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XIII TRIENNIAL CONFERENCE

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AUSTRALIA'S UNIVERSITIES - A CURE FOR DISENGAGEMENT?

The Hon Justice Michael Kirby AC CMG

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A COMMONWEALTH SCHOLAR SPEAKS

I am a product of the Australian universities system. I enjoyed my time at university. I am here as the token outsider - a grateful graduate, a beneficiary of the system.

Nearing the conclusion of my education at the University of Sydney, Australia's oldest university, I accidentally discovered the entrancing world of student politics. To stay in the game and to improve my mind in the process, I undertook an economics degree as an evening student. In the years before McDonalds and microwaves, I would rush home to sausages and cabbage, bubbling away on the top of a saucepan. Not content with presidency of the

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* Justice of the High Court of Australia. One-time Chancellor of Macquarie University, one-time Deputy Chancellor of the University of Newcastle (NSW) and Fellow of the Senate of the University of Sydney.

Students' Council and of the Students' Union, I eventually undertook a post-graduate degree in law, for I had my eye on the glittering prize of election to the University of Sydney Senate - one of the oldest public bodies in Australia still in existence.

Thus began my love affair with university councils. It climaxed in my service as Chancellor of Macquarie University. University presidents may well conclude that anyone who so enjoyed thousands of university meetings, from youth to middle age, was in need of a good psychiatrist.

As I look back on the things I learned and friendships I made in those university days, I realise now how precious they were. Precious mostly for intangible reasons. Spiritual things that lie deep in the mind and the heart. People like me have a duty, as a citizen and as a university person, to tell those who are in charge of universities how important their mission is. Like all citizens, university leaders must adapt to change. And yet they must remain true to certain fundamental values. Getting the mix right is not easy. But it is vitally important, not only for national well-being but for the richness of spirit of the students temporarily in their charge. Those students may only come to realise their debt, twenty and thirty and forty years on.

There are some not so lovely features of Australia which the locals know and which foreigners may come to know, even in the

short time they are here. These include a rampant desire to cut down "tall poppies" and the highly divisive conduct of partisan politics, often spurred on by our media. But among of the great strengths of this country, dating back to its colonial days, has been a basic sense of egalitarianism and a feeling of guilt when the principles of equal opportunity are offended. This is nowhere more so than in the field of educational opportunities. It may take time - but in the end Australians generally achieve equal justice for all.

My parents could not have afforded to send me, and still less my younger siblings, to university if they had been obliged to pay full tuition fees from their meagre earnings. Happily, out of Australia's sense of civic fairness, in the decade before I entered university, steps were taken by successive federal governments to provide scholarships to encourage bright students from families of modest means to aspire to, and attain, university education.

It is often said that this move started with the Menzies government. It is true that the Commonwealth Scholarship Scheme first came into force in 1951, a year after Mr Menzies was elected to begin his long second term as Prime Minister. But the ground had been laid in 1943. In the midst of a deadly war, the Curtin government introduced the Commonwealth Financial Assistance

Scheme[1] for university students. By 1949, the Chifley government decided to establish a permanent scholarship scheme at university level[2]. In 1949, a ministerial statement was delivered by Mr Dedman, the Minister for Post-War Reconstruction[3]. The new federal scheme had manpower and economic objectives, including the rectification of the "grave shortage of highly trained personnel, especially in the professions"[4]. Commonwealth scholarships were introduced to cover university fees and to provide living allowances. Direct federal funding of universities was introduced by the Menzies government. In 1957 that government acted on the Murray Committee Report proposing that the number of Commonwealth scholarships be increased without delay. The Committee stated that the scholarship scheme had[5]:

> "... brought to the universities many able students who would not otherwise have been able to attend and whose special abilities might have been lost to the nation"

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1 G Hastings, "A Submission to the Review of Higher Education Policy and Financing".

2 Commonwealth Parliamentary Debates (House of Representatives), 27 September 1949, 580-581.

3 *Ibid,* speech of the Honourable Mr Dedman (Minister for Defence and Minister for Post-war Reconstruction).

4 Commonwealth Parliamentary Debates (the Senate), 21 October 1949, Senator McKenna, 1804.

5 G A Hastings, Submission to the Review of Higher Education Policy and Financing.

The scholarship scheme was expanded to post-graduate courses in 1959. After the Martin Report of 1964 propounded that "financial assistance for students [is] a sound investment and should be an integral part of planning for tertiary education"[6], the Menzies government expanded their coverage still further. By 1966 they had expanded it to include the Commonwealth Advanced Education Scholarship Scheme[7].

These schemes were absolutely vital to generations of students who today occupy positions of power and influence in Australia. Of the seven Justices of Australia's highest court, none was the child of a university graduate. All were Commonwealth scholars. All received their university education, effectively, at no cost for tuition and with no accrued debt to be repaid. All went on to earn incomes that attracted the maximum rate of taxation. In this way, all repaid their financial debt to the taxpayer. But the debt to education cannot be repaid in money alone. It includes spiritual riches and the personal sharing of civilisation in the precious years of youth. These are debts beyond price. The commitment to any country, dedicated to principles of equal opportunity in education, is repaid by a devotion to that country that is based on feelings deeper by far than shallow nationalism and noisy patriotism.

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6 *Ibid.*

7 Commonwealth Scholarships Board, *Annual Report* 1973 (final report), Parliamentary Paper No 313 of 1973, 12.

Looking back, the days of our university education were marvellous times of great expectations. Scholarships, teaching and increasing research were there. Class sizes were sometimes too large. But the tutorials made up for this. In them, there was vigorous interchange between the inquisitive minds of the students and the demanding intellects of the teachers. It was a disciplined age. Essays had to be produced on time, with no excuses tolerated. Examinations under the gargoyles in the university's Great Hall came thick and fast. A striving for excellence went without saying. The university faculty were respected. We knew the difference between full-time and part-time students. I was successively in each camp. And whether full-time or part-time, most students were engaged in student activities of the university and in the social issues of the day.

The issues of those times included the first scholarships for Australia's Aboriginal students; the warm welcoming to the Colombo Plan students from Asia; the rejection of "white Australia"; the fight against quotas for overseas students; and the political issues of anti-communism, the Vietnam War, abolition of the death penalty and equal rights for women. Voting in the student elections was high. Universities were a preparation for professional careers; but they were much else besides. These were days of liberal education and idealism and, like virtually all others of my generation at university, I drank deeply from that well.

FROM TEAS THROUGH HECS TO CROSS-ROADS

When, at long last, I ceased to be a university student, I witnessed from a greater distance the changes that came about in the Australian university sector in the last quarter of the twentieth century. For some part of that time, I did so from the governing councils of two of the newer universities.

The biggest change came about in 1974 when the Whitlam Labor government moved towards full federal responsibility for the funding of all tertiary institutions, including universities[8]. This move was based on a social policy intended to step up radically participation in universities in this country. In the decade to 1985, university enrolments grew by 18%; those in advanced education grew by more than 55%[9]. Whilst much independence was left to universities in this "command economy", things began to change in the 1980s with the introduction of an overseas student charge[10]. At that time too came the realisation, after the precedent of the United Kingdom, that in universities Australia had an export industry with

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8 L Maglin, "TEA for Whom? The Distributional Effect of Change from a Selective to a Universal Student Assistance Scheme", *Australian Quarterly*, December 1979, 59.

9 *Ibid* at 59; J G Davis, "Paying Several Pipers. The Funding of Universities" (1986) 86 *Australian Quarterly* 9 at 10.

10 Davis, *Ibid,* 10.

precious services to sell, as a safe English-speaking democracy on the edge of the Asian economic miracle[11].

Meanwhile, this explosion in tertiary education was supported on a personal level by the Universal Tertiary Education Assistance Scheme (TEAS). It had replaced the old Commonwealth scholarships after 1974[12]. In due course, TEAS was overtaken, in 1989, by the Higher Education Contribution Scheme (HECS), providing access to interest-free loans, repayable on an income contingency basis when the successful graduate was earning money. Although HECS was an initiative of the Hawke Labor government, it was praised by the incoming Minister in the Howard Coalition government, Senator Amanda Vanstone. She declared it "a major contribution to higher education in Australia" and said that "it was only fair that [her predecessors] be given credit for this"[13]. The Senator suggested that it could become an "international model which others follow". However, other Australian commentators, including Professor Peter Karmel, three-times a Vice-Chancellor, urged a return to a "comprehensive programme of national scholarships" to replace direct government funding[14]. He said that

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11 Jackson Committee (1984) cited Davis, 11.

12 Maglin, above n 8, 60.

13 A Vanstone, "Relieving the Pressure on Higher Education" (1996) 86 *Australian Quarterly* 1 at 7.

14 P Karmel, "Funding Universities" in T Coady (ed) *Why Universities Matter* (2000), 159 at 171-172.

this would deregulate higher eduction; reduce bureaucratic intervention in universities; promote student autonomy and choice; improve diversity in Australia's universities as each strove to find intellectual markets for their services; advance product differentiation, financial responsibility and a pluralist approach whilst maintaining federal control over aggregate expenditure.

It is into this world of never-ending controversies and proposals for reform that the present federal Minister of Education, Science and Training, Dr Brendan Nelson, has injected his consultation paper "Higher Education at the Cross Roads"[15]. The issues raised in this document are obviously too important to be left to university presidents and vice-chancellors. They are too important to be left to current academic staff, bureaucrats and students. In a sense, they transcend the concerns of this country and are relevant to all countries. Every citizen, but especially every graduate citizen who has benefited from university education, should become aware of the issues and should contribute to their resolution. Dr Nelson's impatience with the banal politicisation of education debates[16] is understandable. But, in Australia, this seems to be the only way that our political process knows of resolving strongly held differences of opinion.

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15 (2002) AGPS, Higher Education Review Consultative Process.

16 B Nelson, "Challenges in Higher Education Policy, Speech to the Economic and Social Outlook Conference, Melbourne, 5 April 2002, p 3.

DIFFERENCES OF OPINION

My review of the ever changing scene in university funding and student numbers in Australia over the past half century reveals some undoubted good news, for which successive Australian governments can take due credit.

In ever-changing ways Australians have continued to pursue the egalitarian ideal of supporting an increasing number of our school leavers to pursue university and other tertiary education, virtually as a right of citizenship. This is a big change in fifty years. It is reflected in the huge increase in the cohort of our people attending university. As befits a free people, we will continue to debate the most effective and responsible way to fund and increase that attendance still further. The rapid expansion in the number of universities that has responded to this new cohort of students produces challenges and dangers. But it also provides great opportunities for many whose parents could not even have dreamed of them. In my view, we should continue this expansion of opportunity, as an example of intellectual equity for other lands, and as an investment in our own country's future where mind has replaced meat and metals as the chief instrument of future wealth production.

It would be absurd to suggest that such radical changes would occur, in a world of radical change, without problems.

Some of these should be capable of solution, if the will is there. I refer, for example, to the suggested inability of 52,000 qualified Australians to gain entry to Australian universities last year[17]. Is this merely a market adjustment or an irreparable loss to individuals and the national economy? Are the complaints[18] about the proportionate decline in university funding objectively justified or simply the inevitable pitch of vice-chancellors for their share of the national budget? Vice-Chancellor Allan Gilbert of the University of Melbourne says that Australia's universities are "seriously under-resourced in international terms". He points out that "knowledge workers" represent "the most important single determinant of success for national and regional economies and corporations in the emerging global knowledge economy"[19]. So what we are talking about is obviously important for the future.

Most Australians, I believe, welcome the outreach of our universities to offer courses to fee-paying overseas students.

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17 Interview, *Sunday* Programme, 24 March 2002 by Laurie Oakes with Hon B Nelson MP.

18 A Gilbert, "Time is Running Out for Reform", *Australian Financial Review*, 6 March 2002, 55.

19 *Ibid.*

According to Macquarie University's Di Yerbury, Australia is now, in aggregate, the third biggest destination for international students behind the United States and the United Kingdom[20]. Our universities have a natural product to market in the language of international preference. But this new market must not be won at the cost of excellence and tough academic standards. Otherwise it will quickly lose credibility. It must not be won at the cost of local students or attention to their needs. It must not render our universities over-vulnerable to the demands of those who pay high fees, with expectations of easy success that are just as high. We should learn from our Colombo Plan experience. If the overseas students are simply integrated, with complete equality, amongst our own, they will become ambassadors of friendship in years to come when they also attain positions of power and influence.

The talk of making it to the so-called top one hundred universities in the world is a needless distraction. If you look at lists of such universities, they tend to be very much products of their own national or regional perspectives. The truth is that supreme excellence tends to be a reflection of highly prized individual researchers and teachers. Around them, true centres of intellectual leadership soon gather. They soon become known. There are many such centres in most Australian universities. They need to be

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[20] D Yerbury, "100 Centres in the Top 10" in *Syrius* (Macquarie University Alumni Magazine), Winter 2002, 6.

promoted and nurtured for their own sake. The idea that we can have two or three or four or six in the top hundred strikes me as a relic of colonial thinking that under-values the multi-pronged capacity of different universities, in the age of jumbo jets and cyberspace, to reach the very top in a variety of disciplines, whatever the age of their institution and whatever the quantity of its sandstone.

It is in this context that I offer two closing points.

There is a particularly worrying aspect of the university experience today. It is quite different from my time as a student. It was touched upon by Professor Craig McInnis in his inaugural professorial lecture at the University of Melbourne[21]. It concerns what he describes as the "signs of disengagement" amongst Australian university under-graduates. It appears to be connected with economic forces that mean that, today, many more under-graduates, nominally full-time students, are actually working full or part-time. According to Professor McInnis, this has meant greater difficulty in motivating such students to study; fewer hours available for university attendance; perennially late essays; demands that universities adapt to student requirements and, above all much less interaction with staff and fellow students.

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[21] C McInnis, "Signs of Disengagement? The Changing Under-Graduate Experience in Australian Universities", University of Melbourne, 13 August 2001.

This is not a feature limited to Australia. Surveys in the United States and other countries suggest a similar decline in academic engagement and an assignment of greater priorities in the university experience to training, so as to become "well off financially" rather than to acquire "a meaningful philosophy of life"[22].

To some extent, this change, that has come over the student body, may be linked with new information technology, with its element of depersonalisation. It probably began in the 1960s with the penetration of television. Families and partners now talk less together. They learn less from each other. They may know and respect each other less (but know more about the world) than did their forebears. They may be less engaged in, and more cynical about, the political process. So should we really be surprised that this disengagement is also true of the cohort of today's generation in the universities? The vote for the Students' Council at Sydney University in 2000 attracted only 4% of the students to vote[23]. Something is wrong there.

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22 *Ibid* at 6 citing A W Astin, "The Changing American College Student: Thirty Year Trends, 1966-1996", *The Review of Higher Education*, 21:2 pp 151-165 (1998).

23 B R Williams, *Liberal Education and Useful Knowledge - A Brief History of the University of Sydney 1850-2000* (2002) 53.

I agree with Professor McInnis that universities must adapt to "learning in a cyberspace environment"[24]. But I also agree with him that universities have to resist "disengagement by default"[25]. They have to fight against a "co-conspiracy" with today's students, perhaps under economic pressure, to make the university experience "undemanding". They must be strong enough to be *very* demanding of their students. To demand a real participation in the interactive exchange of knowledge and values that is the hallmark of the university experience. It is by serendipity, and out of such interchange, that the future leaders of the nation and the world will emerge. Isolation is intellectually and emotionally limiting. It is not the university way.

There is a final point, not unconnected. I want to come at it obliquely. Two decades ago, I became involved in the legal and ethical aspects of the AIDS epidemic. More recently, I have had a similar association with the marvels of the Human Genome Project. Each of these opportunities has given me the rare chance to meet leading scientists and technologists. Most of them work in top universities and associated institutions around the world, in constant dialogue with each other.

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[24] McInnis above n 21, 10.

[25] *Ibid,* 13.

Working with such people, many of them laureates of the Nobel Prize, I have come to realise what a big part human curiosity plays in the greatest leaps of knowledge. Frustrating as it may be to governments and university presidents who perhaps like to think that advances, potentially profitable, in the physical and social sciences can be produced on demand (if only enough capital is put in the right place), chance remains the supreme goddess of the biggest advances.

In the early days of AIDS I came to know David Baltimore, then a young American scientist. A modest, congenial man, he had none of the gravitas that one normally associates with the Nobel Prize. In the 1970s, before the human immuno deficiency virus was even dreamed of, Baltimore had noticed a strange condition recurring in a breed of African chimpanzees. It was peculiar. Eventually, it was traced to a new phenomenon, a retrovirus. It was the simian immuno deficiency virus: the monkey strain of HIV.

David Baltimore had absolutely no way then of knowing the calamity of AIDS and HIV that would soon hit the headlines, dominate funding and research and presenting a catastrophe to tens of millions of his fellow human beings. He was just curious about his monkeys. Very curious. He was supported in his curiosity, and his research, by his university. Yet, but for his research on SIV, we would have been at least a decade behind when HIV appeared. It would have taken Luc Montagnier and Robert Gallo that much longer

to isolate HIV and to develop the antibody test that was the beginning of humanity's long fight back against this new enemy. A classic case of pure research that, as it happened, paid back with precious bonuses.

Curiosity, interaction, discussion and the whole experience of university life are the ways in which, for centuries, the human mind has been expanded and the frontiers of rationality pushed forward. In the midst of the very proper debates in Australia and elsewhere about scholarships, foreign students, funding levels, lost chances and courses in cyberspace, we should rejoice in the ultimate function of universities to advance the boundaries of knowledge. To promote and teach rationality in the place of ignorance, superstition and hate. The university president who supported David Baltimore's curiosity deserved a share in his Prize. At the time, it could not have been justified in economic terms.

Universities must never cease insisting that curiosity is its own justification. It is the abiding special feature of their work. Universities and their graduate supporters must be uncompromising and unapologetic about this. And in Australia, we should continue to pursue the dual goals for our universities laid down for us 50 years ago by Curtin and Menzies: elitist excellence of intellect in the product with equal opportunity of admission to share in its riches.