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Libertarian speaker advocates College privatization

By [Alex Guillen](#) April 23, 2010

The College of William and Mary should go private to achieve efficiency and academic freedom, according to Neal McCluskey, the associate director of the Center for Educational Freedom at the Cato Institute, a Washington, D.C.-based libertarian think tank.

McCluskey spoke in McGlothlin-Street Hall Wednesday night at a forum hosted by Libertarian Students.

"The question is, 'is it time to privatize William and Mary?'" McCluskey said. "My answer is 'yes.'"

Efficiency, especially financial efficiency, is one of the primary reasons McCluskey advocates privatization.

"There are a lot of good reasons a school needs to be making decisions for itself, rather than a legislature in Richmond or, of course, the legislature in Washington," he said. "As a practical matter, the people who run the College of William and Mary, the people who are running the departments at the College of William and Mary, know better what the needs of the school are and what's going on throughout higher education than legislators in Richmond do."

Privatization would allow the College to have greater control over controversial decisions, such as faculty salaries, because College officials are more familiar with the higher education job market than politicians, McCluskey argued.

It would also allow for more flexibility in enrollment.

"It also makes more sense, at least from the standpoint of the College of William and Mary, for the College to decide who gets enrolled, [rather] than having politicians in Richmond say, 'Well, you have to have x percent in-state or x percent out-of-state,'" McCluskey said.

Currently, the College is required to compose classes of approximately 65 percent in-state students and 35 percent out-of-state, although last year several legislators introduced bills to the Virginia General Assembly that would increase the proportion of in-state students to as high as 80 percent. The bills failed to pass.

McCluskey cited the "opaque" admissions process in which College officials can freely decide which students are a better fit to the institution and the class. Such freedom can upset elected officials, he said.

Foremost among the College's concern with privatization, McCluskey said, is finances.

"What's the biggest concern from the school's standpoint? Presumably, it's that if you become fully privatized, you lose that safety net of school money," he said. "Well, the first argument against that is, your safety net's been getting smaller."

The other major reason for privatization regards academic freedom, McCluskey said.

"How do you reconcile academic freedom — the idea that students and professors should be able to pursue whatever knowledge, whatever inquiry they want, and say what they want — in order to find truth, to experience knowledge and things like that?" McCluskey said. "How do you reconcile that academic freedom with the fact that you are requiring a taxpayer to support that person's speech?"

That juxtaposition creates divisive conflicts, he said.

McCluskey cited several contemporary disagreements as



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examples of academic freedom under threat, beginning with Virginia Attorney General Ken Cuccinelli's recent advice to state institutions that they could not institute non-discrimination policies based on sexual orientation, gender identity or gender expression.

"Maybe you don't think of that as an academic freedom issue, but it certainly is," he said. "This is a value judgment, ultimately, and the question is, should an institution, a college or university be able to make those decisions themselves ... or do we let politics determine what a college or university does?"

The controversy was somewhat resolved when Gov. Bob McDonnell issued a statement affirming the state's policy of non-discrimination based on those criteria.

However, Virginia state law remains unchanged regarding the policy.

McCluskey argued the Wren Cross controversy from several years ago similarly constituted an academic freedom problem.

In 2006, then-College President Gene Nichol ordered the Wren Cross, a historic religious icon, removed from the Wren Chapel, except by request. The order created a maelstrom of criticism for Nichol.

"A lot of people — alumni especially, from what I understand — said, 'Look, you can't remove this cross from the chapel because this is essential to what William and Mary is,'" McCluskey said. "But by the same token, citizens of the state have the right to say, 'This is a public institution. I don't want my tax money in any way supporting religion.' So again you have something that cannot be reconciled. One way or another, some great value will have to be compromised."

Another issue of academic freedom cited by McCluskey is currently going through the U.S. Supreme Court. The case, *Christian Legal Society v. Martinez*, arose from a dispute between the CLS and Hastings College of the Law, a public law school in San Francisco, Calif. The school denied the Christian group recognition and funding because it discriminates on the basis of religion.

"How do you resolve that when you have a public institution? Somehow, someone's rights are going to get crushed," McCluskey said. "The only way you can solve this, or prevent these things from happening, and the only way you can keep politicians from constantly butting into academia, is you've got to separate school and state."

To prevent conservatives from turning universities into a "draconian right-wing hell" and liberals from turning it into a "liberal multi-cultural fantasy land," McCluskey said institutions of higher education — including the College — must privatize.

"Ultimately, higher education should be no different from almost any other good or service that we consume," McCluskey said. "It should be supported freely and operate freely. Privatization is really just another way of saying freedom."

Several students took issue with McCluskey's portrayal of privatization.

Betty Jeanne Manning '12 argued that public education helped prevent so-called brain drain, in which the most high-achieving students could leave their home states when they go to college.

McCluskey disagreed with Manning's assertion.

"I haven't seen research that says if a student goes to [college] in their state that they're going to stay in-state," McCluskey said. "If there isn't good economic reasons to stay in the state to begin with, people will leave."

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