

Defining Academic Freedom: How Statewide Political Turmoil Shaped the Debate on
Academic Freedom at the University of Wisconsin in 1910

By

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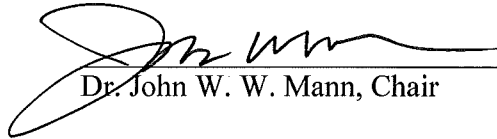
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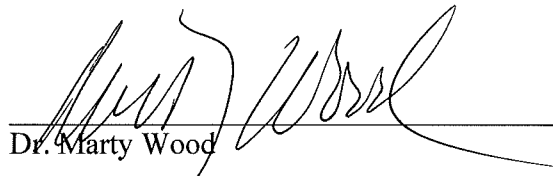
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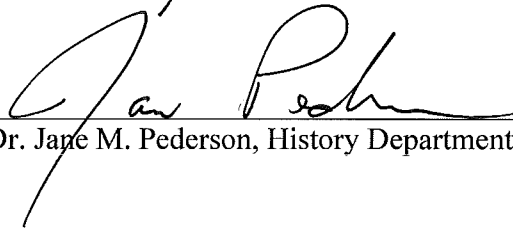
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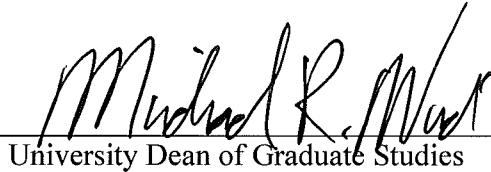


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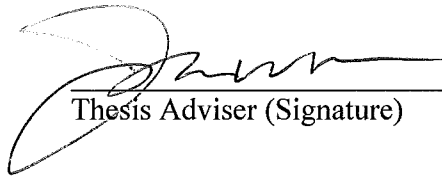
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Under the Supervision of Dr. John W. W. Mann

This thesis revisits the events of 1910 spring semester at the University of Wisconsin detailed in “Sifting and Winnowing: A chapter in the History of Academic Freedom at the University of Wisconsin,” about the famous *Sifting and Winnowing* plaque. It is a larger study on the process of defining academic freedom in 1910. This thesis contends that the plaque was not the center of debate on academic freedom in 1910 as “Sifting and Winnowing” suggested. Additional material has been included that demonstrates discussions of academic freedom occurred simultaneously to and independently of the plaque. Although the plaque contributed to the process of defining academic freedom, the driving force was statewide political turmoil caused by tensions between Stalwart and Progressive Republicans.

The scope of this study includes discussions on academic freedom between the university community, Board of Regents, and journalists during the months before and after the 1910 spring semester. By focusing on the spring semester as a whole, rather than just on the plaque, it becomes evident that discussions over academic freedom occurred during an institutional conflict between the Regents and the university community about

political activity within the university. Moreover, a larger statewide political conflict circumscribed these interactions. These elements overshadowed the significance of the plaque at the time. Therefore, this thesis focuses on the 1910 spring semester as a whole, putting the discussions on academic freedom in the context of statewide political tensions that found their way into the university.



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INTRODUCTION

Whatever may be the limitations which trammel inquiry elsewhere, we believe that the great State University of Wisconsin should ever encourage that continual and fearless sifting and winnowing by which alone the truth can be found

—(Taken from a Report of the Board of Regents in 1894) Memorial, Class of 1910

This quotation hangs on the wall of Bascom Hall at the University of Wisconsin-Madison. The words have been invoked periodically since they were written in 1894 by the university's Board of Regents and memorialized by the Class of 1910. The story of the plaque's creation is a celebrated part of Madison's heritage, told again and again in the classroom, through various chancellors' speeches, in newspaper articles, journal stories, and history books. The impact of these bronzed words spans over a hundred years of the university's history as well as beyond its walls. In 1994, celebrating the hundredth anniversary of the Board of Regents' statement, Katherine Lyall, former president of the University of Wisconsin System, stated, "If we remember [the origin of the words], and if we understand the full meaning of 'sifting and winnowing,' then we must also recommit ourselves, now and in the future, to the 'continual and fearless' defense of academic freedom: as an honorable tradition, as an essential tool of our trade, and as the bedrock value of America's greatest universities."¹

The plaque is well-known among the American academic community as a symbol of academic freedom. If, as Lyall stated, defense of academic freedom is "the bedrock value of America's greatest universities," what forged that foundation at the University of Wisconsin at the turn of the century? More specifically, what conditions in Wisconsin, at

¹ W. Lee Hansen, ed., *Academic Freedom on Trial* (Madison, WI: Office of University Publications, University of Wisconsin-Madison, 1998), 309

the university, and during the early twentieth century prompted the debate on academic freedom? The Association of American University Professors (AAUP) published the first official definition of academic freedom five years after the Class of 1910 gifted the plaque to the university. The AAUP's *1915 Declaration*, as it was referred to, defined academic freedom as "freedom of inquiry and research; freedom of teaching within the university or college; and freedom of extramural utterance and action."² This thesis is not a history of the plaque, but any discussion on the process of defining academic freedom prior to 1915 must outline its importance. In 1940, a university graduate, Theodore Herfurth, did just that. He published a pamphlet on the history of the *Sifting and Winnowing* plaque in honor of his recently deceased wife Genevieve, a member of the Class of 1910 which gifted the plaque to the university. Even today, the Herfurth pamphlet remains the standard narrative.³

This thesis revisits the events of 1910 in more detail than Herfurth did. It is a larger study on the process of defining academic freedom at University of Wisconsin in 1910. This thesis contends that the plaque was not the center of debate on academic freedom in 1910. Additional material has been included that demonstrates discussions of academic freedom occurred simultaneously to and independently of the plaque. Although the plaque contributed to the process of defining academic freedom, the driving force was

² American Association of University Professors, "1915 Declaration of Principles on Academic Freedom and Academic Tenure," <http://www.aaup.org/AAUP/pubsres/policydocs/contents/1915.htm> (accessed March 13, 2012).

³ Merle E. Curti and Vernon R. Carstensen, *The University of Wisconsin: A History, Vol. 2* (Madison, WI: University of Wisconsin, 1949). The official history of the university uses Herfurth's pamphlet as the single source of history on the plaque and the events of the 1910 Spring semester.

statewide political turmoil caused by tensions between Stalwart and Progressive Republicans.

The scope of this study includes discussions on academic freedom between the university community, Board of Regents, and journalists during the months before and after the 1910 spring semester. By focusing on the spring semester as a whole, rather than just on the plaque as Herfurth did, it becomes evident that discussions over academic freedom occurred during an institutional conflict between the Regents and the university community about political activity within the university. Moreover, a larger statewide political conflict circumscribed their interactions. These elements overshadowed the significance of the plaque at the time. Therefore, this thesis focuses on the 1910 spring semester as a whole, putting the discussions on academic freedom in the context of statewide political tensions that found their way into the university. Since the plaque certainly contributed to the discussions on academic freedom, a short history on the origin of the memorialized words must be included.

In 1894, Oliver Wells, an employee of the State Superintendent of Public Instruction and a member of the Board of Regents, accused Dr. Richard Ely, professor of economics at the University of Wisconsin, of being at the center of recent printers' strikes.⁴ In the summer of 1894 Wells published a public letter in *The Nation*, stating that Ely encouraged anti-business agitators as well as strikes. Wells believed that as a professor, Ely posed considerable danger because he remained protected against any

⁴ They were the Democratic Printing Company strikes during the winter of 1892 and 1893, and the Tracy-Gibbs Printing Company strike in January 1894. He formed his impression after talking with one of the printing company owners and several strikers. He then read Ely's *Socialism: An Examination of Its Strength and Its Weakness* and *Suggestions for Social Reform*, concluding that Professor Ely's work served a socialist agenda promoting dangerous economic theories.

punishment by hiding behind the university. According to Wells, in private, Ely pushed for a number of radical ideas that he never mentioned in the classroom. The letter was reprinted in a number of newspapers, prompting the Board of Regents to investigate the matter.⁵

The allegations made against Ely had nothing to do with abusing his position as a professor. Rather he was attacked for promoting unpopular economic theories in the public realm, thereby stepping outside the boundaries of his role as university teacher, according to Wells' accusation. The Regents called three hearings in the month of August. Wells appeared at none of the hearings and none of the witnesses called supported his claims. When Wells did not appear at the third hearing, Ely's lawyer requested the investigation be dismissed. The Board of Regents complied. The final report included a strong defense of academic freedom, even though the topic never came up during the hearings.⁶ The Board of Regents had recognized the danger of pursuing a case against a faculty member on the basis of a difference of ideals. They affirmed that "Ely's economic teachings were still a proper subject for public discussion."⁷ The final Board of Regents report of the hearings read:

As Regents of a university with over a hundred instructors supported by nearly two millions of people who hold a vast diversity of views regarding the great questions which at present agitate the human mind, we could not for a moment think of recommending the dismissal or even the criticism of a teacher even if some of his opinions should, in some quarters, be regarded as visionary. Such a course would be equivalent to saying that no professor should teach anything

⁵ Theodore Herfurth, "Sifting and Winnowing: A Chapter in the History of Academic Freedom at the University," in *Academic Freedom on Trial* (Madison, WI: Office of University Publications, University of Wisconsin-Madison, 1998), 62-63.

⁶ Herfurth, 66

⁷ Herfurth, 53.

which is not accepted by everybody as true. This would cut our curriculum down to very small proportions. We cannot for a moment believe that knowledge has reached its final goal, or that the present condition of society is perfect. We must therefore welcome from our teachers such discussions as shall suggest the means and prepare the way by which knowledge may be extended, present evils be removed and others prevented. We feel that we would be unworthy of the position we hold if we did not believe in progress in all departments of knowledge. In all lines of academic investigation it is of the utmost importance that the investigator should be absolutely free to follow the indications of truth wherever they may lead. *Whatever may be the limitations which trammel inquiry elsewhere we believe the great state University of Wisconsin should ever encourage that continual and fearless sifting and winnowing by which alone the truth can be found.*⁸

At the University of Wisconsin, in 1894, academic freedom included professors' rights to contribute to the public discourse. When these words appeared again sixteen years later, the debate turned to the right of the university, including faculty and students, to advocate partisan ideas at the school; to be politically active outside and inside the campus. This debate occurred during a significant period of political conflicts in Wisconsin.

Beginning at the turn of the century a political schism divided the Wisconsin Republican party into Progressive and Stalwart factions. Robert M. La Follette, a dominant political figure in Wisconsin and a friend of the state university, led the Progressives. During La Follette's election campaign of 1900 many Republican standard bearers supported his bid for governor, expecting favors in return. Shortly after his victory many of those same Republicans felt La Follette had deceived them. They saw

⁸ *Madison Democrat*, September 19, 1894, Box 1, Theodore Herfurth Papers, 1894-1950, Wisconsin Historical Society, Madison, WI (hereafter cited as Herfurth Papers); Herfurth, 66-67. Italics are author's. At the outset, Herfurth intended to write his summation of the plaque because he wanted to know who authored those famous words. Though it still remains unclear who might have penned them, he believed it was either Charles K. Adams, president of the university, or Chairman Chynoweth of the Board of Regents.

him as a “charlatan.” The division gave rise to Stalwart political dominance after 1906 that lasted through the University of Wisconsin’s 1910 spring semester.⁹

According to Herfurth, members of the Class of 1910 were strong supporters of La Follette, which in the eyes of the Regents made them radicals. The students, meanwhile, viewed the Board of Regents as conservative ideologues. In Herfurth’s view, “there is little doubt that political partisanship affected the contest between classmen and Regents.” Administrators and professors also played a significant part in the Progressive movement. University of Wisconsin President Charles R. Van Hise maintained a strong relationship with La Follette, while professor Edward Alsworth Ross was, according to one scholar, a “crusader” in the Progressive movement. Ross, a sociology professor at the University of Wisconsin, played a particularly important role during the 1910 semester as a target for Stalwarts among the Board of Regents. The intimate ties between the university and Wisconsin progressives also made the entire school a target for Stalwart Republicans, including those on the Board of Regents.¹⁰

In 1906, Governor James O. Davidson split with La Follette and became the leader of the Stalwart Republicans. Once in office, Davidson appointed like-minded individuals to the Board of Regents. In 1910 the Regents consisted of five Progressives and ten Stalwarts. The La Follette supporters of the university and conservative Regents clashed prior to 1910. In February 1909 the journalist Lincoln Steffens published an article in *American Magazine* about the benefits of the university to the state of

⁹ Herbert F. Margulies, *Decline of the Progressive Movement* (Madison, WI: The State Historical Society of Wisconsin, 1968), 50

¹⁰ Charles Hunt Page, *Class and American Sociology: From Ward to Ross* (New York: Octagon Books, INC, 1964), 213.

Wisconsin. In it he also criticized the Regents for suppressing the tradition of academic freedom at the University of Wisconsin. The Regents, of course, did not appreciate Steffens' comments. Steffens' accusations, however, were not unfounded. Professor E. A. Gilmore received a censure from the Regents for advocating state controlled water power. Two Regents, according to Herfurth, favored private control and "censured the law professor for jeopardizing their interests."¹¹ The Gilmore controversy was ultimately overshadowed by the Edward Ross' censure the following year. Therefore, the thesis begins with Edward Ross as the focus of chapter one.

In January 1910, Edward Ross, head of the sociology department at the University of Wisconsin, announced to two of his classes that Emma Goldman would be speaking in Madison. In February of the same year, he also invited Parker Sercombe, editor of a magazine that advocated free love, to address the campus. On March 2, 1910 the Board of Regents officially censured Ross following the Goldman and Sercombe incidents. According to Herfurth, Ross' censure had a direct influence on debate over academic freedom that occurred that spring.

Chapter one focuses on Ross as a unique historical figure because only a decade earlier he had been terminated from Stanford University, which sparked a national debate over academic freedom. The chapter provides a historiography of Ross' 1900 termination at Stanford. The next section of the chapter spends a considerable amount of time detailing Ross' role during the debate over academic freedom at Wisconsin. The chapter also utilizes the historical interpretations of the Stanford case to better understand the

¹¹ Herfurth, 70; W.D. Hoard to Governor Francis E. McGovern, April 1, 1911, Box 1, Herfurth Papers. Herfurth included a resignation letter from W.D. Hoard from 1911 that stated his reason for departure was a direct result of the political partisanship within the board.

Wisconsin affair. Though the two events have numerous differences, both revolve around the same individual and his political activities, which resulted in a debate on academic freedom. Therefore the inclusion of Ross' time at Stanford serves to inform us about the 1910 spring semester at Wisconsin.

Chapter two moves beyond Ross and focuses instead on the University of Wisconsin community. The chapter begins with a historiography of academic culture and argues that the process of defining academic freedom in the early twentieth century occurred during institutional conflicts. Those conflicts were caused by the rapid shifts in the structures of American higher education. The chapter continues by detailing exchanges between President Van Hise and the Board of Regents concerning the Goldman and Sercombe incidents to demonstrate that at Wisconsin, institutional conflicts sparked debates over academic freedom. The second half of the chapter describes how the gifting of the *Sifting and Winnowing* plaque by the Class of 1910 contributed to the debate on academic freedom. The chapter concludes that even though the *Sifting and Winnowing* plaque became a powerful symbol for the protection of academic freedom, in 1910 it was a small part of the process of defining academic freedom. Additionally, the chapter argues that the institutional conflict that propelled the debate on academic freedom had strong political overtones.

Prior to the AAUP's *1915 Declaration* the state of Wisconsin and its university had already begun to formulate a definition of academic freedom, just not in such a formal manner. Chapter three argues that Wisconsin's political changes set the stage on which university members as well as non-university individuals forged early concepts of academic freedom. The process of defining academic freedom emerged out of a specific

regional context and addressed local concerns. Therefore we must look at the university as well as the surrounding community to produce an accurate picture of the process of defining academic freedom in 1910. Analyses of newspaper articles helps bring this picture into focus.

Each chapter revisits 1910 spring semester, but from different perspectives. Chapter one focuses on Ross, comparing and contrasting the Stanford and Wisconsin cases. Detailing the Stanford case provides insight into the Wisconsin case, as well as the process of defining academic freedom at Wisconsin. Chapter two focuses on the University of Wisconsin community, including President Van Hise, the Board of Regents, and the Class of 1910. Chapter three looks at those outside the university, namely journalist. Looking at correspondence, official university records, newspapers and journal articles, drafts of the Herfurth report, and alumni statements, this thesis explores the process of defining academic freedom in Wisconsin in 1910 in the hope of highlighting its importance and mutability. The conclusion then turns to the process following 1910 to the 2000s. The historiography on the discussion over academic freedom highlights again and again that many of the same themes discussed in 1910 emerge throughout the last one hundred years.

CHAPTER ONE

"NOT FIT TO REMAIN AT WISCONSIN:" EDWARD ROSS AND ACADEMIC FREEDOM

Certain financiers and capitalist on the Board of Regents (clever team-work!) solemnly shook their heads and gave it out to the newspapers as their pondered opinion that I was not fit to remain at Wisconsin.

—Edward Alsworth Ross, *Seventy Years of It*, 290

In January 1910, the radical anarchist and polarizing figure Emma Goldman arrived in Madison to lecture. An unnamed woman removed posters advertising her arrival. Professor Edward Alsworth Ross learned of the woman's action and addressed it in two of his morning classes. Upset that someone would deny Goldman the right to speak, he announced the talks to the students. The *Madison Democrat* reported Ross' actions and accused him of encouraging the students to attend the lectures. The paper believed by announcing her arrival Ross had essentially promoted anarchism in the classroom. Regent Magnus Swenson and Regent G. D. Jones responded by demanding Ross' resignation.¹²

Shortly after Emma Goldman left, Parker Sercombe, member of the *Rational Education League* and former editor of *To-Morrow Magazine*, came to the University of Wisconsin's campus at Ross' invitation, to speak about education. The Board of Regents heard of Sercombe's visit and also learned the magazine he was affiliated with advocated "free love." This allowed Swenson and Jones to seek punitive measures against Ross they could not take following the Goldman incident. President Van Hise interceded on Ross'

¹² "The Welcome to Goldman," *The Madison Democrat*, January 27, 1910; Jones to Van Hise, January 31, 1910, Box 18 Folder 264; Magnus Swenson to Van Hise, February 1, 1910, Box 18 Folder 257, Chancellors and Presidents, President Charles R. Van Hise Papers, General Correspondence of President Van Hise, 1903-1918, University of Wisconsin-Madison Archives (hereafter cited as Van Hise Papers).

behalf and persuaded the board to censure him rather than seeking his termination.¹³ On March 2, 1910, the Board of Regents released the following statement:

WHEREAS, it has come to the knowledge of the Board of Regents that Professor E. A. Ross of the department of sociology in our University has invited to lecture in the University and under its auspices, persons whose record and expressed views are subversive of good morals, therefore be it
RESOLVED, by this Board of Regents that we strongly disapproved of such action, and that the President of the University is requested to inform Professor Ross of the censure of the board and their unanimous disapproval of his indiscretions.¹⁴

A decade earlier Ross had been terminated at Stanford University for his political activities. This sparked a national debate on academic freedom with a number of newspapers lending their support to Ross and condemning the university. Ross garnered public support and effectively made himself out to be the heroic martyr for academic freedom. At the University of Wisconsin, the press attacked Ross instead of coming to his defense. Wisconsin newspapers such as the *Madison Democrat* and the *Beloit Free Press* called for the university to fire him. Despite the different reaction by the press, the events surrounding his 1910 censure did spark another debate on academic freedom.

When comparing Wisconsin with Stanford, it becomes clear that Ross' trouble at Stanford was primarily about public relations. Ross' censure at Wisconsin, on the other hand, was primarily about political conflict between Stalwart and Progressive Republicans. Yet, Ross' termination at Stanford does offer insight into his censure at Wisconsin. Additionally, the historiographic works discussing Stanford outnumber those

¹³ Herfurth, 71-73.

¹⁴ *Madison Democrat*, March 3, 1910, Van Hise Papers; "Resolution" from the Board of Regents Meeting, March 2, 1910, Box 23, Meetings of Board of Regents Papers, Board of Regents Secretary, University of Wisconsin-Madison (hereafter cited as Regents Papers). The original version included the line "...inform Professor Ross that his resignation will be accepted by the Board."

works on his censure at Wisconsin. Using interpretive frameworks applied to the Stanford incident, this chapter attempts to make sense of the Wisconsin incident. The chapter begins with a brief history of Edward Ross and proceeds to focus on the Stanford case and then the Wisconsin case.

Edward Alsworth Ross came to the University of Wisconsin in 1906. He was a renowned sociologist, considered today to be one of the founding fathers of the discipline. At an early age he exhibited an interest in academics and pursuing an intellectual life. He left his family farm to pursue a bachelors degree from Coe College in 1882 at the age of 15. College freed Ross from the constraints of the conservative ideals he grew up with, so that he could pursue scientific studies. Ross wrote that in college there was “no one to deflect me from my native bent, to thwart my insatiable passion to *know* . . . No one to curb my education, choose my calling . . .”¹⁵

In 1888, Ross left to study at the University of Berlin, just as a number of American scholars did before him. He studied the great German philosophers. Though deeply interested in these thinkers, he ultimately rejected the abstract nature of philosophy. He turned to economics instead, particularly because it offered clear substantive results rather than pontifications and theories. Returning to the United States he started graduate school at Johns Hopkins University, completing a PhD in political economics in 1891. Ross was born into a period of social change in the decades following

¹⁵ Edward Alsworth Ross, *Seventy Years* (New York: D. Appleton-Century Co., 1936), 3-11, The lessons he learned from farm-life had a great influence on him throughout his life. “Thanks to it I have been more concerned with the lot of our farmers than with that of any other class.” Yet, Ross lamented with dramatic emphasis that for those years he spent on the farm his cultural and intellectual upbringing suffered. “When I left the farm I had never read one of the children’s classics. All a boy’s cultural heritage . . . I read while I was in college! . . . I judge that I lost at least two years from lack of cultural opportunity. . . I am still two years behind what I might have been!”

the Civil War. One of his biographers, Sean H. McMahon, described this period as “the beginning of a nationwide attempt to reshape society as a whole.”¹⁶ Ross’s 1891 dissertation demonstrated the start of his advocacy of “reshaping” society. According to McMahon, from his dissertation to 1896, Ross’ work “show[ed] a transition from state socialism to a vision of social cohesion, which he later called social control.”¹⁷

After receiving his PhD, Ross had brief stints as an economics professor at the University of Indiana (1891-1892) and Cornell University (1892-1893). In between posts he also took a position as the secretary of the *American Economic Association*. By this time he had only published a small number of articles, but had become a rising star among economic scholars. Ross received a number of lucrative offers during the 1890s for teaching positions. Stanford University enticed him in 1893 with a well-paid professorship. Around the same time, Ross developed his “social control” theory, which led to a series of articles published in the newly established *American Journal of Sociology*. He achieved a great deal professionally early in his academic career. Yet, despite his success, his career nearly ended as a result of a conflict with Stanford

¹⁶ Sean H. McMahon, *Social Control and Public Intellect: The Legacy of Edward A. Ross* (New Brunswick, NJ: Transaction, 1999), 1.

¹⁷ McMahon, 1; Ross, *Seventy Years*, 26-43; American Sociological Association, “Edward Alsworth Ross,” American Sociological Association, <http://www.asanet.org/page.wv?name=Edward+A.+Ross§ion=Presidents> (accessed Feb 3, 2009); Julius Weinberg, *Edward Alsworth Ross and the Sociology of Progressivism* (Madison, WI: State Historical Society of Wisconsin, 1972), 27. During this period Ross met Rosamond Simons, his future spouse and niece to Lester Frank Ward, the first president of the American Sociology Association. Edward and Rosamond married in 1892.

University's benefactor, Mrs. Jane Lathrop Stanford. Though he would lose his job as a result, that conflict also sparked a national debate on academic freedom.¹⁸

Between 1892 and 1896 Ross also became very politically active. He publicly supported labor unions, public ownership of transportation, and Free Silver, aligning himself with the Populists movement. His political activity caught Mrs. Stanford's attention. She believed many of his views were radical. In 1896, Ross published *Honest Dollars*. In this pamphlet he argued that government should use silver, rather than gold as its currency standard. He argued silver was a much more stable currency standard. *Honest Dollars* appealed to the public more than academics, as it championed a position central to the Populist movement. Though published independently of the university, the partisan nature of the pamphlet concerned Mrs. Stanford. In October of that year, she expressed to President David Starr Jordan her concern that Ross' political activities threatened to compromise the university's public image. She decreed that Stanford faculty must remain impartial and objective in and out of the classroom. Ross' popularity within the Populist movement insulated him from the extreme disciplinary action that Mrs Stanford might have wanted to take. When the Populist movement failed after the 1896 elections, Ross lost that protection. President Jordan issued a new contract shortly thereafter. Ross would leave on sabbatical and at the end of the year the university would decide whether to renew his contract again. President Jordan at this time also moved Ross from the economics department to the sociology department. Moving Ross from the more

¹⁸ Ross, *Seventy Years*, 54-57; Weinberg, 1-38; American Sociological Association, "Edward Alsworth Ross,." During the 1893 AEA conference Ross distinguished himself from his fellow economist by putting forth a myriad of ideas that extended beyond economics into the social realm. Economics did not just entail monetary theory, but included social behaviors.

prestigious economics department to the experimental sociology department was intended to diminish Ross' professional reputation. The demotion managed to silence Ross and allowed him to continue at the university for the next few years.¹⁹

In May 1900 President Jordan asked Ross to speak on his behalf at a public gathering to discuss Asian immigration. At the forum Ross expressed a strong opposition to employing Chinese and Japanese laborers. He stated to the audience “should the worst come to the worst it would be better for us to train our guns on every vessel bringing Japanese to our shores rather than to permit them to land.”²⁰ Asian laborers represented a growing source of cheap labor that he believed threatened the economic stability of the American family. Using cheap outside labor created unfair competition for American workers who could not afford or were unwilling to work for lower wages. The Stanford family employed many immigrant laborers to build the Union Pacific Railroad, so upon reading about Ross' speech in the papers Mrs. Stanford ordered Jordan to terminate Ross at the end of the year. Her outrage over Ross' statement was twofold. First, he publicly denounced the business practices of men such as her husband. Second, she had instituted a policy that restricted political activity for faculty. Speaking against businesses using immigrant labor, particularly casting the practice as damaging to the American family, violated this policy in her view. President Jordan tried to defend Ross, but he could not persuade Mrs. Stanford to reverse her decision. Ross was forced to tender his resignation.²¹

¹⁹ Ross, *Honest Dollars* (Chicago: Charles H. Kerr & Company, 1896).

²⁰ Ross, *Seventy Years*, 47.

²¹ Weinberg, 37-39, 43-44; McMahon, 1-26. Ross supported inflation, labor unions, and corporate taxation. He also advocated public ownership of transportation and

Walter Metzger, in *The Development of Academic Freedom* argued the conflict between Ross, a social scientist with unconventional opinions, and Mrs. Stanford, the wife of a wealthy entrepreneur and Stanford University's benefactor, typified the clash between business and institutions of higher learning. After the Civil War a number of new universities emerged. The institutions focused on secular sciences and often worked with businesses. Scientific advances made within universities had practical applications for manufacturers that allowed for increased profits. Wealthy businessmen, in turn, financially supported universities and served on the schools' boards. Business leaders also founded universities, such as Stanford University. Even though businesses worked closely with universities, that did not stop professors, particularly social scientists, from criticizing businessmen and business practices. According to Metzger, businessmen sought retribution against faculty members for their hostility towards capitalism. That business leaders supported and governed universities that contained experts antagonistic to their industries' practices increased friction between the two, symbolized by the expert and the business leader. The debate about the rights and limits of Ross' academic freedom occurred in this context.²²

Laurence R. Veysey argued in *The Emergence of the American University* that the debate over academic freedom occurred from situations produced by rapid establishment of universities. Through the late nineteenth century to the early twentieth century

utilities, and Free Silver. Ross's support of Eugene V. Debs, the Pullman strike, public ownership of transportation, and for speaking at a Socialist Club ultimately disrupted any chance he might have had to develop a strong working relationship with Mrs. Stanford. The culmination of his political activity ensured continued conflict among his peers, fellow faculty members, Stanford administrators, and most of all Mrs. Jane Stanford.

²² Walter P. Metzger, *Academic Freedom in the Age of the University*, Reprint 1955 (New York: Columbia University Press, 1961), 139-143, 146-147, 151, 162-171.

university officials and administrators grew concerned over administrative structures and who ought to be in control of them. According to Veysey, the rapid establishment of universities between 1889 and 1892 resulted in hastily established administrative structures which lacked a well-thought-out hierarchy of authority. University leaders internally may have had difficulty determining who was in charge, but publicly they tried to demonstrate otherwise. It was well known that Mrs. Stanford had ultimate say over the operations of Stanford University. Those on the board and within the upper echelon in the administration did little to shape university policies. Yet, all of them united over protecting and promoting Stanford University's public image. Therefore, any "unfavorable publicity" that compromised the administration's public image resulted in "leadership [taking] visible stern measure against the threat to its authority." The preservation of Stanford University's public image trumped protecting Ross' employment. According to Veysey, academic freedom therefore was "not a matter of principal as it was an aspect of public relations."²³

On November 13, 1900, Ross called reporters to his office and declared, "Well, boys, I'm fired." According to Ross, Mrs. Stanford saw him as a revolutionary with "no place in her university."²⁴ He portrayed her as inflexible and closed-minded, unable to accept an opinion contrary to her own views. Even though he made it seem as if the news of his termination was unexpected, he knew in May that he would be leaving. One biographer speculated that Ross waited to announce his firing until he received

²³ Laurence R. Veysey, *The Emergence of the American University* (Chicago: University of Chicago Press, 1965), 264-267, 381-385, 397-410; Metzger, *Age of the University*, 112-113.

²⁴ Ross, *Seventy Years*, 43.

confirmation of the publication of *Social Control*. By waiting, he made it appear that he was terminated on the basis of his book. Publishing a book legitimized his scholarship. The public did not react well to a “legitimate” scholar’s termination over their published work. Whether true or not, Ross used this narrative to garner public opposition to his termination. Ross' skill in public relations further propelled his career by cultivating sympathy on a national level.²⁵

Journalists defended Ross' freedom to present his research and expert advice to the public. They chided Stanford for choosing dogmatic ideals over the sometimes controversial conclusions indicative of scientific research. One scholar observed that, “the single most striking aspect of the public debate over the Ross affair is the fact that almost no paper, journal, or professional association supported Mrs. Stanford.”²⁶ Orin Leslie Elliot, formerly the Registrar of Stanford University, recounted Ross' case in his 1937 *Stanford University: The First Twenty-Five Years*. He described Jane Stanford as the villain throughout the ordeal. Elliot explained that even though many faculty spoke freely in public, Ross remained the only one punished. Her public reputation was not only

²⁵ McMahon, 16-26, 110-11; Ross, *Seventy Years*, 69-71; Weinberg, 37-39, 43-49.

²⁶ James C. Mohr, "Academic Turmoil and Public Opinion: The Ross Case at Stanford," *Pacific Historical Review* 39, no. 1 (1970): 50, 39-61; Thomas L. Haskell, "Justifying the Rights of Academic Freedom in the Era of 'Power/Knowledge,'" *The Future of Academic Freedom*, (Chicago: University of Chicago Press, 1996), 48-52. Haskell wrote that “the Ross case was a happy fluke that enabled Ross and his supporters to publicize the issue of academic freedom in uncharacteristically black-and-white terms (52).”

damaged, but according to Elliot, her reputation among the university community was also harmed.²⁷

Two factors kept the Stanford affair in the public mind, according to James C. Mohr. First, Ross simplified the situation into two popular positions in ongoing national debates—opposition to Asian immigration and support of public ownership of utilities and railroads. By presenting a public narrative around these popular positions Ross broadened the awareness of his situation to a much larger audience. Narrowing their disagreements to two issues made it easier for the public to digest. The second factor that kept the Stanford case in the public came from the support of the American Economics Associations (AEA). Social scientists took an interest in Ross' case because his firing could have had ramifications for the legitimacy of their professional status. The AEA, as one of the earliest professional organizations, publicly defended Ross' right of academic freedom.²⁸

Ross emerged from the situation a symbol of academic freedom and a significant figure within the growing field of sociology. The recent publication of *Social Control* afforded Ross quick employment after the controversial affair at Stanford.²⁹ He was able to take a position as professor of sociology at the University of Nebraska (1901-1906). During his time at Nebraska, Ross' popularity as a public intellectual eventually overshadowed the Stanford case. Many powerful national figures took notice of Ross' work, particularly *Social Control*. Supreme Court Justice Oliver Wendell Holmes, Jr.

²⁷ Orrin Leslie Elliot, *Stanford University, the First Twenty-Five Years* (London: Stanford University Press, 1937), 336-337, 371-372, 378; Weinberg, 45.

²⁸ Mohr, 53, 55-57; McMahon 25-27; Metzger, 194

²⁹ Ross, *Seventy Years*, 54-55.

wrote, "I do not repine, but when I read what has given me so much pleasure and encouragement I think it only right to say to the author, you are doing a noble work."³⁰

Also notably, Theodore Roosevelt wrote a personal letter to Ross after reading *Social Control*. He wrote:

Justice Holmes told me to read *Social Control* because he regarded it as one of the substantial achievements of constructive scholarship in America. I have been reading it accordingly, and I like it so much that I must take the liberty of writing to tell you so. Sometimes I feel a little blue about the immense amount of printed matter of utterly ephemeral value turned out within our borders . . . and so I always feel a real sense of obligation to the man whose achievement tends to make my fears groundless.

I do not suppose you ever get to Washington, but if you do, be sure to let me know.

Sincerely yours,
Theodore Roosevelt³¹

Those affiliated with the Progressive movement took particular notice of Ross' work after leaving Stanford. Following the national attention the Stanford case received, he continued to grow in popularity as a significant figure within the movement. Julius Weinberg observed that "[Ross'] facility for communicating his ideas to Progressive-minded social workers, clergymen, politicians, and civic leader off the campus made him the most popular sociologist in the nation."³² Topics covered during his lectures and in his publications included arguments against trusts and monopolies, support for labor unions, higher taxation of corporations, and publicly owned railroads. According to

³⁰ Oliver Wendell Holmes to Ross, 6 May 1906, Microfilm, Reel 4 Frame 332, Edward A. Ross Papers, 1859 - 1969, The Wisconsin Historical Society, Archives (hereafter cited as Ross Papers).

³¹ Theodore Roosevelt to Ross, June 15, 1906, Microfilm, Reel 4 Frame 451, Ross Papers.

³² Weinberg, 123. Weinberg notes that the Ross Papers contains a number of letters requesting Ross' presence and public lectures, conferences, or panel discussions from numerous Progressives.

Weinberg, Ross “[drove] himself into a state of near exhaustion delivering dozens of lectures on and off the campus,” in pursuit of elevating his national status as a Progressive.³³

It might be worth asking, if his participation in a political movement while at Stanford resulted in his termination, why would he align himself with another political movement? Weinberg concluded that Ross' prominence within the Populist movement ultimately prompted Mrs. Stanford to target him. But it was Ross' continued defiance of his employers' policies of avoiding political activity that resulted in his dismissal. Weinberg also argued that Mrs. Stanford's inability to see past Ross' political ideology made matters worse. Two stubborn individuals, unwilling to allow the other to win meant that one had to leave. Ross continued to speak on controversial topics, resolved to prevent Mrs. Stanford from stopping him. Mrs. Stanford would not stand for his insubordination and the continued embarrassment he brought upon the university, at least in her view. So if the previous question is answered in light of the events at Stanford, one might conclude, as Wienberg suggested, that it was in Ross' personality to remain controversial. Weinberg concluded that the Stanford case had little to do with academic freedom or political ideology, that in reality the entire Stanford case occurred because of conflicting personalities.³⁴

³³ Weinberg, 36, 38. Weinberg includes a solid list of Ross's publications between 1892 and 1896 that illustrate the content of Ross's political persuasions and defense of ideas central to the Populist movement.

³⁴ Weinberg, 37-55. See also J. O. Hertzler, “Edward Alsworth Ross: Sociological Pioneer and Interpreter,” *American Sociological Review* 16, no. 5 (1951): 597-613. One of the first biographies on Ross comes from J. O. Hertzler's article after Ross's death. It reads as a eulogy and therefore omits Ross's firing at Stanford and his censure at the University of Wisconsin. It is logical to assume both cases remained a blemish on Ross's record and since the article was a tribute to Ross it would have been insensitive to include

Sean H. McMahon, the most recent of Ross' biographers, concluded that Ross bore the primary responsibility for his termination from Stanford. McMahon described Ross as a calculating and defiant intellectual concerned only for his professional reputation and not than the university's. His concern for becoming a well-known public intellectual and the people's scholar trumped his responsibility to his employer. As a sociologist, Ross' role as a reliable public intellectual figure was shaken, because, as McMahon stated, "sociology had a reputation for radical and even socialist leanings."³⁵ Ross' continued public appearances and speeches violated a previous agreement made with Stanford about political activity as well as his professional responsibilities as a sociologist. No longer an economist, Ross spoke on matters outside his purview and operated outside the parameters of his job description. McMahon stated that "his own deliberate actions brought on his dismissal."³⁶

Instead of suffering the persecution by the wealthy, as Metzger argued, both McMahon and Wienberg concluded that Ross' personality and lack of professional diplomacy were the source of his troubles. Yet, the national debate on academic freedom that followed did not happen because of a personality conflict. Indeed, as Mohr argued, Ross' ability to wield public opinion shaped the debate. The public response gave substantial weight in support of academic freedom. By claiming a violation of his right to

them. Hertzler does provide a helpful analysis of Ross's sociological work for any scholar looking for a solid introduction to Ross. At the end of the article Hertzler also includes the first comprehensive bibliography of Ross's published works.

³⁵ McMahon, 22

³⁶ McMahon, 22, 19-22; Haskell, 49-50. Ross's flagrant violation of Mrs. Stanford's mandate for a prohibition on political activity for faculty indicates that Ross may have already decided to leave Stanford,

academic freedom, Ross ensured a favorable status with the public as well as a large number of his colleagues. As Veysey argued, the Stanford case came down to public relations—the university’s ability to project a positive public image versus a professor’s ability to do the same. In this particular case the professor won, although he ultimately lost his job. Therefore, the debate about academic freedom following Ross’ termination at Stanford can be understood best in the interpretive framework that Veysey and Mohr offered.³⁷

Ross eventually left Nebraska in 1906 for a much more prestigious position at the University of Wisconsin as head of the sociology department. The events leading up to Ross’ censure at Wisconsin began several years later in the spring semester of 1910. On January 25th Emma Goldman arrived in Madison to deliver lectures open to the public. Her manager placed a number of posters around the city promoting them. On the following day an individual informed Ross that a woman had been going around town tearing down the posters. During his Elementary Sociology class he decided to address the woman’s actions and defend Emma Goldman’s right to free speech. He told his class, “Now I take no stock in the philosophical anarchism, but I do believe in the principle of free speech.” He therefore announced Goldman’s talk later that evening only as a matter of supporting free speech, not her political theories.³⁸

On January 25 Carl Hookstadt, the president of the student socialist club, saw Goldman’s manager placing the posters and approached him to schedule a time for an interview with Goldman for the student newspaper, *The Cardinal*. During the interview

³⁷ Veysey, 410.

³⁸ “Statement by Professor Ross,” March, 1910, Box 23, Regents Papers; Ross to Van Hise, ca January 1910, Microfilm, Reel 5 Frame 522-523, Ross Papers.

Hookstadt suggested holding a student round-table discussion with Goldman following her first lecture at the YMCA. The meeting was held two days later at the YMCA in Madison at four o'clock in the evening in the Green room. Goldman's lecture tours often sparked controversy and the one in Madison was no exception. Even though the lecture and discussion did not take place in a campus building, newspapers later suggested they were university-sponsored events. The *Democrat* reported that a university professor *promoted* Goldman's lectures and attended the round-table discussion. Hearing this, other newspapers and certain Regents called for his resignation. Those Regents, in particular, expressed concern over Goldman's influence on the students. They accused Ross of encouraging students to attend her lectures by virtue of announcing them, and were angry that he attended her lectures and the round-table. Ross claimed he never attended her lectures, but McMahon argued that Ross attended both lectures and probably the round-table.³⁹

Following the *Democrat's* article, President Van Hise met with Ross and chided him for tarnishing the university's reputation. Van Hise stated that he "called [Ross'] attention to the embarrassment that was likely to result to the university from his indiscretion, and plainly expressed my disapproval." He further rebuked Ross for affiliating the school with anarchism, "to which public sentiment is sensitive." He made sure Ross knew that his actions would be interpreted as sympathizing with Goldman's

³⁹ Ross to Van Hise, ca January 1910, Microfilm, Reel 5 Frame 522-523, Ross Papers; McMahon, 94.

philosophy. Furthermore, he stated that Ross should have considered Goldman's history of stirring up controversy.⁴⁰

Ross defended himself by explaining that even though he announced Goldman's lectures and supported her right to speak, he also refuted "philosophical anarchism" to his students. He claimed that at the end of his lecture Gerturde Sears, a student in one of his classes, approached him stating that his lecture was the "completest refutation of Miss Goldman's talk of the evening before." Ross made note of Miss Sears's statement to Van Hise as a way of countering the perception that he supported Goldman. Ross felt he demonstrated due diligence in refuting anarchy and discouraging students from adopting her philosophy. But he did support the free exchange of ideas.⁴¹

In a radio interview in the 1920s, Ross agreed that parents had the right to ensure their children were not being "indoctrinated." Moreover, he stated that professors were honor bound not to use their authority to push any one particular idea. Yet, he felt that faculty had an obligation to discuss a variety of ideas, even those deemed radical. In part, his belief in a free exchange of ideas, even controversial ones, resulted in the trouble following the Goldman incident.⁴²

Although the Goldman incident may have damaged Ross' reputation, it did not provide enough justification for the Board of Regents to terminate him. Ross' invitation

⁴⁰ "Report of the President to Board of Regents," March 2, 1910, Box 23, Regents Papers.

⁴¹ Ross to Van Hise, ca January 1910, Microfilm, Reel 5 Frame 522-523, Ross Papers.

⁴² "A Dialogue for Broadcast over WIBA Between Mr. Swartout and Professor Ross of the University of Wisconsin," Radio Interview, 1920s, Microfilm, p. 1-7, Reel 32 Frame 227, Regents Papers.

to Parker H. Sercombe to give a lecture titled *Education in a Democracy* on campus on January 31 did give the Regents sufficient reason to pursue punitive measures. No one took issue with Sercombe's lecture as it "was quite in accord with the best contemporary thought in education."⁴³ It was upon hearing that *To-Morrow Magazine*, which Sercombe edited, advocated free love, that Swenson called for Ross' termination. Swenson took issue with him for inviting someone with questionable character and specifically for not clearing his visit with the president or the Board of Regents. Procedurally, professors were required to get permission to invite outside lecturers on campus. Van Hise requested more information from Ross in order to respond to Swenson.⁴⁴

Ross claimed he did not know about the schools' policy on inviting lecturers. He also told Van Hise that he was unaware of Sercombe's questionable character. He met Sercombe a year prior at the *Ethical Society of Chicago*. Sercombe offered to pay his own way in order to present on campus. Ross forwarded Sercombe's proposal to Professor M. V. O'Shea, an education professor, to verify that Sercombe's theories were consistent with current scholarship. Ross stated that "I mention this not at all to throw any responsibility on to Professor O'Shea but to show that I was diligent to learn if Sercombe's ideas were in line with sound education thought."⁴⁵ Upon receiving O'Shea's approval, Ross accepted Sercombe's proposal and announced the lectures in his classes, as did many other professors. The lecture was interesting but nothing special, according to Ross. In the *Report of the President to Board of Regents*, Van Hise concluded that

⁴³ "Report," March 2, 1910, Box 23, Regents Papers.

⁴⁴ McMahan, 95.

⁴⁵ "Report," March 2, 1910, Box 23, Regents Papers.

“Professor Ross is responsible exclusively for Sercombe’s coming to the university; that the lecture was entirely unobjectionable; that Sercombe has not the standing a man should have who is invited to give a university lecture; and that Professor Ross was unaware of the fact that Sercombe’s character had been challenged.” In other words, Ross had invited Sercombe, but he could not be faulted for his ignorance about Sercombe’s reputation.⁴⁶

Van Hise continued a lengthy defense of Ross in his *Report*. He stressed to the Regents that Ross’ numerous publications and prominence in the sociological community outweighed his indiscretions. Van Hise argued that Ross was too valuable for the school to dismiss. Ross wrote in his autobiography that Van Hise “had been able to gather protest from so many liberals out in the state that some of the hostile Regents lost their nerve and an adverse majority was converted into a minority.”⁴⁷ The Regents decided to censure Ross instead of terminating him and expressed their “unanimous disapproval of his indiscretions.”⁴⁸

Reflecting on his censure years later, Ross recalled that the Board of Regents had an ulterior motive. He stated, “my real offense was publishing *Sin and Society*, and that for more than two years certain Regents had been looking for a pretext to oust me.”⁴⁹ In 1907 Ross had published *Sin and Society*, which argued for a number of progressive ideas. The Stalwart-dominated Board of Regents used the Goldman and Sercombe

⁴⁶ “Report,” March 2, 1910, Box 23, Regents Papers.

⁴⁷ Ross, *Seventy Years of It*, 290.

⁴⁸ M. E. McCaffrey to Van Hise, March 4, 1910, Box 18 Folder 264, Van Hise Papers

⁴⁹ Ross, *Seventy Years*, 290.

incidents as a pretext to seek to remove him from the university. One must keep in mind the ongoing political conflict between the Stalwart Republicans and Progressives in Wisconsin when considering the controversy. The content of *Sin and Society* promoted themes consistent with the Progressive movement, so when Stalwarts rose to power in Wisconsin, it made Ross a fairly likely target. Charles Page, an earlier documenter of the “fathers” of sociology, described Ross' work as, “symboliz[ing] in the language of a scientific discipline the spirit of American Progressivism.”⁵⁰

Sin and Society received praise from many prominent Progressives, including President Theodore Roosevelt, who wrote the forward. In the book Ross argued that with the rise of industrialization a new type of sin emerged. Faceless corporations protected from blame by the umbrella of profitability committed numerous sins against society. Ross called for government to adopt new legal means of punishment. Among the most controversial suggestions he made, was that heads of corporations ought to be held accountable for the actions of their companies. In other words, if a corporation sinned against society, then a high level executive would be punished by the public courts, whether directly at fault or not. He believed that punishing high level individuals within a business would deter further exploitation of society.⁵¹

His argument focused on the detached relationship between corporations and society. He wrote, “the key to the paradox is that while men are improving in their personal relations, the control of industry and business is becoming impersonal.”⁵² The

⁵⁰ Page, 214.

⁵¹ Ross, *Sin and Society: An Analysis of Latter-day Iniquity* (Boston: Houghton, Mifflin, 1907).

⁵² Ross, *Sin and Society*, 106.

impersonal actions of corporations, driven by greed, resulted in the most horrendous evils perpetrated upon the public. Ross argued conservative politicians continually slowed progress towards rectifying the exploitation of people by corporations. These politicians compounded the problem because they sought to protect the unaccountable behaviors of big business rather than the public. Ross wrote, “‘conservatism,’ is like setting the brake on an overloaded wagon being hauled up the bare wester slope of a sandy hill on a July afternoon!”⁵³

Politicians, clergymen, lawyers, and sociologists praised *Sin and Society*. William Jennings Bryan even wanted to republish it for a much larger audience. The book influenced legal thought in particular. Ross' ideas anticipated the new sociological school of law developed by Roscoe Pound. Pound explicitly credited Ross for placing him “in the path the world is moving in.”⁵⁴ According to Ross’ biographer Julius Wienberg, *Sin and Society* made Ross a central figure in the Progressive movement:

[It] helped the Progressives recapture the moral initiative from the social Darwinists. *Sin and Society* effectively divorced social status from ethical virtue. Ross called for an aroused public opinion to curb the excesses resulting from the separation of wealth from social responsibility. He advocated a change in legal sanctions to bridge the gap between public morality and private virtue, and he demanded a social order in which human welfare would be esteemed over personal gain. *Sin and Society* established Ross as a leading theologian of the new morality inherent in American Progressivism.⁵⁵

Charles Page also described Ross as an early “scientific muck-raker” in the Progressive Movement.⁵⁶ Page summarized Ross’ work as and attempt to solve social

⁵³ Ross, *Sin and Society*, 85

⁵⁴ Weinberg, 136

⁵⁵ Weinberg, 137-138

⁵⁶ Page, 213

problems that stemmed from class division and conflicts. Page argued that Ross believed that a classless society would solve those social problems. The continuation of class conflict grew out of class exploitation, more specifically economic exploitation. Exploitation occurred “from inequality of bargaining power.”⁵⁷ Page explained that Ross believed capitalism, without oversight and “a redistribution of wealth,” posed the most danger to democracy and American society. Capitalism, unchecked, encouraged economic exploitation of laborers. It widened the gap between the wealthy and working classes and increased social problems. Ross criticized the federal government for allowing the division to grow. He accused the government of favoring corporations over the working class and called for reform. He insisted that government could not simply arbitrate in economic matters, rather it had to become an instrument for economic regulation. It had to serve everyone’s best interests, not just the interest of the wealthiest. Ross believed the only way to accomplish reform was from collaboration between experts and legislators.⁵⁸

Wisconsin Governor Robert M. La Follette did just that. He relied a great deal upon the expertise of University of Wisconsin faculty to craft legislation. University professors played a number of roles in promoting the La Follette agenda and, as a result, many Wisconsin faculty became politically active. This political relationship between La Follette and the University of Wisconsin receives greater attention in chapter three. For present purposes, understanding that political activity increased among faculty from this relationship helps clarify why Ross and other faculty members may have been targeted

⁵⁷ Page, 240

⁵⁸ Page, 241; McMahon, 83-90.

for political retribution. For instance, when some of those faculty members began publicly advocating for unions in 1907, the Board of Regents launched an official investigation intended to evaluate the professors' political activities in 1908. In an interview with Selig Perlman, economics professor at the University of Wisconsin from 1918 to 1958, recounted his time as a student at the university in 1908 during the investigation.⁵⁹

Perlman recalled that between 1908-1909, members of the Board of Regents tried to take the social science department in a new "intellectual direction."⁶⁰ He believed that Magnus Swenson, the new chair of the Board of Regents, was behind the effort. In March 1909, when the Regents investigated the economics department, Perlman was called to testify together with other students and faculty members. According to Perlman, the Regents were looking for reasons to reshape the social science department and university administrators. He also believed that they took particular aim at Ross for his affiliation with the student socialist club. Perlman remarked that he enjoyed Ross' willingness to converse with the socialists. He also recalled that Ross was in his intellectual prime, having published a number of significant works. His scholarship was well-regarded. Perlman believed Ross' scholarly standing outweighed his association with the club and therefore prevented the Regents from doing anything to Ross.⁶¹

Until 1910, the university "tolerated" his connection to the club. McMahon argued that the one of the reasons the Goldman incident prompted the Regents to

⁵⁹ "Selig Perlman Interview," transcript, p. 4-7, Selig Perlman Papers, ca 1909-1976, Wisconsin Historical Society, Archives, Madison, WI.

⁶⁰ "Selig Perlman Interview," transcript, p. 4, Selig Perlman Papers.

⁶¹ "Selig Perlman Interview," transcript p. 4-7, Selig Perlman Papers.

investigate was its concern for the growth in the number of radical students and faculty. The National Socialist Party had about 100,000 members by 1908. Members of the Madison chapter had a strong presence on campus. Even though Goldman advocated anarchy, philosophically distinct from socialism, the two ideologies were often lumped together by critics. Ross' connection with the socialist club allowed his attackers to make it all the more believable that he promoted Goldman and her theories in the classroom.⁶²

Ross asserted that the Goldman and Sercombe incidents had more to do with his outspokenness towards big business in *Sin and Society*. He also claimed that business leaders persuaded certain professors to spy on their colleagues who espoused “radical” ideas. He insinuated that these academic spies were corrupted by a need for approval from wealthy businessmen. The censure then was a product of conspiratorial collaboration between university spies and businessmen, who worked to silence oppositional voices like Ross. In a letter written to Marry B. Orvis in 1920, Ross accused “malignant and vicious” newspapers of acting on behalf of “certain conservative regents” just like the university spies. Ross depicted himself as a man merely concerned with teaching his students about the free exchange of ideas. He asserted that he was the victim in all of this.⁶³

When comparing Wisconsin with Stanford, it becomes clear that Veysey and Mohr’s interpretive framework applies to the Stanford case, but not to the Wisconsin

⁶² McMahan, 91-93.

⁶³ Miss Marry B. Orvis to Edward Ross, January 10, 1920, Microfilm, Reel 13 Frame 288; Edward Ross to Miss Marry B. Orvis, February 16, 1920, Microfilm, Reel 13 Frame 382, Ross Papers. Concerning the Stanford case, Ross directs Orvis to review the AEA's report instead of defending himself as he once did, indicating his belief that his innocence has been well documented that he no longer needs to defend himself. Ross, *Seventy Years of It*, 288-290.

affair. Ross' trouble at Stanford was primarily about public relations and Ross' ability to attract public sympathy, according to Veysey and Mohr. Ross' censure, on the other hand, was primarily about political conflict between Stalwart and Progressive Republicans, manifested at the University of Wisconsin. Revisiting Walter Metzger's original interpretation of the Stanford incident in *The Development of Academic Freedom* provides a better interpretative framework for the Wisconsin incident.

Metzger described the Stanford case as business leaders, such as Mrs Stanford, enacting retribution against professors deemed antagonistic towards capitalism, such as Ross. Metzger described academic freedom's oppressors as business leaders, but business leaders were synonymous with the powerful members of society. He wrote that power was "a function of wealth."⁶⁴ In Wisconsin, power was political and belonged to the Stalwarts.

Metzger referred to this kind of suppression of academic freedom as the "thesis of conspiracy." According to Metzger, the necessary conditions for the violation of academic freedom consisted of "a liberal professor, pursuing his science; a conservative board, dominated by business" and the instigator was "an agnostic trustee or an imperious patron."⁶⁵ The conservative Board of Regents targeted the progressive professor Ross for writing *Sin and Society* and his criticism of capitalism and conservatism. The 1908-1909 investigations Pearlman recounted demonstrated that Ross was not the only one targeted in this political struggle. Ross' censure was part of a larger initiative to silence faculty

⁶⁴ Metzger, 177.

⁶⁵ Metzger, 151.

members with progressive ideas. Therefore, Ross' censure was another example of the "thesis of conspiracy" that Metzger first applied to his termination at Stanford.⁶⁶

Wienberg drew a similar conclusion in his interpretation. He concluded that Ross' censure boiled down to his role within American Progressivism. He argued that the ideas espoused in *Sin and Society* prompted conservative Regents to seek political retribution. Wienberg also believed that Van Hise, the Regents, and newspapers mistreated Ross. He held that Ross' announcement of Goldman's lectures and his invitation to Sercombe did not warrant a censure. Furthermore, Wienberg concluded that even though academic freedom was debated following his censure, it could "hardly be considered what the official historians of the university have called 'a major victory for academic freedom.'"⁶⁷ Ross remained relatively quiet throughout the proceedings, unlike at Stanford, and particularly silent about academic freedom at the time. Ross also remained silent when the *Sifting and Winnowing* plaque was gifted to the university.

⁶⁶ Metzger, 198-201

⁶⁷ Weinberg, 147.

CHAPTER TWO

"UNFIT FOR TEACHING:" ACADEMIC CULTURE AND ACADEMIC FREEDOM

. . . unfit for teaching sound, wholesome, truth.

—Regent G. D. Jones to President Charles Van Hise, February 2, 1910

Ross' censure exposed an internal institutional conflict that culminated at the end of the 1910 spring semester with the *Sifting and Winnowing* plaque. Ross' censure and the plaque were linked together through an academic culture framed by institutional conflicts that occurred in early twentieth century American universities. Prior to the Goldman and Sercombe visits, tension between the Regents and Van Hise already existed. Exchanges between Van Hise and Regent G. D. Jones in 1909 demonstrate that Ross' censure was a continuation of the Board of Regents' attempt to control university members who they believed were undermining their authority. The same year an editorial accused the Regents of overstepping their boundaries by dictating classroom content. Regent Jones responded by blaming Van Hise for fostering revolutionaries within the university.⁶⁸

Around the time of Ross' censure, the newly elected student government began to entertain ideas for their class memorial. Traditionally, class memorials consisted of gravestones etched with the graduating year that were placed behind Main Hall. The memorial committee proposed bronzing the 1894 words from the Ely hearings instead. At their Class Day exercise, the students gifted the plaque to the university. The Board of Regents rejected the request to have it mounted on campus. The students publicly accused the Regents of not supporting academic freedom. Francis R. Duffy, the student

⁶⁸ Jones to Van Hise, November 5, 1909, Box 19 Folder 274, Van Hise Papers; "As Other See Us," *Wisconsin Alumni Magazine*, October 1909, <http://digital.library.wisc.edu/1711.dl/UW.v11i1> (accessed August 12, 2012), 26-27

body president, in an interview with *Fond du Lac Daily Commonwealth*, promised the Regents' rejection would be widely publicized, exposing their lack of respect for academic freedom.⁶⁹

Publicly, the Board of Regents rejected the plaque out of concern for setting a precedent of defacing campus buildings by mounting objects on the walls. Privately, as Regent C. P. Cary recalled, the board felt the plaque was meant as a "slap in the face."⁷⁰ The Regents feared an increase in what they saw as student radical activity, especially after Emma Goldman's visit. Specifically, some of the Regents worried that outside political forces, who sought to embarrass the Stalwart dominated board, manipulated the students into gifting the plaque. After the students tried unsuccessfully to shame the Regents into reversing their decision, the topic of the plaque did not come up again until 1912, when it was officially accepted. According to Regent Cary, the Board of Regents officially accepted the plaque only after tension between the Stalwarts and Progressives had settled.⁷¹

Debates over academic freedom between the Board of Regents and president Van Hise, and between the Regents and the students, occurred because of an institutional conflict indicative of American universities at the time. Institutional conflicts had roots in a shift in higher education that began with the new middle-class that Robert H. Wiebe described in *The Search for Order*.⁷²

⁶⁹ Herfurth, 75; *Fond du Lac Daily Commonwealth*, June 30, 1910, Box 18 Folder 264, Van Hise Papers

⁷⁰ Herfurth, 77-78; *Re: C. P. Cary Questionnaire*, 1942, Box 1, Herfurth Papers.

⁷¹ Herfurth, 73-79.

⁷² Robert H. Wiebe, *The Search for Order* (New York: Hill and Wang, 1967).

The new middle-class placed a high premium on education, which caused a rapid shift in the structures of institutions of higher learning. Two divergent missions resulted from these changes. On one hand, the faculty shaped universities into institutions isolated from the public where research could be conducted freely. On the other hand, university administrators sought public support of their institutions, which led them to institute policies that restricted freedom of research. The institutional conflicts arose when these two missions clashed. This context defined the debates over academic freedom during the early twentieth century. It defined Ross' censure and the gifting of the *Sifting and Winnowing* plaque in 1910.⁷³

During the second half of the nineteenth century the middle-class had begun to redefine its cultural status, according to Wiebe, by moving away from the structure of local communities to a more individualized interdependent structure. Wiebe argued that by the 1870s urban industrialization disrupted the traditional American identity, which was grounded in small agrarian communities. These communities typically consisted of Protestant families who maintained a semi-isolated existence with minimal interaction with the outside world. After 1900, the new middle class professionals, ushering in the Progressive era, reshaped an American identity within an interdependent society. Members of this new society relied upon others with specialized skills and responsibilities to keep society running properly. No longer defined by locality, individuals were defined by their function in society, specifically “by skill and occupation.”⁷⁴

⁷³ Veysey, 381-397.

⁷⁴ Wiebe, xiv.

Societal status came from a system of occupational legitimization and economic hierarchy rather than familial relations. This paradigm offered some level of social mobility, as education afforded people a way out of poverty, resulting in a class of individuals that existed between the poor and wealthy. Thus the new middle-class professionals emerged. According to Wiebe, these individuals gained prominence within society as well as higher economic status by attaining some form of certified skill. Institutions of higher learner were essential to forging the middle-class's cultural identity.⁷⁵ The events of 1910 can be properly understood in a cultural subset of the middle-class that gave primacy to institutions of higher learning; what Burton J. Bledstein called the "culture of professionalism."⁷⁶

Bledstein argued that the middle-class leveraged education to fill "institutional services Americans were increasingly requiring" and "[drew] upon the graduates for positions of leadership."⁷⁷ Society moved away from wealth as an indicator of cultural authority relying instead on the legitimizing force of higher education. Furthermore, the middle-class desired to become part of the educated class. Between 1850 and 1900 the number of schools nearly doubled making universities and colleges "the seminal

⁷⁵ Wiebe, 66-69, 76, 82-83, 133-134. Elizabeth Sanders, *Roots of Reform: Farmers, Workers, and the American State 1877-1917* (Chicago: The University of Chicago Press, 1999). Sanders's book directly contradicts Weibe's assertion that after 1896 agrarian societies faded in the background while a distinct middle-class took their place. She presents plethora of data, including voting records and census information, to argue that the Progressive era did not rest in the hands of the middle-class alone. In fact, she argued that the Progressive movement was propped up by the organizational structures instituted by farmers in the late eighteen century.

⁷⁶ Burton J. Bledstein, *The Culture of Professionalism: The Middle Class and the Development of Higher Education in America* (New York: Norton, 1976).

⁷⁷ Bledstein, 121.

institution[s] within the culture of professionalism.” Universities and colleges afforded the middle-class the credentials to assert leadership by standardizing the education they received (i.e. textbooks, exams, degrees, courses, etc). Receiving a formalized education from any of these institutions certified an individual’s competency and therefore their right to be heard. The rise of institutions of higher education also resulted in the middle class placing higher value on the opinions of educated experts. Therefore, those who developed the standardized education, professors, took on a particularly significant and important role within middle-class society.⁷⁸

Faculty members became society’s experts. Bledstein argued professors competed with each other to become known as the top expert in their field. One way they did this was by measuring the number of students who attended their classes. Faculty members competed with each other for students the same way universities competed for students, “often [reducing] teaching to a popularity contest,” according to Bledstein.⁷⁹ Additionally, Professors developed professional associations outside universities to help further legitimize their status as experts. Bledstein argued that professors’ legitimization as experts, above all, depended on the public accepting them as cultural authorities. The middle-class placed a premium on their expertise, but to maintain that expertise professors needed to continually persuade the public to trust scholars.⁸⁰

⁷⁸ Bledstein, 124.

⁷⁹ Bledstein, 301.

⁸⁰ Thomas Bender, *Intellect and Public Life: Essays on the Social History of Academic Intellectuals in the United States* (Baltimore: Johns Hopkins University Press, 1993).

Thomas Bender in *Intellect and Public Life* argued that before universities took primacy, large urban cities legitimized cultural authorities and experts. As wealth and power consolidated in urban areas, those in the upper classes validated cultural leaders. When intellectualism professionalized into formal scholarly disciplines and produced professional intellectuals (i.e. universities and professors), two divergent legitimizing forces arose in the decades after the Civil War. “Urban professionals” desired validation from their community. “Disciplinary professionals,” on the other hand, sought a rigorous intellectual life apart from society. The former emerged out of urban areas, but the latter came from universities and colleges. For those “disciplinary professionals,” acceptance in society remained important, but they did not require non-academics to validate their research, particularly scientific research.⁸¹

The elitism of academic culture produced conflict between the public and universities, because, in Bender’s estimation “they never understood each other.” Universities eventually saw themselves as the hub of intellectual life where qualified like-minded individuals were permitted to converse for a higher purpose. By the late nineteenth century scientific analysis, which required specialized training, replaced empirical experiences, which did not, as the source of knowledge in America. Knowledge of reality moved out of the reach of laymen and became only accessible to professionally trained scholars. University scholars desired freedom to pursue their research unimpeded by the demands of society which resulted in an isolated academic culture. The public

⁸¹ Bender, 1-12.

became a client, beneficiaries of university research, rather than a participant in intellectual life.⁸²

The rise of peer legitimized experts further isolated universities by producing an elite educated middle-class professional, held accountable only by members of the same group. Since scientific research required specialized knowledge, the only community qualified to judge academics were their peers. Academics resisted interference of individuals outside the walls of academia.⁸³

Bender's analysis of higher education highlighted a growing division between non-academics and academics. This context framed the debate on academic freedom at the University of Wisconsin. In 1910, the discussion of who could judge the manner in which a professor conducts class became a part of the debate on academic freedom. The businessmen who made up the Board of Regents did not belong to this collegial judicial body and did not understand the nuances of scholars' work. Businessmen were less interested in knowledge for knowledge sake than they were in knowledge that had positive economic results for their respective industries. To put it another way, the Regents were concerned with applied research while professors were concerned with pure research. The debate on academic freedom had a lot to do with an ongoing conflict between non-academic business leaders among the Regents and the university community.⁸⁴

⁸² Bender, 28, 25-26.

⁸³ Bender, 26.

⁸⁴ Blender, 26.

Like Bender, Veysey argued that universities were oases isolated from society. He also argued that universities were dependent on society's acceptance. This contradiction defined the American university in the twentieth century—a source of expertise and information for the public, but an isolated community free to research unrestrained. Out of this contradiction, Veysey argued, the concept of academic freedom arose. While university administrators worked tirelessly to sell the public on the value of their institutions in the late nineteenth century, the public's indifference allowed professors to conduct research and propose ideas with little oversight. This led to a sentiment among faculty that they had a right to research freely, a central notion of academic freedom.⁸⁵

Veysey wrote, “the administrative leadership of the new American university sought to bring an institution into being which might claim public respect.”⁸⁶ Administrators focused on achieving public support enforced new regulations that at times undermined a faculty member's right to research freely. Asserting the right of academic freedom became a tool for faculty to push back against the administration and defy unwelcomed regulations. Here the divergent missions of the new American university shaped the debate on academic freedom in America between the late nineteenth century and early twentieth century. The debate on academic freedom during this period often occurred during institutional conflicts that stemmed from the competing missions, according to Veysey.⁸⁷

⁸⁵ Veysey, vii-xii, 1-18.

⁸⁶ Veysey, 381.

⁸⁷ Veysey, 381-397.

Both Bender and Veysey offered key observations that help interpret the events during the 1910 spring semester at Wisconsin. The first observation, provided by Bender, suggested that the process of defining academic freedom occurred during times when non-academics' and academics' interests conflicted. The second observation, provided by Veysey, suggested that the process of defining academic freedom occurred during institutional conflicts. The difference between the two was that Bender believed the process of defining academic freedom included outsiders (i.e. Wisconsin citizens), not just the Board of Regent members. Veysey believed the process happened within the institution. Acknowledging that both perspectives offer insight into the debate on academic freedom at Wisconsin, the following analysis focuses primarily on the institutional conflict.

In 1909 tension between the university community and the Board of Regents already existed. In July an editorial in *Collier's Weekly* by an alumnus accused the Regents of trying to silence faculty who advocated control of public utilities. The editorial claimed that Regents, as overseers of the university's financial stability, used their authority to assert control over the school (i.e. classroom content), stepping outside the boundaries of their duty. The *Collier's* editorial suggested that the Regents' ultimate desire was to terminate President Van Hise. The accusations made against the Board of Regents also included a call for not only other alumni, but also fellow Wisconsin citizens to "take care of their university," and push back against the Regents' agenda.⁸⁸

The *Wisconsin Alumni Magazine* reprinted the *Collier's* editorial. This in turn outraged some of the Regents and prompted a heated exchange between Regent G. D.

⁸⁸ "As Others See Us," October 1909, 27-28.

Jones and President Van Hise. Jones accused Van Hise of promoting distrust among the university community toward the Board of Regents. Jones wrote, “all of the traditions of our University emphasize the value and the duty of service. None of these traditions recognize the right of the University to propagate revolution.” Van Hise responded that no one was aware of the editorial until it went to the publishers and therefore it could not be stopped. He also indicated that he was offended by Jones' accusations. What apology Van Hise offered acknowledged the university's role in accidentally allowing the editorial to go forward in the *Wisconsin Alumni*. He did not apologize for the content. He limited his response to the Regents' anger by focusing on public relations. In this early exchange, the hostility between Van Hise and Jones demonstrated that a year before the Goldman and Sercombe incidents and the gifting of the *Sifting and Winnowing* plaque, tension existed within the institution.⁸⁹

In January of 1910, when Ross announced Emma Goldman's lectures during his morning classes, and following the *Democrat's* newspaper story, Regent Magnus Swenson and Regent W. D. Hoard sent inquiries to Van Hise about the situation. Regent Jones, on the other hand, immediately called for Ross' termination. On January 31, 1910 Jones advised Van Hise that he should not wait until the March Board of Regents' meeting to address the newspaper stories about Goldman's visit. In his estimation, due to the “deep feeling in the state regarding the strong socialistic teaching of our University. .

⁸⁹ Van Hise to Board of Regents, November 3, 1909; Van Hise to Board of Regents, November 9, 1909, Box 17 Folder 251; G. D. Jones to Van Hise, November 5, 11, 1909; Van Hise to G. D. Jones, November 8, 13, and 23, 1909, Box 19 Folder 274, Van Hise Papers. Jones goes on to openly question Van Hise's “fairness and openness,” as well as accused university of being sympathetic “with what it seems to me has been a revolutionary policy during the last few years.” The growing concern among some of Regents about the radicalization among the university community did not suddenly occur in 1910. Jones indicated that they believed it was prevalent long before.

.I should personally favor the discharge of any member of our faculty who has gone out of his way to champion this notorious woman and the case she represents.”⁹⁰ When Van Hise gave a response in the *Daily Cardinal* in an attempt to avoid further controversy, Jones still demanded Ross' termination, and chided Van Hise for not being more critical of Ross. Even though the university played no part in bringing Goldman to campus, Jones believed that Ross' defense of her right to free speech ultimately encouraged students to respectfully listen to a “dangerous and bad woman.” In his words, any faculty member who defended Goldman was “unfit for teaching sound, wholesome, truth.”⁹¹

Jones explicitly stated in his first letter to Van Hise that he had a genuine concern over the “strong socialistic teaching” in the university. Beyond that, he also argued that suppression of speech, when dangerous, was necessary and correct. He stated, “free speech and free press are not in peril in this county. But the harangues of lunatics and of people who urge violence, and who denounce law, may certainly be suppressed with perfect propriety.”⁹² Jones asserted that inside and outside the classroom, certain speech ought to be suppressed. In this instance Jones argued that Goldman had no right to speak about radical ideas. Jones also implied that Ross did not have the right to announce her lectures in class. In other words, in Jones' opinion, Ross did not have the right to defend

⁹⁰ Jones to Van Hise, January 31, 1910, Box 18 Folder 264; Magnus Swenson to Van Hise, February 1, 1910, Box 18 Folder 257, Van Hise Papers.

⁹¹ Jones to Van Hise, February 2, 1910, Box 18 Folder 264, Van Hise Papers. Van Hise received a few outside letters from people affiliated with the university demanding Ross's termination as well. Like Jones, any affiliation with Goldman made Ross “unfit” to teach at the university. See Clyde L. Warren to Van Hise, February 2, 1910, Van Hise to Warren, February 4, 1910, and Van Hise to Mr. L. S. Hanks, February 5, 1910, Box 18 Folder 264, Van Hise Papers.

⁹² Jones to Van Hise, February 5, 1910, Box 18 Folder 264, Van Hise Papers.

Goldman's freedom of speech. Ross was criticized for his defense of freedom of speech. Regent Jones' assertion that Ross did not have the right to mention Goldman's lectures in class had implications about Ross' right to academic freedom. Jones implied that academic freedom had limitations, that it did not protect professors who advocated political theories deemed anti-American, or protect their right to announce lectures by individuals associated with those theories.

In response to Regents Swenson, Hoard, and Jones, Van Hise reluctantly agreed to launch an inquiry into the Goldman visit. He assured Jones that Ross had been informed of the "serious mistake [Ross] made in announcing Miss Goldman's lecture. He should have foreseen that this action on his part would have been interpreted by many to mean that he sympathized with her views."⁹³ The statement Van Hise made to Jones did not accuse Ross of any unethical behavior or of maliciously spreading radical ideas to the students. Rather, he reprimanded Ross for being unaware of the public's perception of his actions. In the letter to Ross, Van Hise reiterated that the nature of the offense had little to do with violating policy, but with embarrassing the "university authorities."⁹⁴ He further emphasized the need for delicate handling of controversial subjects in the classroom. Van Hise repeatedly focused on the reputation of the university. The public's support for institutions of higher learning legitimized their authority; to compromise the school's public image jeopardized the institution's standing.

The tension between Regent Jones and Van Hise began well before the Goldman incident, however. Ross' offense strained the relationship by reigniting the debate about

⁹³ Van Hise to Jones, February 2, 1910; Van Hise to Jones, February 4, 1910, Box 18 Folder 264.

⁹⁴ Van Hise to Ross, February 3, 1910, Box 18 Folder 264, Van Hise Papers.

professors' right to discuss controversial ideas in the classroom. Van Hise's response to Jones and to other Regents' concern over Goldman's visit may be explained in two ways. First, knowing of the tension between the board and the university first hand, his concern was for avoiding any further conflict. Second, he was genuinely concerned about the university's public image. Van Hise focused on the need for public acceptance of the university. Whether Ross had the right to announce Goldman's visit did not concern him as much as the reputation of the university.

In order to prevent more negative publicity, Van Hise addressed the Goldman incident in the *Wisconsin Alumni Magazine* and corrected some misinformation about her visit. First, the university did not invite Goldman to Madison. Second, the meetings did not take place in buildings the campus had control over. Finally, the university, in no way, promoted Goldman's doctrines. He admitted that maybe Ross' announcement of her appearance in town during his two morning classes could have been interpreted as promoting her ideas. He was quick to state though, "even this interpretation is unjust, in the same lecture in connection with which this professor made the announcement he showed the fallacies of philosophic anarchism."⁹⁵ Van Hise asserted at the end of his letter that the continued spread of such misinformation only served to hurt the reputation of the university. He insinuated that the concern expressed by the public and the Board of Regents over Goldman's influence on campus was not only unwarranted, but also dangerous and harmful to the university. In a letter to Jones, Van Hise repeated similar statements even as Jones continued to claim otherwise.⁹⁶

⁹⁵ Van Hise, "The Goldman Incident," *Wisconsin Alumni Magazine*, March 1910, <http://digital.library.wisc.edu/1711.dl/UW.v11i6> (accessed August 12, 2012), 241

⁹⁶ Van Hise to Jones, February 11, 1910, Box 18 Folder 264, Van Hise Papers.

Having responded to the initial outrage the Regents expressed over Goldman's visit, Van Hise then had to deal with the Regents' anger over Parker Sercombe's visit. Some Regents demanded that Van Hise terminate Ross' employment. Regent James Trottman, however, sent a letter to Van Hise and the board chastising those who had called for Ross' termination before all the facts were in. In his opinion, such premature condemnation of Ross invited charges of being "hasty, intolerant or hostile to free speech or investigation." He particularly criticized Regents Swenson and Hanks for calling for Ross' termination without consulting other board members first. As if to respond to Jones' insistence that Goldman's freedom of speech ought to be suppressed, Trottman asserted that despite her deplorable ideas, as long as she was permitted to speak by the government, "it is absurd to claim that there is any impropriety whatever in students or University Professors attending any of her talks or lectures." The board had already been accused of stifling academic freedom and creating a "great unrest" among the faculty. He believed that these individual Regents invited further speculation that the board restricted freedom of speech by going after Ross. Like Jones, Trottman blurred the line between freedom of speech and academic freedom. Jones and Trottman causally mixed the two. Trottman's defended Goldman's free speech as well as the faculty and students' right to listen. Neither Jones nor Trottman made an effort to distinguish between the two. The linkage between academic freedom and freedom of speech appeared inherent for the both of them.⁹⁷

Regents Jones and Swenson both responded to Trottman. Jones continued to focus on the Goldman incident and again asserted that Ross had no business showing any

⁹⁷ Trottman to Van Hise, February 7, 1910, Box 18 Folder 264, Van Hise Papers.

“respect or consideration” for a person who advocated violence or anarchy. Whether Ross agreed or disagreed with Goldman had nothing to do with calls for his resignation. In other words, of course the board needed to investigate the matter, but as far as Jones was concerned there was enough evidence that Ross was “unfit to stand as an instructor of American citizenship [*sic*] in any American University.”⁹⁸ Swenson took issue with the invitation to Sercombe to lecture, as he believed it demonstrated Ross' true character. Swenson expressed concern that Ross' influence within the university made him particularly dangerous. The exchange of letters between Regents indicated that the debate over academic freedom was also a debate about freedom of speech.⁹⁹

On March 2, after investigating the Goldman and Sercombe incidents, President Van Hise submitted an official report to the Board of Regents. In it he defended Ross by depicting his involvement as small mistakes. After determining that no one at the school had anything to do with Goldman's visit to Madison and that she never lectured on the university's campus, the only fault he could find with Ross was not thinking about the negative ramification in announcing her arrival to his class. While he may have refuted Goldman's theories, he should have been aware of the public outrage that would occur and the resulting embarrassment to the university. Van Hise described everything in terms of perception, stating, “it seems to me you should have appreciated that the announcement...would be taken, by some people at least, to imply that you sympathize

⁹⁸ Jones to Trottman, February 9, 1910, Box 18 Folder 264, Van Hise Papers.

⁹⁹ Swenson to Trottman, February 9, 1910, Box 18 Folder 264, Van Hise Papers; Herfurth to Milton J. Blair, March 3, 1944, Box 1, Herfurth Papers.

with her doctrine... Therefore I cannot but think that you made a serious mistake in judgment in making any allusions to Miss Goldman's lectures in your classes."¹⁰⁰

In his report, Van Hise continued to focus on the negative publicity by blaming newspapers' misinterpretations, assumptions, and overreactions for making the situation worse than it really was. Van Hise went on to address the Sercombe incident, defending Ross. Van Hise believed inviting Sercombe may have been a mistake, but it was an honest one. The question about Sercombe's character had been sufficiently answered by a number of people. His affiliation with a magazine that advocated free love did not come up during his lecture at the university, the subject of which was education. Ross checked with the education department before extending the invitation. Van Hise investigated even further on the question of Sercombe's character. The responses Van Hise received described Sercombe in the best light. Though not explicitly stated, Van Hise insinuated, diplomatically, that there may have been some overreaction to Sercombe's visit.¹⁰¹

Van Hise went through a number of Ross' most famous works—*Social Control*, *The Foundations of Sociology*, and *Social Psychology*—pointing out their scholarly significance and defense of law and order. In them he also thoroughly refuted socialism and anarchy. He made a case for the prominence Ross had in the scholarly community in order to emphasize the damage to the university's reputation that would result from his termination. Ross had been informed that the Regents' anger stemmed from his book *Sin*

¹⁰⁰ "Report of the President to the Regents," March 2, 1910, Box 23, Regents Papers; Van Hise to Ross, February 3, 1910, Box 18 Folder 264, Van Hise Papers.

¹⁰¹ "Report," March 2, 1910, Box 23, Regents Papers; John B. Andrews to John R. Commons, February 18, 1910; Graham Romeyn Taylor to Commons, February 23, 1910; Ross to Van Hise, February 24, 1910; Van Hise to George B. Foster; Rev. Walter Ha. MacPherson to Van Hise, February 27, 1910; Foster to Van Hise, February 28, 1910, Box 20 Folder 293, Van Hise Papers.

and Society. Van Hise gave credence to this theory by paying particular attention to the content of the book in his report. He pointed out that many of the essays in the book were previously published in *The Atlantic Monthly*, “the most conservative magazine in the country.” He also made a point of highlighting President Roosevelt’s and Justice Holmes’s approval of the book, making the argument for Ross’ reputation by association. Van Hise reasoned that since he already censured Ross, no other action seemed necessary. Termination seemed to Van Hise an unjust punishment that would certainly damage the university’s reputation in the academic world. By couching his defense of Ross in terms of a broader concern for the negative image his termination would project, Van Hise effectively neutralized what could have been a much more controversial situation.¹⁰²

The exchanges between President Van Hise and the Board of Regents demonstrated the institutional conflicts that resulted from the two divergent missions Veysey described earlier. Van Hise, in particular, tried to balance both missions in his responses to the Board of Regents’ inquiries. On one hand, he accepted that the University of Wisconsin needed public support. Therefore, he chided Ross for damaging

¹⁰² “Report,” March 2, 1910, Box 23, Regents Papers. In February Van Hise discussed the Regents reaction to the Goldman and Sercombe incidents with Dr. Albert J. Ochsner. Ochsner graduated from the University of Wisconsin in 1884 and became the president of The Alumni Association of Wisconsin in 1910. Ochsner believed the Regents jumped at the Sercombe incident in particular because the Goldman incident deflated. He continued, “I am inclined to think...that these gentlemen were anxiously hunting for something which would serve as a reasonable abases for trouble...” The following Saturday they met to discuss the matter further, but it is unclear what they discussed. Around the same time though was when Van Hise informed Ross the real reason for the Regents reaction had to do with *Sin and Society*. See Van Hise to Dr. Albert J. Ochsner, February 12, 1910; Ochsner to Van Hise, February 14, 1910, Box 18 Folder 264, Van Hise Papers and short biographical information on Dr. Ochsner “Million Dollar Memorial to Dr. Albert J. Ochsner,” *The Wisconsin Alumni Magazine*, January 1928, <http://digital.library.wisc.edu/1711.dl/UW.v29i4> (accessed October 2, 2012), 127.

the university's reputation. He also cautioned the Board of Regents that punishing Ross too harshly would damage the school's reputations as well. On the other hand, Van Hise tried to balance Ross' right to freely teach, research and publish, by defending the scholarly value of Ross' work to the Board of Regents.

Regent Jones, meanwhile, concentrated on the limitations of Ross' right to freely teach. His criticisms centered on restricting a professor's free speech as a matter of public interest. Jones, under the banner of public interest, pushed for Van Hise to enforce a policy that would restrict Ross' academic freedom. Having said that, it should also be noted that Regent Trotman defended Ross' academic freedom. Moreover, he expressed concern that the Board of Regents had overstepped its boundaries by demanding the termination of a professor without sufficient cause.

Trotman's concerns were also the same concerns of the student body, according to Theodore Herfurth. In Herfurth's account of the *Sifting and Winnowing* plaque, he drew a correlation between Ross' censure and the gifting of the plaque. He argued that the students saw that the Board of Regents had violated Ross' academic freedom and decided to push back by affirming the school's support of the right. They did this by bronzing the Board of Regents' 1894 statement on academic freedom.

At the same time as the Goldman and Sercombe incidents, students Frances R. Duffy, Ralph Birchard, and James S. Thompson ran against one another in the student body elections for president. Thompson ran on three planks, one of which put the discussion of the class memorial front and center. On March 19, 1910, Duffy won the election, but Thompson's push for a "popular selection of the class memorial" for

commencement eventually became part of the Duffy administration's lasting legacy.¹⁰³ In 1936, James S. Thompson wrote a piece for the *Wisconsin Alumnus* reflecting on the plaque, "in the hope that this history would interest all alumni." According to Thompson, that year the elections were about "great innovations" instead of "competing personalities." Using his position as the editor of the student paper, Thompson published front page stories about these "innovations," which he believed influenced the student body's desire for gifting a memorial that carried more significance than previous ones.¹⁰⁴

After the election, Fred Mackenzie, editor of *La Follette's Magazine* and a member of the Class of 1906, approached Thompson about the class memorial. He suggested that the Memorial Committee use the 1894 statement from the Richard T. Ely case. Mackenzie informed Thompson that the idea originally came from Lincoln Steffens. Steffens, a journalist who suggested the previous year in an article in *American Magazine* that the university did not do enough to protect academic freedom, arrived on campus shortly after the Goldman and Sercombe incidents to investigate the situation.¹⁰⁵ The idea went over well with the Memorial Committee which did not require a lot of persuasion to use the words from the 1894 statement. "The class was in a fighting mood—freedom was being repressed—an able and respected [*sic*] man, Professor Ross,

¹⁰³ *The Daily Cardinal*, March 15, 16, 17, 18, and 19, 1910, Box 1, Herfurth Papers.

¹⁰⁴ James S. Thompson "the continual and fearless sifting and winnowing: The Story of the Famous Plaque the Front of Bascom Hall," *Wisconsin Alumnus*, November 1936, <http://digital.library.wisc.edu/1711.dl/UW.v38i2> (accessed August 12, 2012), 46

¹⁰⁵ Curti and Carstensen, 68-69

had been stigmatized [*sic*].”¹⁰⁶ Thompson’s account, written nearly a decade earlier than Herfurth’s, on the other hand, acknowledged that discussions about academic freedom occurred following Goldman’s visit, but he did not “recall that the adoption of the Memorial plan was a direct result of that incident.”¹⁰⁷ Though Ross’ case may have fit into an overall campus community debate on academic freedom, the connection to the plaque is weak.¹⁰⁸

Despite Thompson’s account, Herfurth argued that Ross’ censure inspired the students to take up a controversial project in order to push back against the Board of Regents’ attack upon the university. He wrote:

What saw the 1910 class leaders in the peril of expulsion in which Ross had been placed by contemplated disciplinary action of the regents? Was it to them evidence of a resurgence of the unenlightened bigotry which in 1894 had placed in jeopardy the tenure of another great educator--Ely? The class leaders thought so. They held it to be evidence of animus unduly to restrict academic freedom. It augmented their already critical opinion of what they held to be standpat and reactionary regent policies.¹⁰⁹

Herfurth further concluded that the Goldman and Sercombe incidents not only incited the students to action, but in reality opened the door for Lincoln Steffens and Fred Mackenzie to stir them up. “Although the exact date of their entry into the [situation] is not on record, it must have been between January 31, 1910 and March 14, 1910, the date of the class primary election. They were the two who gave impetus to the

¹⁰⁶ Milton J. Blair Questionnaire; Re: Fred McKenzie Questionnaire, 1944; Hugo H. Hering to Herfurth, April 26, 1944, Box 1, Herfurth Papers.

¹⁰⁷ Thompson, 46

¹⁰⁸ Francis R. Duffy to Herfurth, February 18, 1944; Hering to Herfurth, April 26, 1944, Box 1, Herfurth Papers; Herfurth, 73-74.

¹⁰⁹ Herfurth Papers, 1946 draft, Box 2, Herfurth Papers, 13.

discussions and the contentions between members of the Class of 1910 and of the board of regents.”¹¹⁰ Herfurth, in the original draft of his report, described Steffens as the architect of the plaque, but a member of the 1910 class referred to Steffens as more of a “collaborator” than an architect.¹¹¹ Steffens’s role highlighted a political conflict as well as an institutional conflict. The student’s pursuit of memorializing the 1894 words demonstrated an internal conflict between the student body and the board. Ross’ censure exposed an internal conflict among the university staff leaders and the Regents, but the plaque widened that conflict to include the student body.

That May the students raised funds to have the plaque made. At the Men’s fundraising dinner students and alumni pledged “to support to the utmost the interest of Wisconsin for her unhindered growth, believing as expressed in our memorial...” Dr. Albert J. Ochsner, president of the Alumni Association, and President Van Hise both spoke at the dinner publicly supporting the plaque.¹¹² Having secured sufficient funds for the plaque, the committee sent a request to the Board of Regents to have it placed on the “Main Hall.” The Regents denied the request. Thompson cited the *State Journal*, which reported that the Regents’ rejection of the plaque had to do with the practice of placing objects on University buildings. According to Thompson, “members of the class

¹¹⁰ Herfurth Papers, 1946 draft, Box 2, Herfurth Papers, 14.

¹¹¹ Milton J. Blair Questionnaire, Box 1, Herfurth Papers.

¹¹² “President Gets Ovation at Stag,” 1910?, newspaper clipping, Box 1 Folder 1, Francis R. Duffy Papers, 1906-1979, Wisconsin Historical Society, Archives, Madison, WI (hereafter cited as Duffy Papers).

interpreted this as the customary techniques for indefinite postponement of a troublesome question and their fears proved to be correct. The matter received no further attention.”¹¹³

Duffy responded to the Regents in an interview in the *Fond du Lac Daily Commonwealth*. He stated that no outside influences played a factor in the decision to gift the plaque. Duffy indicated that the plaque was meant to celebrate those who stood up for truth against those who tried to silence them. He extolled Van Hise’s work on protecting natural resources, as well as professors who advocated public control of waterworks in the face of political opposition. Further, in the interview Duffy questioned the Regents’ public reason for rejecting the plaque, since leaving a memorial had been a long standing tradition. He insinuated that in reality their rejection of the plaque was a rejection of academic freedom and that the cosmetic justifications were an excuse.¹¹⁴

Duffy continued “This incident should serve to make the people of this state think over the proposition of how the University of Wisconsin can retain its place as ‘The leading state University’ and as a ‘University of the people’ if the Regents will not allow members of the faculty to express their honest convictions on problems that are of interest to all the people or at least objected to their doing so.”¹¹⁵

Regent C. P. Cary recalled in Herfurth’s questionnaire sent in 1942, that the students would probably not have memorialized the 1894 statement if Emma Goldman had not come to Madison. The Regents, according to Cary, believed that students,

¹¹³ Thompson, 46

¹¹⁴ “President Duffy Tells of Memorial,” *Fond du Lac Daily Commonwealth*, June 30, 1910, Box 1 Folder 1, Duffy Papers.

¹¹⁵ “President Duffy Tells of Memorial,” *Fond du Lac Daily Commonwealth*, June 30, 1910, Box 1 Folder 1, Duffy Papers.

influenced by outside political forces, used academic freedom to push back by suggesting that members of the board opposed the University of Wisconsin's faculty right to academic freedom. This conclusion was not without warrant, as we saw with Duffy's comments following the Regents' rejection of the plaque. Duffy particularly pointed to Regent Jones for leading the charge in opposing the acceptance of the plaque. Duffy believed that Jones silenced Ross and other Progressives within the university because of calls for public ownership of waterworks. He accused Jones of protecting his financial interest in private ownership of waterworks by silencing oppositional voices at the university.¹¹⁶

Jones insisted the Regents did not disagree with the statement, rather with the sentiment with which it was given. He believed, as Cary did, that outside political forces manipulated the student body into gifting the plaque to insult the Regents. He identified Fred McKenzie, the managing editor of *La Follette's Magazine* and Lincoln Steffens, "the famous muckraker," for using the students. Herfurth concluded, "it is evident that the 1910 board did not reject the plaque primarily because it threatened to deface university buildings. They rejected it because they despised Lincoln Steffens, who fathered the project. They rejected it because they saw in it an attempt of Wisconsin Progressives and student radicals to embarrass a Stalwart board."¹¹⁷

¹¹⁶ Herfurth, 77-78; Re: C. P. Cary Questionnaire, 1942, Box 1; Duffy to Regent Theodore Hammond, May 26, 1915, Box 1, Duffy Papers.

¹¹⁷ Herfurth, 78; Jones to Regents, May 25, 1915; Jones to Duffy, May 13, 1915; Jones to Duffy 9, 1915, Box 1, Herfurth Papers; Christine Stansell, *American Moderns: Bohemian New York and the Creation of a New Century* (Princeton, New Jersey: Princeton University Press, 2010), 18-21.

There are four observations worth noting about the university community's reaction to Ross' censure and the students gifting of the plaque. First, that the central thesis that the debate on academic freedom occurred during an institutional conflict between non-academics and academics can be seen as early as 1909. The exchanges between Regent Jones and President Van Hise in 1909, and later in 1910, framed the right of academic freedom around freedom of speech and the reputation of the university. They also, indirectly, discussed limitations of professors' rights to voice unpopular political positions. According to Jones, professors had no right to even discuss radical ideas. For President Van Hise, those limitations had much more to do with public relations. Ross violated the rule of not bringing embarrassment upon the university. Van Hise made a similar argument in defending Ross, suggesting that the Board of Regents would bring even more embarrassment upon the university if they terminated Ross.

The second observation is about the students' use of the right of academic freedom to set limitations on the Board of Regents interference with the university. Veysey argued that professors invoked their right to academic freedom to challenge non-academics who threatened professors' freedom to research and publish. In this case, one could argue that the students used the *Sifting and Winnowing* plaque to do the same. Accusing the Board of Regents of suppressing academic freedom was meant to embarrass them and thereby halt the attacks upon the university.

The third observation highlights a disconnect between Ross' censure and the plaque. It is difficult to say whether Ross' censure really directly inspired the students to gift the *Sifting and Winnowing* plaque or not. Herfurth concluded that it did. The primary source of his conclusion came from a single student, Milton Blair, who was not part of

the student government.¹¹⁸ James Thompson, the student behind the plaque, disagreed with this conclusion. Even Ross, the supposed inspiration for the plaque, never discussed it in his autobiography. The Stanford case demonstrated that Ross used any positive publicity to his advantage. But in the Wisconsin case, he remained relatively quiet. If he truly inspired the plaque, then Ross would have widely publicized this fact.¹¹⁹

The fourth observation revolves around the political atmosphere in Wisconsin. The exchanges between Van Hise and the Board of Regents concerning the Goldman and Sercombe incidents were clearly discussions about a fear of radical political ideas discussed in the classroom. Additionally, Herfurth clearly believed that the reason the Board of Regents rejected the plaque was due to Lincoln Steffens' political influence. At the core of the institutional conflict was political turmoil. Chapter three picks up on this theme and explores not only the political atmosphere during the early twentieth century in Wisconsin, but also the debates about academic freedom from the perspective of a non-academic community—the press.

¹¹⁸ Milton J. Blair Questionnaire, Box 1, Herfurth Papers.

¹¹⁹ Ross, *Seventy Years*, 288-291. In his autobiography, Ross even included a chapter titled "Some Celebrities I Have Met," to enhance his own celebrity status. That he would brag about famous people he met but not the plaque is enough to question Herfurth's conclusion. Unfortunately the archived material of student activity around this time of the University of Wisconsin was not saved. Many of the material found from the students' perspective exist in the *Herfurth Papers* in the form of questionnaires administered thirty years later.

CHAPTER THREE

"ANYONE THEY SEE FIT:" WISCONSIN POLITICS AND ACADEMIC FREEDOM

We believe the students of the University have a right to listen to anyone they see fit...

—*The Daily Tribune*, “‘Free Speech’ was the Issue,” ca 1910.

The *Madison Democrat* published the first article covering Goldman’s lectures.

The *Democrat* informed readers that Ross announced her lectures in class. The article led the Regents to call for an investigation. Following the investigation, Wisconsin newspapers engaged in debates about freedom of speech, the role of the university and faculty in politics, and academic freedom. The articles and editorials demonstrated that the process of defining academic freedom extended beyond the university. The exchanges between partisan papers, such as Manitowoc’s *The Daily Tribune* and the *Manitowoc Pilot*, explicitly show that politics played a significant role in the discussion of academic freedom. The 1910 spring semester ought to be understood within a changing Wisconsin political atmosphere, a period Jackson Lears referred to as an “age of regeneration.”¹²⁰

This period, according to Lears, unfolded nationally throughout the county’s political realm. In Wisconsin, specifically, the split within the Republican party casted a long shadow upon the state, including the University of Wisconsin. As noted in the previous chapter, the Regents expressed genuine concern over the perceived radicalization of the university, but radicalization was a euphemism for Progressivism. The Board of Regents, mostly Stalwart Republicans, consistently challenged the myriad

¹²⁰ Jackson Lears, *Rebirth of a Nation: the Making of Modern America, 1877-1920* (New York: Harper Collins, 2009), 4; “‘Free Speech’ was the Issue,” *Manitowoc Pilot*, ca 1910, Box 18 Folder 264, Van Hise Papers.

of Progressive ideals coming out of the university.¹²¹ The 1910 spring semester signified more than just an immediate concern for academic freedom; it highlighted an ongoing conflict of ideas between Progressive faculty members and students and conservative Stalwarts. Robert La Follette worked with faculty members to craft legislation while he was governor and plucked recent graduates from the school for employment in his administration. This practice only confirmed for conservatives the university's intimate relationship to the Progressive movement.

Following the Board of Regents' rejection of the plaque, coincidentally, progressive Republicans met in Madison and adopted a pledge to defend the 1894 statement. As John D. Buenker stated, "academic freedom became a political football" in Wisconsin during the early twentieth century.¹²² Politicians and outside political figures played their games in many arenas, but during the 1910 spring semester the University of Wisconsin played host. Following the Goldman incident newspapers took notice of the political conflict, many taking part in the partisan exchanges. Progressive papers published articles accusing Stalwarts of systematically ruining the University of Wisconsin's reputation in

¹²¹ Herfurth to John Callahan, March 5, 1943; Callahan to Herfurth, March 8, 1943; Herfurth to Mr. George Hambrecht, March 5, 1943; Hambrecht to Herfurth, March 9, 1943; Herfurth to Rm. Miles Riely, March 13, 1943; Riley to Herfurth, June 18, 1943; Hazel Kuehn to Herfurth, April 10, 1946, Box 1, Herfurth Papers. During Herfurth's research he sent out a questionnaire to various individuals familiar with the board during the early twentieth century. He requested that they indicated the Regents from 1910 as either favorable to LaFollette by placing an "L" by their name or placing an "S" to indicate they were Stalwarts. All that indicated political positions in their response to Herfurth identified Swenson and Jones as Stalwarts and Trotman as a LaFollette. Though hardly enough to extrapolate any significant tension between the Regents, Herfurth's research attempted to show that among Board of Regents the political ramification of the split between Progressives and Stalwarts resided in the governing body of the University of Wisconsin.

¹²² Herfurth, 76.; John D. Buenker, "Sifting and Winnowing: The Historical Context," in *Academic Freedom on Trial* 19.

order to silence political opposition, while conservative papers claimed the school indoctrinated students into anarchy and socialism. Ross' censure and the *Sifting and Winnowing* plaque, then, occurred during an important political period in Wisconsin history. Therefore understanding the historical context as well as the contemporary political debates helps us understand how debates about academic freedom were framed in 1910.¹²³

Buenker argued that the industrialization of dairying and the development of a post-lumbering economy, followed by new technological advances, significantly changed the state. These changes transformed the state's economy and demography, centralizing the flow of money into urban environments, which saw an increased immigrant population. The rapid changes lead many to “organize or perish.” This underlying imperative produced what Buenker called “systematizers,” individuals and organizations which attempted to solve problems produced by the massive transformations.¹²⁴

By 1890, the United States had a two party political mechanism. Democrats called for state rights and small government, and had the strongest representation in the South. The Republican party, the younger of the two, pushed for large-scale policies by the federal government to benefit the whole country. The Republican party, as one historian put it, was for “economic nationalism and an activist government.”¹²⁵ The two parties fought close national electoral fights, but by the 1890s, dissatisfaction with their

¹²³ John D. Buenker's *The History of Wisconsin IV: The Progressive Era, 1893-1914* (Madison: State Historical Society of Wisconsin, 1998).

¹²⁴ Buekner, “Sifting and Winnowing,” 19-23.

¹²⁵ Lewis L. Gould, *America in the Progressive Era, 1890-1914* (New York: Longman, 2001), 5.

agendas gave rise to the Populist party. Populism grew out of the South and the West and was popular among farmers. They called for increased crop prices, railroad regulations, graduated income tax, direct elections of Senators, and inflated currency to ease their debt payments. In the presidential election of 1896, the Democrats and the Populists nominated William Jennings Bryan, who ran on the platform of Free Silver. Bryan lost the election, and as a result the Populist party dissolved and the Democrats lost political clout.¹²⁶

Traditionally, historians such as Robert Wiebe argued that when the Populist movement faded, a new urban middle-class took up the mantle of reform from agrarian communities, and ushered in the Progressive movement. But many of the reforms attributed to the Progressive movement had begun during the Populist movement. Elizabeth Sanders argued that the roots of reform began with the Populists and that essentially the Progressive movement was an extension of the Populist movement. Even though they favored less regulation than progressives, failure to secure political power following the 1896 election lead many agrarian leaders to support governmental oversight out of necessity. Fear of concentrated power amassed by the wealthy class prompted them to support “a new powerful public bureaucracy.” Regardless of who fostered the Progressive impulse for reform, the beginnings of the movement, the roots, can often be traced back to the Populists.¹²⁷

¹²⁶ Gould, 1-17.

¹²⁷ Elizabeth Sanders, 258. Debates among scholars about whether the Progressive movement ought to be viewed as separate movement or a continuation of what began with the Populists continues. The Sanders’ argument directly challenges the tradition of dividing the two movements articulated by Robert Wiebe.

The great tide of reform began in 1901 with Theodore Roosevelt's presidency. The following decades were marked by political activism lead by political elites such as Roosevelt. Roosevelt led the charge by intervening between business and labor, challenging centers of economic power, and establishing governmental authority over environmental conservation. Social movements linked themselves with the success and failures of political achievements. For instance, the women's movement linked itself to prohibition efforts.¹²⁸

National political figures may have framed the issues, but most of the reforms percolated up from the state and local levels. Wisconsin was at the forefront of the Progressive movement, according to Fred Greenbaum. The four most significant groups of Wisconsin "systematizers" in Buenker's view included members of the University of Wisconsin, educated civil servants, progressive Republican politicians, and radical social Democrats. The first group consisted of social scientists such as Richard T. Ely and Edward A. Ross, and President Van Hise, to name a few. Academics were among the number of challengers to the "economic and social mythology that justified corporate domination,"¹²⁹ according to Greenbaum. Many Progressive ideas came out of universities, especially from the University of Wisconsin.¹³⁰

Ross' work had established him as a leading progressive thinker. Ross' book *Sin and Society* called for some of the most radical reforms to deal with corporations'

¹²⁸ John Milton Cooper, *Pivotal Decades: the United States, 1900-1920* (New York: Norton, 1990), 31-49, 122-157.

¹²⁹ Fred Greenbaum, *Progressives in America* (Malabar, FL: Krieger Publishing Company, 2005), 9.

¹³⁰ Greenbaum 1-12; Buenker, "Sifting and Winnowing," 19-23.

propensity to exploit society. He pushed for both state level and national reforms, and working at the University of Wisconsin afforded him the scholarly status to push for them. President Van Hise also established a reputation as a conservationist and progressive thinker by 1910. He called for an educational system conducive to solving contemporary problems. The individuals who graduated from the school would possess an education meant to inspire each of them to take an active role in society, to reform the state. Maybe more importantly, he advocated a close partnership between faculty and state government. Buenker wrote, “in his inaugural address, Van Hise parsed the practice of Germany and Austria in utilizing scholars in government service, and predicted the growth of similar practice in Wisconsin.” He encouraged faculty to serve the public, to offer their expertise outside the University walls, a concept referred to as the “Wisconsin Idea.” Governor La Follette took full advantage of this.¹³¹

Governor Robert La Follette led the Progressive Republicans, one of the other groups of systematizers. The content of many of his initiatives stemmed from a close cooperation between government and the university, the heart of the “Wisconsin Idea.”¹³² He believed, “together, the government and the university should provide the social investment for a variety of endeavors” for the benefit of society.¹³³ Moreover, he believed

¹³¹ Buenker, “Sifting and Winnowing,” 30. See also Vernon Carstensen, “The Origin and Early Development of the Wisconsin Idea,” *The Wisconsin Magazine of History* 39, no. 3 (Spring 1956) and Charles McCarthy, *The Wisconsin Idea* (New York: The Macmillan Company, 1912).

¹³² Gould, 41-42.

¹³³ Buenker, “Sifting and Winnowing,” 23.

that government policies needed to be based upon “systematic application of professional expertise” as articulated by university members.¹³⁴

La Follette wrote in his autobiography “it is difficult, indeed, to overestimate the part which the university has played in the Wisconsin revolution. For myself, I owe what I am and what I have done largely to the inspiration I received while there.” He continued, “in all my fights in Wisconsin, the university and the students have always stood firmly behind me. In a high sense the university has been the repository of progressive ideas: it has always enjoyed both free thought and free speech.”¹³⁵ La Follette boasted about the university’s involvement in Wisconsin’s public affairs, its protection of academic freedom, and the “influence of a faculty of trained men” to educate Wisconsin’s citizens. For him, the university served the public through an intimate and mutually beneficial relationship with the state. While he was Governor, La Follette believed cooperation between the state and intellectuals such as Van Hise, Commons, Ely, and Ross, provided the best wisdom for Wisconsin’s business. In La Follette’s view, the state operated at its best when it incorporated the ideas of Wisconsin’s university and its faculty.¹³⁶

A product of the university system, La Follette’s fondness for the school began in 1875, when he enrolled. He did not receive high marks in school, but he made many important contacts. President John Bascom became one of his mentors. In fact, when it appeared that he would not graduate, Bascom made the final tie-breaking decision to pass

¹³⁴ Buenker, “Sifting and Winnowing,” 24.

¹³⁵ Robert M. La Follette, *Autobiography: A Personal Narrative of Political Experiences* (Madison: University of Wisconsin Press, 1913), 12-13.

¹³⁶ La Follette, 14-15

him. They grew close over the years and so did their political ideals. La Follette maintained a close relationship with the university throughout his career. Many accused him of patronage for supplying so many state jobs to graduates. The school also maintained a deep fondness for La Follette. Upon his death, the school adopted a resolution that, “proclaimed him the university’s most able, devoted champion and loving, loyal son.”¹³⁷ The cooperative relationship, as well as the shared fondness, between La Follette and the school caused a lot of trouble for the university when his opposition assumed power in 1906.¹³⁸

On November 5, 1900, La Follette received the largest majority of votes ever recorded for governor. By 1905 though, division among Republicans, particularly between La Follette supporters and Stalwarts, put his reelection in jeopardy. Upon taking office in 1900, La Follette took on the issue of direct primary elections. His push for procedural changes caused consternation among Republican party leaders. Additionally, he called for direct elections of United States Senators, taking the right of appointing them out of the hands of the state legislature. The existing political process was seen as a “rich man’s club,” leading many to remain skeptical of politicians’ concern for public interests. La Follette used this conviction to push for reform, which widened the division within the party.¹³⁹

¹³⁷ Nancy O. Unger, *Fighting Bob La Follette* (Chapel Hill, NC: University of North Carolina Press, 2000), 34-37.

¹³⁸ Roger T. Johnson, *Robert M. La Follette, Jr. and the Decline of the Progressive Party in Wisconsin* (Hamden, CT: Archon Books, 1970); Bernard A. Weisberger, *The La Follettes of Wisconsin: Love and Politics in Progressive America* (Madison: University of Wisconsin Press, 1994).

¹³⁹ Gould, 39-42.

La Follette's inability to believe his opponents could possess virtuous intentions to serve the people and his resulting reliance upon university members angered many Stalwarts. They saw to it that much of his legislative agenda was not enacted during his first term. Therefore, during his 1902 reelection, La Follette responded by making roll calls of uncooperative Republicans public in order to embarrass them. During his bid for a third term, Stalwart Republicans partnered with Democrats to oust La Follette. Seeing that his chance for a fourth term would be a bitter battle, La Follette sought appointment to the United States Senate ending his governorship in January 1906. His continued use of faculty members instead of party members left the school in a particularly odd position upon La Follette's departure. There had been a tradition of support from the university for La Follette's agenda. His adversaries looked to gain control of the Wisconsin hub of expertise and stymie the flood of La Follette-like reforms.¹⁴⁰

La Follette opposed James O. Davidson as his Lt. Governor, but a number of anti-La Follettes favored him as a means of undermining La Follette's governorship. Davidson also garnered support from Norwegian progressives, making him more than just an empty vessel, but a powerful political figure in his own right. When La Follette left for the Senate, he refused to endorse Davidson as his replacement. Legislators nominated him in defiance. Davidson wanted to avoid division within the Republican party and therefore reached out to Stalwarts. According to Herbert Margolies, Davidson's nomination highlighted the increasing anti-La Follette sentiment and marked the decline of progressive power for the next several years. Davidson also nominated a number of

¹⁴⁰ Greenbaum, 26-28.

Stalwart republicans to the Board of Regents and furthered political tension between progressive university members and the Regents.¹⁴¹

Another group of muckrakers also gave Stalwarts angst. Lincoln Steffens, a well-known muckraker, in his article “Sending a State to College,” published February 1909 in *American Magazine*, accused the Board of Regents of suppressing academic freedom. Between November 1908 and January 1909 president Van Hise and Lincoln Steffens corresponded about the article in process, which supported Steffens later conclusion about the Regents. Van Hise wrote in a letter to him, “it is very gratifying to me to feel that you are so deeply interested in the University of Wisconsin, or more exactly in the education movement for which it stands. This support encourages me to continue the fight.”¹⁴² It was Van Hise who suggested that Steffens publish the *American Magazine* piece and share it with the university members. Van Hise wrote, “I [also] have had the hope that it would be possible to have the privilege of publishing in pamphlet form a large edition of your article for general distribution.”¹⁴³

In the article, Steffens extolled the University of Wisconsin’s value to the state and praised educating citizens in order to deal with contemporary state problems through extension schools and correspondences courses. The university was known as “a place where anybody may learn anything,” but under Van Hise’s direction, it became a

¹⁴¹ Margolies, 86-89, 96.

¹⁴² Van Hise to Lincoln Steffens, November 28, 1908, Herfurth Papers.

¹⁴³ Van Hise to Lincoln Steffens, November 21, 1908, Herfurth Papers; For biographical information on Steffens see Lincoln Steffens, *The Autobiography of Lincoln Steffens*, Reprint 1913 (Berkeley, CA: Heyday Books, 2005); Justin Kaplan, *Lincoln Steffens: A Biography* (New York: Simon & Schuster Paperbacks, 2004); and Peter Hartshorn, *I Have Seen the Future: A Life of Lincoln Steffens* (Berkeley, CA: Counterpoint, 2011).

university “offering to teach anybody—anything—anywhere.”¹⁴⁴ The article also lauded the school’s emphasis on pure scientific research while upholding the value of applied knowledge. Steffens argued the result led to practical collaborations which provided financial advantage for both the university and local agriculture.

Steffens also argued for continued legislative cooperation with the university. Touting La Follette’s legislative success, he wrote, La Follette’s “‘radical’ legislation all stood up in court, and the reason was that he had it written by professors and other men who knew.” Public servants reached out to faculty for information, facts, and advice, to produce better legislative policies would be, benefitting the state of Wisconsin. Indeed, Steffens’ believed this practice had made Wisconsin a shining example for the nation. Utilizing the community of experts could only result in the state’s prosperity.¹⁴⁵

In the midst of his fifty-two page essay, though, Steffens took the Regents to task for “investigating the ‘Socialistic’ doctrines and methods of the professors.”¹⁴⁶ He emphasized the tradition academic freedom had played in the success of the university, “a settled tradition and a matter of record at Madison.” Steffens had dug up the famous Board of Regents 1894 quotation that would be memorialized by the Class of 1910, including it in the article in its entirety. The Board or Regents investigation violated the tradition of academic freedom as well as interfered with scientific research, according to

¹⁴⁴ Steffens, “Sending a State,” 350.

¹⁴⁵ Lincoln Steffens, “Sending a State to College: What the University of Wisconsin is Doing For Its People,” *The American Magazine*, 1909, 349, 350, 364.

¹⁴⁶ Steffens, “Sending a State,” 362.

Steffens. As a result, in context of the full essay, the Regents' investigations would harm all of Wisconsin.¹⁴⁷

Steffens' article had unsettled the Regents. When they discovered that Steffens, “architect of the plaque,” suggested the idea to memorialize the 1894 statement to the Class of 1910, the Regents wholeheartedly rejected it due to their outrage from Steffens 1909 article, as we saw in chapter two.¹⁴⁸ Even before the plaque was introduced, the conversation Steffens sparked about academic freedom began in the press following the Goldman visit. The *Madison Democrat's* article, as stated earlier, prompted the investigation and a debate among the other papers over whether the university and its faculty had the right to promote freedom of speech for radicals. It also began discussions about state university professors' responsibility to produce proper citizens. Many of the newspapers took the opportunity to attack the university on much more than Goldman, accusing the faculty of indoctrinating students with anarchist and socialist ideas.¹⁴⁹

Over the course of the next few months nearly sixty newspaper articles responded to the Goldman and Sercombe incidents as well as Ross' censure. The *Democrat* not only prompted the internal investigations, but also provided a reason for the Board of Regents to question the integrity of the University of Wisconsin faculty and students. Roughly half the articles portrayed the university in a positive light while the other half took a much more negative view. The articles either defended the university or, as the *Democrat* had done, accused the professors and the university of endangering the minds of students.

¹⁴⁷ Steffens, “Sending a State,” 362.

¹⁴⁸ Herfurth, 79.

¹⁴⁹ For examples see “Ross Must Go,” *Wausau Record-Herald*, February 2, 1910 and *Spokane Daily Chronicle*, February 3, 1910, Box 18 Folder 264, Van Hise Papers.

The most negative responses called for Ross' and other professors' dismissal and demanded heavy-handed punishment for the university. The positive responses included a defense of Goldman's right to freedom of speech, the campus community's right to a free exchange of ideas, and concern over the damage done to the university's reputation by limiting either.¹⁵⁰

Four days after the *Democrat* published its article, the *Milwaukee Daily News* published a response stating that the professors had the right to listen to Goldman if they so chose. "It was their privilege, if they so desired, to attend her lecture, and probably no one is going to quarrel with them for doing so."¹⁵¹ The article defended Emma Goldman's right to speak to whomever wanted to listen to her. The initial anger over Goldman's visit, in the newspaper's estimation, "seems to be largely a tempest in a teapot."¹⁵² *The Milwaukee Sentinel* argued that Ross' actions did not necessitate an apology from the university. In fact, encouraging the free exchange of ideas was the "best way to get rid of an absurd doctrine." She had the right to speak as long as she did so with respect for Madison's "social order."¹⁵³

Manitowoc's *The Daily Tribune* accused the *Manitowoc Pilot* of knowingly distorting facts to intimidate students and professors who may have attended Goldman's

¹⁵⁰ For examples see "Cause for Suspicion," *The Tracy Weekly Herald*, February 18, 1910 and "An Unjust Indictment," *La Crosse Journal*, February 5, 1910, Box 18 Folder 264, Van Hise Papers.

¹⁵¹ "A Tempest in a Teapot," *Milwaukee Daily News*, January 31, 1910, Box 18 Folder 264, Van Hise Papers.

¹⁵² "A Tempest in a Teapot," *Milwaukee Daily News*, January 31, 1910, Box 18 Folder 264, Van Hise Papers.

¹⁵³ "Miss Goldman at Madison," *The Milwaukee Sentinel*, January 31, 1910, Box 18 Folder 264, Van Hise Papers.

lectures. “The *Pilot* believes in persecuting those who listen to a speaker not approved by himself.” The editorial continued, “we believe the students of the University have a right to listen to anyone they see fit... To intimidate them in doing so is more dangerous to society than all the Emma Goldmans the world has ever know.”¹⁵⁴ *The Tracy Weekly Herald*, a Minnesota newspaper, argued that any suppression of freedom of speech was a disservice to the public. The paper stated that anyone who would suppress freedom of speech were, “crooks and ignorant, superstitious people . . . afraid of free speech.” It called into questions “their own conduct and intellectual development.” The *Tracy* warned that the reaction to Goldman’s visit and the Regents’ call for an investigation could damage the university’s reputation more than anything else.¹⁵⁵

The *La Crosse Tribune* agreed that the negative attention the Goldman visit caused did much more damage than her words. If President Van Hise was not forced to respond and defend the university, the situation may have simply blown over, according to the paper. Though quick to defend the university, the *Eau Claire Leader* and *La Crosse Tribune* blamed Ross for damaging the school’s reputation. An editorial in the *State Journal* described Ross as someone who enjoyed shocking his readers and had a penchant for offending people. The paper wrote, “he is a wholesome force, but he has this

¹⁵⁴ “‘Free Speech’ was the Issue,” *The Daily Tribune*, ca 1910, Box 18 Folder 264, Van Hise Papers.

¹⁵⁵ “Cause for Suspicion,” *The Tracy Weekly Herald*, February 18, 1910, Box 18 Folder 264, Van Hise Papers. Again, as in chapter two, the usage of freedom of speech in relations to academic freedom had an assumed relationship.

unfortunate failing. He has gotten the university into trouble now and before. He must curb himself or the university should break with him.”¹⁵⁶

Ross' popularity among journalists was one of the reasons that he came out of the Stanford situation relatively unscathed. Though he lost his job, his previous work both in academia and in politics garnered favorability among other public intellectuals so that when Mrs Stanford targeted Ross, it backfired. James C. Mohr argued that the only reason Ross did so well, while other professors who had been terminated did not, was because of the support he received from reporters and journalists. This time though, the papers did not rally behind Ross. Nearly a week after the public learned that Ross had announced Goldman's visit in his classes, the *Wausau Record-Herald* published an article titled “Ross Must Go.” Ross had been quoted defending himself against accusations he favored anarchism by insisting he “strongly” favored government and regulations. The *Wausau Record-Herald* took issue with Ross' statement, stating, “No man whose convictions are not irrevocably fixed in favor of government and regulation, has any business to draw a salary from the state.”¹⁵⁷ The article depicted Ross as unpatriotic and called for his termination. It accused Ross of violating his duty to Wisconsin citizens, of warping the youthful minds by indoctrinating them into anarchy. The paper suggested that any professor lost their academic freedom when they betrayed

¹⁵⁶ “Attacking the University,” *State Journal*, March 2, 1910; *State Journal*, March 14, 1910; “Much Ado About Nothing Says Dr. Evans, Regent,” *La Crosse Tribune*, February 4, 1910; *Eau Claire Leader*, ca January, 1910, Box 18 Folder 264, Van Hise Papers. The *Eau Claire Leader* praised Van Hise for “[putting] his foot down hard on all this Emma Goldman visit [referring to Van Hise's published response to the Goldman visit]” in the hopes it would serve as a warning for other professors to be more careful.

¹⁵⁷ “Ross Must Go,” *Wausau Record-Herald*, February 2, 1910; *Sawyer County Record*, ca February 1910, Box 18 Folder 264, Van Hise Papers.

the public's trust. "I had rather trust the uneducated loyalty of the lowly ignorant than the educated treason of the learned," one paper stated.¹⁵⁸

A number of newspapers believed that the misinformation about Goldman's visit further damaged the school's reputation. When Van Hise responded to the outrage over Goldman's visit he tried to address three main pieces of misinformation. First, that the university invited Goldman when it did not. Second, that the meetings took place in a campus building when they did not. Finally, that faculty members advocated Goldman's philosophy when they did not.¹⁵⁹ The call for Ross' termination and continued attacks on the school therefore were overreactions. *The Milwaukee Sentinel* suggested that the incident had been overblown and inflated in the papers and that discussions of anarchy and socialism were part of a student's education, not a means of indoctrination.¹⁶⁰

¹⁵⁸ "Regent Hoard on Emma Goldman," *The Democrat*, February 21, 1910; "Professional Indiscretions," *The Milwaukee Sentinel*, March 4, 1910, Box 18 Folder 264, Van Hise Papers. Many of the papers who took issue with Ross and the university focused on Goldman's visit, but the *Milwaukee Sentinel* felt the Goldman incident had been dealt with. Instead they took issue with Ross's invitation to Parker Sercombe and believed the censure, which was technically issued for the invitation, was justified.

¹⁵⁹ "Anarchist Not Welcomed at State University," *Tomah Journal*, January 31, 1910; "Van Hise in Statement," *The Sheboygan Herald*, February 1, 1910; "Anarchist Not Welcomed at State University," *Press Bulletin*, February 7, 1910; "Anarchist Not Welcomed at State University," *Iowa County Democrat*, February 10, 1910; "Van Hise not for Goldman," *State Journal*, February 10, 1910; "'Free Speech' Their Defense," *State Journal*, ca February, 1910, Box 18 Folder 264, Van Hise Papers.

¹⁶⁰ "The Goldman Inquiry," *The Milwaukee Sentinel*, March 3, 1910, Box 18 Folder 264, Van Hise Papers. A number of other papers simply felt reports had been exaggerated and distorted, as well as reactions from conservative papers. "Miss Goldman at Madison," *Wisconsin State Journal*, January 29, 1910; "Goldman Incident Astounds Regent," *Janesville Gazette*, February 2, 1910; "State University Fiasco!" *The Courier*, March 1, 1910; "Anarchy Talk Hot Air," *The La Crosse Tribune*, ca February, 1910, Box 18 Folder 264, Van Hise Papers.

Other papers charged that certain individuals and newspapers exploited the Goldman and Sercombe incidents to hurt the university and university members deliberately. The *La Crosse Journal* argued that “unwise stalwart politicians and publications have been magnifying and misrepresenting in the hope of making [the Goldman and Sercombe incidents] political capital, is most regrettable affair.”¹⁶¹ The *Milwaukee Journal* and *The Daily Tribune* agreed with the *La Crosse Journal*, that certain papers meant to discredit the university “to injure the great school itself,” for political gain.¹⁶² They concluded that all the uproar surrounding the Goldman incident had nothing to do with her but rather was a means to attack the university and President Van Hise. Specifically, the outrage over Goldman’s visit was an excuse to discredit Van Hise in order to silence his calls for public ownership of water power sites. *The Daily Tribune* concluded that the editors of the “The Pilot and The Nuisance, both of whom serve masters whom the University will not serve,” were looking for a reason to discredit Van Hise. “[The editors] decided to lie in wait until an opportunity presented itself to deliver a blow at the faculty of the university, in the hope that it might be a death blow to the ideals of public ownership taught in the University.”¹⁶³

In another article published in the *Milwaukee Journal*, a farcical demand for Van Hise’s termination—“Down with Van Hise!”—was meant to highlight the underlining

¹⁶¹ “An Unjust Indictment,” *La Crosse Journal*, February 5, 1910, Box 18 Folder 264, Van Hise Papers.

¹⁶² The original article “A Foolish Hullabaloo” was republished in the *Waukesha Freeman*, February 10, 1910 and *Evansville Review*, February 10, 1910, Box 18 Folder 264, Van Hise Papers.

¹⁶³ “The Real Reason,” *The Daily Tribune*, February 28, 1910, Box 18 Folder 264, Van Hise Papers.

motivations for the attacks against the university. This drew attention to the connections between various private businesses and Regent Magnus Swenson and Regent W. D. Hoard. The *Journal* went on to suggest that in reality the Regents were looking for a way to get rid of Van Hise. Van Hise advocated public ownership of natural resources. “What a villainous thing it was that [Van Hise] should have asserted that the remaining natural resources of the state should be held in trust for the public. What a shameful thing that he should agitate eminent respectable citizens and riparian owners!” The paper continued, “the morals of the university must be protected if the water powers of the state are to be properly developed.” Van Hise was an obstacle to wealthy men who sought to increase their wealth at the expense of the public. The Goldman and Sercombe incidents gave them an excuse to weaken Van Hise’s position.¹⁶⁴

The Daily Tribune and the *Manitowoc Pilot* engaged in this debate during the month of February. The back-and-forth articles devolved into name calling and accusations. The *Pilot* accused the *Tribune* of holding up Goldman as a “pioneer of advanced thought and culture,” a despicable act for such a deplorable women in their opinion. The *Pilot* continued, “this Socialist ‘philosopher’ who runs the Tribune should get some one to bore [*sic*] a hole in his head to let the darkness out. He should then be given ‘electrified wine’ and after consuming a few bottles of it he might acquire some illumination. Then he should be sent to school—to the kindergarten.”¹⁶⁵ The *Tribune* accused the *Pilot* of using public displeasure over Goldman’s visit to “blackmail our

¹⁶⁴ “Perfectly Scandalous,” *Milwaukee Journal*, March 1, 1910, Box 18 Folder 264, Van Hise Papers.

¹⁶⁵ “Appeals to the Prejudice of its Readers,” republished in *The Daily Tribune*, February 17, 1910, Box 18 Folder 264, Van Hise Papers.

State University, the most progressive institution of learning in the country.”¹⁶⁶ The paper stated, bluntly, “we believe [*sic*] the Pilot is a willful [*sic*] liar.”¹⁶⁷ These kinds of accusations of distorting the facts by Stalwart conservative papers began almost immediately following the *Democrat* article in January. The *Racine Daily Times* charged that “the Madison Journal and the Madison Democrat have become ‘dippy’ over the fact that Emma Goldman . . . lectured in the city recently and was listened to by some of the university faculty. . . Both our Madison contemporaries should take a tumble to themselves and quit trying to blacken the reputation of Wisconsin’s great university and its great corps of instructors.”¹⁶⁸

The *Madison Democrat* claimed that 250 people attended Goldman’s lecture, most of them students. In the paper’s opinion, “Madison’s audiences” were primed to receive radical ideas, as they were “so well schooled to listening to advocates of startling doctrines, and so tolerant of free speech in general.”¹⁶⁹ Like Regent Jones, the *Madison Democrat* did not believe that Goldman had the right to free speech as Regent Trotman or *The Tracy* did. The *Democrat* argued in an editorial that people who incited violence did not deserve to have their right to free speech honored. Society had the right to condemn Ross for advocating Emma Goldman’s right to free speech. “‘Free speech’

¹⁶⁶ “How They Do It,” *The Daily Tribune*, February 17, 1910, Box 18 Folder 264, Van Hise Papers.

¹⁶⁷ “‘Free Speech’ was the Issue,” *The Daily Tribune*, ca 1910, Box 18 Folder 264, Van Hise Papers.

¹⁶⁸ “Discrediting the University,” *Racine Daily Times*, ca January, 1910, Box 18 Folder 264, Van Hise Papers.

¹⁶⁹ “Goldman Welcome at University,” *Madison Democrat*, February 9, 1910, Box 18 Folder 264, Van Hise Papers.

academicians, dangerous in their radicalism,” committed the most atrocious sin by receiving Goldman. Some of the papers accused the school and its professors of exhibiting unpatriotic attitudes and passing along this poisonous attitude to students.¹⁷⁰

Using Goldman to embarrass Ross and the university was not an uncommon tactic.¹⁷¹ Goldman’s account of the events at Madison, therefore, gave Stalwarts even more fuel for the fire. She expressed a great fondness for the university, naming Ross as one of its most influential people. “In all my travels through the length and breadth of this land,” she wrote, “I found [America’s] university cities the most bigoted, arrogant, and conservative. Madison, Wis., is undoubtedly a happy exception. The progressive spirit among professors and students is unusual indeed. Professor Ross, Commons, [sic] Jastrow, and others are making history in America.”¹⁷² She recalled a pleasant experience meeting Ross and described him as an open-minded intellectual, above reproach. In her estimation the flair-up about Ross’ announcement of her presence in Madison had less to do with him than as it had to do with an attack on the “progressive element.” In her view,

¹⁷⁰ “Lest We Forget,” *Madison Democrat*, February 24, 1910; “University Officials Repudiate Anarchist,” *Chicago Record-Herald*, February 3, 1910; “Incomplete,” *Free Press*, March 3, 1910; “Emma Goldman’s Madison Visit,” *Madison Democrat*, March 27, 1910, Box 18 Folder 264, Van Hise Papers. Conservative papers like the *Democrat* and the *Free Press* used Goldman’s account of her visit, in which she described a warm reception, as their source of factual information.

¹⁷¹ Stansell, “Emma Goldman and the Modern Public,” in *American Moderns*; *Spokane Daily Chronicle*, February 3, 1910, Box 18 Folder 264, Van Hise Papers. The *Spokane* blamed Goldman, after her visit, for causing “one of the most serious school complications in Wisconsin since the half-breed and stalwart republican war.”

¹⁷² *Wisconsin State Journal*, April 1, 1910, Box 18 Folder 264, Van Hise Papers.

the Stalwarts used her visit as an excuse to attack the university's most famous scholars.¹⁷³

The *Free Press* defended itself by insisting that it did not find fault with the university for Goldman's visit, but rather their reception of her. The paper wrote, "we did take to task those instructors and students who had the disgusting temerity either to hobnob with this notorious anarchist in quarters affiliated with the university..."¹⁷⁴ The original articles published by the *Madison Journal* and *Madison Democrat* expressed anger over two main issues. First, that professors and students had attended the lectures of someone "whose words led directly to Czolgosz's assassination of President McKinley..." Second, that tax dollars funded the furnishings in the Y.M.C.A. building in which Goldman spoke. In other words, Wisconsin citizens paid for the "table at which stood this notorious female red and about which was grouped the group of budding anarchists and their Socialistic preceptors of the faculty..."¹⁷⁵

A letter written to the editor of the *Democrat* stated "the friends of education throughout the state and nation send their boys and girls here to be instructed in things that will make them better citizens and leaders in good government, and if their minds are to be poisoned by the utterances of anarchists, it will mean a falling off in the numbers of boys and girls sent to one of the greatest institutions of learning the United States." The letter continued, "the faculty of the university should think twice before opening the way

¹⁷³ *Wisconsin State Journal*, April 1, 1910, Box 18 Folder 264, Van Hise Papers.

¹⁷⁴ "Garbled, But Unconverted," *Free Press*, February 4, 1910; *The Loyal Tribune*, February 3, 1910, Box 18 Folder 264, Van Hise Papers.

¹⁷⁵ "Have Reception for Anarchist," *Wausau Daily*, February 7, 1910, Box 18 Folder 264, Van Hise Papers.

for [anarchist] to voice their traitorous sentiments to those who are placed under their care.”¹⁷⁶ Both *The Daily News* and the *Free Press* expressed similar concern for the youth placed under the tutelage of professors who took their responsibility to produce good Wisconsin citizens so lightly. The *Free Press* praised the censure since in its view Ross consistently demonstrated questionable judgment and a general lack of concern for the kinds of people he encouraged students to learn from—Emma Goldman and Parker Sercombe.¹⁷⁷

Ultimately, the concern over radicalizing students fell under a larger concern over the university’s violation of public trust. *The Beloit Daily Free Press* took issue with the university, an institution funded by tax payers, for permitting a professor to announce Goldman’s lectures to students. They wrote that, “protest will soon begin to pour in to the University regents. Tax payers are unwilling to dig into their pockets annually for millions for the university if such spectacles are to be thrust before the eyes of the world.”¹⁷⁸ The University of Wisconsin had violated its role as a taxpayer-funded institution to educate Wisconsin’s youth responsibly. Academic freedom did not protect unpatriotic teaching, and since citizens funded the university, it had a duty to ensure students were being taught what the people expected. The school did not live up to this

¹⁷⁶ “Letters From Democrat Readers,” *Madison Democrat*, January 28, 1910, Box 18 Folder 264, Van Hise Papers.

¹⁷⁷ “Ross and the Regents,” *Free Press*, March 5, 1910; *The Daily News*, February 26, 1910, Box 18 Folder 264, Van Hise Papers.

¹⁷⁸ “State Aghast at University Reds,” *The Beloit Daily Free Press*, January 31, 1910; *The Beloit Daily Free Press*, ca January, 1910, Box 18 Folder 264, Van Hise Papers.

responsibility. Furthermore, that the faculty even listened to her violated the trust of the “commonwealth which pays them”¹⁷⁹ and deserved the severest of punishment.¹⁸⁰

Following the gifting of the *Sifting and Winnowing* plaque and the Regents rejection of it, one would have assumed the papers would have covered it as extensively as the Goldman and Sercombe incidents, but they remained relatively silent. *The Milwaukee Journal* reported on the board’s rejection of the plaque and the students disappointment over that decision. The paper also noted that the students developed the idea for the plaque independent of the Goldman and Sercombe incidents. This may have been one of the main reasons the story remained out of the headlines. The national controversy surrounding Goldman, and to a lesser extent Sercombe, necessitated a response from the press. The plaque, although significant today, did not have the controversial allure in 1910. The board rejected the plaque by delaying its decision, possibly in hopes that the departing senior class, who would no longer be on campus, would let it go. It is hard to say if that is why, but it certainly could have worked if that 1910 class had not continued to champion the plaque successfully until 1915.¹⁸¹

Three observations can be made about the public debate over academic freedom during the spring semester of 1910. First, the plaque did not grab the attention of the press in the way Goldman’s visit did. The overwhelming number of articles battling back

¹⁷⁹ “Anarchy at the University,” *Free Press*, March 1, 1910, Box 18 Folder 264, Van Hise Papers.

¹⁸⁰ “Anarchy Respectable?” *The Stanley Republican*, February 5, 1910; “Pernicious Speeches,” *Janesville Gazette*, ca February, 1910; “Teaching Anarchy,” *The Courier*, February, 15, 1910, Box 18 Folder 264, Van Hise Papers.

¹⁸¹ “Free Speech Tablet War is Renewed,” *The Milwaukee Journal*, June 28, 1910, Box 1, Herfurth Papers.

and forth about the significance of her visit vastly outnumbered those discussing the plaque. Did this mean the plaque was unimportant at the time? Certainly it was important to the University of Wisconsin community. The students used the 1894 statement to push back against what they believed to be an attack upon academic freedom by the Regents. The Regents, who took it as an insult, would not have rejected if they felt it had no significance. They feared an outside political force, namely Lincoln Steffens, was radicalizing the student body. The papers on the other hand had little to say about the plaque. The lack of attention the plaque received indicated that the *Sifting and Winnowing* plaque had less impact on the debate over academic freedom among newspapers than the Goldman and Sercombe incidents.

Second, the process of defining academic freedom involved important thematic topics of discussion in the public realm that differed from those that occurred in the academic community. Many of the papers that criticized the university argued that faculty rights should be limited. Faculty members were first employees of the people, at least at a state university, and therefore they had a responsibility to do as the people willed, namely teach their sons and daughters to be proper Wisconsin citizens. Professors who violated this trust essentially operated outside the boundaries of academic freedom, boundaries set by the public. In other words, academic freedom was a privilege afforded to the professors by society, not a right. Additionally, anything discussed in class that was antithetical to American capitalism was not only unpatriotic but also not protected by academic freedom. Those papers that defended the university considered academic freedom essential to the university's mission to improve Wisconsin's economy and enrich the lives of its citizens. Furthermore, at some level academic freedom was

equivalent to the right to free speech. Some of the university detractors also felt that free speech was limited.

Finally, and maybe most significantly, the process of defining academic freedom in 1910 occurred during a period of political conflict. The division between conservative and progressive Republicans framed the discussions in the public sphere. The partisan reactions by “conservative” and “liberal” papers made academic freedom an issue in the larger political battle going on in the state. In Wisconsin in 1910, the contentious political atmosphere played a significant role in the process of defining academic freedom.

CONCLUSION: ACADEMIC FREEDOM IN AMERICA: 1915-2000S

Five years after Edward Ross' censure, the bronzed plaque, and the public debate on academic freedom that followed at Wisconsin, the *American Association of University Professors* (AAUP) published the first official statement on academic freedom. In 1915, the AAUP declared that three elements defined academic freedom: “freedom of inquiry and research; freedom of teaching within the university or college; and freedom of extramural utterance and action.”¹⁸² According to the AAUP, academic freedom was an essential part of academia’s ability to serve society, which included furthering knowledge and research, teaching the youth, and producing experts for public service. Any limitation on academic freedom was “bound to react injuriously upon the efficiency and the *morale* of the institution, and therefore ultimately upon the interests of the community.”¹⁸³

What follows is a summary of academic freedom following the AAUP’s 1915 *Declaration*. The focus is on three main periods of literature, highlighting themes that date back to the spring semester at the University of Wisconsin in 1910. The first section, from 1940 to the 1950s, discusses the role of professors within society. The second section, the 1960s to the 1980s, explores the legal arguments for academic freedom and

¹⁸² American Association of University Professors, “1915 Declaration of Principles on Academic Freedom and Academic Tenure,” <http://www.aaup.org/AAUP/pubsres/policydocs/contents/1915.htm> (accessed March 13, 2012).

¹⁸³ “1915 Declaration.” See Walter Metzger, “The German Influence,” in *Academic Freedom in the Age of the University* (New York: Columbia University Press, 1955), 93-138. The concept of academic freedom had existed long before the AAUP’s 1915 *Declaration*. The American concept was inherited from the German concepts, *Lernfreiheit* and *Lehrfreiheit*. *Lernfreiheit* meant the freedom for students to select courses without coercion. *Lehrfreiheit* meant freedom for professors to research and report in the classroom or in publication. Metzger provided a great summary on the German influence and argued that German concept, *Lehrfreiheit*, greatly influenced American scholars.

its relation to the First Amendment. The final section, the 1980s to the 2000s, turns to the limitations of academic freedom. Throughout the last one hundred years debates about academic freedom have rehashed some of what was debated in 1910, demonstrating that contemporary issues can benefit from understanding previous discussions. The situations and context have changed throughout the last one hundred years, even the nuisances of the debate, but as the follow pages demonstrate, the topics appear again and again.

From 1915 to the 1950s, the definition of academic freedom started with the simple principles outlined by the 1915 *Declaration*. The 1940 *Statement of Principles on Academic Freedom and Tenure* identified the same three elements of academic freedom, but added stricter conditional statements to ensure its protection. In it were outlined three principles of academic freedom. The first principle stated professors had the right to research and publish as long as professional duties were carried out adequately. The second principle defended professors' freedom to discuss any relevant topic in the classroom. The final principle stated that professors had the right to speak as citizens but with caution for accuracy and respect lest they bring damage to their own reputation or that of their institution of employment. Both statements defended professors' external activities, but the 1940 *Statement* protected their activities only when they did not damage the reputation of the university. The 1940 *Statement* also championed the practice of academic tenure as a method of protecting academic freedom.¹⁸⁴

In the 1950s, Glen R. Morrow argued that faculty belonged to a privileged class of intellectuals. Morrow advocated the necessity for this privilege to appropriately judge

¹⁸⁴ American Association of University Professors, "1940 Statement of Principles on Academic Freedom and Tenure," <http://www.aaup.org/report/1940-statement-principles-academic-freedom-and-tenure> (accessed March 13, 2012).

a professor's work. He believed that central to academic freedom was accountability. Yet, the only group capable of keeping professors accountable was their peers. This concept was not unprecedented or without debate as noted in chapter three. The *Free Press* argued that professors had a responsibility to Wisconsin citizens above their intellectual pursuits. Professors did not possess the privilege to teach anything they chose, but what the people chose for them, according to the newspaper.¹⁸⁵

Between the 1960s and 1980s, scholars such as William W. Van Alstyne, Ralph F. Fuchs, William P. Murphy, and Bryne J. Peter tied academic freedom to the First Amendment, arguing for legal protections, not just institutional protection. Even though the discussion concerning the relationship between academic freedom and freedom of speech fully developed during the decades following 1960, it was not a new concept. As noted in chapter two, Regent Jones asserted that suppression of freedom of speech was necessary when that speech was dangerous. That included silencing Emma Goldman as well as Ross, since exposing students to radical ideas carried with it an inherent danger of turning them into radicals. Indeed, Regent Trottman asserted that the attack upon Ross was a demonstration of hostility towards freedom of speech.¹⁸⁶ Both Jones and Trottman assumed a relationship between freedom of speech and academic freedom. They never made a definitive distinction between the two. In chapter three newspapers did the same.

¹⁸⁵ *The Beloit Daily Free Press*, "State Aghast at University Reds," January 31, 1910; *The Beloit Daily Free Press*, ca January, 1910, Box 18 Folder 264, Van Hise Papers; Glen R. Morrow, "Academic Freedom," *Bulletin of the American Association of University Professors* 40, no.4 (Winter, 1953/1954): 529-535.

¹⁸⁶ Jones to Van Hise, February 5, 1910; Trottman to Van Hise, February 7, 1910, Box 18 Folder 264, Van Hise Papers.

In the 1960s and 1970s the relationship between the freedom of speech and academic freedom was taken up in more detail than in 1910.¹⁸⁷

In the 1960s and 1970s linking academic freedom to the First Amendment became standard practice. William W. Van Alstyne asserted that political censorship had become rampant, particularly in state universities. Van Alstyne argued that academic freedom not only covered classrooms but university auditoriums or buildings in which invited guests typically spoke. He felt that university administrators were turning away guest speakers based on their political affiliations. He argued that academic freedom not only involved the right of the university, but also the right of outside speakers to address the school, and the university community members' right to attend. If the guest speaker presented at a time that was convenient, an appropriate venue was available, and the guest would not disrupt the educational atmosphere, then they should be allowed to speak.¹⁸⁸

Van Alstyne argued that academic freedom had also come to include a professor's right to be politically active. He called for a constitutional definition of academic freedom, by making it a subset of the First Amendment, thus protecting it under the law. Under the law, Van Alstyne argued, academic freedom applied to all, including outside speakers, professors, as well as any university member.¹⁸⁹ In a 1964 essay on the

¹⁸⁷ *The Daily Tribune*, "'Free Speech' was the Issue," ca 1910; *Madison Democrat*, "Goldman Welcome at University," February 9, 1910, Box 18 Folder 264, Van Hise Papers.

¹⁸⁸ William W. Van Alstyne, "Political Speakers and State Universities: Some Constitutional Considerations," *University of Pennsylvania Law Review* 111, no. 3 (January, 1963): 342.

¹⁸⁹ See Van Alstyne, "The Constitutional Right of Teachers and Professors," *Duke Law Journal* 1970, no. 5 (October, 1970): 841-879; "The Specific Theory of

legal side of academic freedom, Ralph F. Fuchs argued that academic freedom was a constitutionally guaranteed freedom. Academic freedom protected university members' right to speak freely as scholars and citizens.¹⁹⁰ In another essay William P. Murphy argued that academic freedom as a subset of the First Amendment constitutionally protected tenure.¹⁹¹

A collection of essays published in the early 1970s, focused on academic freedom's role in society and provided justification for its continued protection. Milton Fisk argued that the "right to academic freedom is a right to publish and teach with impunity as long as there is general conformity to professional standards."¹⁹² Fisk asserted that those professional standards often aligned with the interest of the wealthiest in society. He feared that this would ultimately marginalize citizens whom the university served.¹⁹³

In the late 1980s Bryne J. Peter attempted to answer this fear by suggesting academic freedom should become part of the democratic process. He stated that a "First

Academic Freedom and the General Issues of Civil Liberties," *Annals of the American Academy of Political and Social Science* 404 (November, 1972): 140-156. Van Alstyne included a more in depth description on the what academic freedom as a constitutional right would mean.

¹⁹⁰ Ralph F. Fuchs, "Academic Freedom—Its Basic Philosophy, Function, and History" in *Academic Freedom: The Scholar's Place in Modern Society*, ed. Hans W. Baade and Robison O. Everett (New York: Oceana Publications, INC, 1964).

¹⁹¹ William P. Murphy, "Academic Freedom—An Emerging Constitutional Right" in *The Scholar's Place in Modern Society*, 54.

¹⁹² Milton Fisk, "Academic Freedom in the Context of a Class Society," in *The Concept of Academic Freedom: Papers, Some with Revisions, of a Conference Held at the University of Texas, April 13-16, 1972*, ed. Edmund L. Pincoffs (Austin, TX: University of Texas Press, 1972), 19.

¹⁹³ Fisk, 22-26.

Amendment right of academic freedom should support primarily formal teaching and scholarship,”¹⁹⁴ and that the First Amendment already protected outside activities, political or otherwise. Peter suggested that making academic freedom a subset of the First Amendment not only protected scholarship as well as political activity, but put the judgment of scholarship and speech in the people’s hands. He argued that academic freedom would then become part of the democratic process by allowing citizens to determine the professional standards that judged the validity of scholarship.¹⁹⁵

In the 1970s and 1980s, during debates on the legal side of academic freedom, scholars such as Paul H. L. Walter and Sheila Slaughter put forth philosophical arguments about the limitation of academic freedom. Society, religion, politics, and business were factors in limiting academic freedom. In particular, Fisk and Slaughter warned universities of aligning themselves with business, as it would harm academic freedom. Chapter two and three pointed to the role politics played in outlining the rights and limitations of academic freedom at the University of Wisconsin in 1910. Edward Ross was censured for his political positions and discussions about academic freedom in Wisconsin newspapers had strong partisan rhetoric. The scholars listed above simply picked up on themes that have been a consistent part of the debate on academic freedom.¹⁹⁶

¹⁹⁴ J. Bryne Peter, “Academic Freedom: A Special Concern of the First Amendment,” *The Yale Law Journal* 99, no. 2 (November, 1989): 282.

¹⁹⁵ Bryne J. Peter, 282.

¹⁹⁶ Paul H. L. Walter, “Academic Freedom: Seventy Years Later,” *Academe* 72, no. 5 (September-October, 1986): 1a-5a; Sheila Slaughter, “Academic Freedom and the State: Reflections on the Uses of Knowledge,” *The Journal of Higher Education* 59, no. 3 (May-June, 1988): 241-262.

In 1986 Walter asked, “Where do you draw the line,” when it comes to the limit of academic freedom.¹⁹⁷ Government often drew the line at criticism of the state. Even the earliest champions of academic freedom called for silencing antiwar university members during World War I. Walter pointed to a more current example when President Ronald Reagan’s undersecretary of defense called for defunding researchers who criticized the Strategic Defense Initiative. Walter also suggested that religious organizations honored academic freedom, but only within the confines of their respective doctrines. Church doctrine always trumped academic freedom. Walter concluded that any limitation of academic freedom stifled progress. He argued that even statements in error produced valuable results.¹⁹⁸

Sheila Slaughter argued in her essay “Academic Freedom and the State” that the limit of academic freedom was contingent upon universities’ value to private business. In particular, political debates in the 1970s about tax dollars supporting public higher education emphasized universities’ responsibility to produce a technically skilled work force. She asserted that politicians demanded universities “produce workers better able to serve the private sector.”¹⁹⁹ This led many university presidents to create “university-industry partnerships” in order to vie for state resources. She cautioned that these partnerships disregarded the right of academic freedom in pursuit of profit.²⁰⁰

¹⁹⁷ Walter, 1a.

¹⁹⁸ Walter, 3a-5a.

¹⁹⁹ Slaughter, 245.

²⁰⁰ Slaughter, 246-247, 254-259.

From the 1980s to the 2000s, calls for reform came from critics of American universities, such as Allan Bloom and David Horowitz, as well as academic freedom defenders such as Lawrence Levine and Walter P. Metzger. Critics argued that true reform would come about when the right of academic freedom extended to students rather than focusing on protecting faculty members. Over the years, American universities had placed greater emphasis on academic freedom for professors, often overlooking students. Yet, students have always played a role in the debates on academic freedom, as evidenced by the 1910 University of Wisconsin Class gifting of the *Sifting and Winnowing* plaque. Chapter two argued that the plaque not only memorialized a clear statement in support of academic freedom, but that the students' act of bronzing those words and leaving it as a gift to the university was an act of asserting their views on academic freedom. The students used the plaque as a means of highlighting the Board of Regents' violation of academic freedom.

One of the key critics of American universities' definition of academic freedom, Allan Bloom in his book *The Closing of the American Mind*, lamented that university professors remained protected while they continued to indoctrinate students into believing in cultural relativism. He felt that students had been taught to "[accept] everything and deny reason's power,"²⁰¹ a central axiom of cultural relativism. Radical professors concerned with emphasizing tolerance of all ideas, prevented students from cultivating intellectual skills.²⁰² Bloom's criticism of universities, albeit more of a

²⁰¹ Allan David Bloom, *The Closing of the American Mind* (New York: Simon and Schuster, 1987), 38.

²⁰² Bloom, 341.

criticism of political correctness, highlighted the lack of debate about students' academic freedom.

Historian Lawrence Levine argued that Bloom's criticisms were based upon a false belief that "until the 1960s [universities were] ruled by the study of Western Civilization and a canon of the Great Books."²⁰³ Bloom argued American universities had abandoned the pursuit of truth. Bloom's criticisms, according to Levine, stemmed from a strong belief that the "old values" produced great schools. Levine asserted Bloom and others like him, in reality, were engaging in a cultural debate within America's universities. "There is fragmentation in the United States; there is distrust; there is deep anger and much of this is reflected in and acted out in universities," Levine wrote.²⁰⁴ The survival of academic freedom needed to adapt to the cultural changes happening in universities.²⁰⁵

Roger Kimball asserted that the corruption of academic freedom resulted from putting too much emphasis on protecting professors instead of students. Academic

²⁰³ Lawrence Levine, *The Opening of the American Mind: Canons, Culture, and History* (Boston: Beacon Press, 1996), 15.

²⁰⁴ Levine, 31.

²⁰⁵ Walter P. Metzger, "1940 Statement of Principles on Academic Freedom and Tenure," *Journal of British Studies* 53, no. 2 (Summer, 1990): 3-77. Metzger also argued that academic freedom needed to change to adapt to contemporary culture. He wrote, "it has stepped on the toes of so many potential academic supporters—the libertarians who deplore its stand on freedom, the unionist who believe arbitration would be substituted for peer review, the many who expect more of it than it delivers and would wish it had said less on many counts—that one may wonder whether it will hereafter find anyone to befriend it (77)." Ralph S. Brown and Jordan E. Kurland, "Academic Tenure and Academic Freedom," *Law and Contemporary Problems* 53, no. 3 (Summer, 1990): 335-349. Brown and Kurland agreed that change was needed, but that it was going to come from changes to tenure.

freedom had been corrupted by what he referred to as “tenured radicals.”²⁰⁶ Kimball argued that the political ideology of 1960s radicals influenced a generation of scholars who rejected traditional education in favor of special interest studies (i.e. feminist studies, ethnic studies, and gender studies). He accused professors of pursuing political agendas by using the classroom to indoctrinate students.²⁰⁷ Alan Kors and Harvey Silvergate’s *The Shadow University* asserted that speech code policies were another form of indoctrinating students. Kors and Silvergate wrote, “on college campuses the drive for speech codes, for double standards in their applications, for the mechanisms of indoctrination in their rationales, and for the disciplinary systems to enforce their [structures], comes from the Left.” They explained under the guise of political correctness, prompted by the Left, students had their academic freedom violated, particularly the voices of conservative students.²⁰⁸

David Horowitz is one of the most vocal critics of academic freedom, particularly for what he believes is a lack of protection of students. His most current book, *Reforming*

²⁰⁶ Roger Kimball, *Tenured Radicals: How Politics Has Corrupted Our Higher Education* (New York: Harper & Row, 1990), xiv.

²⁰⁷ Kimball, xv.

²⁰⁸ Alan C. Kors and Harvey Silvergate, *The Shadow University: The Betrayal of Liberty on Americas Campuses* (New York: Free Press, 1998), 67; D. Sunshine Hillygus, “The Missing Link: Exploring the Relationship Between Higher Education and Political Engagement,” *Political Behavior* 27, no. 1 (March, 2005): 25-47. In the 2000s D. Sunshine Hillygus studied students’ proclivity for political activity. Hillygus demonstrated that college graduates had a higher level of political engagement, because, as Hillygus stated, “higher education imparts the knowledge, skills, and political familiarity that help in navigating the political world (27).” In other words, college graduates received a great deal of information on the political process and therefore graduate equipped to participate in political discourses and politics in general. The conclusion pushed back against critics who focused on student indoctrination into politics.

Our Universities (2007), detailed his efforts to persuade schools to adopt his “Academic Bill of Rights.” The “Bill” on the surface reaffirmed the AAUP’s 1915 *Declaration* and the 1940 *Statement*, but included extensive language about students’ protection. The “Bill” included provisions for ensuring students are graded fairly regardless of political or religious beliefs, as well as ensuring students are exposed to all viewpoints. Horowitz insisted that universities were hostile towards conservative students, supplanting their political views and indoctrinating students into liberal professors’ views. He argued the problem began when liberal arts colleges hired large numbers of liberal professors beginning in the 1970s. The resulting dearth of conservative professors in higher education led to unbalanced viewpoints in the classroom. For Horowitz, the lack of conservatives proved universities desired to present a singular liberal prospective. Horowitz concluded that preservation of academic rights required that students have a means of combating such biased thinking, specifically, by giving them a path for expressing grievances. He wrote, “without an institutional change—without formal university support for students’ academic freedom—there was little chance that other students facing politically motivated or ideologically hostile teachers would be able to find redress in the university system.”²⁰⁹

Horowitz also made the debate about academic freedom a political issue. His main contention about academic freedom’s structure was that it insulated liberals and sanctioned persecution of conservatives. One only needs to read his *101 Most Dangerous*

²⁰⁹ David Horowitz, *Reforming Our Universities: The Campaign for An Academic Bill of Rights* (Washington, DC: Regnery Publishing, INC, 2010), 108, 1-12; Horowitz, “Appendix I: The Academic Bill of Rights” in *Indoctrination U: The Left’s War Against Academic Freedom* (New York: Encounter Books, 2007).

Academics in America, written several years earlier, to see that his criticisms come from a particular political position.²¹⁰

Chapters one and three both demonstrated that politics has had a long history of being a part of debates about academic freedom. Chapter one argued that Ross was censured for his political views. The Goldman and Sercombe incidents were an excuse for certain Stalwart Regents to silence Ross for having written *Sin and Society*. Chapter three summarized the changing political atmosphere and highlighted the partisan nature of the debate on academic freedom presented by conservative and progressive newspapers. Chapter two, perhaps less directly, demonstrated how debates on academic freedom stemmed from institutional conflicts, but at Wisconsin, the conflicts occurred in the context of Wisconsin politics.

Politics, or rather political turmoil, played a central role in defining academic freedom in 1910 at the University of Wisconsin. Political turmoil as the context for defining academic freedom can be seen again one hundred years later, and once again in Wisconsin and at the University of Wisconsin-Madison.

On March 11, 2011 Wisconsin Governor Scott Walker passed the *Budget Repair Bill*. Governor Walker claimed the “emergency” bill would address the remaining one hundred and thirty-six million dollar deficit for the 2010/2011 fiscal year. The bill contained a provision increasing public employees’ contributions to their pensions and healthcare benefits in order to cover the deficit. The bill also included a provision that severely limited public workers’ collective bargaining rights. Public workers were

²¹⁰ Horowitz, *The Professors: The 101 Most Dangerous Academics in America* (Washington, DC: Regnery Publishing: 2006). The book provides a full list of professors Horowitz believed demonstrated how dangerous radical liberals harmed American universities.

permitted to negotiate salary raises within the Consumer Index.²¹¹ As a result, the governor's bill sparked a very public and heated debate. The bill directly affected Dr. William Cronon, Frederick Jackson Turner and Vilas Research Professor of History, Geography, and Environmental Studies at the University of Wisconsin-Madison. Cronon responded to the passage of the bill by offering his opinion on the current state of affairs as a professor, a public employee, and a Wisconsin citizen. He also felt that he contributed to the debate by offering a historical perspective.

He accused Governor Walker of breaking with Wisconsin's long-standing pro-labor tradition in a *New York Times* Op-Ed piece. Cronon demonstrated that Wisconsin had a heritage of establishing and protecting a range of labor rights for public and private workers. In the op-ed Cronon also found fault with Walker and Republican legislators for not only ignoring a long tradition of protecting collective bargaining rights in Wisconsin but also the manner in which the bill was introduced. The bill was rushed through the legislative process, restricting debate of the bill among legislators and the public. Passing it quickly prevented time to develop counterarguments. In Cronon's opinion Walker broke with Wisconsin's "tradition of open government."²¹² He wrote, "The legislation [Republicans] have enacted turns out to be radical not just in its content, but in its blunt ends-justify-the-means disregard for openness and transparency."²¹³

²¹¹ *2011 Wisconsin Act 10*, Assembly Bill 11, Wisconsin State Legislature, January 2011 Special Session, Republished June 28, 2011 (March 11, 2011).

²¹² William Cronon, "Wisconsin's Radical Break," *New York Times*, March 21, 2011, http://www.nytimes.com/2011/03/22/opinion/22cronon.html?_r=2 (accessed May 23, 2011)

²¹³ Cronon, "Wisconsin's Radical Break."

Roughly a week prior to penning the op-ed, Cronon created a blog titled “Scholar as Citizen.” As he had in the *New York Times* piece Cronon responded to the current situation as a professional historian and a concerned Wisconsin resident. He criticized the Governor for relying on a piece of legislation developed in collaboration with independent and secretive groups such as the American Legislative Exchange Council (ALEC). ALEC provided conservative state and federal legislators “model” legislation in line with ALEC’s national conservative agenda. Cronon expressed concern that this particular practice did not allow for public involvement. Non-Wisconsin residents crafted the legislation without knowledge of Wisconsin life. Instead of allowing Wisconsin citizens to shape laws, they could only respond to them. Cronon claimed Walker’s legislative agenda to remove public unions came from ALEC, and by adopting it Walker disregarded the participation of Wisconsin voters. He felt that this kind of practice damaged the democratic process and was at the heart of the deep division within Wisconsin, and called for civility between both parties.²¹⁴

On March 17, a Wisconsin Republican Party representative, Stephan Thompson, requested copies of Cronon’s emails from his state email account from January 1, 2011 to March 17, 2011 in accordance with Chapter 19.32 of Wisconsin Open Records Law.²¹⁵ Thompson wanted emails with keywords, such as Scott Walker, collective bargaining,

²¹⁴ Cronon, “Who’s Really Behind Recent Republican Legislation in Wisconsin and Elsewhere? (hint: It Didn’t Start Here),” entry posted March 15, 2011, <http://scholarcitizen.williamcronon.net/2011/03/15/alec/> (accessed May 23, 2011); Mike McIntire, “Conservative Nonprofit Acts as a Stealth Business Lobbyist,” *New York Times*, April 21, 2012, http://www.nytimes.com/2012/04/22/us/alec-a-tax-exempt-group-mixes-legislators-and-lobbyists.html?pagewanted=1&_r=1 (accessed May 25, 2011).

²¹⁵ Chapter 19: General Duties of Public Officials, Wisconsin Statutes (updated March 1, 2013).

Republican, and names of other Republican State legislators. Cronon concluded that the reason the Wisconsin GOP wanted his emails was due to his blog post on ALEC on March 15. Cronon wrote, “my study guide about the role of ALEC in Wisconsin politics must come pretty close to hitting a bull’s-eye.” He believed that Thompson was trying to suggest that Cronon used public resources for political purposes. This would have violated the University of Wisconsin System policy about employees using state issued emails for political activity. Cronon asserted that he had been mindful of this policy, purchasing his own computer equipment and using personal email for personal correspondence. In reality, Cronon charged that Thompson meant to embarrass him and as a result silence him.²¹⁶

Cronon’s modern day story demonstrates that one hundred years later, at the University of Wisconsin-Madison, statewide political division continues to find its way into the university. In 1910, Stalwart Republicans had power in the state legislature and the Board of Regents. They attempted to silence Edward Ross. In 2011, conservative Republicans took control of the state legislature. Cronon, considered a liberal by some, but a centrist by his own description, publicly criticized the Republican party for trying to silence him. Obviously certain parallels can be drawn between Cronon and Ross, but caution should be taken not to exaggerate their similarities. But the comparison does reinforce the notion that the process of defining academic freedom often occurs in the context of statewide political turmoil.

²¹⁶ Cronon, “Abusing Open Records to Attack Academic Freedom,” Scholar as Citizen, entry posted March 24, 2011, <http://scholarcitizen.williamcronon.net/2011/03/24/open-records-attack-on-academic-freedom/> (accessed May 23, 2011)

At the University of Wisconsin-Madison, the *Sifting and Winnowing* plaque continually reminds us of the value of academic freedom and the need to push back against attacks upon the university. Indeed, following Thompson's request, Cronon wrote that these kinds of attacks threatened academic freedom, "and in the academic world this raises special concerns because such inquiries have often in the past been used to suppress unpopular ideas." Cronon then quoted the *Sifting and Winnowing* plaque and proudly declared that the University of Wisconsin had a long history of supporting academic freedom, as evidenced by the plaque. Even though the plaque may not have had the cultural significance in 1910 as it did for Cronon one hundred years later, the plaque did and continues to contribute to the debate on academic freedom.²¹⁷

The 1910 spring semester was a time when American universities had yet to settle on an official definition of academic freedom. Revisiting the events of the spring semester provides insight into the future of academic freedom in Wisconsin. The memorialized words mounted on Bascom Hall at the University of Wisconsin-Madison, "that continual and fearless sifting and winnowing by which alone the truth can be found," are a reminder that the process of defining academic freedom continues.

²¹⁷ Cronon, "Abusing Open Records."

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