

# When dollars do all the talking

The sacking of an academic suggests that commercial issues outweigh free speech. Brian Martin gives a view from the inside

**T**O many outsiders, the summary dismissal of Ted Steele from the University of Wollongong on February 26 was a clear case of victimisation. After all, for weeks before this, Steele had been publicly alleging that the marks of two honours students in his own department had been "upgraded".

Within the university, the response was curiously subdued, with relatively few individuals protesting via the email system. This may have been due partly to fear of repercussions. But another factor is that for those long familiar with Steele's behaviour, the issues seemed far more complex.

For years Steele has been an outspoken critic of the university administration and of many others, especially by sending emails to all academic staff. For example, he repeatedly attacked the appointment of what he called "Mickey Mouse professors", namely full professors whom he claimed did not measure up on scholarly merit.

Few enjoyed tangling with Steele. Some who sent him private emails were surprised to find them copied to everyone on campus, accompanied by Steele's commentary. On at least one occasion Steele's email access was cut off due to his violations of official guidelines on email usage.

Some on campus saw Steele as a valiant dissident, both in his paradigm-breaking neo-Lamarckian biological research — which he had pursued for more than two decades — and in his persistent

challenges to the university hierarchy. But at the same time, many found his behaviour obnoxious.

Of course, universities are supposed to be havens for unconventional ideas and challenges to authority. Steele was a beneficiary of academic freedom — until this year.

In January, the media reported on allegations of soft marking of fee-paying students, generating a vigorous debate. Steele went public with claims that two of his honours students, in 1997 and 2000, had their marks boosted — though only one was a full-fee student.

However, all evidence available shows that the university's department of biological sciences followed its assessment procedures for honours students to the letter in both cases, averaging marks from three thesis examiners and including marks from coursework and other assessment components.

Steele appeared to believe that he and the external marker knew what the student should really get and that any other result was tantamount to "upgrading". Every other academic in his department, on the other hand, supported the result obtained by following procedures.

The two students could have legitimately appealed if Steele's views had prevailed and normal procedures had not been followed. In light of his complaints, it is strange that Steele had raised no objection to the procedures when they were reviewed in 1999-2000.

One has only to talk to a few academics to hear of many cases in the university system where students' marks have been inappropriately boosted. However, the



**Clash:** Sacked whistleblower Steele, left, and VC Gerard Sutton, right

honours procedures set up by the department of biological sciences at Wollongong could well be a model for others, and they seem to have been followed meticulously in the cases raised by Steele.

Through the years, Steele did not endear himself on campus. Neither did he endear himself with union members by his attacks on the campus executive of the National Tertiary Education Union. With evidence failing to support his claims of upgrading, he was further losing credibility on campus.

He copied one of his emails to the NSW Ombudsman, among many other recipients. Deputy Ombudsman Chris Wheeler had to take this as a formal submission and, after assessing the evidence, gave reasons for declining to initiate a formal investigation. Basically, he found no evidence whatsoever of upgrading. With circulation of this report, Steele was beginning to lose

credibility outside Wollongong. Then Steele was dismissed because, in the vice-chancellor's words, the university's reputation was "placed at a serious and imminent risk as a result of Associate Professor Steele's claims". This act turned Steele into a martyr.

Steele was not charged with misconduct, nor were his actions formally investigated, which would be the normal process according to the enterprise agreement between the union and the university administration. The national union is taking the university to court not to support Steele's claims but to oppose his summary dismissal. If allowed to stand, the action would amount to overturning of previous court decisions that protect Australian academics from summary dismissal without a formal charge and hearing, and would be a grievous blow to academic freedom.

The case raises the question: Should academics be entitled to speak out publicly without penalty even if, in the eyes of nearly everyone else, they are wrong?

In an intellectual community, the accepted way to respond to contrary views is with evidence and arguments. This holds even when the contrary views are widely rejected as false.

From this perspective, the most appropriate way to respond to someone such as Steele is to present their own case in full and forceful terms, as indeed was happening at Wollongong. In short, in a free society the response to false and damaging speech should be more speech, not an attempt to shut up the speaker.

Although it is said that some academics at the University of Wollongong are quietly pleased that Steele is gone, I have yet to speak to anyone who thinks summary dismissal was the way to go about it. This gave him more credibility than he could have achieved on his own.

Even if Steele's specific claims of upgrading were wrong, the issues that he was addressing, including the commercialisation of higher education, are significant. His dismissal has sent a stark warning to others who might want to make public comment.

The sacking of Steele has given the appearance that commercial concerns are more important than free speech and that the University of Wollongong is more a commercial entity than an intellectual community. Ironically, this is precisely the point that Steele was making.

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