

# ***The Legacy of Daantjie Oosthuizen: Revisiting the Liberal Defence of Academic Freedom***

André du Toit  
*Department of Political Studies  
University of Cape Town  
Cape Town*

## **Introduction**

The classic formulations of the liberal notion of academic freedom in the South African context date from the period of the late 1950s and early 1960s when the 'Open Universities'<sup>1</sup> had to define their stance in the face of the onslaught of Verwoerdian apartheid ideology and rampant Afrikaner nationalism. Adumbrated in the hallowed T. B. Davie formula ('our freedom from external interference in (a) who shall teach, (b) what we teach, (c) how we teach, and (d) whom we teach') and articulated more extensively in two short books, *The Open Universities in South Africa* (1957) and *The Open Universities in South Africa and Academic Freedom, 1957-1974* (1974), jointly published by the universities of Cape Town and Witwatersrand, these classic formulations were, above all, concerned with a defence of academic freedom essentially conceived as the *institutional autonomy* of the university vis-à-vis possible interference or regulation by the state.<sup>2</sup> Forty years on, it is time to revisit these classic defences of academic freedom from the very different vantage point of the newly democratic South Africa. Both the external and the internal contexts of academic freedom have radically changed. Not only has the statutory framework of the apartheid state been dismantled and the ideological force of Afrikaner nationalism spent but the former 'open universities' have themselves been transformed in various ways (though not in others). The relatively small-scale collegial institutions almost wholly dependent on state subsidies are now part of a massively expanded tertiary sector subject to the macro-politics of educational restructuring as much as the domestic impact of the managerial revolution within the university itself. In this new context academic freedom no longer has to be defended primarily against the external threat of state intervention; rather it has to be defined in relation to basic democratic norms of accountability and in the often non-collegial context of the contemporary academic workplace.

More specifically this paper will be concerned with revisiting the work and legacy of Daantjie Oosthuizen as a contribution to the development of a 'critical tradition', both at Rhodes and beyond. Oosthuizen was a product of the Stellenbosch philosophical tradition who had been appointed to the Chair of

Philosophy at Rhodes in 1957. Over the next decade until his untimely death at the early age of 43 in 1969, he wrote a number of seminal papers on key issues of political morality and the critique of ideology. Posthumously a selection of these papers, edited by Ian Bunting, was published in 1973 under the title *The Ethics of Illegal Action*.<sup>3</sup> Other papers, including one on academic freedom, were published as Occasional Publications by the Rhodes Philosophy department in a series entitled *Philosophical Papers* (the predecessors of the journal subsequently launched from the 1970s). Of particular relevance to our concerns is the paper, ‘Oor Akademiese Vryheid’, written in Afrikaans and published in Series 2 of the *Philosophical Papers*,<sup>4</sup> along with the essay ‘On Loyalty’ in *The Ethics of Illegal Action*. Perhaps because they addressed the philosophical fundamentals rather than the political headlines Oosthuizen’s papers were not taken up in the manifestoes issued on behalf of the liberal universities at the time. From our different vantage point of a post-apartheid democratic South Africa it may be a salutary exercise to revisit these papers in order to ask such questions as the following:

- What do Daantjie Oosthuizen’s critical analyses of the key issues bearing on academic freedom in the 1960s look like today?
- To what extent did they conform with the classic liberal defences of academic freedom articulated at the time?
- Did he conceive of academic freedom primarily in relation to the external threat of state intervention, or to what extent did he address issues of academic freedom within the domestic context of the university?
- What were the explicit or underlying notions of collegiality, autonomy and accountability involved in the articulations of academic freedom at the time compared to current perspectives?
- What could be identified as the legacy of Oosthuizen with a view to the development of a possible critical tradition in the South African context?

I will proceed, after some preliminaries, with a close reading of the paper ‘Oor Akademiese Vryheid’, taking in some passing references to such other publications of Oosthuizen as may be relevant.

### **Preliminaries**

It may be relevant to our topic of the legacy of Daantjie Oosthuizen that, as a student of philosophy starting out in the 1960s, I had a strong sense of his impact on the philosophical scene although my personal experience of, and contacts with, Daantjie Oosthuizen actually were quite minimal. When I began studying philosophy at Stellenbosch Daantjie had already left the campus and only Johan Degenaar was left of the dissident triumvirate – James Oglethorpe, Daantjie Oosthuizen and Johan Degenaar – who had contributed so markedly as graduate students to the Stellenbosch Philosophy Department over the previous decade. In his detailed account of the Stellenbosch philosophical

tradition, Andrew Nash has shown how the generation of Oosthuizen, Oglethorpe and Degenaar represented both the flowering of an intellectual tradition with deep local roots going back to the ‘Liberalism struggle’ in the Dutch Reformed Church during the 1860s but also its intellectual crisis as this generation found itself unable to articulate a coherent response to the political and ideological conflicts of the 1940s and 1950s.<sup>5</sup> Quite literally Oosthuizen constituted a direct link between the Stellenbosch tradition and the topic of this Round Table, i.e. the development of a Critical Tradition at Rhodes. At one level his move to Rhodes, along with his years in Oxford in 1962 and 1968, marked Oosthuizen’s own shift from phenomenology and existentialism to analytical philosophy; more pertinent to our concerns is the way in which, at another level, he brought to Rhodes key elements of critical thought rooted in the Stellenbosch tradition.

As a first year student at Stellenbosch in 1957 my own induction into philosophy was strongly shaped by two essays standardly set as core requirements for the first year course: one essay on Socrates, and another essay on the nature of the university. As lecturer, Johan Degenaar of course offered a supreme example of the Socratic mode of teaching in practice. More than the philosophico/theological systems of Karl Heim, Arnold Loen and Kierkegaard which constituted the official curriculum of the Stellenbosch Philosophy Department, it was the Socratic tradition of philosophising which had the greatest formative impact. When as a graduate student in the early 1960s I first encountered Daantjie Oosthuizen on a return visit to Stellenbosch from Rhodes we were all initially somewhat bemused by his transformation into an ‘analytical philosopher’. But there was no problem in recognising the familiar kindred spirit of the philosopher as a Socratic figure, now studiously fitted out with a pipe, who insisted that he had no authoritative answers to impart and only functioned as a gadfly by questioning our assumptions and stimulating critical questions. I do not recall that we discussed academic freedom, the morality of apartheid or Afrikaner nationalism at the time of this visit. But going by his publications, these were among his core concerns at this time. As we will see below, though, the Socratic figure will provide an important key to the understanding and interpretation of these texts and their relevance to a critical tradition.

### **Framing the problem of academic freedom**

While the official positions of the ‘Open Universities’ at the time articulated the issue of academic freedom self-evidently as a matter of defending the liberal tradition and its core values, this is not quite the way in which Oosthuizen, for his part, approached the problem of academic freedom in his paper ‘Oor Akademiese Vryheid’. Instead he carefully framed his analyses of academic freedom in a number of specific ways which require closer scrutiny. First he specifically framed the entire discussion as a test case for the possibility of

engaging in an ‘oop gesprek’ (a term taken from Van Wyk Louw and literally meaning an ‘open conversation’). Second, he posed the issue of academic freedom in the context of current ideological conflicts, and more specifically of Marxism and Afrikaner Nationalism as against ‘Romantic’ Traditionalism. (Significantly this framing made no explicit reference to the Liberal tradition). And thirdly, his more detailed analysis of the concept of academic freedom itself was primarily concerned to establish whether, and if so in what way, this term could make any coherent sense at all. Given the gravity of the threats to the universities posed by apartheid legislation and security measures at the time, this amounted to a surprisingly defensive, even self-defeating, strategy. I will briefly deal with the significance and implications of each of these three ways of framing the issue of academic freedom in turn.

(i) *Academic freedom: an ‘open conversation’?*

The most basic and general way in which Oosthuizen framed his analysis of the concept of academic freedom was in terms of the need for, and the possibility of, an ‘oop gesprek’ about academic freedom. This was a distinctly loaded term. It was above all associated with the premier Afrikaans poet and intellectual N.P. van Wyk Louw who during the 1950s published a series of articles under this rubric in *Die Huisgenoot*, later issued in book form as *Liberale Nasionalisme*.<sup>6</sup> For Louw ‘die oop gesprek’ had signified a quest for rational and critical intellectual debate, committed to universalist values while remaining grounded in Afrikaner culture and nationalism. Oosthuizen did not share Louw’s cultural commitments, not even in the form of ‘liberal nationalism’ or of ‘loyal dissent’.<sup>7</sup> In his most extensive set of papers, published under the title *Analyses of Nationalism* in the first series of *Philosophical Papers*,<sup>8</sup> Oosthuizen provided a clinical and radically sceptical deconstruction of ‘Afrikaans’, ‘Culture’, ‘Nationalism’ and all its works. Yet he appropriated Louw’s key term as loadstar for his own analytical and critical enterprise. What was the significance and implications of addressing the issue of academic freedom in terms of the possibility of an ‘open conversation’?

Significantly Oosthuizen did *not* locate his analysis of academic freedom in the context of a particular tradition such as the liberal one, seeking to affirm it as a fundamental value or principle within it. On the contrary, his point of departure was the need to escape ideological constructions of all kinds (by implication that of the liberal tradition as well). He started out by pointing to the fact that ‘in our country conversations, more especially open conversations, on academic freedom, are a rarity’ (p.2).<sup>9</sup> Concerns with academic freedom tended to be just so many ideological constructions which only apparently dealt with the same subject matter but actually were solipsistic monologues talking past each other. In actual practice discourse on academic freedom, as with other topics, tended to consist of ‘sermons, speeches, orations, perorations and other forms of monologue’, (p.2) and not of an ‘open conversation’ in any serious

sense. At least two basic conditions had to be met for a proper conversation to be possible on some subject: 'people had to talk about the same matter, and their claims needed to be open to refutation' (p.4). This was not the case with the prevailing ideological conflicts about academic freedom where the different parties each constructed their own self-enclosed intellectual domains. Oosthuizen diagnosed this pervasive intellectual condition as one of 'ideological schizophrenia' in need of 'logical therapy' (p.2). Moreover, within this context there were those who claimed that all discourse was inherently prone to ideological conflicts of this kind, and that an open conversation on subjects like academic freedom was not possible. Oosthuizen took this as his basic challenge: his primary task was to demonstrate the very possibility of an 'open conversation' about academic freedom, i.e. that it was possible for different parties to engage in a discourse where refutable claims could be made regarding the same subject matter. He concluded the paper accordingly: 'I have set out to demonstrate that there are no grounds to claim that an open conversation on academic freedom is impossible' (p.22).

Compared to the prevailing articulations and defences of academic freedom by representatives of the 'Open Universities', Oosthuizen's analysis constituted a significant radicalisation of the problem. Intellectually and philosophically much more was at stake than defending the institutional autonomy of the liberal universities against the onslaught of apartheid ideology and a security state. The ideological challenge to the very possibility of an 'open conversation' on academic freedom involved nothing less than the prospects of any rational and critical intellectual culture as such. In this sense the problem of academic freedom constituted a test case for a non-ideological and rational 'Critical Tradition'. In Oosthuizen's own concluding words: 'My attention was directed at the possibility of an open, honest conversation, rational and progressive, about the concept of academic freedom' (p.22).

## *ii) Ideological framing of the problem of academic freedom*

It will already be evident that Oosthuizen framed the problem of academic freedom primarily in terms of current ideological conflicts. This will not be surprising for a paper written in the 1960s at a time when, domestically, Afrikaner nationalism and apartheid ideology reigned supreme while internationally the ideological conflicts of the Cold War were predominant. However, the precise terms in which Oosthuizen construed the ideological framing of the problem of academic freedom are more than a little unexpected. On the one side he posed those ideologies, specifically Marxism and Nationalism, which constructed the university in instrumental terms as a means to some greater end, be it the emancipation of the proletariat or the survival of the nation (pp. 1-3). (Note that for the purposes of this argument no distinction was made between the ideologies of Marxism and Nationalism). On the other side, though, we do *not* find the ideology of the Liberal tradition as might have been expected in the

circumstances. Instead, Oosthuizen characterised the ideological counterfoil to the instrumentalist ideologies of Marxism and Nationalism as ‘a traditional university romanticism (which) considered the university as cut off from all ties to society, and (which) described academic freedom as complete independence of spirit’ (p.1).

Implicitly this way of framing the problem of academic freedom amounted to a double critique of that Liberal tradition within which the classic defences of academic freedom by the ‘Open Universities’ had been located. Not only did Oosthuizen thereby consider the Liberal position as equally ‘ideological’ compared to Marxism and Nationalism, but the substance of the Liberal position on academic freedom was also characterised in decidedly pejorative terms as one of ‘Romanticism’. The pejorative nature of this ‘traditional university romanticism’ was spelled out in considerable detail and with an unmistakable critical animus: ‘Universities, so it is said, have the romantic aura of a long history. The nature of the university lies in its deeply rooted traditions... Just what that nature is can not be easily defined. It is something mystical. It is the representation of art and culture, of scholarship and science, of a transcendence of the mundane and the local, something of especial quality, comprehending the spirit of all ages and places...’ (pp.3-4). This traditional university romanticism also informed the liberal conception of academic freedom itself: ‘Now it is just this mentality which constitutes academic freedom ... The precious distinctiveness of academics must be protected. Different laws must apply to them than to ordinary business people, mundane politicians or lumbering clerics. True academic freedom can only be nurtured in the absence of any obligations to the state, the church and the nation’ (p.4). As an ideological construction, this Liberal Romanticism of academic freedom, just as much as the ideologies of Marxism and Nationalism, constituted an obstacle and threat to an ‘open conversation’ about academic freedom.

Two questions are raised by Oosthuizen’s characterisation of the liberal position on academic freedom as an ideology of traditionalist romanticism. Firstly, can this possibly be an accurate account of Oosthuizen’s position?! Could the Chair of Philosophy at Rhodes University in the 1960s, at the time of Verwoerd and Vorster, really have criticised the liberal stance of the ‘Open Universities’ on academic freedom as an ideology of traditionalist romanticism?! Surely he must have meant to target some popular or distorted version of the liberal position on academic freedom as distinct from the basic principle of institutional autonomy. Surely Oosthuizen could not possibly have disagreed with the substance of academic freedom, adumbrated in the T. B. Davie formula as ‘our freedom from external interference in (a) who shall teach, (b) what we teach, (c) how we teach, and (d) whom we teach’. However, on this point the text of his paper ‘Oor Akademiese Vryheid’ was quite clear. This was how he summarised the ‘traditionalist romantic’ position on academic teaching:

Traditionalists for their part will claim that the individual lecturer must be the sole arbiter on what he considers as true; this means that academic freedom consists in the absence of interference in the right of a lecturer to say what he wants and, if needed, to tamper with the illusions of the youth entrusted to his care (p.12).

There could be no doubt that it was the T.B. Davie principle of academic freedom itself which he had in his sights in targeting the 'traditionalist romantic' position on academic freedom. But if Oosthuizen thus unambiguously criticised the liberal principle of academic freedom as an ideology of traditionalist romanticism, then this must give rise to the second question: What, then, was his own position on these issues? What, if anything, did he propose as the meaning of academic freedom in place of the T.B. Davie formula of liberal academic freedom espoused by the 'Open Universities'? I shall return to this issue below. For the moment we only need to note the radical implications of Oosthuizen's ideological framing of the problem of academic freedom as applied to the liberal tradition itself.

*(iii) Problematising the coherence of the concept of academic freedom*

The third and perhaps most radical way in which Oosthuizen framed his analysis of the concept of academic freedom was by problematising its significance and coherence. This could not simply be taken for granted but needed to be demonstrated through rigorous analysis which Oosthuizen set out to do in his paper. As a 'strategic' move in the political context of the 1960s this must have appeared to be astonishingly wrong-headed. With the liberal universities under direct threat of intervention by the apartheid government of Verwoerd and Vorster and in the face of increasing political censorship, of the bannings and detentions of academics, of security crackdowns on student movements, etc. the response of the Chair of Philosophy at Rhodes University on the issue of academic freedom was that, first of all, it was necessary to demonstrate the significance and coherence of this concept through rigorous analysis! Evidently this was not primarily meant to impress the Security Police or the ideologues of apartheid. Nor could it have been very effective as a rallying call for beleaguered academics in the ranks of the universities at the time. Why did Oosthuizen find it necessary to opt for such a defensive, if not self-defeating, 'strategy' on the issue of academic freedom?

From his paper two answers would appear, one directly and the other more indirectly. The direct explanation was the extent to which discourse on academic freedom at the time had become ideologised. As we have seen, in Oosthuizen's view the prevalence of ideological constructions of academic freedom on all sides precluded any proper conversation on this topic: 'Such ideological views of academic freedom only seem to be concerned with the same topic and are thus unable to enter into a conversation. Attempts to reach agreement at least on the topic to be discussed are hindered by an ideological dialectic which make the meanings of words dependent on world views' (p.1).

This amounted to a pathological condition of ‘ideological schizophrenia’ which required ‘logical therapy’ (p.2). Here Oosthuizen is implicitly alluding to Wittgenstein’s philosophy of language. Indeed, his logical therapy for the schizophrenic condition of ideological discourse on academic freedom consisted in a dose of ordinary language analysis: the way to establishing the significance of the concept of academic freedom consisted in analysing ‘what we can learn from the ordinary, everyday usage of words in Afrikaans or English’ (p.1). Presumably, though, this also committed him to the Wittgensteinian position that in its own right philosophy could not provide any substantive truths or principles, and that its logical therapy could at best ‘show the fly the way out of the fly bottle’.<sup>10</sup> This was one version of the prevailing consensus in analytical philosophy during the 1950s and 1960s that, as a substantive discipline capable of discovering truths measuring up to the criteria of scientific knowledge, ‘political philosophy was dead’.<sup>11</sup> Normative theory could not, and should not, make any claims to authoritative insight on issues of practical policy and morality. (It would only be during the following decades that ‘grand theory’ would make a comeback led by Rawls’ *Theory of Justice*). Faced with an urgent practical and political issue like that of academic freedom and the plight of the open universities in an apartheid society, the philosopher could not, and Oosthuizen certainly did not, make any claims to special expertise or authoritative insight. As a possible defender of the significance of academic freedom the philosopher was the most vulnerable of champions: in Oosthuizen’s view the philosopher had to make his case ‘in the market place’ (pp.8ff) – an implicit reference to Socrates – but in that rough and tumble he would not be able to count on any special expertise.

It was in this self-consciously humble spirit, then, that as an ‘gnorant’ philosopher, i.e. one who like Socrates knows that he does not know, Oosthuizen posed the basic problem of the significance of the concept of academic freedom. ‘The crux of the matter lies in the question: what criterion do we utilise to determine whether we are dealing with true or fake academic freedom? How do we know when we are dealing with the true Jacob or with imposters? That is indeed the crucial issue’ (p.2). The way forward, he proposed in Wittgensteinian spirit, was to apply the logical therapy of analysing the rules of ordinary usage to the domain of academic freedom: ‘We have to start down to earth... with the question of the market place: what do we understand under the term “academic freedom” in ordinary usage... The question is what are the criteria of significance in using this concept’ (pp. 8,11). That may not have been the most effective strategy to counter the onslaught of the apartheid state on academic freedom in the universities, but it was the intellectually honest place for the (Socratic) philosopher to start.

## Logical therapy: Analysing the concept of academic freedom

Having posed the problem of academic freedom not only in opposition to the prevailing ideological constructions, but also as a concept whose very significance and coherence needed to be established, Oosthuizen turned to his constructive analysis of, and argument for, academic freedom. His analysis proceeded in two stages. First, he analysed the logic of the basic concept of freedom, and secondly he turned to the significance of academic freedom by means of an analysis of the meaning of the core academic action of 'teaching'. In terms of his Wittgensteinian conception of philosophical analysis as 'logical therapy', both cases focused on the rules of these terms in ordinary usage in order to dispel the schizophrenic hold of the prevailing ideological constructions.

### (i) *The logic of 'freedom'*

Oosthuizen's basic analysis of the logic of 'freedom' unsurprisingly followed the standard accounts by Isaiah Berlin and others of liberty as *negative freedom*.<sup>12</sup> He rejected the essentialist conception of 'freedom' as naming some typical condition or state. Freedom is a relational and contextual concept typically expressed in terms of 'being free from ... (some obstacle or coercion)': 'The expression "I am free ..." is logically incomplete. ... The concept "freedom" is primarily a negative concept ... implying an obstacle, coercion or obligation which has been removed' (p.9). Significantly Oosthuizen found no reason to refer to 'positive freedom' in Berlin's sense of 'freedom to...', except in a derivative sense: 'Freedom means "to be rid of", and implies "so that I am now able to."' (p.9). The relevant point, for him, was that in ordinary usage it made no sense to speak of freedom in general: 'Freedom, obstruction, coercion and obligation are relative concepts, and utterly context determined in their scope' (p.10). It followed that the standard distinctions between political freedom, economic freedom, personal freedom and academic freedom did not refer to different *types* of freedom each with their distinctive properties. Instead, in all these cases 'freedom' had the same negative and relational force; in each case it implied the absence of the respective obstacles, interferences or coercions applying in political, economic, personal or academic contexts.

For Oosthuizen this first stage of the analysis established two main conclusions: First, it showed that in ordinary usage 'freedom' did have a specific conceptual logic. There are (prescriptive) *rules* of usage to which we are bound in order to make coherent sense in practical discourse. The meaning of (academic) freedom, i.e. how we talk of '(academic) freedom' in ordinary (non-ideological) usage, is no arbitrary matter but needs to conform to the conceptual rules of ordinary (non-ideological) usage (pp.10-11). Secondly, the relevant question with regard to the concept of academic freedom was: 'which

forms of coercion, constraints, obstacles or obligation need to be removed before certain actions or institutions deserve to be characterised as “academic” (p.11). The analysis of the relevant meaning of academic freedom thus leads on to an analysis of such core *academic* actions as ‘teaching’ and ‘research’.

(ii) *The significance of (academic) ‘teaching’*

With the second stage of his analysis Oosthuizen turned to the significance of the academic action of ‘teaching’, and with this we come to the heart of the matter for his understanding of academic freedom. His analysis of the significance of ‘teaching’ as an *academic* activity has a number of unexpected and indeed provocative features, and will lead us on to his conception of ‘an open conversation’ and the nature of a possible critical tradition. To begin with, Oosthuizen rejected the common conception that academic teaching basically consisted in the transference of authoritative information by lecturers to students. Indeed, he deemed this process as amounting to *indoctrination*, using this latter term in an objective rather than in a pejorative sense (p.11). The transfer-of-information model of teaching did not go to the core of the actual practice of academic teaching at universities. ‘Indeed’, according to Oosthuizen, ‘the measure of success for a lecture in some disciplines is often the opposite from what you would expect on this model; not that students come with questions to a class and go away with information, but that they come to class with information and go away with questions ...’ (p.12). In practice the criteria we use to assess academic teaching did not so much apply to the truth or falsity of the lecturer’s statements per se, but were rather concerned with their appropriateness or relevance [‘saaklikheid’], to-the-pointness [‘juistheid’] and analytical fertility. ‘The character of lecturing in many subjects counts against the information-theory of academic teaching: instruction by means of formal lectures are often, and sometimes mainly, the opposite of indoctrination, i.e. the opposite of the presentation of “true” answers to ignorant, questioning students by encyclopedic, authoritative experts’ (p.13). Moreover, the transfer-of-information conception of teaching played into the hands of ideological constructions of academic freedom: ‘Teaching would only then be considered “academic” if the information conveyed by the lecturers was “true”... But in the humanities issues tend to become ideologised, and then not the academy, but the nation or the proletariat becomes the arbiter [of “truth”]’ (p.12).

How then should we understand the meaning of academic teaching? Ultimately, for Oosthuizen, the paradigm for academic teaching is provided by the figure of Socrates, and we shall return to the significance and implications of the Socratic model not only for academic freedom but also for the nature of a critical tradition. At another level, though, Oosthuizen explicated the meaning of academic teaching with reference to Ryle’s distinction between two kinds of knowledge, i.e. *knowing that* and *knowing how* (pp.13-14).<sup>13</sup> The crucial point was that it was *knowing how*, the inculcation of academic and scientific skills in

students enabling them to engage in independent rational thinking and research, rather than *knowing that*, the transmission of ‘truths’ or authoritative information to previously ignorant minds, which lay at the core of academic teaching. Students needed to be taught *how* to solve intellectual problems, *how* to apply basic rules and principles, *how* to distinguish between relevant and irrelevant questions or between logical and fallacious reasoning. This required practice, while it was also the case that the effective demonstration of these basic academic skills was not the same thing as the ability to say, at an abstract and general level, *what* these academic rules actually were (p.14). In short, Oosthuizen concluded that ‘academic teaching is primarily concerned with the inculcation of techniques of analysis, reasoning and research... Lecturing does not in the first place aim at the dissemination of “truths”... Academic teaching is in the first place concerned with the initiation of students in the necessary knowing-how skills enabling them to do independent research’ (pp. 14-15).

(iii) *A discipline-based concept of academic freedom*

What are the implications of this analysis of the significance of academic teaching for the concept of academic freedom? Here we can return to the core question for the meaning of ‘freedom’ in the academic context which had previously been identified as that regarding ‘which forms of coercion, constraints, obstacles or obligation need to be removed before certain actions or institutions deserve to be characterised as “academic”’ (p.11). More specifically, what were the implications for the nature of academic freedom if teaching primarily consisted in the inculcation of basic academic *knowing how*-skills? Taken together, Oosthuizen argued, a set of basic *knowing-how* skills constituted the nature of a particular academic *discipline*: ‘The knowing how-techniques of a particular science constitute a discipline. The qualification “academic” is attributed to teaching or research in the first place because these actions are based on the acceptance of a particular discipline’ (p.15). The meaning of academic freedom thus implicitly referred to the distinctive requirements of a particular *discipline*: ‘Accordingly “academic freedom” refers to the absence of those factors which would be obstructive or irrelevant to the practice of that discipline, and to the presence of those factors which are conducive for, and relevant to, the conduct of that discipline. Stupid students or inebriated lecturers, for example, may be inhibiting to the practice of a discipline ...’ (p.15). We may add that this analysis of the meaning of academic freedom nicely serves to distinguish it from *freedom of speech* with which it is often conflated. *Academic freedom* is *not* a matter of freedom of speech in the particular contexts of the campus or the class room; on the contrary, academic freedom as defined by the *disciplinary* constraints distinctive of academic teaching and research will often inhibit the freedom of speech of students as well as lecturers. Both lecturers and students are *not* free to say whatever they

want in the class room or in their writing, at least if they wanted their work to be regarded as ‘academic’ in terms of the relevant disciplines.

A number of further implications followed from this conception of the *discipline* as the relevant context for the meaning of academic freedom. Thus it followed that threats to academic freedom may arise not only from *external* intervention in, or coercion of, the university but as much from *internal* sources, even from academics themselves. ‘According to this measure it would be a breach of academic freedom if an academic is obliged, *or himself decides*, to assess students and lecturers by criteria which are irrelevant to the practice of a particular discipline. From the nature of the case criteria such as race, ethnic origin, social standing or ideological convictions would not be relevant here... The only question which may be utilised as criterion for discrimination consistent with academic freedom, is whether students and lecturers dispose of the necessary abilities and are committed to strict disciplinary requirements’ (p.15, underscoring in the original). Up to a point this assertion of academic freedom coincided with the well-known formulations adopted by the ‘Open Universities’ in the particular context of the universities in apartheid society. But only up to a point: the difference is that the *disciplinary-based* conception of academic freedom was not primarily about the institutional autonomy of the universities. Indeed, for Oosthuizen the institutional structures of the university could well pose threats to academic freedom. Among the potential threats to academic freedom were the university executive and even Senate itself: ‘It would be outside the competence of the Rector of a university to make my personal motivations for a particular research project a disciplinary matter, or to oblige me by a Senate decision to focus my attention on a subordinate question within my disciplinary area, or to desist from research into a matter considered to be outside my terrain. Senate may well make a friendly request of academics. It’s a free country [“Vra is vry”]. *But Senate does not have the competence to oblige me*’ (p.19, italics added). The disciplinary-based conception of academic freedom thus meant that, in the last instance, academics themselves were its sole guardians. Academic freedom did not so much mean that, free from external interventions, academics should be left to their own devices and given a licence to do and say whatever they wanted within the protected space of the university. On the contrary, academic freedom only made sense within the bounds of academics’ own commitment to the disciplinary constraints constitutive of academic teaching and research. If academics themselves should fail in living up to this basic commitment then they would be responsible for the demise of academic freedom: ‘If we ourselves for ideological reasons do not comply with the obligations our disciplines impose on us, then we may one day discover that *we* have denied our universities their very right to existence’ (p.21, underscoring in the original).

(iv) (*Academic*) loyalty and the ‘unseen university’

The relevant historical background to this determinedly self-critical view of the university and its institutional structures and practices may well have been the legacy of the ‘Swart affair’ at Rhodes as explained by Ian Bunting in his ‘Introduction’ to *The Ethics of Illegal Action* in relation to a cognate paper by Oosthuizen, ‘On Loyalty’. In 1962 Rhodes’s University Senate and Council had resolved to award an honorary degree to the then State President, Mr. C.R. Swart. When this led to a furore amongst members of staff and 26 Senate members signed a public letter of protest dissociating them from the award of this degree, they were castigated by senior members of the University on the grounds of ‘disloyalty to Rhodes’.<sup>14</sup> In his paper ‘On Loyalty’, Oosthuizen distinguished between (contractual) fealty and loyalty proper where the latter implicitly involved a reference to shared moral and political principles and aims, the ‘spirit’ informing a joint enterprise rather than the formal rules. In the case of a university loyalty would thus relate to certain ideals such as the pursuit of truth, standards of intellectual integrity etc (‘On Loyalty’, pp. 33-34). The proper locus of academic loyalty is thus the ‘unseen university’ or ‘unseen body of scholars’, ‘of which one is at least tacitly a member by joining a university staff or when enrolling as a student... For many people, and I may say, for many universities, it is of the *essence* of the obligations of all university teachers and students to uphold the often unspoken principles of this unseen college’ (‘On Loyalty’, p.34, italics in the original). Thus understood loyalty to the ‘unseen university’ may actually require academics to disassociate themselves in protest from academically repugnant actions by the authorities of a particular university: ‘It is not only one’s right but one’s duty, as a member of the invisible college... to disassociate oneself from a ruling which one finds repugnant’ (‘On Loyalty’, p.34). In short, the institutional authorities even at liberal universities are not necessarily the best repositories for the ideals and principles of committed academic life while academics themselves may also in practice fail to live up to their own basic commitments.

This analysis of the somewhat paradoxical nature of ‘academic loyalty’ was evidently of a piece with Oosthuizen’s position on the meaning of academic freedom. Not the institutional authorities of universities, nor even the body of academics themselves, can always be trusted to uphold academic freedom. In terms of a discipline-based conception of academic freedom they are all accountable to the ‘unseen university’ or ‘unseen body of scholars’. In that sense Oosthuizen basically held a *collegial* view of academic freedom. Just what this would mean in practical or procedural terms is, of course, a different matter and one to which we may return in the conclusion.

## Education, society and the state: The Socratic paradigm and the prospects for a Critical Tradition

To complete our account of Oosthuizen's exploration of the meaning of academic freedom I will turn to some enigmatic pronouncements thrown out in the latter parts of his paper. These concern his views, on the one hand, regarding the non-instrumental nature of *education* and, on the other, the position of *research on contract*. His pronouncements on these issues may give us some insight into his position on the relationship between universities and society as well as the state. In conjunction with some reflections on the significance of the Socratic paradigm this will enable us to consider the implications for the prospects of a Critical Tradition.

### (i) *The non-instrumentalist nature of (higher) education*

Firstly, Oosthuizen's pronouncements on the nature of *education*. In the context of his analysis of the significance of academic 'teaching' (see above), Oosthuizen also made some cryptic statements regarding the nature of university education. To begin with, he endorsed the view that the university is not an 'ivory tower', and agreed that academic claims needed to take account of practical realities (p.16). Academic teaching was only part of a more comprehensive process, that of higher education. However, if universities are considered as institutions of (higher) education then it did not follow that they should serve some ulterior end: 'The end of education is sometimes sought outside education, and sometimes in the nature of education itself... The validity of both of these views depends on a basic assumption: that it makes sense to speak of the end of education. Both types of view presuppose that education... may be considered as a means to an end or as an end for certain means' (p.16). Oosthuizen categorically rejected all such *instrumentalist* conceptions of education. Being, or becoming, an 'educated person' was neither a means to some other end, nor an end in itself: 'If education is an instrumental means to some end, then it must be something like a taxi cab, or even worse, something like an individual taxi trip. And if it is an end, then it must be something which disappears when it has been reached' (p.17). But, in his view, education should not be considered as a process nor as a mental state at all; rather, it served as a criterion of assessment: 'Education refers to training processes of which we approve; "being educated" refers to the possession of certain humane skills ("menslike kundighede")' (p.18). This radically non-instrumentalist conception of education may perhaps be compared to the Humboldtian ideal of *Bildung*. Consider, for instance, Gadamer's account of the notion of *Bildung* in this tradition: 'Like nature, *Bildung* has no goals outside itself... In having no goals outside itself, the concept of *Bildung* transcends that of the mere cultivation of given talents, from which concept it is derived.... In *Bildung* ... that by which and through which one is formed

becomes completely one's own. To some extent everything that is received is absorbed, but in *Bildung* what is absorbed is not like a means that has lost its function. Rather, in acquired *Bildung* nothing disappears, but everything is preserved'.<sup>15</sup> Even so, the question remained as to what the relation of this kind of education practised at universities might be to the wider society and the state, more especially if the university was *not* to be an ivory tower.

Oosthuizen did not, at least in this paper, provide any explicit or extensive answers to this question. Perhaps one way to see what might be involved would be to reflect on the implications of the Socratic paradigm for the relationship of university education to society. In the context of his analysis of the significance of 'teaching' as an academic activity Oosthuizen raised the question whether, or in what sense, a Socratic teacher could make his students knowledgeable (p.13). More generally, the question would be what kind of impact or consequence a 'Socratic' higher education would have on society. The answer would, of course, in large part depend on the kind of society and state involved. In the case of an authoritarian society and/or an absolutist state 'Socratic' institutions of higher education are bound to have a subversive function. The Socratic method of teaching and education would tend to raise disturbing and unsettling questions in young minds about religious doctrines, established social norms and political truths. This was pretty much how Oosthuizen saw the university in his own time, embattled as it was by ideological certainties on all sides. But what if the external context for institutions of higher education is different, if they found themselves in an open society, amidst a pluralist culture and in a democratic state? What would be the function and significance of a Socratic mode of higher education in a liberal democracy? That is a question which Oosthuizen did not face, but which is very much pertinent to academic freedom in the 'new' post-apartheid South Africa.

(ii) *Commerce-based research*

Secondly, Oosthuizen's remarks on the position of *research on contract*. In the final pages of his paper Oosthuizen considered the differences between universities proper and research institutes run for commercial purposes. His purpose in making this comparison was, as we have seen, to bring out the distinctive ways in which academic activities such as teaching and research at universities should *not* be subject to extraneous controls or interference, even those exercised by the institutional authorities of the university itself. Given this, his remarks on the position regarding research on contract were surprising, and had significant implications. Assuming that the research done at research institutes for commercial purposes measured up to strict scientific standards, Oosthuizen was quite prepared to allow the director of an industrial research institute the powers he denied to the Rector of a University and even to the Academic Senate, i.e. to direct and circumscribe the conduct of particular research projects: 'The ability to oblige [individual researchers] does not fall outside the

competence of a director of an industrial research institute. The limits of the research, in terms of desirable as well as of permitted research, are in this case determined by the needs of society, and not just by disciplinary requirements' (p.19). In other words, in the case of research on contract this could be considered in purely instrumental terms, as a means to an end. But then, by implication, why would the same not hold in the case of the relation between the state and universities? In Oosthuizen's view this was the basic mistake made by Marxist and nationalist ideologies: they applied the relationship which obtained between a commercial enterprise and a commercially-based research institute to that which obtained between the state and universities. Still the question remained: why *should* the same relation not hold in this case? If the state subsidised universities, should it not similarly 'have the right to participate in the selection of students and lecturers, and to limit or direct research on the basis of extra-academic criteria' (p.19)? Oosthuizen's response came in two parts: first, he strongly affirmed that this just *is* the difference between a university in the proper sense and a commercially-based research institute that the former, unlike the latter, should not be subject to direction on the basis of extra-academic criteria. And if this is perhaps not an entirely satisfactory answer, then the second part of his response was that the issue 'in the first place concerned the nature of the state and only in passing touched on the nature of the university' (p.19).

(iii) *The relationship between university and (authoritarian / democratic) state*

At first sight this response by Oosthuizen might seem simply to dodge the question whether the state does not have a right to intervene in the affairs of the universities it subsidised, and to do so on the basis of extra-academic social goals or political policies. But on reflection his argument did raise some key issues worth further consideration. In the context of an apartheid society Oosthuizen was concerned with ideological approaches assuming an absolutist state which allowed no independent right of existence to other institutions of civil society: 'The argument posits an absolutist state according to which a university, *like any other institution*, could have no claims to rights or privileges against the state' (p.20, underscoring in the original). But in such an authoritarian or totalitarian society it followed that a university could exist, if at all, only on the terms dictated by the state: 'A totalitarian state of course always has the right, or rather the power, openly to negate the right of existence of a university by meddling with its rights and privileges, or toying with its subsidy. Every intervention of this kind affect not only those rights and privileges of the university but its very right of existence' (pp.20-21). This is clear and logical enough, but Oosthuizen's particular concern was with a more complex and ambiguous state of affairs, that where universities claimed some right of existence in the midst of an apartheid society and despite the threats of a

would-be absolutist state. The anomalous presence of independent institutions of civil society in such circumstances must imply a very different relationship to the state; they certainly could not owe their right of existence to the state. On the contrary, such a right of existence would have to be achieved *despite* the claims of the would-be absolutist state on them. This seems to be the force of Oosthuizen's cryptic statements that 'to say that a university has a right of existence in society implies that universities *must* have rights and privileges in that society. If a university has a right of existence in a society, then it ipso facto has the right to exercise those functions without which it could not be called a university' (p.20, underscoring in the original). With this we are thus back with the *discipline-based concept of academic freedom* at the heart of the university.

It is a pity that Oosthuizen did not further pursue these intriguing comments on the anomalous position of universities as the harbingers of an independent civil society in the midst of the apartheid society and in relation to a would-be absolutist state. But in so far as this is primarily an argument about the nature of the state, and only secondarily about the nature of the university, it must – at least from our present position in a post-apartheid and democratic society – raise some equally intriguing questions about the converse set of implications following from the democratisation of the state. If the *absolutist* state could not claim to direct the academic affairs of a university except by force of power, since to begin with it did not recognise the university's right of existence, what was the position in the case of a *democratic* state? If universities were subsidised by a *democratic* state, would that democratic state not have the right to participate in the selection of students and lecturers, and to limit or direct research on the basis of extra-academic criteria? Much would, of course, depend on the 'democratic' character of the state. If this amounted to a formal or procedural political democracy only, otherwise leaving the authoritarian and exclusionary social structures in place, this would presumably not make much of a difference to Oosthuizen's analysis of the relationship between the state and the university. But what if this was a *democratic* state and society in a more serious sense, one marked by a strong and independent civil society, a constitutional state with a robust civil rights culture, and one where the state governed on the basis of a proper democratic mandate? What would be the nature of the relation between universities and such a *democratic* state? If public resources are utilised to subsidise universities in such a democratic state and society, could this be claimed as their right by universities – while they at the same time refused accountability except on the basis of academic criteria? In a democratic state committed to recognising the right of existence of universities in general, and more specifically to recognise academic freedom in particular, the converse implication also follows, i.e. that academic freedom must be consistent with democratic accountability. This seems to be the current charge of Oosthuizen's legacy: can a disciplinary-based conception of academic freedom be reconciled with general notions of democratic accountability

applied to universities as part of an independent civil society? What would that amount to, both in principle and in practice?

## In Conclusion

In conclusion I would like to offer some comments and assessments from our current perspective in a post-apartheid and democratic South Africa. My first comment concerns Oosthuizen's analysis of the meaning of academic freedom in relation to the classic articulations by the representatives of the 'Open Universities'. Implicitly and effectively, as we have seen, Oosthuizen's analysis amounted to a trenchant critique of this conventional defence of academic freedom within the liberal tradition as a 'Romantic Traditionalism'. Yet in the end the question must be raised how, or to what extent, his own discipline-based conception of academic freedom, in conjunction with cognate notions of academic loyalty to the 'unseen university', actually differed in substance from the 'Romantic Traditionalism' he rejected. My second comment concerns the implications for Oosthuizen's analysis of academic freedom of the shift in the external context from that of ideological conflict in an apartheid society to that of a post-apartheid and democratic state. More specifically I will be concerned with the implications of his notions of a non-instrumentalist (higher) education in conjunction with the Socratic paradigm for the prospects of a critical tradition in the context of a post-apartheid and democratic society and state.

### (i) *A (romantic and traditionalist) liberal despite himself?*

My first comment concerns Oosthuizen's relation to the liberal tradition and the conception of academic freedom articulated by the 'Open Universities' at the time. As we have seen it was a notable (and perhaps unexpected) feature of Oosthuizen's analysis of academic freedom that he not only did not locate his own approach within the liberal tradition but implicitly rejected it in terms of a 'Romantic Traditionalism'. Moreover and more specifically, not only did he reject the 'Open Universities' concern with the institutional autonomy of the university as the core of academic freedom and instead argued for a different *discipline-based* conception of academic freedom, but he also characterised as 'traditionalist and romantic' the position 'that academic freedom consists in the absence of interference in the right of the lecturer to say what he wants' (p.12), i.e. one of the core components of the T.B. Davie formula. Yet when he came to spell out the specifics and implications of his own *discipline-based* conception of academic freedom we found that in practice these largely coincided with the familiar formulations adopted by the 'Open Universities' in terms of the T.B. Davie principles. Except for the latter's concern with the institutional autonomy of the universities, Oosthuizen's notion of academic freedom in

practice largely coincided – though for different reasons – with the liberal position. Where did that leave him in relation to the liberal tradition?

The vital question, of course, is how and by whom Oosthuizen's discipline-based conception of academic freedom could be given substance in practice: if it did not amount to academic license but involved a suitable form of *academic accountability*, then just what procedures or practices did this require? In principle it represented some sort of *collegial* notion of the university but precisely because of Oosthuizen's suspicion that institutional authorities could not be trusted as the guardians of academic freedom, his position gravitated to the notion of the 'unseen university' or 'unseen college' espoused in his cognate paper 'On Loyalty'. But at this point it is hard not to turn Oosthuizen's pejorative castigation of 'traditional university romanticism' against himself. How did his *collegial* notion of the 'unseen university' differ from that deeply-rooted traditionalist conception whose nature 'cannot be easily defined. It is something mystical. It is the representation of art and culture, of scholarship and science, of a transcendence of the mundane and the local, something of especial quality, comprehending the spirit of all ages and places...' (pp.3-4)? Only if Oosthuizen could provide a tough-minded account of the implications of his disciplinary-based conception of academic freedom, insisting on the specific rules and obligations of the basic academic skills constituting a *discipline* rather than any 'mystical' notion of collegiality, would it be possible to differentiate his position from that of the 'romantic traditionalist'. In these writings he did not (yet) provide such a tough-minded account; based on his Rylean commitment to the development of 'knowing-how' academic skills. We may suspect that he would have been supportive of latter-day approaches to 'Critical Thinking'. But in the light of our recent experience in introducing critical academic skills-teaching into the core curriculum of the Humanities it is also fair to say that much more will be required than the basic Rylean distinction between 'knowing how' and 'knowing that'. In short, the implications of a discipline-based conception of academic freedom consistent with academic accountability still need to be spelled out in more specific terms.

(ii) *A Socratic critical tradition and the challenges of democratic transition*

Secondly I would like to consider some of the challenges and implications of the democratic transition to a post-apartheid society for Oosthuizen's conception of academic freedom and of a Socratic critical tradition in higher education. There is a sense in which Oosthuizen's analyses of academic freedom in the context of the apartheid state and society of the 1960s were so profoundly *oppositional* in nature that he did not even begin to take on the more constructive challenges of thinking through the function of higher education and the role of a Socratic critical tradition in a more democratic society. This is

entirely understandable, and it would be anachronistic to expect that Oosthuizen could and should have addressed our contemporary problems from the very different vantage point of his own time. Nevertheless, our own current reflections on *the legacy* of Daantjie Oosthuizen must take up this challenge. In this regard it is relevant that, in passing, Oosthuizen several times indicated in the course of his analyses of academic freedom and of the nature of academic education and research that, in some sense, the more fundamental questions concerned the character of the state and society rather than just of the university per se. These are indications that Oosthuizen would have accepted that the transition to a democratic and post-apartheid South Africa requires a re-thinking of his conceptions of academic freedom and the nature of higher education. Would, or could, this rethinking also require a substantial modification in his *discipline-based* conception of academic freedom and of his *non-instrumentalist* conception of higher education?

In this regard it is worth pointing out that in the South African context, certainly compared to the 1960s, the transition to a democratic and post-apartheid society did not amount only to a radical change in the *external context* of the universities. It is not the case that Rhodes, or other South African universities of the 1960s, now find themselves confronted with a majority ANC government rather than the white minority rule of the Verwoerdian NP. Over that period the universities themselves have also changed in as radical ways, and not only in terms of the ‘transformation’ of their student bodies and to a lesser extent their staffing profiles but even more so through the expansion from small elite institutions to massified institutions of higher education, through the impact of the ‘managerial revolution’ on the governance structures of the universities themselves, and through a basic reorientation in their relation to the market place. This is not the place to provide a proper analysis of these profound changes in university culture and academic practice – except to ask what their implications might be for Oosthuizen’s *discipline-based* conception of academic freedom and of his *non-instrumentalist* conception of higher education. On both counts it has to be said that these notions, attractive as they remain, are to some extent bound up with the different character of the universities of Oosthuizen’s own time. Consider what we would understand under the notion of *academic disciplines* then and now. In Oosthuizen’s case he evidently assumed that this idea referred primarily to the core disciplines of the Humanities, which in turn was the core Faculty of the University. Without saying so, he presumably also assumed that such disciplines were located in academic departments and vested in the Chair. Given the small scale and elitist nature of universities at the time this implicitly provided a fairly clear basis for definite notions of *academic disciplines*. But in one way or another most of that has changed. In the complex institutions of higher education of today, where the Humanities Faculties have been effectively marginalised, where departments increasingly are taken up in interdisciplinary programmes or ‘Schools’, where

the academic Chair and the Head of the Department more often than not has been disassociated, it is no longer at all clear what the very notion of academic *disciplines* entail. There are those who take all of this as so many reasons to indulge in nostalgic reminiscences of the way things were. But there can be no question of replicating the small elitist universities of 50 years ago in current circumstances, and I cannot think that Daantjie Oosthuizen would have wanted that effectively to be his legacy. That would indeed amount to a 'romantic traditionalism' with a vengeance! But if not nostalgia and romantic traditionalism, then we need to re-think the relevance of a *discipline-based* conception of academic freedom anew in our radically changed circumstances. Oosthuizen himself offered relatively little guidelines. It will be up to ourselves to think through whether a discipline-based conception of academic freedom in the context of contemporary universities still make sense.

Finally we may also consider the implications of Oosthuizen's non-instrumentalist conception of (higher) education in conjunction with the Socratic paradigm for the prospects of a critical tradition in the context of a democratised society and state. Would democracy make any difference to what Oosthuizen said about the radically non-instrumentalist nature of education, i.e. that it did not serve some ulterior end nor was it an end in itself? Perhaps not, and we should also not make too much of his otherwise intriguing comment that research on contract, unlike non-commercial research, could be subject to extraneous interference and direction for non-academic purposes. But the continuing relevance of the Socratic paradigm raises more interesting questions. As we have seen, the Socratic approach was bound to have a subversive function in the context of an authoritarian society and/or an absolutist state by raising unsettling questions in young minds regarding established truths. And in a democracy?! Would the difference be that in a democracy the critical thrust of the Socratic approach in higher education would be welcomed – and that it would thus no longer have the same general subversive function? To the extent that freedom of thought and expression as well as the right to opposition become institutionalised in a liberal democracy it would seem that a Socratic or 'critical tradition' would no longer have the same basic oppositional character. This may indicate a certain domestication of the Socratic spirit and the critical tradition (Marcuse's liberal tolerance as official ideology?) Or would it be incumbent on the Socratic approach and critical tradition to turn the tables precisely on these constitutive features of a liberal democracy? Somehow this amounts to a rather formalistic and empty *reductio ad absurdum*. Similarly the alternative option, i.e. that in a democracy there would no longer be any basic need for a critical approach, surely cannot be taken seriously. Living in our new South African democracy we must be only too well aware of the many and diverse challenges calling for a living critical tradition. The problem is just that we no longer have sufficient clarity about the function and significance of that critical tradition in our new democracy. The

legacy of Daantjie Oosthuizen is the injunction that we should return to the market place to rediscover the relevance of the Socratic spirit. Nor should we be at all surprised at the continuing need for a critical tradition even and especially in a democracy. After all, the historical Socrates operated in the historical birth-place of democracy itself (and consider his fate?!).

## Notes

1. Rhodes University was not included in the declarations and publications initiated by the Universities of Cape Town and the Witwatersrand on behalf of the 'Open Universities' at the time.
2. See also André du Toit, 'From Autonomy to Accountability: Academic Freedom under Threat in South Africa?', *Social Dynamics* 2000 (26/1) pp. 75-133.
3. D.C.S. Oosthuizen, *The Ethics of Illegal Action and other Essays*. Johannesburg: Ravan Press SPRO-CAS, 1973.
4. D.C.S. Oosthuizen, 'Oor Akademiese Vryheid', *Occasional Papers*, (ed.), Rintelen Van Straaten, No 3, Philosophy Dept Rhodes University, March 1967.
5. Andrew Nash, *The Dialectical Tradition in South Africa*, Ph.D. dissertation, University of Cape Town, 2000, pp.125-139; cf also Nash, 'How Kierkegaard came to Stellenbosch: The transformation of the Stellenbosch philosophical tradition, 1947-1950', *South African Journal of Philosophy* 1997 (16/4) pp.129-139.
6. N.P. Van Wyk Louw, *Liberale Nasionalisme*, Cape Town: Tafelberg, 1958.
7. Cf. *ibid.*, *Lojale Verset*, Cape Town: Nasionale Boekhandel, 1939.
8. D.C.S. Oosthuizen, *Analyses of Nationalism*, Occasional Papers, No.1, Dept of Philosophy, Rhodes University, January 1965.
9. *Ibid.*, 'Oor Akademiese Vryheid', *Occasional Papers* No.3 (1967). All citations from this paper have been translated.
10. Ludwig Wittgenstein, *Philosophical Investigations*, Oxford: Blackwell, 1953, p.103.
11. P. Laslett (ed.), *Philosophy, Politics and Society*, Oxford: Blackwell, 1956, Preface p.vii.
12. Sir Isaiah Berlin, 'Two Concepts of Freedom', in A Quinton (ed.), *Political Philosophy*, Oxford: OUP, 1965.
13. Gilbert Ryle, *The Concept of Mind*, London: Hutchinson, 1949, Ch 2.; cf. Ryle, 'Knowing How and Knowing That', *Proceedings of the Aristotelian Society* 46 (1946).
14. Ian Bunting, 'Introduction', in Oosthuizen, *Ethics of Illegal Action*, p.6.
15. H.-G. Gadamer, *Truth and Method*, 1982, pp. 11-12.