

‘Don’t frighten the students’: the crisis of academic freedom in the managed university

Liz Morrish had an unblemished record of 30 years in academia without so much as a late library book to her name. That all changed when she publicly voiced her opinions on the terrible toll managerialism was having on academics’ mental health – and she found herself charged with gross misconduct. In this report, Morrish recounts what happens next – and warns that for the younger generation of researchers, academic freedom may be a thing of the past.

When I started my blog, [Academic Irregularities](#), in 2015, I intended to contribute to a conversation within the emerging discipline of critical university studies, which looks at the role of higher education in society, and in particular the power relations at play.

This seemed like a safe enough path to follow. After all, in the UK, academic freedom is guaranteed, and all higher education institutions registered with the Office for Students (OfS) must demonstrate provision for safeguarding it within their statutes of governance. A definition can be found in [Section 202](#) of the Education Reform Act 1988. It states that academics enjoy ‘freedom within the law to question and test received wisdom, and to put forward new ideas and controversial and unpopular opinions, without placing themselves in jeopardy of losing their jobs or privileges they may have at their institutions.’

How did we reach the point where university managers have been willing to sacrifice these fundamental ideals? In this report, I’ll try to answer that question – and narrate my own encounter with the forces that threaten to quash any opinion considered inconvenient for those in authority.

What is this thing called managerialism?

The 1980s saw the arrival of New Public Management (NPM) and its close relative New Managerialism (NM) (Deem *et al* 2007:3; Deem and Brehony 2005) in the public sector in the UK. Managerialism is essentially a belief that all other purposes of an organisation are subordinate to the managerial functions, and that managers need no specialist knowledge of a particular organisation or sector as their skills are generalizable.

Older readers will have noticed a shift in university leadership and management over the course of their careers. Up until the 1980s, roles such as dean or head of department were filled on a rotating basis by senior members of a department. After a fixed term of office, they would return to their teaching and research. This ensured that they themselves would have to experience whatever changes or restructures they wished to enact, once they returned to the faculty. Today, we see career managers in universities; heads of department, deans, pro-vice-chancellors are all substantive appointments. There is usually little mobility back into academic posts. There has been a more formalised stratification of hierarchies in universities with managers seeing themselves as separate from and superior to rank-and-file academics.

This categorical difference is denoted through the use of a new lexicon of entrepreneurship, competition, excellence and change, while the unequal power dynamic is recognizable in new techniques of performance management and measurement of tightly-delimited productivity targets. The managerial project in universities has the aim of restructuring the values, perceptions and behaviours of academics. Essentially, it has driven us into a culture war in which the stakes are respect for knowledge, and academic freedom for citizenship in a liberal democracy versus university as transaction, marketplace, crude metric accountability and the rule of the consumer.

I became fascinated with the opaque discourse that both accompanied and reinforced the changing culture and I started to collect management emails and other communications from a large number of campuses. Here is one prime example:

‘The SMT initiative on Employability is providing OOB with an opportunity to consider enhanced management in the School through use of JOW resource and will therefore extend beyond that specific role to a proposal relating to all transversal management roles in the School (initials changed).’

I attended every management training course I could get admitted to: Leading high performance teams; Gold standard customer service; Change management; Succession planning.

My journey into an ethnographic exploration of managerialism was a huge success, and it didn’t take long to accumulate enough material for a book. Together with an excellent discourse analyst, Professor Helen Sauntson, we began the Academic Irregularities project. I started to blog critically about my experience as an academic and the changes to our working conditions and practices. My posts included critiques of learning outcomes, the Research Excellence Framework (REF), the Teaching Excellence and Student Outcomes Framework (TEF), managerialism, research assessment by metrics and performance management. The blog started to attract readers, and one piece in particular went viral.

On March 10th, 2016, I published a piece entitled ‘The Kindness of Strangers’ in which I recounted an episode in a class in which I had discussed with students, on University Mental Health Day, the stresses associated with toxic managerialism and the resultant breakdown in mental health of so many academics in the UK and universities across the world. With my permission, *Times Higher Education* republished the piece on their blog (the piece was republished a year later on my blog as [Stress Fractures, One Year On.](#))

This is the story of what happened to that piece, and what happened to me.

Gross misconduct allegations

Five days after posting my blog piece, I received an email at about 8pm. It announced that I was required to attend a meeting the next day with the pro-vice-chancellor (PVC) and Human Resources. I didn’t have to guess what it was about. I had made a calculation in which I had weighed the anticipated extreme authoritarian response alongside my obligation

to speak out against a destructive, sector-wide culture which was damaging my colleagues in several institutions.

The piece was well received by its intended audience with supportive comments on Twitter, on my blog and below the line on the *Times Higher* website. Without exception they confirmed the point I made in the piece, that stress caused by unattainable targets in academia was widespread, and indeed, international. I had not referred to any one institution in the piece.

At the meeting with the PVC and Human Resources three allegations were put to me which were deemed to constitute gross misconduct. The charges were that there had been on my part:

- Breach of confidentiality regarding the health and wellbeing of colleagues
- Serious carelessness and negligence in the performance of duties
- Misuse of media whereby postings made about the university were considered to bring the university into disrepute

The rebuttal

This first meeting with the PVC was intended to be a short interview to allow me to hear the charges against me; however, I wanted to take the opportunity to offer an immediate rebuttal which I thought would enable the university to avoid wasting valuable time and money pursuing a non-issue.

Firstly, I was able to assure the PVC that I had not breached confidentiality as I had not named any particular colleagues in the blog piece. In the face of the PVC's evident displeasure, I was able to reassure her that there had been 12,000 hits on my blog and it had been trending for four days on the *Times Higher* website, and judging by the comments and retweets, she was the first person to find a fault with it. Nevertheless, the PVC demanded that I ask the *Times Higher* to take the piece down and also delete it from my own blog, *Academic Irregularities*.

Secondly, it became clear that management had formed the impression (on the basis of no evidence or enquiry) that I had abandoned the day's plan for the class and instead forced the students to endure a digression into a private grievance about working conditions. Notwithstanding my legal right to teach autonomously, this is not what had taken place. I was visiting a sick colleague's class to explain to the students (with my colleague's express permission) the cause of their lecturer's stress-related illness and convey to them the arrangements I would be making for immediate covering of the remainder of classes during the semester. The conversation that emerged was fully commensurate with that purpose. No reasonable person could charge that I had been neglectful of students as my immediate concern was to safeguard uninterrupted continuation of their teaching, and this was achieved. In doing so, I had also ensured that the university would not risk incurring complaints from the affected students.

Lastly, I had evidence in the form of an email exchange between me and a *Times Higher* sub editor which included a clear request from me not to edit the piece so as to seem that stress in academia is a localised problem. I emphasised that this is widespread nationally and even internationally. I had not identified the institution at which I worked. None of the readers who responded in comments under the line or on my blog had mentioned my employer or any other academic institution. Consequently, there could be no possibility of reputation damage. I had been identified as author of the piece, and my institutional affiliation, but this was merely house style by *Times Higher* and indicated only that the author could claim knowledge of the higher education context.

Despite this clear rebuttal, I found myself in the grip of a twelve-week disciplinary process whose charges, seemingly, could not be halted by clear, exculpatory evidence. Furthermore, for the duration, I was forbidden to write more on the topic of academics, stress and mental health, and also prohibited from discussing the disciplinary process with any other person than my union representative. This was designed to bring my writing to a halt and to isolate me professionally and personally.

Disciplinary investigation

This immediate explanation should have sealed the matter at the first meeting. It was clear that there had been a rush to judgement and some serious misconceptions had been formed. Still, when I received notification that I was required to attend a disciplinary investigation, I was not concerned. I regarded it as a formality before getting back to focusing on my teaching and research.

The investigation meeting occurred promptly, about a week later, and its purpose was to explore the events that had taken place, and allow me the opportunity to explain my actions, intentions and the context in which they had occurred. Despite my candid and well-evidenced rebuttal of the charges, it appeared that this had not weakened management's attachment to their misapprehensions. Indeed, the need to uncover some other supposed transgressions to populate the same charges seemed even more urgent. For example, at the investigation, I was asked precisely when I had written the blog piece. I interpreted this enquiry as an attempt to demonstrate that I had wasted work time on unauthorised activity. Since I usually confined my writing to evenings and weekends, I knew that this second effort to prove neglect of duties would fail.

The university's policy on disciplinary action pledged that the process would be completed in a 'timely' manner. I expected to receive the report on the investigation within ten days, but I heard nothing for seven whole weeks after the investigation. At this point, I was informed that a disciplinary hearing was being called as the investigator had concluded there was sufficient evidence to believe there was a disciplinary case to answer. This took place four weeks later.

A new charge: 'frightening students'

To pursue these allegations seemed an overreaction on the part of managers and a distortion of the gravity of the charge of gross misconduct, which is usually confined to

financial or sexual impropriety. I was not suspended from work at any time and I continued to teach my classes. This seemed an unusual course of action towards an employee who was under charges of gross misconduct, and I began to wonder if I was really considered a genuine threat to the students or the university's reputation. It remains my view that this misapplication of the process, in itself, brought the university into disrepute.

In the end, they had to settle for the absurd in their increasingly panicked pursuit of a charge which would hold firm. I had, apparently, 'frightened' the students in relaying my narrative of workplace stress, and the increasing toll of illness and suicide among academics. This they had ascertained from the blog piece where I stated, 'I told them about the effects of long-term stress on the mind and body. I told them about the death of Stefan Grimm at Imperial College. And they were shocked and frightened that this could happen in a British university'. There is a difference, though, between students being frightened, and me having frightened them. The students were, of course, adults and, to my knowledge, nobody had complained about the episode.

So, in addition to frightening students, I had also, according to management, failed to observe the correct procedures for communicating information about mental health. In opening up to students about the stress academics face, I stood accused of sharing inappropriate information that left the students 'in a stressful situation themselves' (sic). It should be mentioned that there was no evidence that any students had felt stressed, nor had anyone complained about either my disclosure or the arrangements I had put in place for continuation of their studies. The managers, though, decided to take a very literal and restrictive view of the activities listed on the University Mental Health Day website. Their claim was that the only permissible way to start a conversation about mental health in universities was to get students to fill in postcards. While this may have been one of the recommended activities for the 2016 event, it was by no means recognised as the only method of starting a conversation. Nevertheless, this inconsequential deviation was seized on as an example of my delinquency.

The threshold for bringing the university into disrepute was set even lower. The hearing concluded that there had been the **potential** for a detrimental reputational impact on the university. Of course, I had presented evidence which showed conclusively that there had been no such outcome, and also evidence confirming my expressed intention to avoid that outcome. Nevertheless, my accusers pronounced that it **might** have happened. Fictions and the imaginary, rather than evidence, apparently, are enough to sustain a career-threatening charge of gross misconduct. Even though my line manager had reassured me that 'you have done nothing wrong,' the allegations were sustained with only the breach of confidentiality dismissed. It didn't matter. Management had their conviction and my union representative and I stepped outside while the sanctions were discussed.

A climate of intimidation

In the end, it was clearly not in the interest of management to dismiss me. The opportunities for legal challenge, which really would have brought them into disrepute, must have been only too apparent to them. It was much less likely that I would challenge the decision to

issue a final written warning which would stay on my record for 18 months. This tactic would advance the real objective – the creation of a climate of intimidation resulting in the silencing of me, and by extension, other staff.

And so, despite having an unblemished record of service for over thirty years without so much as a late library book to sully it, I found myself with two counts of gross misconduct. For me, the only important thing was to retain my academic freedom: freedom to write, to blog and to campaign on issues of importance within the sector. It was now clear that living under an injunction whereby my employment could now be terminated at any point without notice, would put my ambitions in peril. I resigned immediately, and within a few months found myself able to write [another piece](#) in *Times Higher Education*.

Ironically, one performance metric I have allowed myself to embrace is the fact that this piece in the *Times Higher* recounting the experiences that led to my resignation became one of the top 25 most-viewed pieces of 2017.

Some colleagues have asked me why I didn't fight this verdict. To me it seemed pointless to continue within an institution which seemed to have abandoned fairness and tolerance. In leaving, I signalled a refusal of management's decree of abjection and shame. In an inversion and subversion of the whole disciplinary process, shame has been refracted by their own authoritarianism and disgrace has instead attached to them.

Freedom of speech: the wrong end of the viewfinder

In a market-driven system, the legal requirement for universities to defend academic freedom has been overridden by the determination of university managers to avoid what they see as reputational damage. The issue has attracted the scrutiny of a series of universities ministers as well as the current secretary of state for education, Gavin Williamson. Unfortunately, they have all found themselves at the wrong end of the viewfinder.

In a [recent piece](#) for *The Times*, Williamson has issued universities with 'a final warning to guard free speech or face legislation' and repeats the familiar accusation that students' unions are responsible for disrupting invited speakers. He maintains this position despite the verdict of the 2018 Parliamentary Joint Committee on Human Rights [report](#) on freedom of speech which 'did not find the wholesale censorship of debate in universities which media coverage has suggested'.

It is not students but rather university managers who have the most significant track record of compromising the academic freedom of staff and the freedom of speech of students. I outline just one recent example of the latter below.

A member of a student group at Loughborough University, Loughborough People and Planet, found themselves subject to [disciplinary action](#) for chalking messages on campus in support of their campaign for the university to cut their ties with Barclays Bank. The group objected to the bank's ties to fossil fuel companies. Shockingly, the university senior

management were [concerned](#) that the university should not become 'a political space'. You wonder what they think universities are for, if not for political debate and the cultivation of active, responsible citizenship.

When leadership is subsumed by an exercise in public relations, students quickly learn that institutions which may proclaim students are customers can rapidly rescind that promise when the shop window display is disturbed.

Vice-chancellors and other senior managers have found some useful tools in constructing a cordon sanitaire of reputational impermeability. In a sector in which around a third of academics are engaged on temporary contracts, this precarity acts as one more instrument of coercion. It is the brave scholar who stands on a picket line, takes extended sick leave, or refuses to work more than their contracted hours when they understand these actions will be revisited at the time of contract renewal.

The plight of the early career academic

Even when a permanent position is secured, the period of probation is now so lengthy that, by its end, academic freedom must seem like a distant mirage. The early career researcher will have learned to conform to the required specialisms of the departmental unit of research, to publish in a narrow set of journals with high impact factors and to observe the priorities of the funding councils in making grant applications. The ability to demonstrate compliance to the strictures of the watching culture of universities is more important than being able to demonstrate originality in research. The scholar who, like me, wishes to contribute to the field of critical university studies is particularly vulnerable. Even if making a general observation about universities, they are likely to be accused of implying criticism of the institution in which they work. Research which is driven by honesty and integrity will not emerge from a strategy of academic defensive driving which many young academics have been forced to adopt.

The surveillance continues outside the academy into cyberspace. Many academics suspect their social media accounts are being [monitored](#) by human resources, reporting to senior managers.

We find both [staff](#) and [students](#) being pressured into silence by the imposition of non-disclosure agreements (NDAs). Shockingly, these have been used to prevent victims of sexual assaults students from speaking out about their experiences under threat of expulsion from their courses. The BBC states that £87 million has been spent on silencing academics since 2017. This, of course, is money furnished by students' tuition fees. In 2020 we might now construe such cover-up tactics as Trumpian admissions of guilt.

If academic freedom is to flourish, universities must allow dissent

Universities need to draw back from repression and allow dissent. It is simply not acceptable that the only critical opinion permitted to cross the vice chancellor's desk must come in the

form of a management consultant's report. University executives must be held accountable for breaches of academic freedom, and this requires a strengthening of faculty and student voices. Universities must become more democratic in their governance and outlook.

In an era of weakened trade unions and an academic body whose members are demoralized by their [experience of precarity](#), vice-chancellors must accept that, for academic freedom to thrive, requires very thorough protections for those scholars who offer a challenge to 'the university' from within. There is a very simple resolution, of course, and it already exists. Universities must observe the safeguards enshrined in law, and they must create the conditions whereby staff and students feel secure enough to speak their truth. As Judith Butler [wrote](#) in the *Chronicle of Higher Education* in 2018, 'Censorship is always an indirect confession of fear. The censor exposes himself as a fearful being. He fears speech and seeks to contain it. His fear attributes to his opponent's speech a power that it may or may not have.'

For the sake of scholars facing oppressive and hostile structures, let our speech be free and let it be heard.

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