The Only Democratic Universities are Private Universities

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Introduction

The first European universities were independent and democratic. But both traditions were soon killed by the Church and State. Consequently, having been neutralised, the European universities played little part in the revival of European thought in the great intellectual movements of the renaissance, reformation, enlightenment, the industrial and agricultural revolutions, and the romantic movement. It was the independent universities of the USA that eventually embarrassed the European universities into (modest) reform.

The medieval period

If we are to understand how best to run universities, we first have to know what they are. Fortunately, we can define the university - at any rate the western university - by its history.

The western university tradition is some 900 years old, the first institution having been founded in Bologna around 1100. By 1100 trade in Italy had recovered from the collapse of the Roman Empire, and in the absence of statutory commercial law a voluntary legal code, the *lex mercatoria,* had evolved (Benson 1990). Certain merchants had begun to specialise as advocates in the commercial courts, and the Bologna *collegium* was established by young men wishing to enter the renascent profession. Soon afterwards, similar foundations were created at Padua, Montpelier and other Mediterranean cities as student initiatives (Ridder-Symoens 1992).

These early universities were democratic, being cooperatives. The students themselves ran those early universities, and they appointed the staff. We see an occasional survival of the student origins of universities - and of the remarkable influence of the students in some of the other early universities - in such conventions as the election of rectors or chancellors (now essentially ceremonial figures) by students or alumni in the Scottish universities or in Oxford or Cambridge.

Near-simultaneously, a group of northern European universities including those at Paris, Oxford and Cambridge were created by the teachers themselves, and they too were democratic, being run by the staff as collectives. That form of government was soon curtailed, but nonetheless we see the tradition, now revived, in the academic self-governance at Oxford and Cambridge today. (The collegiate university at Paris did not survive the Revolution).

Eventually, medieval universities were created by the Church itself (often as a development of a pre-existing cathedral choir school) or by Kings and Emperors..

It would be a mistake, however, to suppose that the early universities initiated higher education in the medieval era, because they were actually late-comers. There were already in Europe many teachers of higher learning, but many of them were freelance, teaching where the market took them. Peter Abelard is still remembered as one such wandering scholar. Equally, there were already many colleges of higher or further education in Europe, but their qualifications were recognised only by local bishops or kings. The concept of the university only emerged when first Bologna, and then others, were recognised by the Pope or the Holy Roman Emperor, because only the Pope and Emperor claimed authority over all Europe. A university, therefore, was an institution whose qualifications were recognised Europe-wide.

The university, therefore, was an institution born out of a settlement with the state. From the very beginning, therefore, some academics feared that universities, by settling with the state, had also compromised academic freedom and efficacy. So, for example, the prominent scholar Philippus de Grevia, who ironically became Chancellor of Paris University between 1218 and 1236, lamented that:-

> At one time, when each *magister* taught independently and when the name of the university was unknown, there were more lectures and disputations and more interest in scholarly things. Now, however, when you have joined yourselves together in a university, lectures and disputations have become less frequent; everything is done hastily, little is learnt, and the time needed for study is wasted in meetings and discussions. While the elders debate in their meetings and enact statutes, the young ones organize villainous plots and plan their nocturnal attacks. (Ridder-Symoens 1992, p. 15.)

And fears over academic autonomy were soon realised. Although the early universities were independent institutions, the Church and the temporal rulers swiftly recognised them as threats to their monopolies on thought. As Pope Boniface VIII, outraged at the temerity of the scholars at the University of Paris to think for themselves, said in 1294: "You Paris masters seem to think that the world should be ruled by your reasonings. This is not so. It is to us, not you, that the world is entrusted" (Hamilton 1981). But by then the Inquisition - which was inaugurated during the early 12th century, and which later built on a decree of Pope Gregory IX in 1231 that confirmed life imprisonment and/or death for any questioning of the Church's teachings - was already moving in on the universities, which were forced to accept the oversight of the Church. So, for example, the Chancellor of the University of Oxford was for centuries *ex officio* the Bishop of Lincoln. That is why so many academic titles (Chancellor, Dean, Doctor, Professor, Lecturer etc) are ecclesiastical; the Church had taken over.

Of course some rulers were enlightened, and they recognised the threat to scholarship. In 1158 Emperor Frederick I Barbarossa proclaimed his celebrated *Constituito Habita* or academic constitution defending Bologna's academic freedom. But such gifts from an emperor could always be revoked by him or a successor, and eventually they all were.

Indeed, under control of the Church, the universities soon declined into absurd institutions of scholasticism, where little of importance was discussed and where Aristotelians debated (literally) how many angels could dance on the end of a pin. The culture of the day was revealed by the story of those scholars who did question received wisdom: consider the fates of some of those whose names are still remembered. Roger Bacon of Oxford, who had written in his 1267 *Opus mains* that:- "arguments are not enough, it is necessary to check all things through experience", was imprisoned between 1277 and 1291 for 'suspected novelties'; the recently deceased John Wycliffe (Balliol) was declared in 1415 by the Council of Constance to have been a stiff-necked heretic who had been lucky to have died of natural causes, whereupon the Church dug up his corpse and abused it; in 1600 Bruno (Universities of Paris and Padua) was burned at the stake in Rome for speculating about multiple universes (the earth couldn't be at the centre of all of them) and in 1633, for believing the sun to be at the centre of the universe, Galileo (University of Padua) was shown the instruments of torture by Pope Urban VIII. Protestantism was no more liberal, and in 1553 Calvin burned Servetus (who had discovered the circulation of the blood through the lungs) for questioning doctrines of the Trinity and Baptism.

By the 18th century, the universities of Europe had ceased to be important centres of thought, and places like Oxford and Cambridge were reduced to teaching only a few hundred undergraduates, largely studying theology in preparation for careers in the Church. The European continental universities were not much better. The universities' brief 17th century renaissance in Britain, which flowed out of the weakening of central authority in the wake of the Reformation, Civil War, Restoration and renaissance (Newton in Cambridge, Hooke in Oxford) was soon crushed again by the Church of England, which required the teachers at Oxford and Cambridge to be unmarried ordained priests of the Church of England. Consequently their average age was only 23, for most of them were only marking time until a college living arose.

After Adam Smith (1723-1790) attended Balliol College Oxford, he wrote:- "In the University of Oxford the greater part of the public professors have, for these many years, given up altogether even the pretence of teaching". Smith's contemporary at Magdelen College Oxford, Edward Gibbon the historian, was to write:- "my tutors were monks who supinely enjoyed the gifts of the founder [endowments]. My own [tutor] well remembered he had a salary to receive, and only forgot he had a duty to perform. [My] fourteen months at Oxford were the most unprofitable and idle of my whole life". The Scottish universities were not quite so bad

(Watt did good work at Glasgow) yet Hume was rejected for posts at both Edinburgh and Glasgow because his writings offended the Church, and when Dr Johnson visited St Andrews he found one of its colleges being closed and the key to the library of another lost from disuse.

People still required to be educated in useful subjects though, and different societies created different institutions to replace the neutered universities. Late medieval Italy, for example, was a ferment of small private maths schools or *scuolae d'abbaco,* which were the business schools of their day, teaching accountancy, navigation and the other useful commercial arts (Burnett 2003). Those schools competed to publish research to attract students and in 1534, for example, Niciolo Tartaglia of a *scuola d'abbaco* in Venice, found the solution to the cubic equation $x + px = n$ where there is no simple x term; but even free-lance teachers like Tartaglia found themselves being marginalised.

In Britain higher education, not finding a home in the universities, moved towards the great professional bodies such as the Royal Colleges (medicine) or the Inns of Court (law). This unsatisfactory state of affairs was rightly abused by Francis Bacon who, in his 1605 *Advancement of Learning* (which has never been out of print) argued for university reform and for the creation of alternative bodies of scholarship and research. For at least two more centuries, however, the British universities remained moribund, and Bacon's new learning had to find its home in alternative institutions such as the Royal Society (1662). Shamefully, the universities played trivial roles in two of Britain's great contributions to world history, the Agricultural and Industrial Revolutions.

To conclude, therefore, the European university was originally created as an independent institution, but its intellectual creativity threatened the Church and State and it was neutralised.

Revival

The revival of western universities followed three traditions, i) America's, ii) the UK's and iii) Continental Europe's.

i) **America**

The revival of the western university can be traced to North America, which saw no fewer than eight universities created before independence in 1776 (Harvard 1636, William and Mary 1693, Yale 1701, Princeton 1746, Pennsylvania 1751, Columbia 1754, Brown 1764, and Dartmouth 1769). Although it would be naive to claim all eight as wholly independent institutions that were committed solely to freedom of thought (many of them were originally bound to puritan thinking and ministers' training, and they all cooperated to some degree with the state - indeed William and Mary has always been a state university, which was one reason it sometimes closed, because the state was an uncertain source of income) most of them were nonetheless independent, founded and funded by individuals rather than governments, and they soon grew into significant and diverse centres of independent thought and scholarship.

After 1776 more independent universities were created in the US, and the individual states created their own too but (and this is important) the federal government - which believed in educational states' rights and *laissez faire* - did not. Consequently, the benchmark for quality in America was always set by the independent Ivy League. And in a landmark foundation, the University of Virginia was created by Thomas Jefferson in 1826 as a wholly secular institution (for which it was widely attacked as a 'Godless Institution') Jefferson writing that it was to be:- "based on the illimitable freedom of the human mind ... for here we are not afraid to follow the truth wherever it may lead, nor to tolerate any error so long as reason is left free to combat it" (Levy 1989). It was of course independent of government.

The antecedents of the University of Virginia's commitment to academic freedom were i) John Locke's 1689 *Two Treatises of Government* which made the case for freedom of speech, ii) the 1689 English Bill of Rights which established freedom of speech in Parliament, and iii) the 1791 American Bill of Rights (which incorporated the First Amendment to the Constitution).

Prior to 1940, the federal government believed not only that it had no role in higher education, it also believed in *laissez faire* in science, and it funded very little. So, for example, the federal government's total science and research and development (R&D) budget, including for defence, was $74.1 million in 1940, compared to the private sector's total of $265 million (Kealey 1996). The universities' and foundations' independent research budget alone for pure science was $31 million. And the federal government's

involvement in higher education was largely restricted to certain small agricultural colleges created under the Morrill Act which were created in response to America's problem with agricultural overproductivity (not underproducti vity).

But the research needs of war forced the federal government into funding vast research budgets ($1.5 billion by 1945) which encouraged Washington into seeking to place some of that research within the universities. That initiative crystalised, post-war, in the creation of a National Science Foundation (NSF). The proposed NSF was to respect the academic autonomy of the universities and the scientists, and it was to be run autonomously by the scientists and universities themselves, but the first bill was vetoed on 6 August 1947 by President Truman. His justification for his veto is instructive because it reflected conventional bureaucratic thinking:-

> This bill contains provisions which represent such a marked departure from sound principles for the administration of public affairs that I cannot give it my approval. It would, in effect, vest the determination of vital national policies and the administration of important government functions in a group of individuals who would be essentially private citizens. The National Science Foundation would be divorced from control by the people that implies a distinct lack of faith in democratic processes.

So the situation rested until the outbreak of the Korean War persuaded the Federal Government that it simply *had* to create a National Science Foundation to boost America's supply of scientists, to create a reserve of scientists in excess of America's peace-time needs who could be mobilised in the event of total war, so in 1950 it acceded to the universities' insistence that the NSF was an autonomous body, and it created an NSF on the original model. The NSF is still run by scientists and the result - America's academic science base - is now one of the glories of the world.

ii) **Britain**

It was America's Ivy League example that inspired the creation, 200 years later, by philanthropists, of the new British universities (London 1826/1836, Manchester 1851, Newcastle-upon-Tyne 1852, Birmingham 1900, Liverpool 1903, Leeds 1904, Sheffield 1905). Typical was Mason College, later Birmingham University, endowed by Josiah Mason, a local industrialist. On laying the foundation stone in 1875 he said:- "I, who have never been blessed with children of my own, may yet, in these students, leave behind me an intelligent, earnest, industrious and truth-loving and truth-seeking progeny for generations to come".

But preceding the new universities was the Royal Institution in London, created in 1799 by - significantly - an American, Benjamin Thompson (later Count Rumford) who argued that British industry needed more scientific research - research that should be freely available for all to access. Rumford disapproved of patents:- "I desire only that the whole world should profit by [my discoveries] without preventing others from using [them] with equal freedom". But to Rumford the provision of public goods was not a matter for Government but for private philanthropy, and he wrote that:- "We must make benevolence fashionable". He succeeded. Within a year of its foundation in 1799 the Royal Institution had raised no less than £ 11,047. The money came from individual subscriptions, with membership costing from 50 guineas for Founders' Life Membership to 2 guineas a year for annual subscriptions. And Rumford was himself a philanthropist, who left most of his estate to Harvard University to found the Rumford Professorship. Earlier he established the Rumford medal for the Royal Society (on condition he was the first winner).

The Royal Institution was not unique as an independently funded laboratory that published science freely. Its first lecturer, Dr Thomas Gamett, was lured from Anderson's Institution in Glasgow, which was a similar laboratory; and the Royal Institution's first giant, Humphry Davy, who was appointed lecturer in 1801, was lured from yet another independent research laboratory that published science freely, the famous Pneumatic Institute at Clifton, where he had discovered the anaesthetic effects of nitrous oxide or laughing gas.

At the Royal Institution, Davy was to discover six new elements (potassium, sodium, barium, strontium, calcium and magnesium) and in 1815 he was to invent the safety lamp in 1815. His great pupil, Michael Faraday, worked all his life at the Royal Institution. He was such a great scientist that a mere list of his achievements is awesome: let us just mention that in 1831 he discovered electromagnetic induction, the process by which electricity can be generated by rotating a coil in a magnetic field, which has underlain the commercial generation of electricity ever since. All sustained on pri vate money.

So too was University College London. Founded in 1826 (the same year as the University of Virginia)

and under the similar auspices of a great thinker (Jeremy Bentham in the case of University College London) it too was a secular body, designed to break the hold of the Church of England over Oxford and Cambridge. And, in a further echo of the University of Virginia's foundation, it too was attacked (by Thomas Arnold) as 'that godless institution in Gower Street.'

And the British universities remained independent organisations that received no institutionalised Government support during the 19th century. Their students often received central or local government grants, and their scientists sometimes received Government research grants, but the income the universities received from those sources was marginal. In consequence, prior to 1914, the universities flourished as centres of scholarship and research, and they attributed their success to their independence, which they even celebrated in doggerel, mocking the Germans for their obeisance to, and love of, the state:-

Professors we, from over the sea,
From the land where Professors in plenty be,
And we thrive and flourish, as well as may,
In the land that produced one Kant with a K,
And many cants with a C.

Even Oxford and Cambridge - frightened by being overtaken by the new universities- eventually reformed, and they cooperated with the Royal Commissions of 1850 and 1871 that led to the opening of teaching positions to all qualified candidates. In 1945 Cambridge was even to admitted women to degrees!

But this happy picture in the UK changed after 1914-18. Before 1914 the universities enjoyed two major sources of income, i) fees and ii) endowments. Central government income, provided via the Committee on Grants to University Colleges was only £150,000 annually, shared between all the civic universities (Oxbridge stayed aloof). Coupled with the local government grants to students, Government support for the universities did not exceed 20 per cent of their income.

But the Great War of 1914-18 bankrupted the universities. Their fee income disappeared as the young men abandoned their studies for the Western front, and - more gravely in the long-term - their endowment income collapsed. Between 1815 and 1914 the value of the currency had actually risen (deflation) so the universities had invested in fixed-income vehicles. But between 1914 and 1918 the pound lost three quarters of its value - and inflation continued after 1918 - so the universities' endowment income collapsed. Consequently, in 1918 all the universities (including Oxford and Cambridge) united in a Deputation to the Treasury. Its leader Sir Oliver Lodge, the Principal of Birmingham University, appealed desperately for Government support: - "We want a quadrupling [of the grant] at once. We cannot wait". So in 1919 the University Grant Committee was instituted with an annual budget of £1 million. It soon rose (£1.8 million in 1921) (Berdahl 1959; Shian 1986). By 1921, indeed, when Local Education Authority grants were included, Government support for HE in the UK accounted for more than 50 per cent of its income. Effectively, the sector was nationalised as a consequence of 4 years of total war.

Initially the UGC distributed its funds under the 'Haldane Principle' (named for the prominent Liberal politician) by which the money was provided by Government to academics who then - as an independent forum - distributed it on academic criteria. But the replacement of the UGC by the Higher Education Funding Councils (HEFCs) and the other *dirigiste* Government agencies has transformed the UK universities into institutions that resemble US state - as opposed to US independent - universities.

Concurrently, the needs of total war between 1914 and 1918 changed government culture, and research was no longer seen as private matter for industry and philanthropists but as a national resource, and the major research councils were created. The Medical Research Council was created in 1913 in anticipation of war, and the forebear of the physical science councils was created in 1916 to meet the research needs of the Western front. But the research councils have been run on autonomous NSF lines, and they are good. The tragedy in Britain was that, solely by accident, the Great War of 1914-1918 led to effective nationalization of the British universities.

iii) **Continental Europe**

The story on the Continent is completely different: it is a story of governmental activism. In France, following the direction of Colbert, who was Chief Minister between 1661 and 1683, the State created an array of schools of science and technology including the *Ecole de Rome* to teach arithmetic, geometry and draughtmanship, the *Academie Royale de Peinture* to teach painting, the *Ecole Royale Graduite de Dessin* to teach design, and the *Academie Royale d'Architecture* to teach architecture. Colbert also fostered the great

workshops of the Savonerie and the Gobelins, the mint, the royal press and royal manufactory in the Louvre. The *Academie des Sciences* received generous state aid and the world's first scientific journal, the *Journal des Savants*, was created by the state. The *Jardin du Roi* was reorganised in 1671 to research and teach in botany and pharmacy. Three chemistry research laboratories were created by state, one in the King's library, one in the Louvre and one at the Observatoire.

Successive administrations continued Colbert's policies. The school of civil engineering or *Ecole des Fonts et Chaussees* was created in 1716, the *Ecole du Corps Royal du Genie* in 1749, the *Ecole des Mines* in 1778 and the *Ecole Polytechnique* was founded in 1795. And those institutions so thrived as to produce scientists of the quality of Lavoisier, Berthollet, Leblanc, Carnot, Monge, Cugnot, Coulomb, Lamarck, Cuvier, Saint-Hilaire, Gay-Lussac, Arago, Ampere, Laplace and Chaptal. Nor were the technicians ignored. Trade schools or *Ecoles des Art et Metiers* were founded all over the country and by the early 19th Century, when it was still only a craft in England, France had established engineering as a profession, with schools, formal examinations and, after 1853, its own research laboratories in the *Conservatoire.*

Germany saw a similar pattern, following the example of Wilhelm von Humboldt who created the University of Berlin as a research university in 1810. Consequently *technische hochschulen* and other research and teaching universities were founded by the state all over Germany.

The consequence

We have here a fascinating experiment: the US and Continental Europe have adopted almost diametrically opposed systems of higher education, *laissez faire* opposed to *dirigisme,* with the UK somewhere in the middle. Which system has flourished? The answer is almost ludicrously obvious. Every international league table of research quality is absolutely dominated by the American universities. As John Kay concluded in his 2003 book *The Truth About Markets:*- "The United States is completely dominant in research and postgraduate education. The ten leading research centres in the world in virtually all mainstream subjects are found in American institutions. The eclipse of other universities, particularly those of Britain and Germany..."

Moreover teaching is manifestly better in the US, with the continental European universities now infamous for their squalor, vast class sizes and impersonal teaching. The continental universities defend their failure on the grounds of equity: tuition is free or low-cost, and entry guaranteed to all qualified candidates. Yet the same is also true of the US, where not only the state universities but also the Ivy League (with its vast endowments) provide needs-blind admissions. And it is the American liberal arts colleges that set the international standard for quality teaching.

One major reason for the discrepancy between the US and Europe was supplied by the EU Commission itself. In its 2003 *The Role of the Universities in the Europe of Knowledge* it concluded that:- "European universities generally have less to offer and lower financial resources than their equivalents in other developed countries, particularly the USA ... American universities have far more substantial means than those of European universities - on average, two to five times higher per student... The gap [between the US and EU expenditure] stems primarily from the low level of private funding of higher education in Europe".

Britain, interestingly, falls somewhere between the US and Europe. Oxford and Cambridge are the only two non-US universities that qualify to enter (just) the top 10 positions in the international league tables for research, while under the auspices of the UGC teaching was good too. But under the HEFCs huge damage has been done. The Universities UK 2002 submission *Investing for Success* provides the facts on funding per student in the HEFC-funded sector, concluding:-

> Significant damage has been done by many years of underfunded expansion, which since 1989 have seen resources per student fall by 38 per cent, following a decrease of 20 per cent between 1976 and 1989; staff-student ratios decline to an average of 1 to 17 (1 to 23 if funding for research included in the average unit of funding is excluded).

The Economist for 26 July 2003 provided a snap-shot of the state of British universities that made worrying reading:-

> Universities have seldom been more miserable. They are short of money. Government micro-management is intrusive and contradictory ... The financial position is certainly bleak ... around a half of English universities will fail to break even in the coming year ... a quarter admit to being in financial trouble ... 11 are in a parlous position.

The major problem, of course, is that the Government will not allow HEFC-funded universities economic freedom, and they are not allowed to charge the fees the market will bear. The situation has been eased by the introduction of fees (£1,000 pa in 1997, £3,000 pa in 2006), but until full economic freedom is provided, the British universities will never attain their full potential. Consequently, Britain will lose economically to the US (and Australia) that are beginning to dominate the international market.

The obvious solution is to create independent universities in the UK, which was why Buckingham was created in 1976. Interestingly, when Buckingham was created, the staff:student ratio in the UK was 1:9, and it still is in Buckingham. And when in 2006 the Government commissioned Ipsos MORI to poll all final year students in the UK for their views on the quality of teaching, it was Buckingham that came top of the National Student Survey (Shepherd 2006). Interestingly, the other university that did well was the Open University, which has long been the only other university in the UK to charge realistic fees. Independence works in Higher Education, if only because a dependence on student fees provides the institutional incentive to address the students' needs, and because that incentive need not be obstructed by alternative pressures from government.

Independence works not only because of resources but also because of freedom from regulation. The HEFC-funded universities are over-regulated. The Government's own Lambert Review (*Lambert's* ...) of 2003 concluded that the universities are "over-audited". Audit "is a multi-layered and complex burden that inhibits risk taking, encourages game play and costs too much [£250 million annually]". The Lambert Review went on to lament that "in July 2002 there were 27 separate funding initiatives administered by HEFCE and the DTI. Universities are all undercapitalised ... their funding is increasingly earmarked by the funders for specific initiatives, leading to complaints of micro-management from the centre". This is not how Harvard, Yale, Princeton, Chicago or Stanford (or indeed Manchester United) flourish: modern management thinking confirms that local autonomy and decentralisation are key to the optimal deliveiy of services.

One reason the universities are over-regulated is that, being deprived of economic freedom, they are subject to the state. Consider the case of the London School of Economics (LSE) and the Quality Assurance Agency (QAA). By 2001 it was becoming universally clear that the QAA was trying to turn itself into the universities' director, on the German state model, so in that year the LSE, outraged by its recent inspection, protested publicly that the QAA had:- "infringed academic freedom and imposed its own bureaucratic and pedagogic agenda". The LSE then said that, unless the Government reformed the QAA, it would go independent, whereupon the Government surrendered. The Government removed John Randall (then the CEO of QAA) replaced him with Peter Williams and introduced a new regime of a 'light touch', which has been widely greeted as a great improvement. But the key to the story is this: the majority of the LSE's students are foreign and pay full fees, so the LSE's threat to go independent was credible, because it could afford to. Yet the LSE's economic credibility owes everything to the full fees it charges of foreign students - fees incidentally, that were pioneered by Buckingham in 1976 and copied by the Government in 1981.

Conclusion

The empirical evidence is clear: only independence delivers quality in higher education. Hie original universities were exciting, democratic places, but they were nationalised to censor them. Consequently, today's higher education benchmarks were pioneered by the independent institutions, first in the US and latterly in the UK. They were also the two countries to have dominated the world economy since the 18th century. To copy them, the continental countries' governments created their own state universities, but those have failed both as instruments of teaching and of research. They respected academic freedom, at least formally, and Humboldt and his liberal followers fostered ideas of *Lernfreiheit* (the right to study freely) and *Lehrfreiheit* (the right to teach freely) but in the absence of economic and operational freedom the continental universities have done poorly.

Independence matters because the perennial threat to academic freedom is government. People worry about undue pressure from companies and other private entities, but universities can generally find institutional protection from such pressures by recourse to law. But, historically, the one pressure that universities have failed to resist is that of government. We can all understand the threat that undemocratic governments pose to academic freedom, but even democratic governments are a threat. In his 2008 book *Academic Freedom in the Wired World* Robert O'Neil chronicled, for example, the cases of over 100 academics who lost their jobs

in American universities during the McCarthy era, when they failed their loyalty oaths.

And O'Neil chronicled more recent horrible cases. In 1996, for example, a Virginia legislator, having disagreed with Professor Rodney Smolla of the College of William and Mary (a state-funded university) over a piece of proposed legislation, threatened him with:- "Your institution will pay for this." But that threat to funding was nullified by Smolla's response:- "You're welcome to try but you should know I've just moved to the University of Richmond [an independent university]." (O'Neil 2008.) That riposte was key because it illustrated that only in the independent sector can academic freedom and academic democracy be protected.

The role of the state should be restricted to that needs-blinds agency of last resort: ie, the state should ensure that no-one is denied acces to university for lack of money. But thereafter the universities should be free to run themelves as they wish in a competitive global market. Governments claim they need to fund universities to ensure free access regardless of student wealth, but actually governments fund them to control them. And government money, either for higher education or for research, merely crowds out private money. As I showed in a recent book, *Sex, Science and Profits*, such crowding out is insufficiently recognised by European electorates (Kealey 2008).

Academic are naturally democratic, and in independent universities the councils of academics (generally called senate) and the councils of trustees (generally called council) are spontaneously democratic. The key decision is: who appoints the CEO (generally known as the vice chancellor, rector or president)? If it is the senate (as at Oxford or Cambridge) or the council (as at the independent universities in the English speaking worlds) then academic freedom and therefore success is assured. But if the government or the education minister appoints the CEO (as in much of Europe and Asia and Africa) then squalor follows.

The greater the academic freedom, the better the university. Thus it is no coincidence that at Oxford and Cambridge there are few extenal trustees and that the academics are wholly self-governing. Nor is it a coincidence that at Harvard and the Ivy League universities of the American eastern seaboard the president is the executive chairman, charing both council and senate. And nor is it a coincidence that even where the government largely funds and the controls the bulk of universities (the US, Canada, Ireland, UK, Austrlia and New Zealand) those universities' councils are still independent and they still appoint the vice chancellor or president, so they do much better than the *dirigiste* state universities of continental Europe, Asia and Africa.

University democracy is indispensable for academic excellent and freedom, and they can secured only by independent universities.

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