

***'Who Does the University Belong To?'***

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Rector Magnificus, Colleagues, Students, Ladies and Gentlemen. I feel very honoured to be invited to give the address at the start of the new academic year at this venerable university, and I would like to at least try to say: 'Het spijt mij dat ik mijn lezing niet in het Nederlands kan houden' [I apologize for the fact that I cannot deliver my address in Dutch]. I suspect one function of my attempt to pronounce that sentence will be to make everyone here grateful for the fact that my address will hereafter be in English.

I hardly need to tell any of you that the question of the role and future of universities is just at present a matter of unusually vigorous debate, not just here in the Netherlands but across Europe as a whole and indeed in many other parts of the world. These debates tend, I think, to take a particular form in those countries - such as the Netherlands and including my own country - where a system of publicly-funded higher education has traditionally been combined with a considerable degree of academic autonomy for universities. Although there is much diversity both within and across national systems, there are certain family resemblances among what, simply as a piece of convenient shorthand, we may refer to as the European model of the university, and it is here that questions about public accountability have been posed most pressingly. But just as we should not let our shorthand deceive us into assuming uniformity where there is in fact great diversity, so we should not fall into that kind of temporal parochialism that presumes these questions are unique to the present day. The truth is, I shall suggest, that societies have always wanted their universities to fulfil diverse and not always compatible purposes, and that universities have always been partly responsive to, and partly resistant to, those wider social demands. But although the structure of this dynamic endures, the content changes: just as we no longer regard mastery of Latin and Greek verse-forms as the hallmark of a gentleman - and would, indeed, be uneasy with both the class and gender assumptions built into such a term - so societies no longer regard the principal purpose of universities as being to provide ministers for the church or officials for the state.

Nonetheless, it is hard not to feel that at present we face a particularly delicate and contested moment in this long relationship, as global finance re-makes the world in its own image. Return upon capital is the shaping drive of contemporary societies, which leads to an assertion of the primacy of contributing to economic growth as the

goal and the extension of market-driven competition as the means. Universities are suspected of being at best irrelevant, at worst obstructive, to this agenda, and there is strong pressure for them to re-shape their own activities so as better to further these economic purposes. At the same time, the extension of ideas of democratic accountability leads societies to search for mechanisms by which to test and measure the performance of universities, along with all other industries and services, thereby generating another set of tensions as mechanical procedures are devised which attempt to provide some reliable quantitative indicator of those forms of intellectual quality that can, ultimately, only be judged not measured.

The resulting tensions between such assertions of society's demands and universities' affirmation of their intellectual autonomy are what lie behind the current debates summed up by the question 'Who does the university belong to?' This is obviously not chiefly a question about legal status, but about who gets to say what universities should be doing, about whose conception of their purpose should have most weight. This is the question I have been invited to address today, but I shall propose to you that we need to adopt a perspective which is less individualistic, less proprietorial, and less confined to the present generation.

Although, quite clearly, there is no timeless essence of 'the university', I would argue that there is a long history, with roots going back at least to the time of Wilhelm von Humboldt at the beginning of the nineteenth century, of seeing universities as partly protected spaces in which the extension and deepening of understanding takes priority over any more immediate or instrumental purposes. This idea has been powerful and in some ways resilient. It is noticeable that many institutions that were initially founded upon some other model, such as being a technical training institute or a community college, have aspired to what is perceived to be the status and freedom of a university, but that no university has ever made the journey in the reverse direction. Part of the complexity of the history of universities in most European societies lies in the interaction of two patterns. On the one hand, long-established universities have frequently responded to pressures to accommodate new subjects or to educate students in new ways in response to changing social and economic demands. Yet on the other hand, institutions founded to further particular local or immediate aims have over time shown a tendency to devote themselves principally to more disinterested, long-term forms of intellectual enquiry. Critics of universities have frequently claimed that universities need to be recalled to the socially valuable purposes of studying and teaching 'useful' subjects, rather than what are stigmatised as 'useless' academic disciplines.

But the truth is that the distinction between the ‘useful’ and the ‘useless’ is a rhetorical construction with no fixed or determinate content. Intellectual enquiry is in itself ungovernable: there is no predicting where thought and analysis may lead when allowed to play freely over almost any topic, as the history of science abundantly illustrates. It is sometimes said that in universities knowledge is pursued ‘for its own sake’, but that may mis-describe the variety of purposes for which different kinds of understanding may be sought. A better way to characterise the intellectual life of universities may be to say that the drive towards understanding can never accept an arbitrary stopping-point, and critique may always in principle reveal that any currently accepted stopping-point *is* ultimately arbitrary. Human understanding, when not chained to a particular instrumental task, is restless, always pushing onwards, though not in a single or fixed or entirely knowable direction, and there is no one moment along that journey where we can say in general or in the abstract that the degree of understanding being sought has passed from the useful to the useless.

In other words, it is not the subject-matter itself that determines whether something is, at a particular moment, classed as ‘useful’ or ‘useless’. Almost any subject can fall under either description: the study of Classics was useful for the early-modern statesman and administrator, just as Theoretical Physics may seem useless to the contemporary entrepreneur. Rather, it is a question of whether enquiry into a subject is being undertaken under the sign of limitlessness - that is to say, not just, as with the development of all knowledge, subject to the testing of hypotheses or the revision of errors, but where the open-ended quest for understanding has primacy over any application or intermediate outcome. This, we might say, is one mark of an academic discipline, and for this reason attempts to make universities into a type of institution where scholars and students study only what is ‘useful’ are bound, eventually, to end in a kind of failure. The attempt itself can do untold damage, of course, and I am not proposing we should take much comfort from this thought. But all endeavours after systematic understanding of some particular subject-matter are prone to generate further reflections on the limitations or premises of that understanding which cannot themselves be entirely corralled or subordinated to present uses. Moreover, present uses soon become outdated, but the forms of enquiry they provoked do not, or at least they get absorbed into continuing larger enquiries. From time to time, efforts will be made by governments or other representatives of the presumed ‘needs of society’ to re-direct these energies in some currently favoured practical direction, which partly accounts for the continuing gavotte danced by proponents of the ‘useful’ against the ‘useless’.

Within what I am calling the partly-protected space of the university, various forms of useful preparation for life are undertaken in a setting and manner which encourages the students to understand the contingency of any particular packet of knowledge and its inter-relations with other different forms of knowledge. To do this, the teachers themselves need to be engaged in constantly going beyond the confines of the packets of knowledge that they teach, and there is no way to prescribe in advance what will and will not be fruitful ways to do that.

Undergraduate education involves exposing students for a while to the experience of enquiry into something in particular, but enquiry which, in itself, has no external goal other than improving the understanding of that subject-matter. One rough and ready distinction between university education and professional training is that education relativises and constantly calls into question the information which training simply transmits. In this sense, education encourages the student to recognise the ways in which particular bits of knowledge are not fixed or eternal or universal or self-sufficient. That may be done about almost any subject-matter, though it can only be done through engagement with some *particular* subject-matter, not simply by ingesting a set of abstract propositions about the contingency of knowledge, and the more there already exists an elaborated and sophisticated tradition of enquiry in a particular area, the more demanding and rigorous will be the process of acquiring and revising understanding. In other words a university education has to be in large part an education *in* a discipline, though what is really happening is education *through* a discipline.

The dialectic between the push of immediate local pressures and the pull of long-term open-ended enquiry can be illustrated from the histories of universities in various countries, but let me take an example from the country I know best. From the mid-nineteenth century onwards, the business leaders in the great provincial cities that had grown up in Britain as a result of the Industrial Revolution - cities such as Birmingham, Manchester, Leeds and so on - supported the establishment of institutions that would both prepare young men for a career in commerce or industry and develop inventions and processes that would benefit those local industries. The existing universities of Oxford and Cambridge were perceived as remote, conservative, clerical, and irrelevant to the needs of these booming industrial centres. The new University of Birmingham, therefore, would have a 'Faculty of Commerce' - something that sounded like a contradiction in terms to the representatives of the traditional universities - and the University of Manchester, in the great capital of the cotton industry, would have a laboratory that conducted research into textile manufacturing.

The young gentlemen of the traditionally privileged classes scoffed at the evident philistinism of these new institutions - 'At Liverpool and Birmingham, They get degrees for making jam'. But there was no evading the logic of the Faustian pact. An institution that wanted to develop applied science had to have teachers who could master the underlying pure science, and that is necessarily an ever-moving frontier. An institution that wanted to teach commerce was quickly drawn into appointing those who understood the principles of economics or the development of recent and not-so-recent history and so on. And there was also what we could call either civic pride or a kind of cultural snobbery, whereby those who wanted their local universities to take their places among the world's great institutions of higher learning knew that they must also have departments of mathematics and astronomy and philosophy and classics. So powerful were these impulses that already by the early twentieth century, the most influential school of medieval historians in Britain was to be found not in one of the ancient centres of learning but in Manchester.

But I can illustrate my theme more concretely - indeed, with a literally concrete example - by referring to the facade of the main building at the University of Birmingham, which finally received its charter as an independent university in 1901. When Josiah Mason, a successful local businessman, had founded a college in the city almost half a century earlier he had insisted that it was to be devoted to 'systematic education and instruction specially adapted to the practical, mechanical, and artistic requirements of the manufactures and industrial pursuits of the Midlands district... to the exclusion of mere literary education and instruction.' This represented the assertion of social purpose in its most imperious form. But by the time the new buildings were being erected in the first decade of the twentieth century, there was a strong feeling that the larger dignity of the university's purposes should, literally, be carved in stone. Accordingly, three of the four main friezes on the facade of the Great Hall represented several types of local industry, drawing on the applied sciences, but the fourth, over the central entrance, signalled something else, something intended to be emblematic of 'Learning', something that, as it was put at the time, 'refers to the function of the university at large'. This message was made even clearer by the placing of nine statues in niches over the main entrance. Initially, there was some tension between the desire to have figures with a connection to the Midlands district and the desire to choose representatives of, as it was put, 'great men of all time'. This led to some implausible claims: the composer Felix Mendelssohn Bartholdy, for example, was proposed on the rather shaky grounds that the first performance of his *Elijah* had taken place in Birmingham Town Hall. Special interest groups also had their say: the Faculty of Commerce proposed Adam Smith, the Law Faculty Francis Bacon. Eventually, the

inevitable compromise and opportunism of the committee process issued in the agreed nine, who adorn the main entrance to this day.

Before I relieve your tension by announcing the lucky winners, let me just remark the presence of two nineteenth-century assumptions that operate less powerfully today. One was the veneration of an agreed canon that represented a wholly unrelativised notion of culture, and the other was the propensity to express important public convictions by means of statues. Modern sensibilities are both less prone to carve sermons in stone, and much less deferential to the idea of Great Men, and not just because of their maleness. But the first Principal of the new university, Oliver Lodge, insisted that in choosing the representative figures a broad view should be taken because, as he said, ‘the University in the future will include all branches of learning, and not merely the more technical branches which are in special evidence today’.

The statues finally selected to represent this ideal were grouped in threes. On one side were Faraday, Watt, and Darwin; on the other were Beethoven, Virgil, and Michelangelo; while the central trio comprised Shakespeare flanked by Plato and Newton. It was a clever compromise; science and engineering were represented by Faraday and Watt, both of whom came from the Midlands; the biological sciences by the great Darwin, who came from the neighbouring county of Shropshire, and mathematics and physics by the immortal Newton. And, of course, Shakespeare himself, who came from just down the road at Stratford, was another local boy made good. The Midlands connections of Plato, Beethoven, Vergil, and Michelangelo were, it’s true, a little more elusive, but they nonetheless signalled the ambition of the university to be, in Lodge’s words again, not just an institute of applied technology, but a ‘school of general culture in the great European tradition’.

There is much more that could be said about this example, but I’m sure you recognise the general point. Universities respond to local needs, but they also partake of a wider inheritance and therefore, I would suggest, also of an open-ended future. No-one, not even a wealthy local businessman who provides a large donation, can altogether determine their character, and that returns me to the theme of who owns the university. Although I am not addressing this question in legal terms, it may be helpful at this point to borrow a term from the legal framework governing many public and charitable institutions in the English-speaking world, such as museums and galleries as well as universities. Such bodies are often placed under the care of a Board of Trustees. A trustee is, of course, not an owner. Trustees have numerous duties and obligations, but no property rights. And the very category of trustee raises the question of who they hold their institution in trust

*for*, and this is one of the points at which we have to think beyond the present generation.

The fatal conceptual error involved in the new university funding system introduced in Britain in 2012 is that it treats the fee as a payment by an individual customer to a single institutional provider for a specific service in the present. By contrast, the proper basis for funding education is a form of social contract whereby each generation contributes to the education of future generations. It cannot be for a specific service because the ‘customer’, in the form of the student, is not in a position to know in advance exactly what benefit they may obtain from a university education. And it cannot really be to a single institutional provider because each university is only part of the world of learning: none of what they provide for their students would exist except for the work of many people over many generations in many other institutions. What we call a ‘fee’ is not really the price of a product: it is an undertaking to contribute to the costs of the system. In this respect it is more like a tax: just as a tax is the tithe which the citizen, as a member of society, pays towards the upkeep of that society, so a university fee is more like National Insurance contribution in Britain, a recognition of human solidarity in facing the common perils and opportunities of life. All of this is even more emphatically the case when, as with the new system in Britain and elsewhere, such as Australia, the fee is actually paid by means of a government loan which the student then repays through an income-contingent scheme over the next thirty years. This should make even clearer that the individual student is not paying for the libraries and laboratories in which they work or for the training and salaries of their current teachers, since that expenditure necessarily took place long ago. They are paying towards the maintenance of these things in the future, and it is a long future.

Moreover, universities do not fulfil their purposes merely by means of the formal instruction they offer, but by nurturing a broader atmosphere of open-ended enquiry. Although academic life has its hierarchies, it is in one sense irreducibly democratic, in that arguments and evidence are, in principle, sovereign, no matter who advances them. Let me illustrate several of these points with a small autobiographical story. I am shamelessly using it here as an idealised parable, and the only excuses I have for telling you a story about myself are, first, that it actually happened, and second, that it has the merit of making me look ridiculous.

When I was an undergraduate I attended the annual dinner in which final-year students mixed with the academics who were fellows of their college. I was seated across from a much older man whom I had never met before, and in the course of the evening we fell into a discussion about such small topics as what the basis of law is

and what the limits of the law's regulation of individual life should be. As it happened, I had just that week been set to read the classic works on the theory of Utilitarianism by Jeremy Bentham and John Stuart Mill for my course in the history of political thought, so, helped by the generous supply of college wine, I found I had many brilliant opinions to express on these topics. I started to argue with this older man, with all the assurance of a twenty-one year old who, a few weeks earlier, had never heard of Utilitarianism but who now knew exactly what was wrong with it and why no reasonable person could seriously entertain it for a moment. He argued back, thoughtfully and tactfully but also with some vigour. We must have argued for quite some time because suddenly I was aware that most of the other diners had left and the staff were begin to clear the tables. My interlocutor graciously said that he had found our discussion very interesting and we went our separate ways. I went to bed extremely pleased with myself for having so triumphantly set him straight about the obvious defects of the shallow theoretical position he had tried to uphold.

It was only the next day that I learned from one of my fellow-students who my interlocutor at dinner had been: it turned out that he was none other than Professor Sir Glanville Williams, at that time probably the most highly regarded modern exponent in the world of the legal and political theory of Utilitarianism. I was, of course, mortified that I had made such complete fool of myself, but as the years have gone by I have come more and more to admire what Glanville Williams did that evening. He hadn't talked down to me or condescended to me or dismissed me: he had, or so it seemed, taken me seriously as someone to disagree with, and he had done so above all by meeting my half-baked arguments with better arguments. I think that evening he gave me an invaluable lesson not just in understanding Utilitarianism, but in understanding what universities are about, including the thought that the freedom to make mistakes may be crucial to the process of learning itself. Of course, in turning this selectively-remembered experience into an illustrative anecdote I tacitly idealise it, but that may not be such a bad thing in the context of today's ceremony.

Glanville Williams is long dead and I suppose I am now in my turn likely to be perceived by the current generation of students as some old man across the table. But that sense of the obligation to hand on to others something precious that was in our time handed on to us should be both a chastening and a fortifying conviction - chastening because we are all too aware that we are pygmies standing on the shoulders of giants, and fortifying because there is something endlessly vigorous and self-sustaining in the enterprise of truly open-ended enquiry, an energy that is not easily suppressed or damned-up no matter how foolish or dogmatic we may sometimes be. Just as the arguments for and against Utilitarianism didn't belong to

Glanville Williams any more than they belonged to my opinionated 21-year-old self, so the university, the indispensable setting in which all such arguments can be explored and developed without limit, does not belong to any one party in the present.

One of the most striking features of those accumulations of deepened understanding and exact knowledge that we call scholarship and science is how small a proportion of them were created by those who presently hold posts in universities. What a 'customer' 'buys' from an individual university is not a 'product' or service that that university has created: it is access to a complex intellectual and cultural inheritance that is only maintained and passed on in the present by the combined efforts of scholars and scientists all over the world, a population that is frequently mobile and constantly being renewed. A single, isolated university is, strictly speaking, a mirage, just as inconceivable and unsustainable as Marx long ago pointed out was the Robinson Crusoe model of 'economic man'.

Ask yourselves what proportion of the books and articles students at Leiden are asked to read, or what proportion of the equipment they use and the experiments they replicate, were written or created by the present members of the academic staff of this university. If we cannot say who 'owns' an idea that was first thought fifty or a hundred years ago but is now discussed in seminars and laboratories across the world, so we cannot in any useful way say who 'owns' the universities in which such thinking is done. Of course, we have evolved such legal instruments as copyright, patents, and intellectual property rights generally, but most of what happens, and really matters, in both teaching and research is very little constrained by such instruments. I may, quite properly, have to pay for the permission to reproduce a poem by a living or recently deceased poet, but everything that happens in the minds and imaginations of the readers of that poem, all the accumulated critical attention that is brought to bear on it, all the comparisons with countless other poems that are implicit in all characterisations and judgements of it, all the knowledge of the language or of verse forms or of history that are presupposed by any probing discussion of it - we do not pay a fee to the 'owners' of the rights of these things each time we open our mouths or sit down at our keyboards.

Like all social institutions, universities have developed over time by a process that includes accident as well as design, a process that has taken different forms in different periods and different places, a process we don't altogether understand and are not wholly in control of. Perhaps we could imagine a world in which universities never existed; we could certainly imagine a world in which they are very different from how they are now - indeed, our descendants may well be living in

such a world before too long. But they are what, as things have turned out, we now have, and we would surely be foolish not to recognise the immense value mankind has derived from having institutions in which pushing at the boundaries of present understanding is not a secondary or instrumental aim, directed just at a particular, local outcome, but is the very rationale of those institutions themselves.

Such a rationale is compatible with various forms of funding and governance, as the diverse history of higher education amply attests, and I am not suggesting that this perspective dictates one set of answers to the questions currently troubling this and other countries. But I would suggest that such a perspective should have a chastening effect on any attempt to treat universities entirely as businesses whose profits can be accurately quantified, or to treat academics as operatives whose output can be exactly measured, or to treat students as consumers the satisfaction of whose wants is the only relevant index of educational success. The premises of market individualism encourage us to think in terms of property rights - personal, exclusive, enforceable. Even by asking the question 'who does the university belong to?' we risk colluding with this language - language which is, as always, so much more than just language - and we risk losing our capacity to articulate the conception of a collective but intangible enterprise sustained across time, both past and future, which is not the property of any one individual or group or institution or even generation.

The university understood in this way certainly doesn't 'belong' to the government in the Hague, or to that nebulous entity called 'Dutch society', or to the good burghers of Leiden; it doesn't belong either to tax-payers or to donors, necessary though their contributions may be; it doesn't belong to the professors who sometimes think of themselves as the one indispensable element, and it doesn't belong to the students who are periodically tempted to stake a symbolic claim by re-possessing an institution they feel is rightfully theirs; it doesn't belong, for all the magnificence of his title, to the Rector Magnificus, and nor does it belong to all those catering and support staff who might well say, in Brechtian vein, 'first there is lunch, then there is studying'. Universities belong as much to those figures represented on the facade at the University of Birmingham as they do to those whom Edmund Burke called 'the generations yet unborn', just as this particular university belongs as much to the first-year student who today begins one of the most exciting or most worrying, but anyway most intense, experiences of her life as it does to the shades of Hugo Grotius and Johan Huizinga. If there is any value in reflecting from time to time on the unanswerable question of who the university belongs to, perhaps it lies in this - in reminding us, amid difficult political and financial circumstances,

that we are only the trustees for the present generation of a complex intellectual inheritance that we did not create, and which it is not ours to allow to be destroyed.

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