

SAFS Newsletter

Society for Academic Freedom and Scholarship

Maintaining freedom in teaching, research and scholarship
Maintaining standards of excellence in academic decisions about students and faculty

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ACADEMIC FREEDOM UNDER SEIGE

Barbara Kay

In the annals of dubious achievements a "first" by academics in a democratic country: On May 30, British academics representing the Union of Colleges and Universities (UCU) voted in favour (158-99, 17 abstentions) of boycotting their professional (Israeli) peers.

Capping a five-year campaign by a gang of fanatically anti-Israel supporters of the Palestinian cause, the boycott's advocates present as protesters of Israel's unfair treatment of Palestinians and failure to abide by United Nations resolutions. These are canards. For the motion's resolutions include circulation of the Palestinian Campaign for the Academic and Cultural Boycott of Israel (PACBI) statement, which justifies the boycott not on the grounds of Israeli policies, but because of its "Zionist ideology." In short, it isn't colonialism the boycottists oppose, but Israel's very existence.

While the campaign bellwethers are fringe radicals and deluded professional outliers, they are not harmless, and must be publicly, and repeatedly, denounced by the mainstream. History teaches that group scapegoating always begins with control of the knowledge flow, and here is a perfect example of the phenomenon.

The movement began in Britain in 2002 with a call by two academic ciphers for a boycott that was quickly scolded into apparent submission. But, as with a cancer, rapidly proliferating cells soon bloomed at home and metastasized in other countries, notably France and Australia. Like all cancers, it will not simply 'peter out' without opposition. The boycott campaign must be recognized and aggressively

exposed as the malignant totalitarian impulse it is, a stain on the principle of free global intellectual exchange underlying all our institutions of higher learning.

For this is not just a British university problem, any more than the 1923 assault on Jewish students and their right to learn at Vienna University was an Austrian problem. Politically correct academics may think, as one wag put, that one can "pick up a turd by the clean end" in insisting rabid anti-Zionism isn't anti-Semitism, but at this late stage of their obvious convergence in the hard left, that has become a risibly shopworn shibboleth.

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The British House of Lords has collectively and eloquently denounced the motion (see the inspiring whole in Hansard for June 12). Baroness Deech noted: "Before any one reacts with the frequently voiced sentiment that criticism of Israel does not equate to anti-Semitism, let me hasten to agree, but to point out that the antagonists of the Jewish students [on university campuses] are failing to make that distinction." She warns: "Academic freedom is the first target of tyrannies, and those who ignore attacks on academic pursuits are co-operating with tyranny."

In the U.S., Columbia University's president, Lee C. Bollinger, set the gold standard for moral clarity in a statement last week, declaring the boycott "utterly antithetical to the fundamental values of the academy," concluding "if the British UCU is intent on pursuing its deeply misguided policy, then it should add Columbia to its boycott list, for we gladly stand together with our many colleagues in British, American and Israeli universities against such intellectually shoddy and politically biased attempts to hijack the central mission of higher education."

Canada? In response to my query regarding their reaction to the boycott motion, a University of Toronto spokesperson referred me to a 2002 document in which general bromides are expressed around the value of academic freedom, along with a statement that they "do not agree with the boycott action by the British academics" as it is not "an appropriate vehicle for expressing concern about a situation."

The Swiss-precision tooling of the studied non-partisanship, impersonality and lack of moral indignation in this lifeless statement suggests boycotts are a matter of opinion and logic, not morality. It does

not name the "British academics" or identify the "situation" or the victims of the "vehicle." Further comment on the boycott campaign's significant escalation was firmly declined.

McGill University did not respond to my query for its response to the UCU motion.

In positive contrast to both, UBC immediately published a forceful message from president Stephen Toope on its Web site, in which he calls the attempt to stifle others' views a "shameful scheme," and "an affront to modern society, [which] must be condemned?"

While the American Association of University Professors (AAUP) issued an equally strongly worded statement, its parallel organization here, The Canadian Association for University Teachers (CAUT), to which all teaching academics must belong, and whose mission statement brims with paeans to academic freedom, has been lamentably silent on the boycott. A spokesman told me that while opposed to academic boycotts in general, CAUT "does not involve itself in the affairs of international sister organizations."

Again by refreshing -- and unique -- contrast, the Society for Academic Freedom and Scholarship (SAFS) has been the only Canadian organization to protest the British campaign unequivocally and frequently from its inception, identifying the boycott motion as an act of "academic cannibalism."

For myself, until I see evidence by my alma maters, the University of Toronto and McGill University, of the ethical stand modelled by Columbia University, UBC and SAFS, my annual donation to both will be rerouted to SAFS. As Lord Mitchell noted in the June 12 Hansard: "Boycotts beget boycotts. Two can play at that game?" For goodness sake, we all can.

National Post, Wednesday, June 20, 2007. □

See SAFS website:
www.safs.ca/boycottmain.html for a listing of Canadian universities (and others) who oppose the boycott.

**RADICALLY PRINCIPLED VS.
COMPROMISINGLY POLITICAL REACTIONS
TO THE ACADEMIC ANTI-ISRAELI BOYCOTT:
"WELCOME TO THE FIGHT"**

John Furedy

At end of the classic film, "Casablanca", when Rick finally decides to abandon his neutrality with regard to the Nazi and Vichy regimes, the resistance fighter Victor Laszlo says, "Welcome to the fight." Victor's words seem apt as the academic anti-Israeli boycott, that abuse of academic freedom, continues. Anti-Semitism and other dark impulses may likely motivate the boycott. Whatever the motives for the boycott may be, however, the boycott threatens the central mission of any genuine university. That mission is the search for truth through the conflict of ideas. For academics, then, a phrase from the theme song of Casablanca is also relevant: "The fundamental things apply."

Opposition to the boycott, indeed, is incumbent on all who value a free society, in which freedom of speech is a central tenet. This tenet was recently formulated by Nathan Sharansky, who distinguished between free and "fear" or totalitarian societies. He noted that in a free society, even the most outrageous opinions can be publicly stated without fear of criminal punishment.

For those who believe in a free society, then, academic freedom on campus and freedom of speech off campus should be closely related. In particular, non-academics should not make the mistake of treating academic freedom as merely an "ivory tower" issue. Another mistake is to minimize the boycott on the grounds that it merely places Israeli professors in a sort of academic Coventry. The essence of academic freedom is, as I have argued, the right of all members of the academic community (students and faculty) to be evaluated solely on their academic performance, and not at all on their politics, religion, or citizenship. The boycott denies this right, and is therefore properly labeled an abuse of academic freedom. Those who are not direct victims of this abuse (in this instance those who do not hold Israeli citizenship or are not Jews) should not treat the boycott with indifference, or worse still, join, even in a partial way, those who threaten academic freedom. Like justice, freedom is indivisible.

The fight against the boycott's challenge to academic freedom should be what I call "radically principled"

rather than "compromisingly political." By principled I mean that it should focus on the general principle of academic freedom, rather than on those groups that are the most direct victims of the boycott. It should be radical: it should brook no compromise with the boycotters. Rather, it should treat their proposals with the contempt they deserve. It is also inconsistent with such contempt to try to negotiate with the boycotters by such moves as attempting to defend Israel's behavior in hopes of mitigating the boycott's effects.

When, in 2002, a group of British sub-professorial academics (the British Association of University Teachers-BAUT) began the boycott movement, there were some immediate radically principled condemnations from some academic organizations like the Canadian Society for Academic Freedom and scholarship (SAFS), the National Association of Scholars, and the American Association of University Professors. They all had in common their opposition to the boycott as an unjustifiable attack on academic freedom, without any reference to the behavior of the Israeli government. For example, the SAFS statement referred to the boycott as an act of "academic cannibalism."

In stark contrast to these condemnations of the boycott was the silence from some "ivory towers" like the Canadian Association of University Teachers (CAUT). This large organization represents all Canadian university teachers, is actually a union, because all Canadian academics must belong to it. This contrasts with voluntary associations like the Faculty Association at the University of Toronto. CAUT also has a permanent standing committee on academic freedom, but as I noted several months after the initial boycott, CAUT, in contrast to the much smaller voluntary Canadian organization, SAFS, continued in its compromisingly political silence, preferring to avoid this "controversial" issue. In other words, when it comes to protecting academic freedom, CAUT talked the talk, but did not even crawl the walk.

However, even specifically anti-boycott organizations like the International Academic Freedom Board (IAB) of Bar-Ilan University engaged in some tactics that were compromisingly political rather than radically principled. So, for example, IAB sent a letter to the BAUT's executive that defended Israel's policies and also noted that individuals who had been fired from editorial positions on the grounds of the boycott were

in fact doves rather than hawks as regards Israel's foreign policy. This sort of tactic implicitly grants the boycott movement an academic legitimacy that it does not possess. It is like negotiating with cannibals about whom they should or should not eat.

The 2002 BAUT boycott motion did not achieve majority support, and most organizations appeared to be satisfied with this result, with some even congratulating themselves as having "succeeded" in "gently persuading" British academics by "democratic" means to vote against formal boycott. There was little by way of outright condemnation of the very concept of academic boycotts, so it is not surprising that in 2007, a BAUT-like organization began to promote a new version of the boycott. This British academic body, composed of sub-professorial teaching staff, was aware of prior anti-boycott opposition, and hence came up with a more "moderate" version according to which it was up to its local organizations to decide whether or not they wished to proceed with the boycott which the organization's executive was recommending. This is like leaving the question of cannibalism to the decision of local villages.

This time, many academic organizations are taking radically principled public stands against the boycott, by focusing on the issue of academic freedom (for a recent and constantly updated site on this issue, see www.safs.ca/boycottsmain.html). Moreover, some prominent non-academic organizations like the British House of Lord have condemned the 2007 version of the boycott, apparently recognizing the connection between academic freedom and freedom of speech.

Still, most individual academics remain silent, and the CAUT continues to refuse to interfere in what its president, James Turk, still calls merely a "controversial" issue that needs "unfettered discussion" and on which CAUT has no policy. For the CAUT, apparently, cannibalism should not be condemned as long as no Canadians are eaten, and as long as local village councils are free to decide whether to eat, and whom to eat.

John Furedy, Emeritus Professor of Psychology, University of Toronto, Sydney, Australia, and former president of SAFS.

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PETITIONS AND ACADEMIC FREEDOM

Mark Mercer

Suppose that you and others at your university are upset and embarrassed by a colleague's bad behaviour. Why not sign a petition expressing that embarrassment?

"We, the undersigned faculty members at St. Francis Xavier University, while adamantly defending the academic freedom of our colleague, Dr. Shiraz Dossa, to espouse any views that he pleases, are nevertheless profoundly embarrassed by his participation in the Holocaust-denial conference held in Tehran, a gathering whose premise has been condemned by the governments of Canada, Germany, France and Britain among others, as well as by the Vatican."

This particular petition can be criticised on three grounds. 1) There's little evidence to justify the description "Holocaust-denial conference," though indeed some Holocaust deniers were present at it. 2) The petition is about Dr. Dossa's attending the conference, not about anything he said there, and yet it contains the phrase "to espouse any views that he pleases." One might hear in this phrase the suggestion that Dr. Dossa himself denies that the Holocaust occurred, which is false. 3) The petition gives no reason for thinking Dr. Dossa should not have attended the conference nor does it give any justification for anyone's being upset or embarrassed that he did, except to say that the premise of the gathering has been condemned by various governments and the Vatican. If we are ever right to be embarrassed by what a colleague does, we are right to be embarrassed by a colleague's indifference to justification or, worse, by her blandly citing authority (poor authority, in this case).

I mention these grounds of criticism merely to set them aside. I want, rather, to explain why academics should never sign a petition to express their displeasure or embarrassment at what a person says or does.

Of course we are free to write petitions and to participate in petition drives, whichever ones we like. Had an official at St. FX stepped in to halt the drive, he would have violated the academic freedom of those involved in the petition. The petition drive itself, however distasteful it was, did not violate Shiraz Dossa's academic freedom. And yet signing the petition is entirely contrary to respect for academic freedom or, rather, to respect for the ideals of the university on which academic freedom rests.

Ideally, a university is a place at which people pursue inquiry seeking to determine how things are. It is also a place at which people communicate to others, as clearly and directly as they can, their thoughts about how things are. And it's a place at which people teach others, as effectively as they can, how to inquire so as to determine how things are. Inquiry that aims at uncovering how things are is inquiry guided by and answerable to evidence and argument, and answerable to evidence and argument alone. A central purpose of academic freedom, then, is to remove or, at least, to limit whatever pressures apart from evidence and argument might come to bear on inquiry, communication, and teaching.

The point of a petition drive, though, is precisely to put social or political pressure on people. Even if, unlike the one at St. FX, a petition contains evidence or argument, it is still an instrument of social or political pressure, for whatever work it does as a petition it does in virtue of the number or the importance of the people who signed it. The work it does, of course, is to create a climate of intimidation and fear. Having witnessed the petition drive against Dr. Dossa, professors or students at St. FX wondering whether to participate in this or that conference might now think twice--not about whether participating in it will serve inquiry, communication, or teaching, but whether participating in it will bring scorn and hostility to them personally.

A person committed to minimizing those pressures on inquiry, communication, or teaching that are not pressures of evidence or argument would not sign a petition criticising a person for using this or that venue to express his or her views. She would understand that such a petition is a political instrument the point of which is to cow her colleagues and students to toe some preferred line.

Colleagues of Dr. Dossa upset or embarrassed because

of his participation in the Tehran conference may certainly state their anger or embarrassment--and, as academics, they should be concerned to explain, and to explain well, why Dr. Dossa should not have gone to Tehran. So, why should Dr. Dossa not have gone to Tehran? The petition itself does not say, but from what the president of St. Francis Xavier has written and from newspaper commentary, I find two lines of argument. The first is that by attending a conference featuring Holocaust deniers, Dr. Dossa has potentially legitimized Holocaust-denial. The second is that Dr. Dossa's attendance hurt St. FX's reputation.

That neither line is at all well developed by those who offer it is a scandal; that this scandal isn't recognized as such is a second scandal. (I'm reminded of those who criticised Saint Mary's University philosophy professor Peter March for posting the Danish cartoons; they also cared neither to present arguments nor to respond to criticism with arguments.)

Clearly, though, neither line of argument why Dr. Dossa should not have gone to Tehran, however it is to be developed, has to do with what Dr. Dossa said at the conference, either during his presentation or at any other time. Neither line of argument has to do with the quality of Dr. Dossa's research or the quality of his discussion of either his research or the research of others. Whatever part of St. FX's reputation is in the mind of Dr. Dossa's critics, it isn't St. FX's reputation as a place of research, dissemination of research, or teaching, for that reputation can be sullied only by poor research, ineffective communication, or bad teaching.

This fact is disturbing, for it reveals that the many critics of Dr. Dossa's trip, and over one hundred members of the faculty at St. FX signed the petition, hold to a different ideal of the university than the one I sketched above. On this different ideal, the university is to serve one or another social good directly, and not only indirectly by being the best place of research, dissemination, and teaching that it can be. On this ideal, professors and students are to ask not only whether their learning is good as learning, but whether it fits well with one or another preferred value. We are right to apply to colleagues and students pressures apart from the pressures of evidence and argument, then, those who signed the petition must say, for doing so is an effective way of pursuing those values.

This other ideal of the university, and the sense of the mission and purpose of the university that it generates, is, I think, behind many of the assaults on academic freedom we have recently seen in Canada and elsewhere. The thought is that there are things more important than research and teaching and the life of the mind, and, so, when they might interfere with our pursuit of these things, research, teaching, and the life of the mind are to be suppressed or abandoned. Now one question here is whether protest marches, candlelight vigils, petitions, boycotts and the rest do in fact serve whatever political or social ends they are enlisted to serve. It's difficult to see that they do, at least if their ends are other than merely to proclaim to the world that one and one's crowd stand on the side of justice and light. But a more central question is what these things more important than research, teaching, and the life of the mind are. They cannot be the good liberal values of honesty, tolerance, reason, respect for persons as individuals, and democracy, for research, teaching, and the life of the mind cannot threaten these values--on the contrary.

The optimistic view of the petition drive at St. Francis Xavier is that the professors who signed the petition expressing embarrassment over Dr. Dossa's trip to Tehran didn't really know what they were doing. The ugliness of Holocaust-denial so clouded their minds that they failed to see that to sign the petition was to express contempt for academic freedom. The pessimistic view is that many of them knew exactly what they were doing. They saw in the petition an opportunity to align themselves publicly with values they wish their university to embody, values, I've argued, that must be at odds with the ideal of the university as a place where people live the life of the mind.

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SUBMISSIONS TO THE SAFS NEWSLETTER

The acting editor welcomes articles, case studies, news items, comments, readings, local chapter news, etc. Please send your submission by e-mail attachment.

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WHEN SCIENTIFIC INQUIRY AND SOCIAL TABOOS COLLIDE

Leonard Stern

Steven Pinker is a gutsy fellow. The Montreal-born psychologist and author was one of the first important intellectuals to defend Harvard University president Lawrence Summers for suggesting differences in innate aptitude might explain why few women are top scientists and mathematicians.

It's true that few women attain levels of extreme achievement in math and physics -- "extreme achievement" being the sort of thing that earns international prizes -- and Mr. Summers was merely speculating whether social conditioning alone explains the phenomenon.

Or so it seemed. In fact, he was challenging the sacred liberal principle of a shared humanity, the belief we are all equal, and for that he was forced to step down as Harvard president. Liberalism is the official religion in elite universities, and fellow academics denounced Mr. Summers thereby demonstrating their own allegiance to that religion. But not Steven Pinker, himself a Harvard professor. Based on his work as an experimental psychologist, he had suspicions about innate differences in male and female cognition. The more fundamental point was that scientists have the right to ask the question. As he put it, the degree to which sex differences in mathematical ability "originate in biology must be determined by research, not fatwa."

Mr. Pinker had long been identified as a left-leaning intellectual -- he was for years a colleague of Noam Chomsky -- but suddenly there was fear that, as they used to say in the Politburo, he might no longer be reliable.

Indeed. "Do African-American men have higher levels of testosterone, on average, than white men?" This attention-grabbing question is one of a handful with which Mr. Pinker begins a recently published essay titled, *In defense of dangerous ideas*.

Other "dangerous" questions Mr. Pinker raises include: Is the average intelligence of western countries declining because low I.Q. people have more children than high I.Q. people? Do most victims of sexual abuse

suffer no lifelong damage? Does abortion lower crime rates because it reduces the number of children born into poor environments, where they would grow up to become criminals?

Mr. Pinker doesn't offer answers. He's defending the right to ask. More, he's arguing that it is important to ask. His essay is a compelling argument for the lifting of taboos. Now taboos serve an important function. You don't hit your parents or burn the flag, because doing so would weaken the family and state, and if those collapse than so does society.

Mr. Pinker knows this, which is why he distinguishes between the role of taboos in personal and public life. He concedes that in our personal lives it makes sense to avoid questioning certain underlying principles. We love our children and parents, and are loyal to our communities, because -- well, just because.

But on matters of public inquiry and public policy, he argues, there ought to be few untouchable subjects. I.Q. differences among racial groups is one topic around which respectable scientists have circled cautiously, darting in for a look before pulling back. The biological root of homosexuality is another. An increasing number of scientists believe the squeamishness of non-scientists is insufficient reason to prohibit research into these areas.

Mr. Pinker's defence of dangerous ideas is mostly persuasive, but there remains the issue of how one defines an idea. Does advocating genocide constitute an "idea"? Mr. Pinker tries to protect himself by excluding from his category of dangerous ideas "outright lies," "deceptive propaganda," and "theories from malevolent crackpots." Yet one can imagine arguments for the extermination of certain groups -- the disabled and the infirm, say -- that are based neither on lies nor propaganda. And the people making such arguments need not harbour malevolence.

In primitive societies, taboos often had the effect of retarding progress. We see this still today. Cultures where it is taboo for women to be seen in public suffer economically and in other ways, because the talents of half the population go untapped.

But have modern societies evolved to the point where there is little need for shared taboos, the kind that inhibit public discussion of the pros and cons of say,

exterminating the mentally disabled? Mr. Pinker suggests we can handle just about any idea without damaging the moral order, but let's be careful not to overestimate just how civilized we are.

Leonard Stern is the Citizen's Editorial Pages Editor.

The Ottawa Citizen, Sunday, August 12, 2007. □

UNIVERSITY PRESIDENT RECOMMENDS FIRING PROFESSOR

DENVER, Colorado (AP) -- The president of the University of Colorado has recommended that a professor who likened some September 11 victims to a Nazi should be fired, according to the professor and the school.

Ward Churchill, a tenured professor of ethnic studies, has denied the allegations and threatened a lawsuit if he is dismissed.

CU President Hank Brown made the recommendation in a 10-page letter sent to the chair of the committee that handles tenure issues. University spokeswoman Michele McKinney confirmed published reports about the recommendation Monday but said the school would not make the letter public.

The university's governing Board of Regents would have the final say on whether Churchill is fired or disciplined. It could be several weeks before the case ends up in its hands; the tenure panel must review it first.

Churchill touched off a firestorm with an essay likening some victims in the World Trade Center to Adolf Eichmann, who helped carry out the Holocaust.

University officials concluded he could not be fired for his comments because they were protected by the First Amendment, but they launched an investigation into allegations that he fabricated or falsified his research and plagiarized.

The interim chancellor of the university's Boulder campus and another faculty committee have also recommended Churchill be fired. At Churchill's

request, the Privilege and Tenure Committee also reviewed the case and recommended a one-year suspension without pay and a demotion.

Churchill said Monday the university process was biased against him and that he believes he will get a fairer hearing in the courts.

"I've got more faith in almost anything (than in the university process)," he said. "A random group of homeless people under a bridge would be far more intellectually sound and principled than anything I've encountered at the university so far."

Associated Press, May 29, 2007. □

BANNING DAVE BARRY

Fred Thompson

It's funny how things change. Well, not always, but in this case, the story involves one of America's best humor writers -- Dave Barry.

There was a time when American universities were known as havens of free speech, places where controversial ideas could be expressed and discussed. Unfortunately, political correctness has crept into the halls of academia. Then it chained the doors and started duct taping the mouths of anybody who voiced unapproved opinions.

One of the strangest examples comes from Marquette University in Wisconsin -- where a Dave Barry quip was banned. Last fall, Ph.D. student Stuart Ditsler printed out a short blurb from one of Barry's humor columns and stuck it on his office door. It read, "As Americans we must always remember that we all have a common enemy, an enemy that is dangerous, powerful and relentless. I refer, of course, to the federal government." Of course, anybody who has ever heard of Dave Barry would know that he wasn't exactly suggesting insurrection.

The head of Marquette's philosophy department apparently didn't get it. He took down Barry's words and issued a statement that included the words, "while I am a strong supporter of academic freedom. I'm afraid that hallways and office doors are not free-

speech zones." Since then, the Marquette philosophy department has stuck to its stance that Barry's words are "patently offensive," despite the fact that lots of other doors had slogans pasted on them.

The thing is that Barry's joke appeared in newspapers all across America. It was and still is available online. Apparently, the blurb is safe for family reading on U.S. breakfast tables and computer screens, but not on a door at a major American University. That's funny too, in a sad sort of way.

Fred Thompson is an actor and former Senator (who recently announced his candidacy for president of the United States).

Townhall.com, June 15, 2007. □

FIRE ANNOUNCES ITS SPEECH CODE OF THE MONTH FOR SEPTEMBER 2007: THE OHIO STATE UNIVERSITY

The Office of University Housing at Ohio State, a public university, maintains a [Diversity Statement](#) that severely restricts what students in Ohio State's residence halls can and cannot say. Students are instructed: "Do not joke about differences related to race, ethnicity, sexual orientation, gender, ability, socioeconomic background, etc." Of the many hundreds of policies FIRE has catalogued over the years, this is the first that flatly instructs students, "do not joke" about controversial topics. As anyone who has ever lived in a dormitory can likely attest, dorms are where some of the freest and most frank discussions among college students take place. And some of those discussions will almost certainly include—gasp!—*jokes* about controversial topics such as race, ethnicity, and yes, possibly even ability. It was my own personal experience that in my very diverse residence hall freshman year, humor—sometimes even quite offensive humor—was a common ground that brought together and forged friendships among people of very different backgrounds. But rather than embrace the type of frank expression that often characterizes college student communication—expression that can indeed lead to offense but can also lead to friendships based on greater understanding—Ohio State has chosen to squelch it in favor of a superficially polite and politically correct environment. Not only is that

an unfortunate choice, it is also one that, at a public university like Ohio State, violates students' constitutional right to free speech. There is no exception to the First Amendment for ethnic jokes or dumb blonde jokes.

The Diversity Statement also contains another, quite cryptic, prohibition: "Words, actions, and behaviors that inflict or threaten infliction of bodily or emotional harm, whether done intentionally or with reckless disregard, are not permitted." Could anyone at Ohio State actually explain what this prohibition means? How exactly does one threaten to inflict emotional harm? Would that mean shouting, "Hey you! Get out of here or I'm going to hurt your feelings..."? The problem with a prohibition like this one is that it is unconstitutionally vague. The Supreme Court has held that to avoid vagueness, a regulation must "give the person of ordinary intelligence a reasonable opportunity to know what is prohibited, so that he may act accordingly." *Grayned v. City of Rockford*, 408 U.S. 104, 108 (1972). It is safe to say that no reasonable person can figure out exactly what this sentence prohibits.

For these reasons, The Ohio State University is our September 2007 Speech Code of the Month. If you believe that your college or university should be a Speech Code of the Month, please email speechcodes@thefire.org with a link to the policy and a brief description of why you think attention should be drawn to this code.

September 6, 2007. □

LET THE SEGREGATION COMMENCE

SEPARATIST GRADUATIONS PROLIFERATE AT UCLA

John Leo

Commencement weekend is hard to plan at the University of California, Los Angeles. The university now has so many separate identity-group graduations that scheduling them not to conflict with one another is a challenge. The women's studies graduation and the Chicana/Chicano studies graduation are both set for 10

AM Saturday. The broader Hispanic graduation, "Raza," is in near-conflict with the black graduation, which starts just an hour later.

Planning was easier before a new crop of ethnic groups pushed for inclusion. Students of Asian heritage were once content with the Asian-Pacific Islanders ceremony. But now there are separate Filipino and Vietnamese commencements, and some talk of a Cambodian one in the future. Years ago, UCLA sponsored an Iranian graduation, but the school's commencement office couldn't tell me if the event was still around. The entire Middle East may yet be a fertile source for UCLA commencements.

Not all ethnic and racial graduations are well attended. The 2003 figures at UCLA showed that while 300 of 855 Hispanic students attended, only 170 out of 1,874 Asian-Americans did.

Some students are presumably eligible for four or five graduations. A gay student with a Native American father and a Filipino mother could attend the Asian, Filipino, and American Indian ceremonies, plus the mainstream graduation and the Lavender Graduation for gay, lesbian, bisexual, and transgendered students.

Graduates usually wear identity-group markers—a Filipino stole or a Vietnamese sash, for instance, or a rainbow tassel at the Lavender event. Promoters of ethnic and racial graduations often talk about the strong sense of community that they favor. But it is a sense of community based on blood, a dubious and historically dangerous organizing principle.

The organizers also sometimes argue that identity-group graduations make sense for practical reasons. They say that about 3,000 graduating seniors show up for UCLA's "regular" graduation, making it a massive and impersonal event. At the more intimate identity-group events, foreign-born parents and relatives hear much of the ceremony in their native tongues. The Filipino event is so small—about 100 students—that each grad gets to speak for 30 seconds.

But the core reason for separatist graduations is the obvious one: on campus, assimilation is a hostile force, the domestic version of American imperialism. On many campuses, identity-group training begins with separate freshman orientation programs for nonwhites,

who arrive earlier and are encouraged to bond before the first Caucasian freshmen arrive. Some schools have separate orientations for gays as well. Administrations tend to foster separatism by arguing that bias is everywhere, justifying double standards that favor identity groups.

Four years ago Ward Connerly, then a regent of the University of California, tried to pass a resolution to stop funding of ethnic graduations and gay freshman orientations. He changed his mind and asked to withdraw his proposal, but the regents wanted to vote on it and defeated it in committee 6-3.

No major objections to ethnic graduations have emerged since. As in so many areas of American life, the preposterous is now normal.

City Journal, June 13, 2007. □

HIGH SCHOOL HOLDING TWO GRADUATION CEREMONIES – ONE FOR NATIVES, ONE FOR WHITES

Racial Divide

A Saskatchewan community is polarized after graduation ceremonies broke down along racial lines – one of non-aboriginal students and a second of mostly First Nations students. In January, the 16 Grade 12 students at Leask Community School started organizing a ceremony for their class independently from the students who attend what is known as the Storefront program. It is an alternate program allowing adults to return to school and earn their high school diploma. Both programs usually hold a shared ceremony. “It got to where the native students... wanted to come with us,” said Storefront graduate Jackie Bird, 21, who is from Mistawasis First Nation. “All the white kids are still having their own.”

CanWest News Service, May 7, 2007. □



Best of the Web Today**WACKY CASTE OF CHARACTERS***James Taranto*

"Enraged mobs from one of India's myriad lower castes blocked roads with fiery barricades, stoned police and battled rival castes across a wide swath of northern India for a week," the Associated Press reports from Gurgaon. They're upset that their caste isn't lower still:

With 25 people dead, the unrest spread to the fringes of the capital before the Gujjars--a class of farmers and shepherds--called off their protests. They did so only after officials agreed to consider their demand to be officially shunted to the lowest rung of India's complex hereditary caste system, so they can get government jobs and university spots reserved for such groups. . . . Caste politics were clear late Monday, when Gujjar leaders called off their protests after officials agreed to look into their demands.

The move immediately drew threats from leaders of a powerful rival group, the Meena, who are already classified among the lowest castes and clearly do not want more competition for jobs and school spots set aside under quotas. During the unrest, fighting between Meenas and Gujjars left at least four dead.

In America, of course, we don't have "caste." We allocate jobs and university positions by skin color, which is much harder to change, and thus we don't have these sorts of conflicts. Still, we'd be hard pressed to argue that in this regard the American way is especially enlightened.

Opinion Journal, WSJ editorial page, June 7, 2007. □

Bequest to SAFS

Please consider remembering the Society in your will. Even small bequests can help us greatly in carrying on SAFS' work. In most cases, a bequest does not require rewriting your entire will, but can be done simply by adding a codicil. So please do give this some thought.

Thank you.

Elvise Seligman, President

THE DEATH OF DIVERSITY**PEOPLE IN ETHNICALLY DIVERSE SETTINGS DON'T CARE ABOUT EACH OTHER***Daniel Henninger*

Diversity was once just another word. Now it's a fighting word. One of the biggest problems with diversity is that it won't let you alone. Corporations everywhere have force-marched middle managers into training sessions led by "diversity trainers." Most people already knew that the basic idea beneath diversity emerged about 2,000 years ago under two rubrics: Love thy neighbor as thyself, and Do unto others as they would do unto you. Then suddenly this got rewritten as "appreciating differentness."

George Bernard Shaw is said to have demurred from the Golden Rule. "Do not do unto others as you would have them do unto you," Shaw advised. "Their tastes may not be the same." No such voluntary opt-out is permissible in our time. The parsons of the press made diversity into a secular commandment; do a word-search of "diversity" in a broad database of newspapers and it might come up 250 million times. In the Supreme Court term just ended, the Seattle schools integration case led most of the justices into arcane discussions of diversity's legal compulsions. More recently it emerged that the University of Michigan, a virtual Mecca of diversity, announced it would install Muslim footbaths in bathrooms, causing a fight.

Now comes word that diversity as an ideology may be dead, or not worth saving. Robert Putnam, the Harvard don who in the controversial bestseller "Bowling Alone" announced the decline of communal-mindedness amid the rise of home-alone couch potatoes, has completed a mammoth study of the effects of ethnic diversity on communities. His researchers did 30,000 interviews in 41 U.S. communities. Short version: People in ethnically diverse settings don't want to have much of anything to do with each other. "Social capital" erodes. Diversity has a downside.

Prof. Putnam isn't exactly hiding these volatile conclusions, though he did introduce them in a journal called Scandinavian Political Studies. A great believer in the efficacy of what social scientists call "reciprocity," he wasn't happy with what he found but

didn't mince words describing the results:

"Inhabitants of diverse communities tend to withdraw from collective life, to distrust their neighbors, regardless of the color of their skin, to withdraw even from close friends, to expect the worst from their community and its leaders, to volunteer less, give less to charity and work on community projects less often, to register to vote less, to agitate for social reform more, but have less faith that they can actually make a difference, and to huddle unhappily in front of the television." The diversity nightmare gets worse: They have little confidence in the "local news media." This after all we've done for them.

Colleagues and diversity advocates, disturbed at what was emerging from the study, suggested alternative explanations. Prof. Putnam and his team re-ran the data every which way from Sunday and the result was always the same: Diverse communities may be yeasty and even creative, but trust, altruism and community cooperation fall. He calls it "hunkering down."

Give me a break! you scream. What about New York City or L.A.? From the time of Sherwood Anderson's "Winesburg, Ohio" through "Peyton Place" and beyond, people have fled the flat-lined, gossip-driven homogeneity of small American "communities" for the welcome anonymity of big-city apartment building--so long as your name wasn't Kitty Genovese, the famous New York woman who bled to death crying for help. [Much excluded from that feminist myth, including the men who came to Genovese's rescue. – JNA]

It's a wonderfully thought-provoking study, suitable for arguing the length of a long August weekend and available as a lecture on Prof. Putnam's Harvard Website, the "Saguaro Seminar." Astute readers, however, have already guessed who's thrilled with the results.

Pat Buchanan, reflecting an array of commentaries on the study from the American right, says, "Putnam provides supporting fire from Harvard Yard for those who say America needs a time-out from mass immigration, be it legal or illegal." The "antis" believe the Putnam study hammers the final intellectual nail in the coffin of immigration and diversity.

The diversity ideologues deserve whatever ill tidings they get. They're the ones who weren't willing to persuade the public of diversity's merits, preferring to

turn "diversity" into a political and legal hammer to compel compliance. The conversions were forced conversions. As always, with politics comes pushback. And it never stops.

The harvest of bitter fruit from the diversity wars begun three decades ago across campuses, corporations and newsrooms has made the immigration debate significantly worse. Diversity's advocates gave short shrift to assimilation, indeed arguing that assimilation into the American mainstream was oppressive and coercive. So they demoted assimilation and elevated "differences." Then they took the nation to court. Little wonder the immigration debate is riven with distrust.

The diversity ideologues ruined a good word and, properly understood, a decent notion. What's needed now is for a younger black, brown or polka-dot writer to recast the idea in a way that restores the worth and utility of assimilation. Somebody had better do it soon; the first chart offered in the Putnam study depicts inexorably rising rates of immigration [emigration?] in many nations. The idea that the U.S. can wave into effect a 10-year "time out" on immigration flows is as likely as King Canute commanding the tides to recede.

Here, too, Robert Putnam has a possible assimilation model. Hold onto your hat. It's Christian evangelical megachurches. "In many large evangelical congregations," he writes, "the participants constituted the largest thoroughly integrated gatherings we have ever witnessed." This, too, is an inconvenient truth. They do it with low entry barriers to the church and by offering lots of little groups to join inside the larger "shared identity" of the church. A Harvard prof. finds good in evangelical megachurches. Send this man a suit of body armor!

My own model for the way forward in a 21st century American society of unavoidable ethnic multitudes is an old one, a phrase found nowhere in the Putnam study or any commentary on it: the middle class. Its assimilating virtues may be boring, but it works, if you work at getting into it.

Of course Hillary Clinton believes this can't happen here because the middle class has been "invisible" to George Bush. As with diversity, progress is always just beyond the horizon.

Mr. Henninger is deputy editor of The Wall Street

Journal's editorial page. His column appears Thursdays in the Journal and on OpinionJournal.com.

Opinion Journal, WSJ editorial page, Thursday, August 16, 2007. □

NATURAL SCIENCES AND ENGINEERING RESEARCH COUNCIL OF CANADA

Memorandum

August 8, 2007

To: University Presidents, Vice-Presidents Research and Research Grants Officers

From: Mario Lamarca, Director, Life Sciences and Special Research Opportunities

Subject: Discontinuation and replacement of the University Faculty Awards (UFA) program following the 2008 competition.

Following the UFA program evaluation, completed last year, and subsequent informal consultations, NSERC has decided to realign programs aimed at addressing the under-representation of women and Aboriginal people in the natural sciences and engineering.

The women's component of the UFA program, which began in 1999, focused on recruiting women to faculty positions in the natural sciences and engineering by identifying and supporting exceptional emerging researchers in Canada's universities. Since then, the pool of female faculty in these institutions has approximately doubled.

In order to build on its successes, NSERC has now identified the retention of female researchers as a key means of ensuring a long-term balance in faculty numbers. We will therefore turn our attention to developing a new program, which will replace the UFA program, aimed at the retention and career progression of female researchers within the natural sciences and engineering. To help inform the development process NSERC will, in the coming months, consult with universities on the specific needs of their research community.

Please note that NSERC will discontinue the existing UFA program after the 2008 competition to devote future resources to the new program, while maintaining existing award commitments. The deadline for the final call for nominations is November 1, 2007.

A new program designed to address the under-representation of Aboriginal persons in the natural sciences and engineering is also being developed and will be announced shortly.

NSERC is interested in your institution's views on these important issues. If you have suggestions, comments or questions about the program and how it could evolve, please contact Andrzej Antoszkiewicz at 613-944-6238 or andrzej.antoszkiewicz@nserc.ca. □

GLAD TO SEE U OF T RECOGNIZES CONFLICT BETWEEN MERIT AND EQUITY

*John Furedy
University of Toronto*

The recent provostial advice for recruiting and retaining faculty (www.provost.utoronto.ca/link/administrators/recruitmenttoolkit/advertising_and_Searching.htm) cites the university's official "equity"-based advertising statement and comments on the statement as follows:

"As Furedy et al. (1999) note, equity statements are used to ensure equality of outcome in the recruitment process, not just equality of opportunity. The [advertising] statement recognises that ... evaluation on the basis of 'merit' can unfairly discriminate. It also suggests a commitment by the institution to equity throughout an employee's tenure (Powney, 1994)."

The first two sentences of the above appear to me to contradict the university's official position on the equivalence of equity and excellence as formulated recently, for example, by Professor Angela Hildyard, vice-president (human resources and equity), when she stated that "we are talking about equity, diversity and excellence all at the same time, that's unique to us here at U of T" (Linking Equity, Excellence, Nov. 28). On the other hand, those two sentences are consistent with

my position that excellence (or merit) and equity are not the same (Dubious Partnership: Equity and excellence are not equivalent, Jan. 9), a claim that I supported by referring to empirical research on Canadian tenure-stream advertisements.

It also occurs to me that the third sentence that advocates applying equity principles not only to recruitment but also to retention of faculty in groups designated by sex and race (or ethnicity) is consistent with my view that one undesired consequence of these "diversity" policies is that individuals in these designated groups will be subject to the irrefutable suspicions that they were not only hired, but also promoted, on the basis of their membership in designated groups, rather than on the basis of their merit or excellence.

In any case, I am glad to see that the provostial advice has recognized that there actually is a conflict between merit or excellence and equity.

U of T Bulletin, May 29, 2007. □

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EXPELLED FOR PLAGIARISM, CONCORDIA STUDENT FILES \$16-MILLION LAWSUIT

A former Concordia University student expelled in 2004 for plagiarism has filed a \$16-million damage suit against the university. Ashraf Azar alleges he was unjustly kicked out after accepting blame for tampering with other students' exams and assignments in a business statistics course. He claims he was misled by a university-supplied advocate when he admitted to academic misconduct. He said he was advised it would result in "lesser punishment" for him and his sister, Layla Azar, also cited in the incident. Because he was vulnerable at the time, his admission "must carry no merit," he says in a 136-page statement of claim filed in Quebec Superior Court.

National Post, p.A10, September 13, 2007. □

PROFESSORS ON THE BATTLEFIELD

WHERE THE WARFARE IS MORE THAN JUST ACADEMIC

Evan R. Goldstein

Marcus Griffin is not a soldier. But now that he cuts his hair "high and tight" like a drill sergeant's, he understands why he is being mistaken for one. Mr. Griffin is actually a professor of anthropology at Christopher Newport University in Newport News, Va. His austere grooming habits stem from his enrollment in a new Pentagon initiative, the Human Terrain System. It embeds social scientists with brigades in Afghanistan and Iraq, where they serve as cultural advisers to brigade commanders.

Mr. Griffin, a bespectacled 39-year-old who speaks in a methodical monotone, believes that by shedding some light on the local culture-- thereby diminishing the risk that U.S. forces unwittingly offend Iraqi sensibilities--he can improve Iraqi and American lives. On the phone from Fort Benning, two weeks shy of boarding a plane bound for Baghdad, he describes his mission as "using knowledge in the service of human freedom."

The Human Terrain System is part of a larger trend: Nearly six years into the war on terror, there is reason to believe that the Vietnam-era legacy of mistrust--

even hostility--between academe and the military may be eroding.

This shift in the zeitgeist is embodied by Gen. David H. Petraeus, commander of the multinational forces in Iraq. Gen. Petraeus, who holds a doctorate from Princeton University in international relations, made a point of speaking on college campuses between his tours in Iraq because he believes it is critical that America "bridge the gap between those in uniform and those who, since the advent of the all-volunteer force, have had little contact with the military." In a recent essay in the *American Interest*, Gen. Petraeus reflects on his own academic journey and stresses how the skills he cultivated on campus help him operate on the fly in Iraq. As such, he is a staunch proponent of Army officers attending civilian graduate programs.

Over the past few years, Gen. Petraeus has been cultivating ties to the academic community, drawing on scholars for specialized knowledge and fresh thinking about the security challenges facing America. "What you are seeing is a willingness by military officers to learn from civilian academics," says Michael Desch, an expert on civilian-military relations at Texas A&M. "The war on terrorism has really accelerated this trend."

The terms of this relationship are most evident in the new *Counterinsurgency Field Manual*. In the face of a gruesomely persistent Iraqi insurgency, Gen. Petraeus was charged with revamping the outdated counterinsurgency doctrine. In an unprecedented collaboration, he reached out to Sarah Sewall, who directs the Carr Center for Human Rights Policy at Harvard University, to help him organize a vetting session of the draft manual at Fort Leavenworth in Kansas.

The conference brought together journalists, human-rights activists, academics and members of the armed forces to exchange ideas about how to make the doctrine more effective and more humane. Ms. Sewall, who since 2001 has been trying to get the military to bring the concerns of the human-rights community to the table, tells me that with Gen. Petraeus it is like pushing on an open door. And according to Montgomery McFate, who had a hand in drafting the manual, this was probably the first time that anthropological insight has been officially incorporated into more than 200 years of military doctrine. In

chapter one, it explicitly states that "cultural knowledge is essential to waging a successful counterinsurgency. American ideas of what is 'normal' or 'rational' are not universal." (The manual was published last month by the University of Chicago Press. Ms. Sewall wrote the foreword.)

"Anthropologists have the opportunity right now to influence how the national security establishment does business," writes Ms. McFate in an email from Afghanistan, where she is a senior adviser to the Human Terrain System project. A Yale University-trained anthropologist, she has been the target of bitter criticism from the anthropology establishment on account of her tireless efforts to convince the military that cultural knowledge is key to winning over the people in war-torn societies like Iraq and Afghanistan. She insists that a growing number of anthropologists are questioning the conventional wisdom and reconsidering whether the most effective way to influence the military is "by waving a big sign outside the Pentagon saying 'you suck.'"

That may be wishful thinking on Ms. McFate's part. A majority of members active in the American Anthropological Association seem to reject her as naive and dangerous. And history provides plenty of legitimate cause for concern. There is a toxic legacy of military-funded clandestine research--most notably the infamous Project Camelot in Chile in the mid-1960s and a 1970 scandal triggered by American social scientists' efforts on behalf of a Thai government counterinsurgency campaign. Roberto J. Gonzalez, a professor of anthropology at San Jose State University and a leading critic of rapprochement between the national-security community and professional anthropologists, has taken to the pages of the *Chronicle of Higher Education* to warn against "the militarization of the social sciences."

In recent years, the annual meetings of the American Psychiatric Association, the American Psychological Association and the American Anthropological Association have been dominated by discussion about what ethical responsibilities scholars have in relation to war, terrorism and torture. At such events, Ms. McFate and her rare sympathizers often sound like a lone voice in the wilderness.

So will these instances of cooperation be enduring? Do they represent the harbinger of a more pervasive

reconsideration of Vietnam-era pieties in academe? Hard to say. But it somehow seems significant that no less an archetype of Vietnam-era agitation than Tom Hayden emerged last month to raise the dusty banner of anti-military antagonism. In an essay posted on the Web site of the Nation magazine, he attacked Ms. Sewall for collaborating with Gen. Petraeus on the new manual, which he dismissed as "an academic formulation to buttress and justify a permanent engagement in counter-terrorism wars" that "runs counter to the historic freedom of university life."

Mr. Hayden's article suggests a bizarre conception of the role of scholars in American life: that they should be held to a priestly standard of ethical purity. "Are academics so much purer than anybody else that we can't ever be in situations where we are confronting tough ethical choices?" asks Noah Feldman, a professor of law at Harvard who briefly, in 2003, was an adviser to the Coalition Provisional Authority. "If academics didn't get involved with these kinds of difficult questions, maybe all that would be left is a department of Kantian philosophy," he jokes. "Then we would be pure, but we would be irrelevant."

Mr. Goldstein is contributing editor at Moment magazine.

Opinion Journal, WSJ editorial page, August 17, 2007. □

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