

A test case for free speech

Australian academic dismissed for opposing falling university standards

Mike Head
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In a serious attack on academic freedom and the wider right to free speech, an Australian university has sacked an academic for publicly opposing the upgrading of substandard students. On Monday, the University of Wollongong dismissed biological sciences Associate Professor Ted Steele, because last month he told a journalist that the university had overturned expert markers in order to award higher grades to two honours students.

With 16 years service at the university, Dr Steele has a tenured appointment, which is meant to protect university teachers and researchers from removal for their academic or political views or for differences over government or university policy. It is the first time in living memory that a tenured academic has been sacked for criticising academic policy.

Without any prior notice of dismissal, hearing or right of appeal, Steele received a termination letter signed by the Vice-Chancellor, Professor Gerard Sutton, late on Monday. Under the rules of tenure, academics can only be removed for serious misconduct. In a flagrant denial of due process, no such charges were laid or heard against Steele. He has now been denied access to his office and instructed to make an appointment with university authorities in order to remove his personal belongings. Callers to the university are simply informed that he no longer works there.

Steele said he intends to fight his removal and is obtaining legal advice. "This is a definite blow to tenured academics in Australia," he told the WWS. "It is without precedent. I have been sacked for raising an academic policy question. And I was open about it, I was not underhanded." Steele said his dismissal reflected the pressures on universities to "keep the student numbers flowing in—both local and overseas students."

Steele said he was shocked by the university's reaction. He initially spoke to the media in early January after a reporter asked him to comment on a survey of almost 1,000 academics in social sciences across the country. The study,

conducted by the Australia Institute, revealed that universities were giving full fee-paying students preferential treatment, including altering exam results and passing students who had failed. Academics reported that they were under pressure to lower standards so that their universities could generate further fee revenue to overcome years of government funding cuts.

Steele disclosed that the marks of two of his students—one an overseas full fee-paying student and the other an Australian—had been upgraded within his department despite his recommendations and those of an external expert referee. When the university rejected his reported remarks and challenged him to produce evidence, he signed a statutory declaration confirming his allegations and pointed to an outside examiner's report stating that one honours thesis was the worst the examiner had ever seen.

The external marker, Professor Robert Blanden of the John Curtin School of Medical Research at the Australian National University (ANU), described Steele's sacking as a disgrace. He told the *Sydney Morning Herald*: "He's been in all sincerity drawing attention to falling standards and he believes passionately that something ought to be done about it and so do I, and there are an awful lot of people in higher education who think likewise."

Other members of the Wollongong University biological sciences department have defended the marking outcomes challenged by Steele and disputed his version of events. The university hierarchy, however, has seized upon these differences—which are legitimate subjects for academic debate—to summarily remove Steele, flouting university rules and creating a dangerous precedent.

In a media statement, Vice-Chancellor Sutton accused Steele of making "knowingly false allegations undermining the essential fabric of the employment relationship and [putting] at serious risk the good name of the university." Apart from publicly accusing Steele of lying, Sutton's inverted logic suggests that academics who raise questions

about the degrading of university standards are sabotaging the own institutions. Moreover, it seems, the “employment relationship” requires them to remain silent about genuine academic concerns.

Australia Institute study

Whatever the precise circumstances of Steele's case, there is no doubt that academics are under pressure to produce favourable student outcomes. Five days after reporting the Australia Institute survey, the *Sydney Morning Herald* disclosed that it had been contacted by academics Australia-wide, including heads of departments, professors, deputy deans and senior lecturers about falling university standards and exam marks being amended in 22 disciplines, ranging from anatomy and mathematics to law and cultural studies.

The Australia Institute study, carried out by Dr Carole Kayrooz of the University of Canberra and Gerlese Akerlind of the ANU, concluded that much of the deterioration in marking standards was due to commercialisation. It also found that the Howard government's changes to research funding methods—which now often require direct links to industry—had forced many academics to confine themselves to “safe” subjects, because speculative and challenging research was no longer being funded.

By rewriting the research grant guidelines, as well as slashing overall university funding, the government has forced the universities to depend increasingly on entering corporate partnerships, going into business for themselves—including establishing campuses in lucrative offshore markets—and attracting wealthy students.

Since 1996, government funding to universities has been reduced by some \$800 million a year—15 percent of total revenue. By 2002, universities will have lost nearly one quarter of their public funding. To offset these cuts, the government has permitted universities to allocate up to 25 percent of their places to full fee-paying students, who would not otherwise qualify for places under the government's HECS fee-repayment scheme.

According to the most recent federal government report on higher education, domestic fee-paying students are expected to represent 8 percent of all enrolments by 2003. Overseas students, the vast majority of whom are fee-paying, are expected to total 117,000—about 20 percent of all enrolments—in 2003. For the government, the recruitment of overseas students has become a major source of foreign currency income, totalling \$3.4 billion a year, making this industry one of Australia's largest export earners.

Federal Education Minister David Kemp and the Australian Vice-Chancellors Committee have effectively closed ranks in order to protect this market. When the Australia Institute report and Dr Steele's evidence received wide coverage in the South-East Asian media in mid-

January, they issued a joint statement insisting that foreign students would receive a quality education for their money.

“Conscientious, hard-working Australian university staff are being maligned en masse and fee paying students are being unfairly portrayed as receiving favoured treatment,” the statement declared. “If there is any basis at all to the claims then they will be vigorously investigated and dealt with.”

Kemp's spokesperson claimed that academics could lodge complaints with the Australian Universities Quality Agency—yet the agency has yet to become operational and, in any case, its charter does not allow it to take individual complaints. In another bid to reassure prospective customers, the Vice-Chancellors Committee announced its own survey of university marking procedures. Its executive director Stuart Hamilton claimed that the Committee's code of ethical practice would protect academic whistleblowers from disciplinary retaliation.

Professor Steele's summary dismissal, however, demonstrates that university administrations, backed by the government, will seek to silence or intimidate dissenters as commercial considerations increasingly dominate university life, at the expense of genuine scholarship. Steele's immediate reinstatement must be demanded by all academics, students and working people.

The academics' union, the National Tertiary Education Union, has refused to call industrial action to defend Steele and will instead challenge the legality of his dismissal in the Federal Court. Such legal action is expected to take at least one year, leaving Steele unemployed in the meantime. Even if Steele wins his case, the court will almost certainly not order his reinstatement but merely provide for compensation.

NTEU state secretary Mike Donaldson sought to justify the union's stance by claiming there was no support for Steele in his department. Yet, even if such conflicts exist, they cannot be allowed to undermine the fundamental principle of free speech. If a tenured academic can be dismissed for publicly expressing differences over policy—whether it be marking standards, research directions or teaching content—a precedent will be set for future use as the universities come under intensifying financial and commercial pressures.



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