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The right to teach at university: a Humboldtian perspective

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ABSTRACT

The right to teach at university is a distinctive philosophical and legal conundrum but a largely unexplored question. Drawing on Humboldtian principles, the legitimacy of the university teacher stems from their continuing engagement in research rather than possession of academic and teaching qualifications alone. This means that the right to teach needs to be understood as a privilege and implies that it is always provisional, requiring an ongoing commitment to research. Yet, massification of higher education (HE) systems internationally has led to the disaggregation of the academic profession with teaching-only positions now increasingly common. University teachers employed to both teach and research face a narrowing set of performative expectations with respect to how 'research-active' is defined. This paper challenges these contemporary understandings and, drawing on historical evidence, argues that a broader definition of research and scholarship needs to underpin the basis of the right to teach.

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Introduction

Who has the right to teach in higher education? It is a question rarely posed. In most systems of compulsory education, the right to teach is based on the possession of a teaching qualification normally obtained through either 'concurrent' training, whereby a specialist subject is studied alongside pedagogic education, or through a 'consecutive' model, whereby a teaching qualification is obtained after completing a degree in a disciplinary specialism. However, the 'right to teach' in higher education involves more complex considerations based on the distinctive values and characteristics associated with a university education, notably the role of research and the tradition of academic freedom. The sector is separated from compulsory schooling both bureaucratically, via a separate set of institutions, and philosophically, in terms of its aims and values. These aims and values have deep roots in the Enlightenment and beyond, through the history of Western philosophy. Perhaps the most significant formulation of these ideals was put forward by Wilhelm von Humboldt in his vision for the University of Berlin in the early nineteenth century (von Humboldt, 1970). At the core of this vision is the creed that research and teaching are inseparable activities in higher education. These ideas have deeply influenced modern higher education globally, and Humboldt's vision is our point of departure.

In the literature on modern higher education, from the 1970s and onwards, the concern for teaching and research initially focussed on whether researchers would make skilled teachers. As

shown by Hattie and Marsh (1996) and others (e.g. Elton, 2001) there is little to suggest that a causal relationship exists. More recent literature on the relation between teaching and research has instead been concerned with how students' learning can be supported by various ways of using research as pedagogical devices – a perspective usually discussed in terms of 'research-based education'. However, these studies discussed the relation between teaching and research mainly in the limited context of classroom practices and the ensuing influences on student learning and student experiences (e.g. Healey and Jenkins, 2006). It certainly does not follow from this that proficiency in research should not be relevant for teaching competence. Whilst it is recognised that teaching ability varies between members of the professoriate 'it will be hard to find a good university teacher who is nothing more than a teacher.' (Stout, 1965, p. 61). This concerns what it is that gives university teachers the right to enter the classrooms in the first place, regardless of what practices they eventually engage in. More specifically, the question is: How can we argue for the right to teach in higher education from the philosophical perspective of Humboldt? Whilst this question is philosophically grounded it is also of contemporary relevance to global higher education, where the casualisation and disaggregation of academic labour means that 'contingent faculty' are now doing much of the frontline teaching (Nica, 2018, p. 214). This is leading to a proliferation of teaching-only contracts and a narrowing definition of the phrase 'research-active'. The purpose of this paper is to explore the implications of *research activity*, in line with the vision of Humboldt, being seen as paramount for the right to teach in modern higher education.

The Humboldtian model – a ubiquitous ideal

In von Humboldt's (1970) view, 'teaching' and 'research' should be thought of as an integrative and communal experience. Humboldt argued that teaching and the publication of scientific results were the same kind of activity – a presentation of knowledge-claims to someone to whom it was new. Central for Humboldt was the notion of students as co-creators of knowledge though this is now sometimes seen as a modern and progressive conception (e.g. McCulloch, 2009). von Humboldt (1970, p. 243) wrote: 'At the higher level, the teacher does not exist for the sake of the student; both teacher and student have their justification in the common pursuit of knowledge.' This means that professors do not have a monopoly on knowledge creation and truth seeking, and so it follows that teaching cannot be conceived of as a crude form of 'spoon feeding' students with the received wisdoms of an academic discipline. Humboldt's conception is essentially egalitarian in nature and suggests that a common bond ties both parties – students and their professors – together (see also Eliot, 1907; Jaspers, 1959; Truscot, 1943). To guide and support the students in this process, the teachers themselves must be at the cutting edge of knowledge production. Therefore, the teacher's legitimacy comes from being involved in research. As Jaspers (1959, 45) argued, the research-active teacher ...

... alone can bring the student into contact with the real process of discovery, hence with the spirit of science rather than with dead results which can be committed to memory. [...] Others only pass on a set of pedagogically arranged facts.

Closely connected to this position is another issue central for Humboldt: that higher education must be about understanding uncertainty and the limitations of any knowledge-claims (see also, for example, Russell, 1993). This is a recurring theme in discussions about critical thinking as a central goal for higher education (e.g. Barnett, 1990).

Universities in the United States, mainland Europe including the UK, as well as Russia and Japan have been heavily influenced by Humboldt's ideals since the nineteenth century (Altbach, 1989; Schimank and Markus, 2000). Subsequently the so-called 'Western' model of the university – largely shaped by Humboldtian thinking – has, in turn, become the *de facto* model on a global

basis (Peters, 2019). According to Marinetto (2013), there is even a recent awareness of Humboldt's ideals as increased tuition fees focus on demands for quality. Yet, the right to teach is a matter of the academic credibility of higher education, rather than a matter of marketing or creating 'value for money'. In other words, it is a matter of an internal academic status, when academics compare and assess their own institutions as well as others. Therefore, the extent to which the modern international research university is true to Humboldt's vision is relevant for anyone involved in higher education, from students to vice chancellors.

Taken together, the Humboldtian principles would imply that only those who are engaged in research – or are, in other words, 'research-active' – ought to have a right to teach at the university. Humboldt's ideal was a university where the students developed as persons – hence Humboldt's notion of *bildung* as an educational goal – and it was not the least through personal development that the students eventually would be able to fulfil their future roles as Prussian civil servants and become what we would now call 'employable'. Here, we argue that Humboldt's perspective is as valid today as the widespread espoused adherence to his vision suggests, in particular when it comes to the relation between teaching and research. It is also reflected in modern educational policy at an international level, exemplified by the European Committee of Ministers who declared that students' personal development was one of four purposes of higher education (Council of Europe Committee of Ministers, 2007). This position has been consistently asserted by a number of thinkers about higher education for over one hundred years, influenced by the Humboldtian model (e.g. Ashby, 1968; Eliot, 1907; Jaspers, 1959; Marinetto, 2013; Russell, 1993; Truscot, 1943). Stout (1965, p. 61) summed it up in his claim that 'all teaching at the university level should be alive with the spirit of discovery', in the absence of which students are not involved in a credible higher education experience.

In some international contexts these expressions of philosophical beliefs play out in practice rather than simply in theory. In New Zealand, for example, section 162 (Section 4) of the Education Act (1989) stipulates that in universities 'research and teaching are closely interdependent and most of their teaching is done by people who are active in advancing knowledge' (Parliamentary Council Office, 2018). In effect this means that in New Zealand 'university academics are required in law to be researchers' (Harland, 2012, p. 8). This is an unambiguous endorsement of Humboldt's ideal in legislation affecting a national university sector. Still, it should be noted that the close connection between teaching and research has not been universally endorsed. For example, the English higher education tradition in particular has been heavily shaped by the Anglican church, originally for the training of the clergy, and later in harmony with the public schools, for the production of gentleman to serve the empire. Therefore, research was not a significant element of the influential vision of the nineteenth century educationalist, Cardinal John Henry Newman, who believed that research best belonged in specialist institutions (Newman, 1976). Hence, research has, for much of British history, resided outside of the universities with the result that many of the great British intellectual and scientific figures, such as David Ricardo, John Stuart Mill, and Charles Darwin, made their mark without any connection with what are now considered the great universities (Flexner, 1930). In the United States, there was in the late nineteenth century a similar resistance against giving research a more prominent role as an academic mark of status, for example at universities such as Princeton and Yale (Kennedy, 1997). In England too, teaching was seen as the main function of the university. Reporting on a Gulbenkian educational discussion in 1960 about the balance between research and teaching, Tudor David states that 'The question was never explicitly raised, but no one doubted that the prime purpose of the university was to teach.' (David, 1961, p. 177). This indicates that the contemporary identity of many universities influenced by the Anglo-Saxon tradition – in England, Australia, Hong Kong and elsewhere – has only recently been reshaped with a much stronger focus on research.

Defining the 'right to teach'

Before we can go into a further discussion about the right to teach, the concept of a *right* needs a demarcation, since the philosophical literature on rights covers many different approaches. Hohfeld (1919) presented a descriptive model where rights can be analysed in terms of basic elements and relationships between them, which in various combinations can build up more complex rights and power-relations. In this paper, we will stay at the basic level and focus on the right to teach as a *privilege* in Hohfeld's terms, which is a kind of right that has also been described as a licence (see Wenar, 2005, for a further discussion of Hohfeldian conceptions of rights). While the right to teach is defined as a privilege in this paper, it will in practice also become part of a more complex pattern of mutual rights and duties when the teacher interacts with academic managers, colleagues and students. However, this added layer of complexity goes beyond the scope of this paper: we are focussing on the principles behind the privilege as such.

Whereas the right to teach is a privilege to act in a number of situations, the exact scope of actions for a given teacher in higher education depends, to a large extent, on the organisation of the educational venture. Potentially, the rights include setting a curriculum or interpreting an existing curriculum, far beyond merely repeating what Jaspers (1959:45) described as 'a set of pedagogically arranged facts' organised by someone else. It includes the right to decide on the relative merit of theoretical and methodological perspectives; the depth and scope of what to include in teaching activities and assessments; and to assess students' skills and knowledge through assessment. It further incorporates the right to select and interpret the literature, and to take a stand or position on it in front of the students, including criticising the authors' knowledge claims. Regardless of any other expectations we can place on university teachers, a necessary condition for the right to teach is to have the capability to accomplish these tasks. The teacher must have an informed opinion on the subject matter and make decisions based on this. A central decision for the teacher would be to define the theoretical details and scientific approaches and practices that all students must grasp in order to meet assessment requirements. The teacher must be able to judge which theories and empirical results to include and which to omit. However, this can be perceived as a controversial right by those who claim that the curriculum reflects the political leanings of a liberal professoriate (Horowitz, 2007).

It is reasonable to start defining teaching as a capability in terms of the teacher having a wider and deeper understanding than the students being taught, and this capability is fostered through research activity. Research is an intellectual task. Being active in research means engaging with the subject area and the latest developments and debates. Being an active researcher includes being aware of conflicting knowledge-claims and the arguments for and against these claims. The active researcher might refute knowledge claims and criticise the arguments for them, but the students should expect their teachers to at least tell them about the existence of conflicting views. To be able to do so are capabilities that form the basis for the right to teach. The right to teach also comes from having enough overview of the subject to be able to arrange the material in pedagogically fruitful order – not just repeating the way in which material has been arranged by others, as Jaspers (1959) recognised. A teacher who only relies on the students' textbooks as a basis for learning would not be sufficiently ahead of their learning to be able to provide a credible higher educational experience. The students are not necessarily able to judge such matters as they would not be aware of what the course would have been like had the teacher been an active researcher (although they might have liked it to have been more challenging). Consequently, the wider the scope of the teacher's reflected understanding of subject matter, the wider the scope of their right to teach. Not the least, the right to teach comes from an ability to think critically about subject matter, and to do so with more depth and a wider scope than might be reasonably expected from a student.

The teacher who is only familiar with an academic field through student textbooks is entirely reliant on the investigatory skills and reflections of others and, what's more, the teacher might

be up to ten years behind the latest research development in the field due to the time lag in textbook production. The more the teacher is at the forefront of knowledge production, the better the teacher's possibilities to support the students' collaborative quest for knowledge. A university teacher who does not meet these demands might even be substituted by an actor, which might provide students with a 'teacher' who possesses better elocution, but there still has to be a scholar who makes all the academic decisions, from the interpretation of the curriculum down to the planning of the content of the lectures. Therefore, the right to teach is as inseparable from research expertise today as it was for Humboldt, and it would be a serious mistake to reduce teaching to mere classroom activities and student interaction. Here, we also see that the right to teach comes from the ability to take an expert role working alongside students, explaining complex concepts and placing course content in context. These capabilities are quite distinctive from the competences often associated with teaching as a generic art such as elocution, listening skills, use of visual aids, and so on. Such competences are arguably important in any form of teaching, but in a higher education context the right to teach derives from the special capability to enable students to engage critically with knowledge claims, something that can only be maintained through the personal scholarship of the teacher.

A further consequence is that the right to teach is provisional. Once created through relevant research capabilities, these capabilities must be upheld or the right to teach would disappear with them. Possessing a higher-level qualification (a doctorate or even habilitation) does not, in itself, mean that a person is *currently* engaged in research of some kind. Hence, it is open to question whether they have retained the right to teach.

The right to teach and formal academic qualifications

In the medieval university the earliest degrees were the licentiate, otherwise known as the *licentia docendi*: in effect, a licence that permitted a person to teach (Harriman, 1938). Possession of a higher degree continues to play a similar role today, in practice, inasmuch that university lecturers are usually expected to have an academic qualification at least one rung above the students that they are teaching. Increasingly on an international basis, university academics are expected to possess a doctorate. The PhD, drawn from the German tradition of higher education, has long been seen as the 'union card' giving someone the right to teach in a US research university context (Fincher, 1996). This type of expectation though is far from universal. While university academics at research-intensive institutions typically now possess a doctorate, this is not the norm in less prestigious universities where there is less emphasis on research (Altbach, 2011). In the UK, where the influence of the German tradition is more latent, the expectation that university teachers would possess a PhD is a comparatively recent development (Halsey and Trow, 1971). More recent figures indicate that the global academic profession still suffers a qualification deficit. A UNESCO report published in 2009 estimated that about half of university academics possess just a bachelor's degree while in developing contexts around the world, such as China, less than 10% will hold a doctorate (Altbach *et al*, 2009).

In the mainland European tradition, the formal right to teach has also been associated with further research beyond a PhD. This is called 'habilitation' (i.e. *habilis* meaning to make skilful or fit), achieved either through the production of a second doctoral thesis or achieved cumulatively through high quality publications. This leads to the *venia legendi* or *venia docendi*, meaning the permission to teach a particular subject for life as a *Privatdozent* (or *Privatdozentin* for women) in German speaking countries, or *docent*, in central Europe as well as in Scandinavia. In Anglo-Saxon terms, it is generally a position equivalent to *reader* or *associate professor*, or between associate professor and full professor. Here, we want to point out that the notion of a lifelong right to teach is difficult to compare with the notion of the right to teach as argued here, as we have described this right as provisional.

In Australia and the UK, new university academics are now commonly required to complete some form of teaching development specific to higher education. More experienced staff are encouraged to evidence their knowledge and commitment via reflection on practice and, in the UK, seek fellowship of the Higher Education Academy (now part of a new body called Advance HE). Furthermore, in many countries new university academics are often required to undertake teaching courses specific to higher education sometimes leading to a qualification. According to recent figures from the European University Association, 40% of European universities demand new teachers to take compulsory courses on teaching skills and optional courses are offered by 75% of European universities (Sursock, 2015). In the UK, Fellowship of the Higher Education Academy is now accepted as a proxy for being qualified to teach in university.

Performative definitions of research-active

In practice, determining how the right to teach is maintained depends on what is meant by being 'research-active'. In the scholarly literature this term is often used without being defined. For example, Coate et al. (2001) use the phrase research-active no less than 10 times in an article about relationships between teaching and research without once defining it. Van Winkel et al. (2018) investigate the identities of research-active academics and even include this phrase in the title of their paper and subsequently refer to it on a further nine occasions. They also do not explain what they mean by it, suggesting a taken-for-grantedness as to what research is. A relevantly similar observation can be made about the absence of a definition when the term research-active is referred to in numerous university policy statements.

In common with a number of other widely used terms in higher education, such as collegiality, the meaning of research-active may be interpreted in a variety of ways. Moreover, it has clearly evolved over time. What Truscot referred to as the 'spirit of research' has, in recent times, been entirely replaced by a narrow set of performative demands, following a prominent but widely criticised trend in modern higher education (see, for example, Kalfa and Taksa, 2017; Kenny, 2017). Although the term 'research-active' remains more often asserted than defined, a number of universities have published criteria as to how they define it, in line with this trend.

A growing number of universities, especially in Australia and the UK, define research-active in terms of the production of high quality research 'outputs' such as journal papers and scholarly books, the generation of external research income, and successfully supervising doctoral students to completion. If an academic is not doing well enough measured against most if not all of these specific criteria, they are not considered 'research-active'. Such criteria are largely premised on national audits of research excellence in Australia and the UK. In the UK, the phrase research-active is being largely (re-)defined in practice by reference to the Research Excellence Framework (REF). Under the rules published in late 2017 for the REF2021, institutions are required to submit all academic staff for whom research is a substantial part of their role, with an average of 2.5 publications per individual over the audit period.

Individual universities also issue policy definitions of 'research-active'. The Australian Catholic University (ACU), for example, states that to be research-active academic staff must satisfy two of three criteria during the last 5 years: to be named as a chief investigator (otherwise known as principal investigator) of a funded grant, to a value of at least A\$75,000; to have supervised to completion at least two students pursuing a higher degree; and to have been the author, or co-author, of peer-reviewed publications with a points scoring system depending on the nature of the output. For example, one research monograph is deemed to be worth 5 points whereas a refereed journal article would count for 1 point, and so on. (ACU, 2018). In a similar vein, Griffith University in Australia identifies research outputs, the generation of external research income, and the successful supervision to completion of at least one higher degree research student (Griffith University, 2018). In the UK, Middlesex University (2017), describing itself as a 'research-

informed' (rather than research-intensive) institution, offers a slightly broader definition of 'research-active'. This incorporates practice and professional components related to those working in fields such as business management and the arts. They also acknowledge that those managing funded research projects are not always able to publish at what they describe as 'REF rates' (see below), referring to the extent to which both the quality and quantity of outputs associated with meeting high star ratings in this periodic audit conducted by the higher education funding councils. Possessing external funding is now considered a symbol of high-status research and an integral part of what it means to be research-active. In a performative and marketised culture unfunded research is held in low esteem (Thornton, 2009), whereas concerns about the effect of such funding on the objectivity and integrity of the researcher used to mean that it was considered a high-status activity.

In early 2018, the 'Daily Nous', a news platform aimed at philosophy professors in the US, held a discussion board about the criteria used by universities to determine whether academics are research-active (Weinberg, 2018). The responses illustrate the variation in practice, with contributors citing their own institution or departmental standards such as publishing at least two journal articles in a five year period, a peer-reviewed article once every two years or a book once every three, and 5-7 articles or a book in five years. Discussion also centred on the way in which research-active criteria uses tariff or points scoring systems to add up different sorts of publications – such as books, book chapters, journal papers, and so on. For example, according to one contributor to the discussion, a monograph is worth five journal articles or book chapters, while edited collections were scored at zero. Aside from the comparative time and effort required to write a book vis-à-vis a journal paper and other forms of publication, there is a more general question about the extent to which quality and prestige should be taken into account as opposed to (mere) productivity.

The emergence of university definitions of 'research-active' is indicative of the increasing fragmentation of the academic profession into teaching and research para-academic specialisms. It flies in the face of a Humboldtian vision by polarising research and teaching, making teaching-focussed academics the poor relations of their more research-focussed colleagues. The criteria used to define research-active as becoming more demanding, indicative of the hyper-performativity expected of those holding onto all-round academic contracts in the research university. The isomorphic tendencies of universities as institutions means that nearly all higher education institutions aspire to research excellence which, in turn, is used as the primary basis for determining world university rankings.

Today, the professors with the most prestige are the publishers and grant-getters; at some research universities, many faculty members pay so much attention to the prestige garnered by scholarship that they don't even know who the best teachers are. (Tuchman 2011, p. 217)

Teaching in the environment described by Tuchman (2017) is disesteemed. Hence, the question as to who has the *obligation* or duty to teach is more likely to be raised than who has the *right* or privilege to do so. Seen in this way, teaching is an unwelcome interruption in the professional life of an academic; a distraction from research performativity.

A Humboldtian problematising of the 'research-active' university teacher

We suggest that there are two interconnected problems with the notion of 'research-active' presented above. The first is that the performance indicators are not seen as a basis for teaching proficiency. The second is that the adopted definition of 'research-active' is too narrow, as it is formulated out of a mere interest in research performance rather than a broader interest in academic scholarship including both research and teaching. The performative view of research overshadows the importance of these successful researchers' capability as teachers. The teacher with the skill to produce a steady flow of peer-reviewed papers, efficient doctoral supervision, and

who gets funding have the kind of expertise that is invaluable for teaching in higher education – in other words the kind of expertise that gives the right to teach. Furthermore, the word ‘research’ needs to be understood as consisting of a wide range of forms of scholarly enquiry rather than a restrictive definition limited to empirical enquiries and certain restrictive forms of publication (i.e. high impact journals) or activities (i.e. grant getting). The restrictive definition of research-active to meet performance targets associated with research funding and increasing numbers of university academics employed in a teaching-only capacity suggest that the Humboldtian ideal is more often espoused than practiced.

In order to realise the Humboldtian vision with respect to the right to teach we need to recapture a broader and more liberal interpretation of what ‘research-active’ might mean beyond the narrow strictures of performativity. Here, we could do worse than draw on one of the central points Truscot makes about the relationship between teaching and research in *Red Brick University* (1943). Truscot argued that an understanding of research should never be ‘limited to fact-grubbing’ (i.e. empirical research) and should also include ‘scholarly investigation, appreciation, creative and textual criticism, re-interpretation and a critical treatment of contemporary thought.’ (1943, p. 333). Truscot was by no means alone during this era in criticising what would now be referred to as empirical work. Already in the 1930s, Abraham Flexner regarded a lot of research, especially the use of questionnaires, as glorified information-gathering (Flexner, 1930). Sceptical attitudes are evident in the higher education literature of the 1950s and 60s with (empirical) research activity being variously described as a ‘parasitic activity ... not the characteristic function of philosophic minds’ (Brannan, 1966, pp. 66 and 67), the realm of ‘a technical specialist working within a confined field’ (Niblett, 1951, p. 117) that undermines the development of the academic, in the Renaissance tradition, as a more rounded intellectual. The criticism is no less severe today, although the disapproval tends to be couched more in terms of its methodological shortcomings in this passage from the editor of *The Lancet*, Richard Horton:

The case against science is straightforward: much of the scientific literature, perhaps half, may simply be untrue. Afflicted by studies with small sample sizes, tiny effects, invalid exploratory analyses, and flagrant conflicts of interest, together with an obsession for pursuing fashionable trends of dubious importance, science has taken a turn towards darkness. (Horton, 2015, p. 1380)

Truscot believed that research should ‘fertilize’ teaching, and that ‘the spirit of research, rather than the mere fact of research is what matters’ (1943, p. 154). For Truscot, without such an inter-connection there could be no true university level education for ‘where there is no research at the top, there will be no originality, or desire for originality, at the bottom.’ (1943, p. 143). He saw university teachers, in the Humboldtian tradition, as operating with an enquiry-led mindset that set their teaching apart from that at the level of compulsory schooling.

Teaching-only contracts – an academic contradiction

Teaching-only contracts at universities are now widespread across the globe and growing. These types of contract represent a response, in part, to the increasing research focus of the university and the need to comply with methods used by governments to evaluate and reward research via a narrow interpretation of research activity focussed on outcomes and outputs, such as publications. They are also a response to the so-called massification of higher education through the division of academic labour into specialist work streams.

Implicitly, teaching-only positions reinforce a teacher-centred model of teaching at university; one which precludes the possibility of students interacting with their teachers as partners or co-learners in critically examining knowledge claims. It precludes this possibility because the teacher is not employed to engage in research. While they might use interactive or so-called student-centred teaching methods, these will not enable the student to engage with someone involved who is actively evaluating knowledge through ongoing research. It encourages what Freire

(1970) referred to as a banking model of education where the teacher is, in effect, transferring a fixed or static body of knowledge to the student rather than entering into a more dynamic and democratic learning relationship based on a recognition that both the teacher and the student are learning, and that the boundaries are challengeable and mobile.

It is also surprising that teaching-only positions are found at universities which have committed themselves to a Humboldtian vision by signing *Magna Charta Universitatum*, which states 'recruitment of teachers, and regulation of their status, must obey the principle that research is inseparable from teaching' (Observatory Magna Carta Universitatum, 1988, p. 2). In practice many of the signatories to this declaration are pursuing recruitment and appointment policies that directly contradict this espoused commitment.

Conclusions and implications

The purpose of this paper was to explore the implications of research activity, in line with the vision of Humboldt, being seen as paramount for the right to teach in modern higher education. Summarising the arguments, we claim that it is by being research-active that teachers in higher education become able to fulfil the expectations placed upon them to meet the purposes of higher education. Humboldt's vision was about teaching and research being inseparable, and it covered the university as a whole including educational purposes and the expectations to be placed on the teachers. If university management still want to meet these purposes, they have to see the need to follow Humboldt also in the relation between teaching and research. Here, a fundamental conclusion cannot be avoided: the right to teach is provisional and it is upheld by continuous contact with research. It comes from being a critical thinker, a step or two ahead of the students, and if this research contact and critical thinking dries up, so does the right to teach.

To fully grasp the importance of research as a fundament for the right to teach, we must see that teaching skills cover a much wider set of capabilities than generic classroom competences. Where a teacher declines an invitation to teach a particular course this might be perceived, from a management point of view, as uncooperative or behaviour lacking collegiality. However, such a refusal might indicate either an understanding that their right to teach does not extend beyond a particular specialism, or that they do not feel sufficiently current/up to date. Refusing to teach beyond one's area of expertise is a way of showing respect for the students as well as for the scholarly development of the discipline.

We have seen that critical to this discussion in a contemporary context is the way in which 'research-active', in many modern universities, is framed narrowly as a performative construct involving large grant capture and publication in high impact journals. Here, the working definition of 'research-active' found in many modern universities delimits the understanding on the relation between research and teaching. Even if a market-driven university sees the relation between teaching and learning as a matter of student experience, or assuring that subject matter is up to date – as discussed by, for example, Marinetto (2013) – it would be a mistake not to also see the wider issue of the right to teach. Through the Humboldtian approach this becomes a matter of academic credibility, which reflects on the status of the university as a whole. It is further apparent that neither obtaining a higher degree nor a teaching qualification is a sufficient basis to assert a right to teach in universities that claim to integrate teaching and research. From a Humboldtian perspective, only a research-active academic has real legitimacy and the interpretation of this phrase should be a liberal rather than restrictive one. It is, perhaps, best defined in this sense by Truscot (1943, 333) as including 'scholarly investigation, appreciation, creative and textual criticism, re-interpretation and a critical treatment of contemporary thought.'

Academic life needs to be understood as a vocation via a continuing engagement in scholarship, or the pursuit of truth, rather than in the way it is often (mis)described – as a profession. A

vocational dedication to the pursuit of truth enables a university teacher to help students understand that knowledge is constantly on the move rather than a static entity. Unless a university teacher is still actively searching for the truth it is difficult to convey such an attitude to students. Who is qualified to teach at university level flows from the need to inculcate the right sceptical attitude towards knowledge claims among students.

Those who genuinely meet the demanding and performativity-focussed definition of a 'research-active' academic represent a dwindling rather than increasing number. Unless we recognise and support a wider definition of 'research-active', and connect such research activity with the right to teach, we risk further separation between teaching and research where fewer students are being taught by those who have the right to teach at university. Yet, the contemporary debate centres on the right of students to be taught well by 'competent' professors, in a relatively restricted sense, rather than being taught by someone research-active. Who is qualified to teach university students is a question central to the the purpose of a higher education that has gone largely unnoticed.

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No potential conflict of interest was reported by the author(s).

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