

JUSTIFYING AMERICA'S UNIVERSITIES: A
REVIEW OF *THE GREAT AMERICAN UNIVERSITY:
ITS RISE TO PREMINENCE, ITS INDISPENSABLE
NATIONAL ROLE, WHY IT MUST BE PROTECTED*

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American higher education is one of the nation's most successful sectors. A recent survey found that seventeen of the top twenty universities in the world are in the United States (and forty of the top fifty); roughly sixty percent of all Nobel Prizes awarded since the 1930s have gone to Americans; and as many as eighty percent of the leading new industries in the United States derive from discoveries made at American colleges and universities. Yet during his fourteen years as provost of Columbia University, Jonathan Cole found that alumni questions dealt almost exclusively with teaching or undergraduate life. The experience prompted him to write *The Great American University* to address the evident lack of knowledge about the research mission of America's colleges and universities. In this important book, he warns that colleges and universities are more fragile institutions than most believe, and that we are at risk of losing our top ranking in the world to other nations if "we do not recognize their importance, find out what makes them tick, and continue to nourish and guard them."¹

Cole begins the book by recounting how America's colleges and universities became the envy of the world. Several favorable circumstances made college and university growth possible, including the right values and social structure, academic talent, a commitment to free inquiry and to competition among colleges and universities, and "vast resources."² In addition to these blessings, America was able to draw heavily on the most successful aspects of European higher education, although few European scholars were recruited to come until the 1930s.³

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1. JONATHAN R. COLE, *THE GREAT AMERICAN UNIVERSITY* xii (2009) [hereinafter COLE].

2. *Id.* at 5.

3. Thomas Jefferson persuaded Francis Walker Gilmer, a fellow graduate of William and Mary, to recruit professors for the University of Virginia. Gilmer wrote several letters explaining that it was difficult to persuade faculty at Oxford or

The idea of a college or university committed to research as well as teaching did not emerge until the nineteenth century. Historians generally date this dual-mission approach to the founding of the University of Berlin in 1810 by Wilhelm von Humboldt. The new approach spread rapidly to nearby regions whose universities and morale had been decimated by Napoleon. In a relatively brief time, the new-style German universities were recognized as the best in the world.

The German approach of linking scholarship and teaching had a major impact on the development of higher education in the nineteenth century in the United States. The transmission was facilitated by the many academic leaders who were educated in German universities, including Andrew Dickson White, the founding president of Cornell (1865), and Charles Eliot, the influential president of Harvard. Johns Hopkins (1876) was the first American university to commit itself to the German emphasis on research as well as teaching. Daniel Coit Gilman, its first president, was deeply impressed by the German universities he visited early in his career. Under his leadership, Hopkins became the major producer of Ph.D.s, who spread the research model to the faculties of colleges and universities around the nation.

The German model was not imported whole cloth, however. Instead, American colleges and universities embraced the attention to undergraduate student life emphasized at Oxford and Cambridge—but not in Germany. American colleges and universities also committed themselves to public service by providing ideas and expertise to the state and federal governments. Clark Kerr best summed up this American hybrid:

a university anywhere can aim no higher than to be as British as possible for the sake of the undergraduates, as German as possible for the sake of the graduates and the research personnel, as American as possible for the sake of the public at large—and as confused as possible for the sake of the preservation of the whole uneasy balance.⁴

Cole expands his discussion of the emergence of the American research university with a revealing account of the intellectual migration set off by the rise of Hitler. The migration ensured that the indigenous talent in the United States was significantly enhanced in the early twentieth century by the arrival of such important thinkers as Albert Einstein (1933), Hans Bethe and more than 100 other German physicists (1933-1941), and Max Delbruck (1937), whose fresh perspective on genetics helped to pave the

Cambridge to accept a professorship in “an unknown country,” particularly given their apartments and generous salaries. Letter from Francis Walker Gilmer to Thomas Jefferson, July 20, 1824, in *Correspondence of Thomas Jefferson and Francis Walker Gilmer, 1814-1826*, at 92-94 (Richard Beale Davis ed., 1946).

4. CLARK KERR, *THE USES OF THE UNIVERSITY* 14 (5th ed. 2001), quoted in COLE, *supra* note 1, at 38.

way for James Watson and Francis Crick.

American higher education also benefited from the fact that the United States was the first nation to commit significant national resources to higher education. Cole mentions the Morrill Act of 1862, which provided crucial financial incentives for expansion and research in public universities.⁵ He devotes more attention to the huge federal investment after World War II in research for military and health needs. Appropriately, he highlights the role played by Vannevar Bush, whose influential treatise *Science—The Endless Frontier* did so much to encourage post-war funding. Equally important was Bush's view that there needed to be a mechanism for financing science that would be independent of government laboratories and the direct influence of the state. Had his view not prevailed with its reliance on peer review by scientists in colleges and universities, the United States might not have become the scientific powerhouse it did in the second half of the twentieth century. It certainly would have been more vulnerable to the abuse of scientific freedom infamously exemplified by Trofim Lysenko, who persuaded Stalin and his advisers to purge alternative views from the Soviet scientific community.

Our national commitment to competition also contributed to excellence in higher education, although as always it produced losers as well as winners. William Rainey Harper might not have launched the University of Chicago as quickly as he did, for example, despite having access to the deep pockets of John D. Rockefeller, if he had not recruited leading faculty from more established universities. When the University of Chicago opened with 120 faculty in 1892, there were five faculty from Yale and fifteen from Clark, "virtually decimating that young and aspiring university."⁶ Cole notes that the lists of top universities compiled in the early twentieth century had changed little by the end of the century because they had the "first-mover advantage." One exception was Clark University.⁷

In addition to outstanding faculty, great universities need leaders in academic and public administration. Cole uses the crucial role played by Frederick Terman, another provost, in the ascendance of Stanford to make his point. Terman, who was Stanford's provost from 1955 to 1965, wanted to compete with the best private colleges and universities on the east coast

5. The national commitment is much older. In 1785, the Continental Congress authorized the sale of public lands in the Northwest (which later became the states of Ohio, Indiana, Illinois, Michigan, Wisconsin, and the part of Minnesota east of the Mississippi). The land was first divided into townships of thirty-six sections (a section was 640 acres). One section of every township was reserved for public education, including higher education. The townships reserved for education in Ohio, for example, became the principal source of income for Ohio University in 1804. JUDITH AREEN, *HIGHER EDUCATION AND THE LAW* 38 (2009).

6. COLE, *supra* note 1, at 31.

7. COLE, *supra* note 1, at 34.

despite the fact that Stanford's endowment at the end of the 1950s was not equal on a per student basis to that of any of the Ivy League schools, and was only about a quarter of the size of the endowments of Harvard, Yale and Princeton.⁸ Today, by contrast, Stanford clearly ranks in the top five in the nation.⁹ Indeed, the Chinese rank it second in the world.¹⁰

Terman's strategy was to focus on the recruitment of outstanding scholars to the faculty. He sought the opinions of the best scholars in the country to decide whom to recruit. He used other measures as well to build Stanford's "steeple of excellence," such as reviewing young scholars who were nominated for membership in the National Academy of Sciences but just missed the cut. As provost, he reviewed every faculty appointment and scrutinized them for research excellence and potential. He also directed significant funds to faculty recruitment from multiple sources: government funding, private contributions, and alumni support. He was omnivorous in his commitment to innovation. In contrast to MIT, which concentrated on specific areas of research, Terman encouraged any research that built on the curiosity and interest of individual faculty members. He also encouraged interdisciplinary research, particularly in the physical and biological sciences. He even established independent institutions, such as the Center for Advanced Study in the Behavioral Sciences, which were located on campus but only loosely affiliated with the university. The Center brought outstanding social scientists to the area which in turn gave departments an opportunity to identify the most talented and to recruit many of them.

After a section explicating several of the major scientific advances made at American universities, Cole concludes with a discussion of threats to free inquiry and academic freedom that have arisen in the post-9/11 years. He criticizes those provisions of the Patriot Act, for example, which expanded the government's power to collect information from college and university libraries and bookstores, and authorized federal agents to obtain student academic records without their consent.¹¹

Although Cole is certainly right to emphasize that academic freedom is crucial to the functioning of great colleges and universities, one wishes that he had devoted more attention to understanding and strengthening the freedom. America is unique in the world in granting control over private and public colleges and universities to boards of lay (meaning non-faculty) trustees. This governance structure undergirds the great colleges and universities of today, but only because it was modified in the twentieth century when most governing boards embraced shared governance, a system in which governing boards delegate primary responsibility for

8. COLE, *supra* note 1, at 536 n.8.

9. COLE, *supra* note 1, at 515.

10. COLE, *supra* note 1, at 515.

11. COLE, *supra* note 1, at 391.

academic matters (such as the curriculum and faculty hiring) to faculties. The goal was to ensure that American colleges and universities would be “intellectual experiment station[s]” where new ideas could germinate even when they challenged conventional wisdom, rather than mere “instruments of propaganda” subject to the whim of board members or hostile outside forces.¹² Part of what makes American colleges and universities tick is that shared governance has enabled them to develop an internal culture of innovation that both produces new knowledge and educates new thinkers.

Cole at the end expresses concern that trustees “rarely try to increase their knowledge of the educational and research programs . . . [and so] remain blissfully or unhappily ignorant of what the university is actually trying to do.”¹³ This book is a great step toward increasing their knowledge and understanding of the colleges and universities they lead.

12. AM. ASS'N OF UNIV. PROFESSORS, GENERAL DECLARATION OF PRINCIPLES (1915), *reprinted in* 2 AMERICAN HIGHER EDUCATION: A DOCUMENTARY HISTORY 870 (Richard Hofstadter & Wilson Smith eds., 1961).

13. COLE, *supra* note 1, at 493.