy?" In today's episode, we talk a little bit about the origins of the term "academic freedom" and its impact on educators today. You can read this article for free on Project MUSE through the end of November, and you can find a link to the article, as well as Dr. Gelber's two books with Hopkins Press — *Grading the College* and *Courtrooms and Classrooms* in the show notes. Thank you for being on the podcast.

### Scott Gelber 01:04

Thanks for having me. I am Scott Gelber, and I'm a Professor of Education at Wheaton College in Norton, Massachusetts, and I specialize in the history of higher education in the United States in the 19th and 20th centuries.

### Rahne Alexander 01:17

I love your article. Thank you for it. I found it to be a fascinating and kind of exciting historical survey what academic freedom is and has been and how it's been deployed. You survey the history of the AAUP and correct me if I'm wrong, but it reveals the overwhelming majority of discourse around academic freedom. It's about content, such as controversial ideas a professor incorporates in their lectures, and it's less about method. The "what" is scrutinized much more aggressively than the "how." Was it surprising to see how infrequently complaints about how academic freedom addressed pedagogical issues?

### Scott Gelber 01:56

I wasn't surprised that it leaned in that direction, but I was surprised by how almost absolute that tendency was. If you look at virtually any book or article about academic freedom, the focus is entirely, or almost entirely on content, which makes sense to a large degree, because those are the juicier and more frequent episodes. So in the past, it would have been primarily about people's stances towards wars that the United States was in, or socialism or capitalism. More recently, issues such as Palestine

and Israel have been more important. But the extent to which there was just this yawning gap in the conversation about teaching methods was a little bit surprising. And I also noticed this tendency, not just in the literature, but among colleagues, where people would focus on academic freedom as a way to protect us from unwholesome scrutiny, and sort of assume that that extended to our pedagogical decisions, without asking if the rationale for protecting the content of our expression really is sufficient to cover our decisions about how we assign homework or what our tests look like and assessments and in the class, what projects we assign. And so once I started looking at the way academic freedom evolved and how experts describe its grounding, it became increasingly clear to me that we were making some, I think, inaccurate or shaky assumptions when we lump teaching pedagogy and content together when we're looking at academic freedom cases.

**Rahne Alexander** 03:47

I was particularly struck that the college lecture is such a recent invention, one of those 19th century ideas that somehow has made itself seem eternal. Was this a new discovery for you as well?

**Scott Gelber** 04:00

I think most historians of higher education are aware of this, and I wrote about this a little bit. I have a book on the history of how colleges have evaluated teaching and learning, and so I was familiar with the prominence of the lecture to that work, and also Jonathan Zimmerman's book *The Amateur Hour*. Since this is a Hopkins podcast, I'll mention these were both Hopkins books. So I think that at least within my subfield that's well known, I think the way in which lectures were originally seen as sort of cutting edge and progressive is not widely known by people in academia.

**Rahne Alexander** 04:38

So you address some of the other areas where the "how" is addressed, peer review and publishing, for instance. So I wonder if you have some thoughts on why, historically speaking, questions of pedagogical methodologies have not been so scrutinized as heavily when it comes to questions of academic freedom. Is it hegemony or some kind of romantic ideal of the lecture?

**Scott Gelber** 05:01

I think there's a few reasons. One is just that it's only really been since the 1990s that there's been a, I would say, respectable research base when it comes to higher ed pedagogy. So there certainly were people active in this area as scholars, but they couldn't even agree on basic questions, such as, "is discussion better than lecture?" There was inconsistent evidence, and it's only really in the 90s that we start to have more rigorous research methods more consistently supporting the premise that, generally speaking, active learning techniques are more effective for students retaining information and also for promoting what we would call, you know, higher level thinking. Think the other piece of it is just generally and still to this day, education as an academic field is not particularly high status or respected, which has made it harder for scholars of pedagogy, especially higher ed pedagogy, to get an audience among our peers in other fields. And the last, I would say, is that the lecture is, you know, it has some advantages. It's incredibly efficient, as far as reaching hundreds of students in a classroom. Once you write a lecture, it's very efficient for the faculty member to make minor tweaks over time, but to continue to deliver the lecture. I also think in terms of the experience of teaching, especially for people, which is many people in higher ed who haven't had a lot of training or experience

with other methods, there's sort of this illusion of control. I get up there, I deliver the lecture. The students are mostly quiet, therefore it's effective, and the other techniques are sort of messier and make us more vulnerable as teachers, and I think, make transparent some of the shortcomings, or the gap between what we hope is happening in the classroom and then what actually is transpiring, whereas the lecture allows us sort of this, this reassuring sense that everything is working. So I think those all combine to sort of continue the prominence of the lecture. And you know it, it remains quite common, despite the continuing strengthening of the research base against it, which is not to say that the experts of the scholarship of teaching and learning are saying there should be no lecture, but there's no expert in that area who would say that it's ideal to have a class that's all lecture. In fact, there's a physicist who will compare the lecture to past practices such as using leeches, which is to say that the evidence is quite clear that it doesn't work, and yet we continue to use it. And then the analogy that he makes is that there's enough sort of false positives, which is to say, students who sit in a lecture and then are able to produce high quality work. And this sort of reassures us and causes us to conclude, "look, it's working." It's not the lecture that's at fault, because I can point to all these students over the years, and it's had remarkable staying power and continues to have

**Rahne Alexander** 08:04

I was also fascinated in this article to learn that in the US, at least according to the Supreme Court, pedagogy does not qualify as protected speech, and this has led to instances where professors have been disciplined for pedagogical decisions in ways that are perhaps sometimes unfair. In the section "Is pedagogy a form of ideological speech?" you push back on some of these judicial decisions, suggesting that instructional decisions are inherently ideological and therefore warrant broad protection, and that collapsing the distinction between speech and pedagogy could actually have a chilling effect on academic freedom.

**Scott Gelber** 08:40

So, you know, like virtually all professors, I'm not super eager for the courts to get involved in our work, but I will say that some of the arguments that faculty have made in courts to protect sort of dubious pedagogical choices are, frankly, a little embarrassing for us as a profession, such as saying "I am frequently not in the room because I want my students to have autonomy." And what the courts generally have said is that academic freedom does not or should not protect instructors if they are making choices that could reasonably be seen by supervisors as running contrary to best practices in the field. And what's important to understand, sort of legally, but also in terms of the culture of academic freedom in higher ed, is that academic freedom, by its proponents, including the AAUP, has never been defined as an individual right, it is a collective professional principle that says that it's inappropriate for lay people outside of an academic field to be making the decision about what's appropriate and what's not appropriate. That that power belongs inside academia, and so the courts recognize that. I mean, there is such a thing as individual academic freedom, but generally the courts look much more favorably on what we would call institutional academic freedom, which is the freedom of an institution to not be meddled with by legislators or people outside of the institution. Right? So when a professor says, I have academic freedom, which means that I should be able to make this decision about what happens in my classroom, regardless of what anybody else says, it actually indicates a lack of familiarity with how academic freedom has been defined. As I said, even by the AAUP, what the AAUP will say is that this is about a collective process for us as academics, getting together and policing ourselves, right? In

other words, they're saying we don't want politicians or donors involved. We don't want college presidents necessarily involved. The people who should be deciding what is protected and what is just incompetence or fraud. Should be experts in the field, right? So the courts will look at a claim like the faculty member who said, I shouldn't have to be in the room, and they will say, Well, you might think that, but there are people inside of your department who have experience, who are disagreeing, and academic freedom doesn't give you the right to just ignore what the rest of the field is saying. So the complicated piece that I wrestle with a bit in the in the essay is, how do we know that the people who ostensibly have the authority to weigh in on what's appropriate pedagogy and not really have the expertise to do that. And how do we know that the field, the Scholarship of Teaching and Learning, is mature enough for anybody really to be making firm conclusions about what's appropriate or not. So, for example, if you're a historian, we know what fraud looks like. You can't invent sources, right? And if somebody does that nobody can claim that academic freedom should protect them from that. That is unprofessional behavior, right? And we also have mechanisms. If somebody tries to make an argument that the evidence really just absolutely does not support, you can't say, "Well, it's my academic freedom to say this. There should be no professional consequences for me for saying that." Because we have a tradition of norms and disciplinary processes for determining through the expertise of people tapped as peer reviewers and department chairs, journal editors and so forth, we don't really have that same infrastructure or respect when it comes to pedagogy, and that's the challenge. The legal and principle argument for why individual academic freedom doesn't protect pedagogical choices is very strong. The sort of logistical piece of it is much shakier.

**Rahne Alexander** 12:53

The word "discipline" keeps coming back to me as I'm reading this. I'm like, they call it a discipline for a reason, right?

**Scott Gelber** 12:59

Yeah. In mean, one of the reasons that this topic appealed to me, you know, so I'm a, in my disciplinary training, I'm a historian. I'm not a real scholar of pedagogy. I mean, I teach those classes, but that's not really my disciplinary background. The reason I mentioned that is that this isn't an argument. This isn't an article that was motivated by me feeling like, look, education scholars are not respected because that's not that's not really how I identify, but it does bother me a little bit how casually that work gets dismissed by many professors, and so they would never casually dismiss sort of an ironclad consensus that's formed in their discipline. They might say, this is a research question that I want to investigate, and they may ultimately come to the conclusion that the consensus is wrong, but they would feel obligated to do the work before dismissing it out of hand. In contrast, when it comes to the field of pedagogy in higher ed, many professors feel comfortable casually saying, "No, that doesn't sound right, or not even engaging with it and reading it in the first place." So that's where academic freedom ceases to protect us, because academic freedom again obligates us, or it is the process of agreeing that our peers, with their expertise, should be the ones to determine what's kosher and what's not kosher. And that piece is largely missing in the perspective that many faculty members have about what they should sort of be able to do in their classroom with impunity, and where they should at least feel like maybe I should check and see what others have said about this, who have devoted their careers to studying this before I dig myself in in terms of this position about what works in my classroom. It doesn't work well.

**Rahne Alexander** 14:45

Your article concludes by thinking through myriad challenges of evaluating pedagogies and how they impact instructors at all levels, from tenured researchers all the way to new adjunct faculty. Of course, we want everybody to dig into the conclusions. Read them for themselves, because there are a lot of good stuff in there. But can you maybe give a little summary of your conclusions and recommendations?

**Scott Gelber** 15:07

I'd be happy to. So I first want to make it clear that the essay is not arguing that more faculty members should be disciplined or fired because of their pedagogy. I think there's a number of reasons why that's not appropriate. One is that, from K-12 research, we know that firing and disciplining people generally isn't the best way to improve the quality of teaching. So if our goal is to do that, the punishment route doesn't seem to really work. Second, I don't think it's entirely fair, given the lack of training that most of us have received, to take that approach. Third, as I discuss at greater length in the article, it's not entirely clear that we have fair, effective, reliable systems for evaluating teaching. So I just want to be clear that you know, and in this time in particular, with all the threats facing faculty in higher education, I wanted to make it clear that this is not an article that's saying "faculty members, we should be beating up on them more." It's really more about trying to influence the attitude and the assumptions that many of us have about our teaching, and the assumption that as faculty members, we are entitled to make these decisions without consulting anybody else, and in terms of the history and the principles of academic freedom, I think that's simply not grounded. In fact, I am sympathetic, as you mentioned, to the argument that academic freedom is designed to protect ideological dissent, that there is an ideological element to all pedagogical decisions, because some pedagogies are promoting students questioning and challenging authority, and others are less so. But where I come down is that there are, and I believe that teaching does have individual qualities, and that there are some methods that might work for some people and not for others, and there are stylistic differences. And so I think it would be inappropriate for the field to say, we know, generally speaking, that lecture is less effective, therefore nobody should ever lecture, because there are some brilliant lecturers, and there are ways to make lecture more effective or less effective. So again, it really, for me, comes down to the attitude of, should I approach pedagogy with the same seriousness and humility that I approach my own scholarship, my own academic field, or am I entitled to basically decide for myself, regardless of what anybody else is saying? And I would say if at the end of the day, somebody consults the research, listens to the advice that they're getting, but then has evidence to suggest, look, this method that I'm using actually is working for my classes. I think that would be perfectly appropriate. The issue is the casual nature with which people feel entitled to dismiss professional expert advice that they're receiving in a way that they would never approach. We generally, as people, don't like critical feedback. I mean, it's hard for all of us, even after decades in the field, if you submit an article for review. So I'm not suggesting that everyone's going to love feedback. I don't think that's realistic, but people feel accountable to that feedback generally, or at least respect the process of getting reviewed, even if they don't like the outcome of getting reviewed, whereas with teaching, especially after tenure, people sometimes object to the entire process. If the essay encourages people to understand that academic freedom is communal, that the pedagogy side has a community, to some extent inside disciplines and to some extent outside, in schools of education, that is thinking very seriously about what works and what doesn't and is deserving of attention and respect, then I think it will have served its purpose.

**Rahne Alexander** 18:54

I'm looking at the clock, and there's so much interesting material in this article, and I feel like I've just scratched the surface. Can you maybe talk a little bit about your findings in this article? Maybe offer a synopsis of your takeaways?

**Scott Gelber** 19:07

I mean, I guess I could just give a couple examples of the types of findings that, to me, at least as a quasi outsider to this work, feel like need to be taken very, very seriously by all teachers in higher education and not casually dismissed. So those would include the amount and quality of feedback that students receive in class has been shown over and over again to be very important to student outcomes and whether they're learning in class or not, part of what academic debates over academic freedom have to get at is, is this an ideological disagreement, or is it essentially malpractice or fraud? And I would say we are close, or maybe at the place where a class that does not provide feedback to students is malpractice; that it's not defensible as an ideological move or sort of an appropriate individual preference. We have research showing that more feedback is better than less feedback. We have research showing that having one final exam with multiple choice questions, for example, does not support the best student learning. The assessment piece is related to that multiple assessments, as opposed to one assessment, is a pretty strong finding. And then with respect to lecture, it's there's pretty robust findings that, generally speaking, less lecture is better than 80 minutes of lecture or 50 minutes of lecture, that most people their attention really, really declines after 10-15 minutes, and that if you're going to do more lecture than that, breaking it up, dropping in some questions for students to answer. Again, it's almost at the level of leeches, if we're not doing that. So those are the types of moves that again, I don't think it's appropriate to say everyone has to do it or I'll fire you, but they're the types of moves that should be seen as radical outliers from what is being recommended if people are doing that and they ought to be prepared to defend it, just like they would be prepared if they were proposing an entirely new methodology in their field of research, or arguing in favor of a finding that toppled decades and decades of scholarship, right? Like these things are, should be open to questions and doubters, but there's a burden of proof now in areas like that, I think that the nice thing about looking at this from a historical perspective is that we know that what has been considered good pedagogy has changed over time. So you mentioned the lecture. We haven't talked about that before the lecture, the most common form of a college class was called recitation, where students would simply be called upon to get up and show that they'd memorize passages of textbooks that they had read and that was seen as cutting edge, and then it was replaced by lecture. These methods change over time, just as findings and other scholarly fields change over time, through the process of peer review and experts getting together and challenging each other's work, so it should remain open, right? We should never say, like every course has to have X number of assessments or this amount of feedback period, but the process for sort of toppling that finding, I think, should be seen in the same way, as a process for saying "Over the last 50 years, this is what we thought the main causes of the American Revolution were. I disagree. I'm going to say it's wrong." You're entitled to say that, but you can't just assert it. You have to demonstrate it with evidence and argumentation.

**Rahne Alexander** 22:39

Well, thank you so much for your time today. Dr. Gelber, this has been really enlightening for me, and I hope for our listeners as well. Thanks again for listening to the Hopkins Press Podcast. Check the show notes for links to Scott Gelber's article in *The Review of Higher Education*, as well as his two books with Hopkins Press, *Grading the College* and *Courtrooms and Classrooms*, as well as Jonathan Zimmerman's *The Amateur Hour*, which Dr. Gelber mentioned. The theme music is by Jean Toba, which you can find on the Free Music Archive, also linked at the podcast Information page. Thanks for listening, and we hope we can see you next time on the Hopkins Press Podcast.