

# Whistleblowers — and why academic freedom is most threatened from within

Although Australia is part of the so-called 'free world', it is remarkable how dangerous it can be to openly disagree with powerful interests. Bill Toomer discovered this 20 years ago when, working in Perth as a quarantine officer for the commonwealth department of health, he ordered ships to be fumigated in the face of disapproval from his superiors. He ended up being charged with disobedience, transferred and demoted. Since then there have been a whole series of official inquiries into his treatment: he continues today to fight for justice.

Then there is the case of Vince Neary, an employee of the State Rail Authority. His complaints in 1989 about unsafe signalling practices and rorts in consultancy work were initially ignored. He was then given warnings, ostracised, demoted, sent to psychiatrists and finally, earlier this year, dismissed.

Those who investigate can discover dozens of cases like this. The organisation called Whistleblowers Australia, set up a few years ago, cannot begin to cope with the problem, especially since most dissenters have little or no money and are confronted by powerful vested interests. Many of these cases cannot be fully discussed in print because of Australia's stringent defamation laws, which act as a major impediment to free speech.

Dissenters are sometimes said to be self-interested trouble-makers who are paranoid and incompetent. Certainly it is the case that nobody openly admits to attacking free speech. When an employee is reprimanded, removed from normal duties, transferred, demoted or dismissed, the official explanation is invariably that they have not been doing



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their job properly. There is no ironclad way of proving that suppression of dissent has occurred.

However, when a person who has spoken out is treated more harshly than colleagues who, with a similar performance at work, have not criticised procedures or policies, then it is a reasonable inference that dissent is being attacked. Sometimes victimisation is blatant, but there are many more cases of subtle suppression.

Whistleblowers tend to be hardworking and conscientious employees who believe that the system works. They believe that if they speak out, through the proper channels, that problems of corruption, danger to the public, injustice or discrimination will be addressed. Their disillusionment can be intense. The community loses effective workers and suffers from failure to rectify problems.

Although governments and corporations seldom foster dissent, what about universities? They are, after all, supposed to be havens of

intellectual freedom. This is true to a certain extent, but dissent can be dangerous for academics too.

Ironically, academics often are safest when they are attacked from outside the university. When, in 1977, Peter Rawlinson and Philip Keane of La Trobe University spoke out about problems of cinnamon fungus in forests, the chairman of the Forests Commission of Victoria applied pressure to the vice-chancellor of the university to take action against them. The university defended Rawlinson and Keane.

During the Gulf War, Dr Robert Springborg of Macquarie University, who appeared in the media and did not fully endorse the Australian government's position, was attacked by the then prime minister Bob Hawke. Last year, then NSW premier Nick Greiner suggested that Professor Bob Gregory of the University of NSW be sacked for publicly disagreeing with state government accounting calculations. In both these cases, university officials defended the right of the academics to make comment.

The biggest danger to academics is attack from within. When in the 1970s Richard Sylvan and Val Plumwood wrote a critique of forestry philosophy and practice that was to be published at the Australian National University, members of the forestry department at the ANU applied pressure to prevent publication. They also prevented Sylvan from using the forestry department library. Sylvan and Plumwood's critique was a threat to the forest industry and state forestry commissions, with which elements in the ANU forestry

department were closely in sympathy.

Most risky of all for academics is to challenge their own superiors or administrators. Shirley Philips, a social scientist at La Trobe University College of Northern Victoria, did this: she was dismissed from her tenured lectureship earlier this year. This is also one interpretation of the recent denial of tenure to David Rindos, an archaeologist working at the University of WA, in spite of testimonials from some prominent archaeologists around the world. Rindos had expressed concerns about the behaviour of some members of the former archaeology department.

The Australian Higher Education Industrial Association is seeking to make it much easier for university vice-chancellors to dismiss academics. Although in principle this will make it easier to get rid of academics who are incompetent, it will undoubtedly be ap-

are much too concerned about the opinion of their peers, their promotions and their research grants. On the other hand, quite a few of those who do speak out are students or junior staff who do not have the protection of tenure.

What is more important than formal protections is the general climate of intellectual life. All the changes in higher education since 1987 have tended to discourage dissent: amalgamation of institutions, greater federal government controls, and promotion of managerial rather than collegial methods of decision-making. While the AHEIA has made a few noises about defending academic freedom, its actual proposals have gone in the opposite direction.

In a democratic society, dissent, dialogue and discussion are essential for promoting the common good. Rather than making it easier to attack academic dissenters, it would be far preferable to give greater protection to dissenters in government, business and other areas.

Dissent should be encouraged. It is part of a necessary feedback process in society that often increases efficiency, not to mention justice.

Formal protections are of little use unless there

is, in practice, a vigorous exercise of freedoms. William De Maria, who is carrying out a large and important study of whistleblowing in Queensland, says that we need to promote a "culture of dissent". To achieve such a culture is a difficult but worthy challenge for any society that calls itself free.

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plied selectively to dissenters. As shown by many cases, it is easy to concoct a legitimate-sounding set of reasons to attack someone even though the real purpose or effect is to suppress dissent.

Actually, academic tenure is not all that strongly linked to the exercise of academic freedom. Most tenured academics never have and never will speak out in public critically on any sensitive issue or about any powerful group. They