

SAFSNewsletter

Society for Academic Freedom and Scholarship

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

Number 74 www.safs.ca September 2016

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IN MEMORIAM

John J. Furedy (30 June 1940 to 24 August 2016)

Janice Fiamengo

For those who care about the erosion of academic freedom at western universities, John's death extinguished a voice of rare courage and clarity. His example, though, lives on as a continuing inspiration.

John Furedy was a Professor of Psychology at the University of Toronto, where, as he was proud to note on his webpage, he held the record for the longest consistent occupancy of a faculty office in his building (1967-2005). Colleagues recall him cycling to work, summer and winter, wearing one of his large collection of Hawaiian shirts, arranging the lunchtime bridge game as his first task on reaching his office.

He specialized in aspects of psychophysiology and psychopathology such as deception. He energetically denounced the "lie detector" (polygraph) as a dangerous fraud ("a psychological rubber hose" (see www.antipolygraph.org), as well as many of the claims made for biofeedback, arguing for systematic as against pseudo-scientific evaluative methods. His representation to the Canadian Supreme Court against the admission of polygraphic evidence was influential in the decision of Justice McIntire to disallow such evidence in criminal courts (1987).

He also researched sex difference in human and animal cognitive function, with applications in, for example, smoking cessation programs. On these and other subjects of public import, he published over 300 academic papers and books. His lab received NSERC and other funding, enabling him to support undergraduate and graduate students and to trav-

SUBMISSIONS TO THE SAFS NEWSLETTER

The SAFS Newsletter is published three times a year (September, January, and April) by the Society for Academic Freedom and Scholarship and is edited by the Society's president, Mark Mercer. ISSN: 1704-5436

The editor welcomes articles, case studies, news items, book reviews, and letters. Send submissions by email to president@safs.ca or by letter mail to SAFS, PO Box 33056 Quinpool Centre, Halifax, NS B3L 4T6.

el extensively to present papers. He was honoured with the Gantt medal for outstanding contributions to psychology by the Pavlovian Society in 2000. Upon his retirement in 2005 (after which he and his wife Christine moved back to their home country of Australia), he was lauded for his commitment to high-level research in his field and to higher education generally.

It was this latter commitment that reached well beyond the bounds of psychophysiology. John was motivated by an enduring passion for the ideal of disinterested scholarship and free discussion, even of controversial or offensive ideas, in the pursuit of truth. He often referred to the fact that he and his family, having survived the Nazi regime, had left Hungary to escape Communist oppression and that therefore he was particularly sensitive to the "velvet totalitarianism," as he phrased it, that he detected in many of the speech codes and disciplinary procedures that he saw emerging at the University of Toronto and academia generally in the late 1980s. He spoke out against these from their beginnings until well after his retirement, contrasting the climate of fear developing on Canadian campuses with his own experiences at the University of Sydney in the late 1950s and 1960s, where he was privileged to receive a robust education in philosophy and psychology prior to speech-stifling political correctness.

In defense of freedom of thought and expression, John argued within academia against equity hiring and other measures that circumvented scholarly merit. John questioned the assumption that preferential hiring equated to "excellence" in universities. (See http://www.safs.ca/newsletters/nl33.pdf). He repeatedly affirmed that university life should be about education through the conflict of ideas, not about indoctrination in approved thought. He charged that ensuring the "comfort" of various designated groups would ultimately destroy the academic enterprise (see www.safs.ca/newsletters/nl18.pdf). He held senior administrators responsible for the deterioration in freedom of speech in institutions of higher education. For that reason he jousted publicly with presidents of his own university, such as Robert Birgeneau (2000-2004) and David Naylor (2005-2013). He criticized what he saw as Naylor's willingness, in regard to the Danish cartoon controversy (2006) and other issues related to Muslim campus sensitivities, to "conform to political fashion rather than to adopt a principled and timely support of freedom of speech." He pointed out the parallels between Soviet totalitarianism and the soft totalitarianism of campus thought control, particularly its reliance on uninterpretable laws against "hate," the reign of unqualified pseudo experts, who determined what could and could not be said, and the demonization of dissidents.

He also wrote many letters to national newspapers, particularly the National Post, on such matters as the absurd relativism of identity politics, the repressive effects of Canada's hate speech laws, the biased reporting of the CBC (which he called "a paradigm case of intellectual masturbation"), Israel's right to self-defense, and the ideological corruption of the Canadian Supreme Court. He was always willing, it seemed, to put himself squarely in the line of fire for his principles, arguing tirelessly, with wit and zeal, over many years. "I love freedom and hate its suppressors," he quipped on one occasion in a letter to the Post about Canada's so-called Human Rights Commissions. "So sue me."

To this end, he was a founding Board member (1992-2001) and President (1993-8) of the Society for Academic Freedom and Scholarship. He believed SAFS,

regardless of size of membership, had an important role to play in Canada. He obtained support from the Donner Canadian Foundation in 1995 which greatly helped in extending SAFS' activities (see www.safs.ca/newsletters/nl09.pdf, http://www.safs.ca/newsletters/nl16.pdf). In 2001 John and Chris donated a fund in memory of John's father and mother which supported an academic freedom award and other initiatives of SAFS.

Among the issues he prosecuted as a SAFS member, together with members of the board (in particular Doreen Kimura, Peter Suedfeld and John Mueller) was the appropriateness of guidelines for ethics research boards that were being reformed in the 1990s. He supported ethical research, but opposed a "medical model" of research being applied to all human research, subjects having control over research outcomes, and non-specialists ruling on matters for which they had no expertise, such as detailed research design. (See www.safs.ca/newsletters/nl14. pdf)

John gave many papers and public talks warning against the incursions of political correctness into all aspects of university life and research, ridiculing and debunking the "purity platoon" at his own university (which sought to cleanse course materials of anything offensive to women or minorities), defending professors' right—indeed duty—to teach their classes as they saw fit, free from fear of frivolous student complaints—and advocating for both students' and professors' right to debate controversial subjects and to claim unpopular positions in wider campus discussions. (He always emphasized that academic freedom extended to students as well as faculty.) He obviously enjoyed debate, confident in his own intellectual abilities and equally confident that truth can only be found through free exchange of ideas, and must be zealously pursued.

In the same spirit of pugnacious and principled resistance to totalitarian correctness, he accepted in 2005 honorary appointments at the University of Haifa and Bar-Ilan University in Israel in response to what he identified as the anti-academic and increasingly anti-Semitic boycott campaign of the British Asso-

ciation of University Teachers and other academic bodies.

John's fighting spirit shone as a beacon at a time of timorousness and repression on Canadian university campuses. When histories of velvet totalitarianism are written, John's valiancy should form a stirring chapter.

John Furedy's website is at: www.psych.utoronto.ca/users/furedy/

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Janice Fiamengo is Professor of English at the University of Ottawa and sits on the SAFS Board of Directors. She is the author of The Woman's Page (2008).

SOME RECENT BOOKS ON "RESEARCH ETHICS"

John Mueller

John Furedy was a long-term crusader against intrusions of various agents into the realm of scholarship and research. John saw such intrusions as compromising the intellectual and experimental processes, and thus as harmful to scholarship. He was ever vigilant and always outspoken when such intrusions were identified, as Janice Fiamengo has noted well elsewhere.

Among these intrusive agents, the last 30-40 years have witnessed the rise of a research ethics industry, federally and locally: Research Ethics Boards in Canada (REBs), Institutional Review Boards (IRBs) in the United States. Scholars are obliged to submit proposed research ideas to committees of peers and others to be approved before executing the project.

The ostensible justification for this enterprise was to improve public safety. However, from this initial reasonable concern, over the years the concept of safety transformed from "everyday risk" to "zero tolerance." In addition, committees began to judge the value of the proposed research, and the desirabil-

ity of the anticipated results, moving well beyond issues of safety. Other expansions of the original mandate also contributed to an increasingly obstructive industry, such as the adoption of medical research concerns in the reviews of behavioural and social science projects.

The result of these steady expansions has been to delay the start of innocuous projects, and to shift the role of the reviews from monitoring actual hazards to one of censoring research ideas and procedures.

John's initial efforts in challenging the research ethics enterprises were along the lines of philosophical debate. For example, he noted that the committees lacked the expertise to assess many projects, had no moral authority to forbid certain lines of inquiry, and routinely expanded their alleged authority. In addition, local committees regularly required things that the federal authorities said were not required, and yet the federal overseers would not stop such expansions.

Eventually the challenge to these committees examined the question of the value of such reviews. That is, was public safety improved, and how do we know? This approach revealed that no one knew whether these reviews were working, and worse—they did not care! There had been no baseline established, there was no ongoing monitoring. In truth, quantifying the gain would be difficult in any event, given that there was essentially no evidence of a problem to begin with!

The research ethics industry has clearly intruded on academic inquiry, and there has been no meaningful dialogue on the matter. The tone of the discussion from local and federal authorities is "comply," with no interest in the effectiveness of the enterprise. There also is no evidence that the censorship activities are recognized as inappropriate to concerns about public safety. The research ethics enterprise seems to be completely unaccountable.

Discussions of REBs and IRBs are archived on safs. ca; others can be found on John Furedy's web page http://www.psych.utoronto.ca/users/furedy/bioethic.

htm; and even a few more are on my own web page http://johnmueller.org/research-ethics.html.

In memory of John, I'd like to note the recent emergence of a literary genre that examines the influence of the research ethics industry on scholarship. The works I list below focus on the problems created by the research ethics industry—that is, they are critiques, as opposed to simple recitations of the regulations. I have probably missed some books; I mean no evaluative judgment by such omissions, and would be glad to hear of other efforts in the genre.

Zachary Schrag (2010), Ethical Imperialism: Institutional Review Boards and the Social Sciences, 1965-2005, Johns Hopkins University Press: Baltimore, MD, ISBN: 9780801894909 (hb), https://jhupbooks.press.jhu.edu/content/ethical-imperialism

In 2006, Professor Schrag (George Mason University, History) started a weblog to discuss developments at the federal ethics agencies as well as in universities (http://www.institutionalreviewblog.com). In his book, he recounts the historical development of the research ethics movement in the United States. "This volume explains how this system of regulation arose and discusses its chilling effects on research in the social sciences and humanities." Schrag has regularly noted developments in Canada's Tri-Council Policy Statement and compared them to counterparts in the US.

Ted Palys and **John Lowman** (2014), *Protecting Research Confidentiality: What happens when law and ethics collide*, James Lorimer & Co.: Toronto, ON, ISBN 978-1-4594-0703-9 (pb), http://www.lorimer.ca/adults/Book/2703/Protecting-Research-Confidentiality.html

Professors Palys and Lowman (Simon Fraser University, School of Criminology) discuss their personal experiences of preserving the confidentiality of subjects, as required by research ethics boards at universities, while negotiating with outside agencies that insist participant identities be divulged. What happens when law and ethics collide, when two masters conflict, when university REBs do not honor the

agreements they required? "Priests can hear confessions with reasonable certainty that no court and no government will require them to speak of what they hear. But what about people who agree to help scientific researchers?"

Carl Schneider (2015), The Censor's Hand: The Misregulation of Human-Subject Research, MIT Press: Cambridge, MA, ISBN: 9780262028912 (hb), https://mitpress.mit.edu/index.php?q=books/censors-hand

Professor Schneider (University of Michigan, Law and Internal Medicine) merges his experience of the law with that of medical research to address the question whether IRBs do more harm than good. His judgment is that IRBs were fundamentally misconceived with regard to what is known about effective regulation. IRBs, he shows, "lack the expertise, ethical principles, legal rules, effective procedures, and accountability essential to good regulation." As a result, they make decisions poorly, and thereby "delay, distort, and deter research that can save people's lives," serving as censors in an environment where censorship is most dangerous—universities. Schneider's conclusion: IRBs "inescapably do more harm than good," and should be abandoned.

Michael Corballis (2016), How a distinguished scholar was driven to kill herself: The dark side of science, Edwin Mellen Press: Lewiston, NY, ISBN-13: 978-1-4955-0425-9 (hb), https://www.amazon.ca/dp/1495504255

Professor Corballis (University of Auckland, Psychology, Emeritus) re-examines a sad moment in Canadian science from over twenty years ago: the deaths by suicide of McGill Professor Justine Sergent and her husband, Ives. A McGill alum and a one-time colleague of Sergent, Corballis provides a retrospective analysis along with his own memories in an effort to understand the many circumstances leading up to this regrettable incident, including research ethics.

Will C. van den Hoonaard and Ann Hamilton (2016), The ethics rupture: Exploring alternatives to formal research-ethics review, University of To-

ronto Press: Toronto, ON, ISBN: 9781442626089 (pb), http://www.utppublishing.com/The-Ethics-Rupture-Exploring-Alternatives-to-Formal-Research-Ethics-Review.html

Professor van den Hoonaard (University of New Brunswick, Sociology, Emeritus) has written extensively on how qualitative social science research has been impaired by research ethics boards. As qualitative researchers have had to modify their methods in order to comply with REB rules and biomedical concerns, the naturalistic essence of their work has been compromised, if not destroyed.

Philip Hamburger (2014), *Is administrative law unlawful?*, University of Chicago Press: Chicago, IL, ISBN: 9780226116594 (hb), http://press.uchicago.edu/ucp/books/book/chicago/I/bo17436684.html

Professor Hamburger (Columbia University, Law) is the third author here with a background in Law. Government agencies, despite their particular mandates and the absence of legislation expanding their roles, tend over time to gather more and more territory to themselves simply by declaring, through administrative edicts, that that territory falls under their authority. It seems that research ethics boards are no different than other agencies. Mission creep becomes ethics creep. Hamburger is a scholar who has an extensive knowledge of free speech issues and the apparent violation of speech by research ethics boards.

John Mueller, though officially retired from the psychology department at the University of Calgary, still teaches a course now and then. Dr Mueller has been on the SAFS Board of Directors since 2003.

ACADEMIC AND INTELLECTUAL FREEDOM

Old Challenges, New Threats, Remedies

Donald A. Downs

Though the two principles are distinct, my talk envisions "academic freedom" and "freedom of speech and inquiry" as essentially two sides of the same coin in a practical sense. Academic freedom pertains to the special rights and responsibilities of the professoriate, whereas intellectual freedom is applicable more broadly to the institution of higher education, including faculty, students, student publications, outside speakers, audiences, and the like. But for present purposes, I am concerned with the way in which both principles, in tandem, contribute to furthering the *raison d'être* of higher education as a whole.

The term "academic freedom" itself is notoriously troublesome. As J. Peter Bryne, a well-known scholar of academic freedom, has written, "lacking definition or guiding principle, the doctrine [of academic freedom] floats in the law, picking up decisions as a hull does barnacles." The definition I propose is based on a measure we passed in the Faculty Senate at the University of Wisconsin-Madison in 2010: "Academic freedom is the freedom to discuss and present scholarly opinions and conclusions regarding all relevant matters in the classroom, to explore all avenues of scholarship, research, and creative expression, and to reach conclusions according to one's scholarly discernment." The definition also includes the right to criticize (both in house and publicly) the policies and practices of the institution. It also addresses responsibilities. "[A]cademic responsibility implies the faithful performance of professional duties and obligations, the recognition of the demands of the scholarly enterprise, and the candor to make it clear that when one is speaking on matters of public interest or concern, one is speaking on behalf of oneself, not the institution."

Though Stanley Fish endorses a highly professorial and professional definition of "academic freedom" in his recent book *Visions of Academic Freedom*, I think it is useful to apply one of his core concepts to

the broader notion of campus intellectual freedom. Fish draws on the work of such theorists as Ernest Weinrib and Max Weber, depicting the essential or core meaning of academic freedom as (in Weinrib's words) "immanent intelligibility." This "means an understanding of a practice as it is viewed and experienced by insiders who see the field of activity already organized by the purposes that define the enterprise they have joined. His subject is tort law, the law of negligence, and he declares that 'Nothing is more senseless than to attempt to understand law from a vantage point entirely extrinsic to it." ...And "[w]hat defines a practice is not a set of theoretical propositions, but a firm understanding of its distinctiveness in the Weinribian sense: it is a 'this,' not a 'that."

I want to apply the concept of immanent intelligibility to the broader intellectual mission of higher education, which includes not just the professional rights and responsibilities of the professoriate—Fish's domain—but also the broader academic community: institutions of higher education have a responsibility to be true to what they are. And their essential identity is the pursuit of truth through the practice of intellectual and academic freedom. The crisis of academic freedom and free speech that we confront today is, to a significant extent, due to the failure to live up to this responsibility. We have succumbed to an identity crisis.

The New Threats

I am sure you all know about the new threats to academic freedom. The most important include micro-aggression theory and policy; trigger warnings; "safe space" philosophy; new, troubling forms of "bias reporting" that go overboard and create Orwellian situations of informing against people who have the "wrong ideas;" and widespread "dis-invitations" of speakers deemed incompatible with regnant campus orthodoxies. Such policies are exacerbating the identity crisis I will address in a moment. We have not been keeping up our end of the social contract that led historically to the rights and privileges we enjoy, including academic freedom and tenure. This problem is exacerbated by other problems besetting

higher education today, including: restrictions on tenure; the expansion of administrative power, as chronicled in detail in Benjamin Ginsberg's book, *The Fall of the Faculty*; the growth of federal mandates and requirements, especially in the U.S.A. from the Department of Education; funding cuts alongside escalating costs and tuition; efforts to turn universities into trade schools; the overall lack of intellectual diversity. And, of course, there is that 800-pound gorilla in the room; Political Correctness.

Consider some examples. Recently, the University of New Hampshire issued a "bias-free language guide" that told students to avoid words like "American," "homosexual," "illegal alien," and "Caucasian," declaring those terms "problematic." And this is in the state whose famous motto is "Live Free or Die!" Apparently no one at UNH fathomed that such policies chill the open discussion about important public issues that universities once cherished. Not to be outdone, some months ago I read that the University of Portland had issued a policy urging students and others to report "discomforting situations" to the police. The police! If I'm at that school, I'm going to issue a "discomfiture" complaint against the policy itself! The University of Missouri has promulgated a similar policy. You can't make this stuff up. The best American forecasting of the vicissitudes of higher education today is the Onion, a proud product of UW-Madison students. Alas, the spoofs they concoct regarding higher education often soon become actual practices. With a nod to Dylan, you don't need a weatherman to know which way the wind blows. You just need the Onion.

Even Jerry Seinfeld is refusing to do his act on college campuses because his comedy is considered politically incorrect. Seinfeld! As Freud teaches, humor bridges the gap between the forbidden and the acceptable: it is a vehicle of knowledge. It weds the mind to the spirit. So the more humor we quarantine, the less learning and intellectual adventure we get. To paraphrase Socrates and Aristotle, the non-humorous life is not worth living. And then there is the list of speakers "dis-invited" to speak on campus. Even former New York City mayor Michael Bloomberg was a target of this. The Foundation for

Individual Rights in Education (FIRE) keeps a long list of over two hundred dis-invites. It's sort of like being named to Richard Nixon's old "Enemies List," as much as sign of honor as it is a travesty. A while ago, Williams College dis-invited the very first guest in a series explicitly designed to bring unorthodox speakers to campus. The speaker apparently endorsed the "wrong" model of feminism.

How We Went Astray

Okay, you get the problem. But people differ over what is really going on and what it foretells. Some think that what we could call the Anti-Free Speech movement will fail simply on account of its own absurdity. A few months ago, a speaker at my university talked about how even the terms "micro-aggression" and "trigger warnings" are now coming under fire because the words "aggression" and "trigger" are too upsetting to listeners! She cited actual public comments to this effect. The audience laughed the nervous laugh of those who see the obvious humor of the human condition in a phenomenon that is simultaneously scary. So there is some reason to think that this new era of revived political correctness will devour its young. Of course, there is also the other possibility: that things will only get worse. The federal government has been busy enforcing increasingly more subjective standards of harmful speech and conduct, as Laura Kipnis's case at Northwestern poignantly reveals. She was formally investigated simply for criticizing women students who file questionable sexual assault complaints. And then there is the finding of a recent survey that 40% of so-called "Millennials" think that there is too much free speech for people who say hurtful things.

Several years ago, I attended a conference on free speech at Loyola Marymount University, in L.A., at which, a student proudly proclaimed, "My family spends over \$30,000 per year for me to go here. So I should not have to be exposed to speech that I don't like!"

Fortunately, we have been relatively free of such incidents at Madison—though some recent incidents have encouraged administrators to consider adopt-

ing more aggressive bias-reporting and sensitivity training. One reason for our relative freedom is the longstanding work our academic freedom group and students have performed over the course of twenty years; as well, some key members of the administration have been supportive of such efforts. I'll have something to say about this shortly.

I want to talk about what can be done to remedy the problem. And there is indeed reason for perhaps realistic optimism. But first we need to have a sense of what lies at the heart of the problem. The problem is manifold, including the influence of movements and theories of knowledge that overly disparage reason and objectivity while trumpeting political power (e.g., post-modernism, post-structuralism, identity politics). But let me state the heart of the matter: higher education has forsaken the commitment to what it IS. Virtually every university claims it is dedicated to the pursuit of truth. Harvard's "motto word," so to speak, is "Veritas." And diversity of views and respect for academic freedom and freedom of inquiry are indispensable to this end. We are in the "truth business" and the intellectual freedom business. Indeed, the special privileges the university enjoys such as tenure and academic freedom were historically part of a social contract: society grants the university the right of academic freedom, tenure (if available!), and a meaningful measure of self-governance in return for the distinctive contribution we can make to society by educating its youth, producing knowledge, and striving toward truth. This is our raison d'être. If we make something else our priority, we forsake this charter, which comprises our "immanent intelligibility."

We have let certain moral and political objectives take priority over the pursuit of truth and academic freedom. That is, social justice—and most problematically, a dogmatic conception of it—too often trumps freedom of inquiry and speech. As social psychologist Jonathan Haidt recently said to John Leo in an interview in *Minding the Campus*, "It's really scary that values other than truth have become sacred [on campus]. And what I keep trying to say—this comes right out of my book *The Righteous Mind*—is that you can't have two sacred values. Because what do

you do when they conflict? And in the academy now, if truth conflicts with social justice, truth gets thrown under the bus." And it's not like political powers in my state and around country haven't taken notice. We cannot plausibly claim the right to such things as academic freedom, shared governance, and tenure if we are making intellectual freedom and diversity of ideas secondary concerns.

Now, I admire engagement. Dante reserved a special level of Hell for those who were "indifferent;" and the university should encourage vibrant discussion and debate over questions of justice. After all, the central question of political theory and philosophy has always been "How should we live?" And the university should deal with this question not simply in a purely abstract way, but in a way that animates and motivates the moral soul. I want students with the fire in the belly for such matters, and I have always sought them out from across the political and ideological spectrum. Ortega put the matter well in his classic book Mission of the University: "On pain of atrophy, [the University] needs contact...with public life, with historical reality, with the present... It must be in the midst of life, and saturated with it."

But some points must be stressed in this regard. First, as is well known, the term "social justice" typically represents a dogmatic notion of equality of result that stands in tension with competing notions of justice in society and politics. Ortega meant something broader and diverse in speaking of "public life" and "historical reality": the clash forces in political and social life, which includes competing notions of justice.

Second, Ortega made it clear that the confrontation and struggle with social and political questions must be on the University's own terms. The struggle must be intellectual and take place on our grounds, in our house. As he wrote, "The original sin stems from the pretension to be other than one's true self. It is our *privilege* to be whatever we wish; but it is vicious to pretend to be what we are not, to delude ourselves by growing habituated to a radically false idea of what we are. When the habitual behavior of a man or an institution is false, the next step is complete demoralization."

Justice is also inseparable from due process and constitutional restraints. Laura Kipnis has spoken at length about the significant weakening of the presumption of innocence in campus sexual misconduct cases and the witch-hunt mentality-often encouraged by the Department Of Education-that is unfortunately accompanying the worthy and obligatory end of punishing and preventing sexual assault. Ends and means are not completely separable, but proper means are imperative to liberal democracy. How we achieve something is often as important as what we achieve. Similarly, social justice without respect for intellectual freedom and intellectual diversity is social justice without justice. No moral crusade can be just if it does not include respect for honest differences of opinion that are part of the human condition.

Finally, the meaning of social or political justice has been controversial since the birth of political philosophy itself, and necessarily so. Human beings do not all think alike, so having due respect for different opinions about important matters is necessary in order to respect humanity. Any adequate notion of justice requires respect for a multitude of voices. Neither progressives nor conservatives have a monopoly on what social justice means, and no one has a monopoly on the truth. The fallibility principle is a key component of free speech theory, as John Stuart Mill and Jonathan Rauch have powerfully articulated in *On Liberty* and *Kindly Inquisitors*, respectively.

In the heat of the famous Berkeley Free Speech Movement controversy in 1964, which gave birth to the social justice notion of the university, a Berkeley professor of public administration captured the essence of the problem in words that ring just as true today. Herbert Lepawski observed that "The main task we face is preserving the university as not merely as a free political community but primarily as an institution which is privileged to be an intellectual sanctuary within a greater society that is now in political flux. After all, the university's prime mission resides not in political activity but in the cultivation of the intellectual freedoms."

Now, if the University is true to its "immanent intelligibility," we will contribute to the civic and liberal

education of our students in our own distinctive way by simply making them better informed and thoughtful. As Haidt, FIRE president Greg Lukianoff, and others have shown, young people's moral and intellectual growth is actually thwarted when they are sheltered from controversial and challenging ideas. In the name of unduly protecting sensibilities, we undermine maturation. We betray the very students we are trying to help. Shame on us!

Remedies and Hope

So much for the problem. Let me conclude by talking about remedies. There are some reasons to harbor hope. Reasonable or not, we are nonetheless obligated to keep up the good fight in any regard. It is better to light a single candle than to curse the darkness.

First, we are now witnessing a lot of constructive backlash. Faculty members from across the political spectrum are now concerned, and the public is increasingly critical. A recent national survey found that $\frac{2}{3}$ of Americans today think PC has gone way too far.

Second, more concrete mobilizations are fighting back in constructive ways. On the one hand, we have more local groups like the one I was privileged to lead at UW-Madison, the Committee for Academic and Rights, which mobilized substantial support for freedom on campus over between 1996 and 2016. We won numerous policy and legal battles. On a national level, FIRE and the Institute for Humane Studies (Washington, D.C.) have put together projects to

BEQUEST TO SAFS

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

Thank you, Mark Mercer, SAFS president

work with local campuses to further the cause of free speech and open inquiry on campuses; and several schools have followed the recent example of the University of Chicago by passing institutional statements that strongly support free speech. Finally, Haidt and others have started an impressive on-line operation, Heterodox University, which is organizing different voices to promote the cause of intellectual diversity in higher education. Our chances for success are growing; and if we go down, let us at least go down with our boots on.

Donald A. Downs is the Alexander Meiklejohn Professor of Political Science, Law, and Journalism at UW-Madison. Among his many books is Restoring Free Speech and Liberty on Campus (2005). The above article is taken from the keynote address Dr Downs delivered at the SAFS Annual General Meeting, Western University, May 2016.

WILL THE UNIVERSITY OF CHICAGO LETTER HAVE AN EFFECT?

Stephen Perrott

In observing the free speech and academic freedom battles over the past year, it's hard to judge where the momentum is. On the home front the news is not hopeful. At my own institution, administration-supported efforts to promote safe spaces continue. My own plan to ask students whether they think we live in a rape culture was obstructed by both the research and ethics committees. It appears that, twenty-five years into the game, I suddenly lost the ability to design a questionnaire and failed to appreciate just how injurious my inquiries, about matters appearing daily in the popular media, would be to the undergraduates I was proposing to survey. The much more likely reason for these unreasonable reactions was, of course, that I had the audacity to question academe's conventional wisdom on the meaning and pervasiveness of rape culture and that this is simply not allowed; to borrow from Janice Fiamengo's experience, it was necessary to pull the fire alarm on me.

It is frustrating to many of us that the argument whether the university should return to—rather than more completely abandon—its most central mission continues to split, with notable exceptions, across left-right lines. Consider, for example, the likely persuasiveness of provocateur Milo Yiannopoulos, who makes particularly strong and loud arguments for free speech. His mostly well-informed views and considerable intellect are often lost in the noise of his attention seeking, his over-the-top assertions, and his Alt.Con designation. It's hard to think that anyone who refers to Donald Trump as "Daddy" is going to have much effect beyond his own choir.

I think the public case for free speech and academic freedom is better made by calmer, though still unafraid, voices—like those of Christina Hoff-Sommers, at least in instances when dissenters are not disinvited or silenced by the heckler's veto. The Foundation for Individual Rights in Education (FIRE) continues to do important work, and the emergence of The Heterodox Academy, with persuasive voices like Jonathan Haidt and Steven Pinker, is heartening. The problem is that there are not enough of these rational, well-informed, and politically moderate voices engaged in the debate.

What is even scarcer than scholars sticking up for the university? University administrators doing so, of course! It is especially encouraging, then, that the University of Chicago, via Dean of Students John (Jay) Ellison, has taken a decisive step in bucking the trend of censorship. In a letter mailed to the incoming class, Ellison makes it clear that the culture they should expect includes rigorous and civil debate on controversial issues; according to the dean, dis-invitations and the heckler's veto are just not on. Perhaps most surprising is the clear shot taken against safe spaces and trigger warnings. Initial critical response to the letter focused on how not "condoning" or "supporting" these illiberal phenomena is, in itself, a challenge to academic freedom. Not so, apparently; the university provides assurance that the letter was meant to be tone setting and that there was no intent, for example, to prohibit individual faculty members from using trigger warnings, if they choose to do so. This is a good thing. I see no need for being

callous in such matters and from time-to-time I give students a heads up when I am going to address what is, in my judgment, particularly difficult content.

Thus far, the broader fall-out from the letter has again predictably split on political lines, at least from those media sources with pronounced right-left positions. For example, VOX.COM published a blog from Grand View University's Kevin Gannon, the self-described "Tattooed Professor," wherein Gannon argues that the letter manifests elitism and serves to unjustly perpetuate power for the traditionally privileged. Not surprisingly, he makes his argument with sarcasm, the requisite dose of buzzwords and hyperbole, and an absence of logic. So, for example, from the Dean's letter he translates "we do not cancel invited speakers because their topics might prove controversial" as meaning "don't get any crazy ideas about protesting invited speakers."

Looking beyond the usual suspects to the mainstream media, my impression is that Dean Ellison's initiative is a welcome one. Nonetheless, the success of the initiative needs to be qualified. First, the University of Chicago cannot be seen as coming to its senses and as a new convert to the growing wave against campus censorship; instead, it is a rather bold move by a university that was already anomalous in its defense of free speech and academic freedom. Second, the Dean is naïve if he believes that he is significantly affecting the mindset of the incoming class, the majority of which is unlikely to pay much attention one way or the other to any letter they find in their welcome packs. Much more likely is that students will be shaped by professors like Kevin Gannon, who can, at least in the absence of counterargument, justify their censorship in the guise of pursuing social justice.

This does not mean that the Dean's letter was sent in vain but rather that its effect on students might be indirect. It is more likely that the enlightened position advanced by the administration will serve to embolden those University of Chicago faculty members who might easily argue why the censors are anathema to what a university is but who have hitherto been cowed into self-censorship. More generally,

the stance taken by this sole administration is likely to have a liberating effect on real scholars all over the US and Canada. Perhaps this was part of Dean Ellison's strategy all along.

Stephen Perrott, a member of SAFS, is Professor of Psychology at Mount Saint Vincent University, in Halifax.

INDIGENIZING THE UNIVERSITY: WHEN REASON IS AFRAID TO SPEAK

Albert Howard

On June 3, 2016, a roundtable discussion was held at the University of Calgary, which served as an example of what awaits the academy when the "Indigenizing the University" initiative is fully applied.

The discussion was organized by Frances Widdowson, an associate professor at Mount Royal University, as an attempt to examine the implications of indigenizing, and to have professors, students and the interested public attempt to understand the effects of including "indigenous knowledge" in university curricula, as well as the broader implication for the campus atmosphere.

The panel consisted of Keith Carlson, Professor of History, University of Saskatchewan; Robert Innes, Associate Professor, U of S; Frances Widdowson, and me—filling in for a last minute cancellation of a scheduled participant. The panel selection was intended to balance the pro-indigenizing view (Carlson and Innes) and the oppositional position (Widdowson and me). We spoke in alphabetical order.

Carlson's presentation was a display of sophistry worthy of a high school English class; Carlson dismissed the lack of clarity in attempts to explain indigenization by stating that other terms at MRU were *just as vague*. His false analogies involved examples including Buddhist and Catholic beliefs, neither of which logically compares to the attack on modern scholarship that indigenizing the university entails. Since neither of these religions, nor any others, are

currently advocating for changes to university curricula or culture, this farcical comparison was the resort of a weak argument.

I spoke next. The thrust of my presentation was that the nature of education is progressive evolution. The progress of education traces from the Socratic Method, through the middle ages of church-dominated education, transitioned to the modern period by the fulcrum of The Enlightenment. The Age of Enlightenment turned away from religion and tradition to reason and science as the means of understanding the universe. Rational and critical thinking have become the standard for education in all but private religious schools. The theme of my presentation was a quote by Richard Dawkins in the form of a question:

"Are there kingdoms of emotion where logic is taboo, dare not show its face, zones where reason is too intimidated to speak?"

I chose this quote because it was so opportune to the indigenizing initiative at Mount Royal University. Many professors have privately expressed concerns about the implications of indigenizing curricula in science and the humanities, disciplines where rational judgment and critical thought are fundamental to the course of study, but none (except Widdowson) has stepped forward to question it. The inevitable tactic of censorship of anything critical of aboriginal initiatives is accusations of racism. The overwhelming guilt for the colonial history, and sympathy for the native victims, has constructed an aegis against criticism, thus isolating native people from the constructive dynamic of open debate. Reason is, indeed, "too intimidated to speak."

And for good reason; halfway through my presentation, a foreboding of the entitlement and privilege of indigenization erupted. One woman yelled that she wouldn't stand for any more of my views, and attempted to get others to leave with her, though she eventually stayed. There was the distinct assumption that the native people in the audience had a right to stop me from speaking because they didn't like what I was saying. In the indigenized university, will professors be bullied into censorship, delivering material only acceptable to native students? Will support

for mythology and unscientific beliefs become a requirement of future hires?

There was much hubbub with shouts of "racist" and other insults including the charge that I had called native people primitive. In fact, I had said that ideas that are irrational and antiscientific constitute intellectual primitivism. I don't, in fact, subscribe to the prevalent stereotyping of native people as all thinking alike, and there is every possibility that some native people are free of spiritual beliefs. I know that many other people are mired in beliefs unsupported by evidence, and I characterize all spiritual, irrational and uncritical beliefs as primitive, regardless of the ethnicity of the believers, as they are emblematic of a distinctly earlier period.

Though I called upon the moderator, Liam Haggarty, Assistant Professor of Indigenous Studies at MRU, to bring order to the session, he scurried over to Innes to ask what he should do. Innes advised that he should "let it go", according to Innes' notes. It had become apparent that Haggarty had an agenda of disruption, and exhibited none of the objectivity the role demanded. During the presentations, he and Innes sent around disparaging "tweets" about Widdowson's and my participation.

Rob Innes spoke next. His presentation surprisingly ignored the subject of the roundtable—the effects of indigenizing the university—choosing instead to talk about his grandmother and aunt; where he lived; how he couldn't figure out how he ended up teaching in a university (a curiosity I share), and how native studies are a good thing. Native studies programs have been included at MRU for a few years, so Innes cannot have mistaken the discussion subject; he just chose to avoid it—or to obscure it.

Frances Widdowson was up next. I won't describe her points here, but one incident indicative of what "indigenizing" will mean to the university occurred during the question period when she told a student in the audience that her behavior was intimidating and prevented her saying what she thought was true. The student's response was "so don't say it then!"

In a nutshell, the other panel members came with a predetermined bias that whatever we said should be opposed; even to prohibit us from speaking. None were prepared to directly contest our views. Instead, a clamor of censorship represented the level of opposition to our contentions that spiritual beliefs, mythology and the unquestioned views of elders are backward elements in the educational system, reverting to the dark ages, that attempting to incorporate such features into rational programs is an assault on academic studies, and that the initiative will entrench the low educational levels suffered by aboriginal students, while imposing a burden on non-native students. More alarmingly, critical thought will be eliminated, because the application of it will expose the fallacy of indigenous and Traditional "Knowledge."

The initiative of indigenizing the university is an assault on higher education, free and open debate, and critical thought. A collective response by defenders of academic freedom and scholarship in the academy is urgently needed.

Albert Howard is an independent researcher who has worked as a consultant for government and Native groups. With Frances Widdowson, he is coeditor of Approaches to Aboriginal Education in Canada: Searching for Solutions (2013) and co-author of Disrobing the Aboriginal Industry: The Deception Behind Indigenous Cultural Preservation (2008).

INDIGENIZATION ADVOCACY AND THE ACADEMIC UNIVERITY: Legitimizing Wishful Thinking, Superstition and Demagoguery

Frances Widdowson

The desire for the truth is in itself a legitimate motive, and it is a motive that should not be sacrificed to gratify social, professional, or spiritual desires. Those who violate their own intellectual integrity, for the sake of values they hold more dear, corrupt the very values for which they make the sacrifice. To sacrifice intellectual integrity for spiritual yearnings

or political hopes is sentimental and weak-minded, and to sacrifice it for professional ambition is cynical and ignoble

-Joseph Carroll

...my goal is to defend what one might call a scientific *worldview*—defined broadly as a respect for evidence and logic, and for the incessant confrontation of theories with the real world; in short, for reasoned argument over wishful thinking, superstition and demagoguery

— Alan Sokal

Over the last two years, the notion of "Indigenizing the Academy" has become prominent. Endorsements have increased in intensity with the Truth and Reconciliation Commission's demand that "[t]he education system itself must be transformed into one that rejects the racism embedded in colonial systems of education and treats Aboriginal and Euro-Canadian knowledge systems with equal respect".

The Truth and Reconciliation Commission's support for indigenization is an indication of the politicization of the initiative. The main goal of indigenization is the supposed "reconciliation" of aboriginal and non-aboriginal peoples through "decolonization." It is also assumed, however, that the political goals of indigenization will not conflict with academic aspirations (hence the use of the words truth and reconciliation); there is no consideration that political pressure on universities tends to have the opposite effect.

The politicized character of indigenization is acting, in fact, to seriously undermine the academic mandate of universities—ensuring academic freedom and upholding standards of excellence in teaching and scholarship. This is because "decolonization" processes actually amount to demands for censorship and the promotion of ideas that are contrary to reason, evidence and logic. This, of course, will not promote either reconciliation or the pursuit of truth.

Indigenization and the Creation of Demagoguery

The Canadian Association of University Teachers (CAUT) implies that indigenization is consistent with academic freedom. This is because it is perceived to give aboriginal academics the freedom to develop their own "Indigenous knowledge and research traditions" and "challenge established narratives and introduce new epistemologies" (CAUT Bulletin, June 2016, pp. A1, A5).

This argument fails to recognize how it is political pressure, not academic considerations, that is driving indigenization. Indigenization advocates expect that "Indigenous knowledge", "research traditions", and "new epistemologies" be welcomed uncritically, and they try to intimidate intellectual challengers with accusations of "racism" and "colonialism." There are even arguments that the refutation of an indigenous idea constitutes "epistemological racism" or, more astonishingly, "epistemicide." This bullying has a negative impact on academic freedom, as it creates an emotional "no-go zone" that is hostile to examining aboriginal issues rationally.

These emotional outbursts are a demagogic strategy to increase the power of indigenization advocates and the resources made available to them. Even perceived innocuous practices are having a negative effect on the capacity of academics to challenge what indigenization advocates are claiming. The political demand that professors recognize that a university sits on the traditional territory of an aboriginal group, for example, is now being taken to mean that non-aboriginal people are "guests" on aboriginal lands and should not say things that are disagreeable to their "hosts."

The Wishful Thinking and Superstition of "Aboriginal Knowledge Systems"

Censorship is being demanded because the "knowledge" that is being promoted is usually not knowledge, and the suppression of criticism enables this to be hidden. "Aboriginal knowledge" is the beliefs or unsubstantiated opinions of some aboriginal people. And while everyone is entitled to their own beliefs,

they are not entitled to their own facts. To be accepted as knowledge, claims about the nature of reality must be must supported with verifiable evidence.

This confusion of knowledge with beliefs and unsubstantiated opinions will undermine academic standards. This is already having an impact on a number of areas in the university. Besides anthropology, which already has been seriously undermined by indigenization advocacy, the disciplines of biology, archaeology, and political science are under pressure. Because of political imperatives, the following highly contentious arguments are now being "respected" as "knowledge":

- 1) Animals present themselves to be killed, and so it is impertinent to abstain from hunting them. Consequently, placing satellite collars on wildlife is ecologically destabilizing, and animals might choose not to offer themselves to be killed in the future (indigenized biology).
- Aboriginal people were created in the Americas and did not migrate from Africa thousands of years ago like all other humans (indigenized archaeology).
- 3) Native kinship groups were nations exercising sovereignty before contact. These relatively peaceful nations embraced the principles of socialism, feminism and environmentalism (indigenized political science).

There is a great deal of evidence that would challenge these claims. Therefore, until the arguments are examined in a rigorous and disinterested fashion, these opinions and spiritually based beliefs cannot be considered "knowledge." The politicized character of indigenization, however, demands that all aboriginal arguments be "respected." There should be no attempt to try to refute erroneous aboriginal ideas, indigenization advocates assert, as this would be an obstacle to "dialogue" and "reconciliation."

Indigenization Creates Deluded Victims

The anthropologist Roger Sandall recognized some

time ago that many indigenous people were becoming the "deluded victims of the extravagances of their admirers." Indigenization, in fact, is demanding increased admiration for erroneous aboriginal ideas, which is furthering delusional thinking. Of course, forced admiration is not admiration at all; it is condescension. The current problem faced by many aboriginal people is not that their "knowledge" is being "disrespected" in the educational system; it is that aboriginal cultures, because they only recently emerged out of pre-literate and pre-enlightenment conditions, have not yet acquired the understanding necessary to fully participate in modern society. The task, therefore, is to raise the educational levels in aboriginal communities, as well as ensuring that high quality services are made available to all. Educational programs must recognize the challenges of developing scientific methods and critical thinking in the context of cultures still embedded in superstition, undisciplined study habits, and deference to ill-informed elderly "wisdom-keepers."

Political demands for indigenization hide this reality. Instead of learning how to acquire real knowledge, isolated aboriginal communities are being told that improbable and unsystematic "world views" are a "gift" to humanity. This will increase the number of aboriginal people who can obtain degrees, but it will not improve education. It will also lower the academic standards in universities. Indigenization ensures that many aboriginal professors will be less qualified than their non-aboriginal counterparts, as they will acquire their positions on the basis of their ethnicity and ideology, not excellence in scholarship and teaching.

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"FREE THE CAMPUSES"—NOT SO FAR FETCHED

Walter Bruno

Is academic freedom a sort of eternal principle? As a principle, it would not bear exceptions except as its sister principle, free speech, bears them; for example, you could not knowingly spread a falsehood, and *a fortiori*, one that materially harmed people. On the opposing side is the notion that freedom is something less than a principle; it could be just a nice tradition in a nice society—not always practical or practicable. If that were true, it would be an ideal and a guideline. There is also the possibility that it is a European habit of mind that is best restricted to European-type thinkers.

We also wonder whether academic freedom is indispensable: do we "need" freedom or do we just hang onto it? If it's necessary, is this need linked to something ulterior, some sort of "benefit"? And if there is a benefit, beneficial to what? To the research itself? Are there studies that don't benefit from freedom? Are there populations that don't benefit from it, either?

There certainly are, say some research ethics boards, both local and national; one of their standard criteria for funding is exactly that, that the research be of "benefit" to target subjects. In fact, "benefit" has to be demonstrated in the application, which means that there is always potential research that is not beneficial (and so, turned down). Where did this codicil come from? Historically, it was added to the original caveats, which were there to prevent scientific or medical research from conducting harmful experiments. (For a sample of humanities research harnessed to "social benefit," see Rebecca B. Morton and Kenneth C. Williams, "Ethical Decision Making and Political Science Experiments," Experimental Political Science and the Study of Causality, Cambridge, 2010. See in particular 12.1.2, "Expected Benefits from Experimental Research.")

Back to definitions. What is academic freedom and who really needs it? For me, it is not founded in

ethics or in national culture. It is not a "polite" way of discoursing in an advanced and pluralistic world. Nor is it a way to give everyone, every larynx, its 15 minutes of fame. Sure, all those things can be worthy fields to cross, but that is not what academic freedom is.

I suggest we call it a research tool, nothing more. As a research tool it's part of a student's basic equipment, much as communication skills are. Students are curious and free—or they are not students. If that is true, then freedom must be not only tolerated, but mandated. When you enter the campus as a researcher, you put your freedom face on.

I recall the good old days when I was an undergraduate. It was the 1970s and Speech Codes did not exist. On the other hand, there was always the odd teacher tinkering with "meaning." One day, I enrolled in a Shakespeare section. I read the outline and felt uneasy. Then the professor came and said he was a "Freudian" and announced that Freud would be his key to Shakespeare.

He would, he said, ask us to do Freudian essays; for example, we might parse "To be or not to be" as a sign of Hamlet's unsuccessful navigation of the Infant Oral Stage. I was appalled and said something moody in class, which made the professor testy. Next day, I marched into the office of the English chair and asked to be transferred to a different section.

The chair was sceptical—many students tried dodging "inconvenient" sections. He said he needed a valid reason for making the change. I replied that I was "not prepared to debase Shakespeare for a whole year, by pretending to validate a crudely reductive methodology just for marks." His jaw fell into his coffee cup.

The next thing I knew, he had whisked the transfer forms out and shoved them under my nose: "Sign here, and you're transferred!" And then he signed me into his own section, and later asked me to "argue any argument you can reasonably document, and especially one I don't agree with."

Ah for the good old days of the 1970s, when people had something to believe in but hedged.

What really is academic freedom? Perhaps it's the action of informed reason combined with the capacity for curiosity. Or, on a more basic level, it's a form of literacy. You are literate if you do not forget that you are free. It is not a "human right" or any other such disposable legality; it's a primary tool, and it never gets dull or goes out of fashion.

Perhaps that is the eternal principle. Moreover, it has to be self-justifying. Knowledge is sui-generis and knowing things is its own valid end. You cannot waste your time becoming knowledgeable and you cannot harm the world merely by finding something out.

Now if we accept the above, what do we do with it? Tuck it into our sleeves? Wait until the coast is clear? Go into the woods to memorize it? You might as well do that, if you accept the campus as it is. It will never change of its own impetus.

Worth underlining: the campus will always be owned by those who want it most. If you want it to change, here are some points to put forward:

- In the humanities, no more "you can't write about that" from a professor, and no more "don't refer to book X, Y, or Z." Teach students that "current thinking" is a fashion statement in the arts and humanities;
- Adopt a statement that the philosophical and artistic canon is an inheritance, not a relic;
- Adopt, in policy, sanctions against anyone who bullies or manipulates a department, colleague, or student;
- Adopt, in policy, the statement that there is only one identity on a campus, *scholar*;
- Revamp tenure criteria to emphasize pluralism and scientific method as defined by cross-disciplinary bodies;
- Create an independent department to conduct professional, rigorous, and impartial evaluation of teaching;
- Ban all references, in institutional policies, to *feelings*;

 Abolish the "research ethics boards." Let each department vet the proposals the way they used to be vetted;

 Ban all demands for a "social outcome" to research.

It would be prefaced with the definition of freedom: a research tool. It's a small list, and one which teachers might publish and promote as an action plan. At the beginning, such professors will be scorned and howled at; yet they must persist, year after year, for that is what advocacy is. One day the opposition will feel the weight of an oncoming wave and flee for the hills. After all, it happened that way in the 1980s, so all you're doing is staging a return.

Walter Bruno is a poet, playwright, and translator, and a long-time SAFS member. He retired in 2010.

WHEN DOES AVOIDING OFFENDING OTHERS IN THE UNIVERSITY CLASSROOM BECOME CENSORSHIP?

An Opening Statement for a Discussion, Laurentian University Senate, 17 May 2016

Michael A. Persinger

Challenging the validity of ideas and beliefs as well as thinking critically about them has been a central thrust of academia. That someone has proposed a contention or explanation does not necessarily make it correct. We have a responsibility to ascertain the actual causes and explanations of phenomena. Some people call this the pursuit of truth. However, university classrooms are becoming arenas for propaganda and political motives. If one does not comply with this politic, and a student or administrator feels offended, one is censored by removal or the threat of removal.

For example, many people believe human activity has been the exclusive cause of global warming. Yet there is clear evidence that the major contributors are changes in solar and geomagnetic activity. If you suggest this alternative, some people feel offended. You are called a "liar" or a "denier."

Gender differences are apparent by observation. There are more than two dozen regions within the human brain that exhibit sexual dimorphism. Yet when the behavioral ramifications of these structures are pursued and the potential differences between sexes are considered some people are offended. The thinker is called a "sexist".

Some groups of people attribute most of their current cultural problems to imposed programs from other cultures that arrived after them in the distant past. There are terms such as "trans-generational" trauma and "trigger stimuli" to explain the behavior. When data are given that other children who grew up in orphanages and foundling homes during the same era also showed similar problems, the comment is considered offensive to some groups. In fact, the critical thinker may be accused of being a "racist."

There are some people who believe their sexuality is different from what their biology would suggest. When alternative explanations for being "complex-spirited" or some blend of sexes is offered, some people are offended. If you suggest we could explore the genetic mechanisms behind sexuality, you may be called a "homophobe."

In other words, the traditional methods by which academicians have solved complex problems, solutions that have allowed our species to adapt and to discover, are now considered offensive because they challenge the validity of beliefs and political motivations. So do we draw the line in the classroom against censorship, or do we become petrified professors who dare not challenge the politically sacred?

SAFS member Michael A. Persinger is Professor of Psychology at Laurentian University and a member of Laurentian's Academic Senate. In January of this year, the provost removed Dr Persinger from a first year course he was teaching, on the grounds that asking his students to sign a statement of understanding violated university policy. The matter is still under appeal.

"ISLAMOPHOBIA" AT McMASTER?

W. F. Smyth & Marianne Walters

In mid-April of this year we attended a presentation entitled "Challenging Islamophobia on Campus," given by two young women, both employees of the Office of Human Rights and Equity Services (HRES) at McMaster University. This meeting, billed as a "Workshop," attracted about ten participants; it was the second of two designed to present insights gained from an initial Muslims-only event that took place in December 2015.

Our first difficulty was with the use of the term "Islamophobia," especially in an institution of higher learning, where careful, dispassionate use of terminology and precision of thought are supposedly respected. A "phobia" is an irrational fear, and so the portmanteau word "Islamophobia", if it means anything, means "irrational fear of Islam." In fact, it is rather obviously an oxymoron:

- terrorist attacks, motivated by Islamic ideology, foiled or successful, are commonplace daily occurrences throughout the western world;
- fifteen or so countries are under direct unrelenting assault from various Islamic terrorist groups;
- in several European countries, especially France, dozens of suburbs across many cities are controlled by radical Islamists and the illegal drug trade, and have become no-go zones for police;
- those who publicly criticize Islam, whether Muslim, ex-Muslim or otherwise (Salman Rushdie, Ayaan Hirsi Ali, Robert Spencer) require round-the-clock protection from assassination attempts blessed by Islamic authorities;
- sharia law, with its attendant persecution of women, homosexuals, infidels, and apostates is the norm in the 56 nations of the Organization of Islamic Cooperation, a United Nations lobby group that wants criticism of Islam to be declared illegal in every country on earth.

As Hirsi Ali says on page 3 of her recent book *Heretic*, "Islam is not a religion of peace": fear of it is perfectly rational.

The neologism "Islamophobia" dates to about 1991; in 1997 the Runnymede Trust in the UK attempted a definition of the term, now described by Abdur Rahman Muhammad, one of its formulators, as "a thought-terminating cliché conceived in the bowels of Muslim think tanks for the purpose of beating down critics." Certainly, while the term appears to refer to criticism of Islam—a right that a free society must respect and protect—, nevertheless, in the context of the HRES meetings, it was taken to mean unprovoked harassment of Muslims or vandalism of mosques—behaviour that the customs and laws of a civilized society should inhibit and punish. The Mc-Master employees who handled the HRES presentation, both of them hijab-wearing Muslims, seemed entirely oblivious to these ideas and distinctions.

A second major difficulty with the HRES presentation was the clear indication of bias: since the first meeting was Muslims-only, it was difficult to avoid the conclusion that HRES was on a fishing trip, promoting rather than "challenging" "Islamophobia" on the McMaster campus. Indeed, when questioned as to the origin of the HRES initiative, the two presenters openly acknowledged that the series of meetings was a consequence of their own religious observance. A curious way for HRES policy to be formulated and HRES activities to be conducted: if two of the eight HRES employees had instead been black, or homosexual, would we instead be "Challenging Racism on Campus" or "Challenging Homophobia on Campus"? Since historically anti-Semitism on Canadian campuses, including McMaster, has been much more of a problem, exacerbated in recent times by annual Israel Apartheid Week and Boycott, Divestment, Sanctions extravaganzas, why were these two HRES officers not holding Jews-only meetings in order to "challenge" anti-Semitism on campus?

Most of the presentation itself did not relate to Mc-Master. The presenters began by describing instances of supposed hostility to Muslims that they had themselves experienced during their formative years in England and Canada. Much of this was vague and could just as well have been related to their mild brown skin colour or to other factors entirely. To be asked "Where do you come from?" they

found offensive! A form of "micro-aggression," no doubt. Slides were shown of anti-Muslim material on social media, but no mention was made of the fact that, according to 2013 statistics, anti-Semitic hate crimes in Canada occurred at three times the rate of anti-Muslim hate crimes, even though the Jewish population is only one-third that of the Muslim. Despite the feedback from the December meeting, evidence of hostility to Muslims on the McMaster campus seemed virtually nonexistent: there was some talk of Muslim women feeling more "comfortable" walking together, especially late in the day, but it was not made clear what justification there might be for such feelings.

We left the meeting pleased that apparently anti-Muslim prejudices were not a significant factor on our campus. One less problem to worry about. On the other hand, we were, and remain, deeply concerned that the campus organization formed to encourage and ensure even-handed impartial treatment of everyone on campus should itself be not only biased, but moreover apparently incapable of thinking clearly about the issues and policies that constitute its mandate.

In mid-May we wrote to the McMaster president expressing our concerns, but received no reply.

Marianne Walters is Professor Emeritus, McMaster University; Bill Smyth is Emeritus Professor in the Department of Computing & Software, McMaster University. Drs Walter and Smyth are long-time members of SAFS.

MISCHARACTERIZING FAITH AS HATE GETS US NOWHERE

John Carpay

In a recent Huffington Post Canada blog titled "Religiously Inspired Hate Is Still Hate," Dalhousie Law professor Elaine Craig argues that Trinity Western University (TWU) hates gays and lesbians. Professor Craig hopes that TWU will lose its court actions, launched against the Law Societies of British Co-

lumbia, Ontario and Nova Scotia over their refusal to accredit TWU's law school.

TWU is a private Christian university in Langley, B.C., which has been graduating teachers, nurses and other professionals for several decades. The University's code of conduct prohibits foul language, viewing pornography, drunkenness, sex outside of the marriage of one man and one woman, and other legal activities.

In 2001, the Supreme Court of Canada rejected the arguments of the BC College of Teachers, which had claimed that TWU, through its code of conduct, discriminates against gays and lesbians. "TWU is not for everybody," said the Court, upholding the right of TWU students and staff to exercise their Charter freedoms of conscience, religion, expression and association. The Court understood that many people, for many different reasons, would not want to abide by TWU's code of conduct. The Court understood that a free society welcomes diversity, and that diversity means tolerance for universities which are actually different, like TWU.

Arguing that Law Societies should not recognize TWU's law program, Professor Craig invokes the murder of 49 people at a gay bar in Orlando in June. Craig seems to equate these cold-blooded killings in Florida with Christianity's condemnation of sexual activity outside of the marriage of one man and one woman. For Craig, shooting gay people and disagreeing with gay sex are one and the same: both exemplify "hatred" and "homophobia" that must be eradicated.

Applying Craig's logic, if TWU hates gays, then TWU must also hate alcoholics, pornography viewers, the foul-mouthed, and millions of sexually active unmarried straight people. This allegation of "hate" is silly, in light of the sworn affidavits, filed in court, by three LGBT individuals who have themselves attended TWU: Arend Strikwerda, Iain Cook, and Austin Davies. They were welcomed and loved at TWU on the same terms and conditions as everyone else, and now speak publicly about their positive experiences at TWU.

Craig makes no mention of the fact that the Orlando shooter, Omar Mateen, professed allegiance to ISIS and to Islam, not Christianity. In the wake of the Orlando shootings, a Christian code of conduct at a private university, embraced voluntarily by those who agree with it, seems to upset Craig more than Islamic countries which impose the death penalty for gay sex. But, of course, attacking TWU is much easier and safer than publicly criticizing Islam.

Omar Mateen shot 49 people dead because he had absolutely no respect for Florida's prohibition against murder. Shootings at bars (whether gay bars or straight bars) will continue as long as there are individuals like Omar Mateen who believe themselves entitled to play God and execute judgment on fellow humans by killing them. The distinction between disapproving of a behaviour, and killing people who engage in that behaviour, appears lost on Craig.

TWU's three court actions raise the question of tolerance for those who have different opinions about human sexuality. Some Canadians believe that sexual intimacy is healthy and right only in the context of love, commitment, marriage and procreation. Other Canadians believe all manner and forms of consensual sex are OK. There is no way to reconcile these opposing views. A free society therefore allows both the "traditionalists" and the "progressives" to form and maintain their own groups, clubs, societies and associations.

In a free society, the government does not try to force the "traditionalists" or the "progressives" to abandon their beliefs and practices. A free society allows TWU to form and maintain its own religious community, with its own rules and practices, which no person is compelled to join.

The Law Societies admit, in all three court actions, that TWU's law program meets academic and professional standards. It's TWU's "traditionalist" view of human sexuality that the Law Societies can't stand. Sadly, Professor Craig and three Law Societies want to impose their "progressive" view of human sexuality on TWU. They demand that TWU must change the rules, beliefs and practices of its community, or

else its law program will not be recognized, even though this law program fully meets academic standards. This state coercion is the opposite of what a free and tolerant society is all about.

Calgary lawyer and SAFS member John Carpay is president of the Justice Centre for Constitutional Freedoms (www.jccf.ca), which intervened in support of Charter section 2(d) freedom of association in TWU's court actions in BC, Ontario and Nova Scotia. His article originally appeared in Huffpost British Columbia, 29 June 2016, and is reprinted here by permission. http://www.huffingtonpost.ca/john-carpay/trinity-western-law_b_10734546.html

JOHN MONTALBANO: FORMER UBC CHAIR'S DILEMMA INTENSIFIED BY CONFIDENTIALITY CLAUSE

Douglas Todd

John Montalbano, former chair of UBC's board of governors, says he values volunteering and contributing. "But no one signs up to be shamed, discredited or see their families harmed by those who have nothing to lose." The Italian-Canadian was raised in East Vancouver and attended John Oliver Secondary.

The chair of UBC's board of governors told the reporter, on camera, he could not comment on the sudden resignation of president Arvind Gupta because of a two-way confidentiality agreement.

But the reporter kept pursuing Montalbano, declaring that "people" believed the board chair was "incompetent." She told him: "It's unacceptable that you don't have something to say right now."

One year after the August 7, 2015, resignation of Gupta, Montalbano's memory still simmers over that parking lot confrontation. That's in part because Montalbano's nine-year-old son discovered the TV clip on the Internet.

"Being followed to the car was an out-of-body experience. I knew that each of the allegations made

against me was unfounded," says Montalbano, who later resigned as chair of the university's board.

Hundreds more stories appeared citing Montalbano's name. While some commentators supported Montalbano, most stories were based on criticism of him by the UBC Faculty Association and some professors.

The parking lot incident illustrated the ethical dilemma Montalbano found himself in.

"Although I made it very clear to the reporter that I could not speak at that time because of the non-disclosures, she chose to ignore the statement and launched into her unfounded allegations on camera as she followed me to the car," said Montalbano, who is vice chair of RBC Wealth Management and a frequent donor to programs to advance women in business.

"Her aggressive behaviour sacrificed facts for sensationalism, and this was not without consequence. My family, particularly my son, was severely traumatized by the actions of a reporter who should have had a better understanding of the complexities of the story she was covering."

One year later, Montalbano has agreed to speak. He had declined interviews to allow for a smooth transition to a new board chair, Stuart Belkin, and new president, Santa Ono.

Montalbano is pleased with the June appointment of Ono, calling him an "academic and moral leader worthy of the university."

From East Vancouver

Raised in East Vancouver by Italian-Canadian parents — his father was a unionized worker at Britannia Mines, his mother a short-order cook at Hudson's Bay — Montalbano, 51, attended John Oliver Secondary and has long been involved in public service. He continues to volunteer for major philanthropic organizations.

As chair of the board of governors at UBC, which

has a budget of more than \$2 billion, Montalbano received no pay.

He was willing "to take on hard work on behalf of students and professors.

Vancouver lawyer Martin Sheard, who specializes in employer-employee relations, has empathy for the position Montalbano found himself in. Along with hundreds of resignations and terminations that occur annually among UBC's more than 15,000 faculty and employees, Sheard said Gupta's departure was covered by a relatively standard confidentiality agreement.

"Reciprocal confidentiality agreements are intended to protect both parties," the lawyer said. For the most part, Sheard believes arguments the UBC board should have been more transparent "rang hollow."

The decision to accept Gupta's resignation was supported by the board's eight elected student, staff and faculty governors. UBC's deans also approved it.

UBC Faculty Association president Mark MacLean, however, led a campaign to force Montalbano to step down.

"We believe it is ... imperative to have the full story behind the resignation of Prof. Gupta as president of UBC," MacLean said at the time. "Full disclosure is the only way to restore trust in the governance of the UBC."

The faculty association also championed women's studies professor Jennifer Berdahl, whose business chair was financed by a \$2 million personal donation by Montalbano.

Berdahl wrote a blog post in which she speculated Gupta had lost a "masculinity contest" with UBC's leaders.

Berdahl then received a phone call from Montalbano, whom she maintained told her she may be damaging the university's reputation. An independent report by former judge Lynn Smith later found that, while

Montalbano didn't personally infringe Berdahl's academic freedom, the university as a whole failed to actively defend it.

Berdahl could not be reached for comment.

MacLean said Friday "at this point we are not commenting on events surrounding the resignations of Dr. Gupta and Mr. Montalbano."

Contradictions questioned

UBC business ethics professor James Tansey said Montalbano's critics should have been aware neither side could comment on Gupta's resignation. "There was not much basis for a fair debate."

As a former elected official of UBC's faculty association, Tansey says the association has become more "adversarial" in recent years. Tansey believes it acted in a "contradictory" manner when it came to the suspension last fall of former UBC creative writing department head Stephen Galloway.

In contrast to the way MacLean publicly denounced Montalbano and sought "complete transparency" about the resignation of Gupta, Tansey noted MacLean claimed Galloway had "a legal right to privacy" and should not be subjected to "unspecified allegations."

The Canadian Society for Academic Freedom and Scholarship has also asked MacLean why the faculty association "rushed to call" for Montalbano's resignation before any allegations against the chair had been investigated.

Society head Mark Mercer, chair of the philosophy department at Saint Mary's University, has asked MacLean to explain which "protocols" were allegedly breached by Montalbano and the board. It has yet to receive a reply.

As for Montalbano, he believes freedom "comes with responsibilities It is an unfair playing field when those with privileges, such as academic freedom and tenure, take on a private citizen."

Smith's review, he said, concluded "I acted in good faith and was alive to the issue of academic freedom in my conversation."

Does he have regrets?

"While the past year has been difficult for my family, I have never for a moment second-guessed or regretted any decision made by me or by the board," he said.

"I also do not believe there is a governance crisis at UBC. Governance can and should be improved. That said, UBC ranks among the 50 best universities in the world and I believe one of the contributing factors to its strength is the relative independence of its board."

Montalbano has said non-disclosure agreements "should be the exception and not the rule" when it comes to senior public sector appointments.

"But non-disclosure clauses will continue to be the norm unless both parties agree on the transparency satisfying the public's need to know."

Montalbano said Gupta was "treated respectfully" during his tenure at and departure from UBC.

"We wanted him to succeed in the role, and we shared a similar view that the university must refocus its priorities towards research and teaching. Our conversations were candid, transparent and sometimes difficult," he said.

In Canada during the past decade, 18 university presidents have either resigned or been terminated before the end of their contract, according to Julie Cafley, vice-president at the Public Policy Forum.

As part of his compensation, Gupta received his annual salary of more than \$440,000. In addition to being guaranteed his ongoing computer science professorship at UBC, he now has a position at the University of Toronto.

One silver lining from the ordeal, Montalbano said,

is that his two children have been part of family discussions about leadership.

"The kids saw first-hand that, at times, standing for what is right may require courage, conviction of one's principles and a sacrifice of one's self on behalf of the institution served, especially in public service."

Montalbano says he's "humbled" many social organizations have in the past year approached him to be on their boards. He now serves with the St. Paul's Hospital Foundation; Vancouver Public Library, as head of its capital campaign; and the Vancouver Police Foundation. He remains a trustee of the Killam Trusts in support of graduate studies, and on a committee for the Canada Council for the Arts.

"The events at UBC have not discouraged me from serving society. Business leaders have a duty to contribute to the communities that support them."

Douglas Todd writes on education and other matters for the Vancouver Sun. His article originally appeared in the Sun on 7 August 2016. Reprinted by permission. http://vancouversun.com/news/local-news/douglas-todd-former-ubc-chair-montal-banos-dilemma-intensified-by-confidentiality-clause

PREFERENTIAL HIRING AS A RESPONSE TO NARROW ACADEMIC TASTES

Mark Mercer

Most, maybe all, universities in Canada have official policies directing academic hiring committees to show favour to female applicants. These policies have been around for decades and show no sign of being rescinded.

One rationale for such policies is that they counteract the effects of the often subconscious or ingrained sexist biases through which many academics, like everybody else, see the world. These biases prevent members of hiring committees from objectively or fairly appraising the skills and accomplishments of women candidates.

There may well be solid empirical evidence that biases against women in the professions continue to exert their malign influence. I'm thinking of studies that show potential employers ranking higher a resume or CV when it is submitted under a man's rather than a woman's name, or that show potential employers thinking well of a man when he expresses some particular character trait (candour, say) but not of a woman when she does.

Now even if the pernicious sexism these studies reveal has a discernible effect on university hiring, we might respond either that the effects of affirmative action policies are at least no less pernicious than those of sexism or that there are many better ways to combat sexist attitudes than to restrict or guide the judgements of hiring committee members. These, at any rate, have been the responses various SAFS members have made over the years.

This particular rationale for giving precedence to female applicants, though, presupposes that men and women academics are engaged in more or less the same academic projects and are undertaking them in more or less similar ways. Men and women sociologists are equally interested in understanding and explaining violent crime in large cities, say, and they pursue their research by collecting and correlating data or by interviewing criminals and their victims. The rationale we're discussing, that is, does not suppose there to be a male sociology and a female sociology.

Moreover, it does not presuppose that men and women are equally interested in or equally good at sociology. Consistent with this rationale is that women, or men, for reasons of brain physiology or culturally acquired temperament, are more given to sociological inquiry and more likely to experience sociological insight than are members of the other sex. The rationale depends simply on the claim that those women candidates who are just as good at sociology as the male candidates will, because of sexism, fail to be credited as just as good.

Policies justified by this rationale will not, then, have as their goal increasing the representation of wom-

en in the professoriate, even if that is the result their backers hope for. Their goal is entirely to allow talented women—"talent" understood in its most conventional sense—to shine and be seen to shine.

Of course, the subconscious-sexist-bias rationale is not the only rationale given by those who advocate preferential hiring policies. And though it has long been popular and influential, it is today, I think, in eclipse.

A very different rationale for official policies to hire women, the most powerful rationale these days, makes little use of the contention that sexist biases prevent individual academics from properly appreciating what they would recognize as excellent work were it not the work of a woman. This second rationale denies that there is a single sociology to which men and women should have equal opportunity of access. It denies, that is, that there is a single sociology. There are, instead, many sociologies (many mathematics, biologies, literary studies, histories, philosophies, engineerings). There are as many mansions within each disciplinary house as there are types of inquiring people. Women constitute a type, a type distinguished from men, and women can be expected to go about a different sort of academic business than men, and to go about that business differently.

The idea is not that women are essentially feminine in their interests and ways and men essentially masculine. The idea is only that, as a matter of fact, more women than men are interested in personal and concrete relationships, say, while more men than women are interested in impersonal or abstract relationships. Just what the tendencies are within the sexes is an empirical matter, of course, though perhaps empirical study will bear out to some degree the clichés or stereotypes we've all grown up with.

How the particular matters-of-fact with regard to different tendencies in concerns and tastes between the sexes are explained is irrelevant to the challenges to which the matters-of-fact give rise. Sex-correlated differences might be explained biologically, they might be explained culturally, and they are probably a complex mix of both. One or another difference might be in flux, there might be less difference (or more) than there was decades ago, and some difference or other might be on its way out. Still, if there are statistical differences between the sexes, then academic departments that don't house an equal number of men and women professors are favouring some topics or styles of thought over others.

This second rationale, then, is a rationale for giving precedence to women candidates for the sake of promoting underrepresented fields or schools or styles—the fields, schools, or styles associated with women academics.

Those who appeal to the second rationale will often speak of departments or programs as gendered, meaning that the topics covered or approaches taken within the department or program appeal more to men than to women. But why should that matter, so long as candidates for positions in the department or program are all treated fairly and appraised objectively? Indeed, why should the level of analysis and evaluation be that of departments and programs? If the university as a whole has a roughly equal number of women and men on faculty, then hasn't the goal of representing academic interests fairly been met? That a particular department in a more-or-less equal university has significantly more male professors and students than women professors and students would indicate simply that it's up to things men tend to prefer more than women do. Another department will have more women in it because the discipline it serves tends to appeal more to women.

Those who complain that certain disciplines are gendered reject this supposition, the supposition that in the contemporary university everyone already has the opportunity to study in a department or program that suits them.

I teach in a philosophy department, and philosophy departments, unlike other Humanities or Social Sciences departments, continue to have more male faculty members than female. The ratio in philosophy departments nationally might be three to one in favour of men, perhaps four to one.

As well, students in philosophy programs are mostly male. (Of the 19 Masters, Honours, and Majors students at my university, 14 are male. It's about even among our minors, though.) This is true despite the fact that the ratio in first-year philosophy courses is fairly close to one to one. Philosophy, as an academic discipline, has a gender difference in both faculty and students more in line with math or engineering than with English or history.

Those who contend that philosophy (or math, or engineering) is a gendered discipline say that female students would be majoring in philosophy or taking upper-level philosophy courses except that the topics or approaches in the courses on offer leave them cold. If they had courses they were interested in, and were taught in ways they enjoyed, they would choose philosophy over the other disciplines. Moreover, so long as women students leave or avoid philosophy, the percentage of women in philosophy departments will remain low.

Departments like philosophy, math, and engineering, then, the departments in which students and professors are predominantly male, are remiss in not serving women as well as they could. They could be attempting to discover what in philosophy, math, and engineering female students are keen to study. Having found what they could do to attract and retain female students, they could do it.

Departments staffed with more male than female professors, which, typically, are departments with more male than female majors and other students, would be serving more female students, and serving the interests of women in society generally, if they hired more female professors. They would be serving female students and women generally because female professors would be more likely to teach topics of more interest to women, and in ways more congenial to women students. Since universities have responsibilities to their students and to the public, predominately male departments should be seeking to hire more women. These responsibilities are so important that it is not inappropriate to write rules designed to get them to hire more women, or so the argument goes.

Let me summarize the argument.

Women students and women professors tend to prefer some particular topics and approaches more than men do. In male-heavy departments, then, only a small proportion of the courses on offer will feature topics women tend to prefer or be taught in ways women tend to like. Women students will, as a consequence, fail to find the discipline as interesting as they might have found it, had it featured more of the topics and ways they prefer. They will leave for other departments. And so, to break this pattern, male-heavy departments need to hire more women professors.

The men in the male-heavy departments, though, tend to lack a taste for the topics and approaches women prefer. (Maybe they lack a taste because they don't work on the topics women tend to prefer or approach their topics in the ways women tend to prefer.) Thus, because they are not attuned, men on hiring committees will often fail to recognize the academic interest and value of the work female job candidates are doing. Although they apply their own criteria of worth dispassionately and fairly, by applying those criteria, they will tend to rank male candidates higher than female candidates.

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The pattern of the department replicating its focus and style through new hires will not be broken, then, if hiring committee members are allowed to select candidates solely on grounds of what they, reasonably enough given their preferences, consider quality. For that reason, it is necessary that male-heavy departments and hiring committees be bound by policies and rules explicitly intended to increase the number of women professors.

That, I think, is the argument.

The policies and rules by which departments should be bound can take any number of forms and be directed at any of the levels of discussion preceding or during the hiring committee's deliberations. One policy a university might adopt with regard to maleheavy departments is that job ads specify only areas in which women academics predominate. Another is that hiring committees be composed of more women than men. Another is that at least two-thirds of candidates interviewed be women.

Any such policy or rule will, certainly, constrain department members in the exercise of their judgement. But, comes the rejoinder, it is the shallowness of their judgement that has served women students and women academics so badly for so long.

Now, this argument requires that in fact women students and academics prefer certain topics or approaches in a particular discipline, rather than that they just prefer certain disciplines. It requires, that is, that they don't like this or that within philosophy or math, rather than that they simply don't like philosophy or math (compared to other disciplines). If women tend not to prefer philosophy or math while men do, then it makes little sense to try to bring more women into philosophy or math. It would be enough for the university to ensure that the departments in which women choose to study don't lack resources.

But let us suppose that the empirical claims made in the argument are correct. Let us suppose that an appreciable number of women students would take philosophy classes in certain topics or would take philosophy classes taught in certain ways, if those classes were available. Does the argument that policies to increase the proportion of women should be imposed on male-heavy departments actually hold? I don't think it does. My objection to it, though, depends on a particular account of the nature and purpose of the university; not everyone shares that account of the university.

A university (on my account) is a place of liberal learning and it is a place of dispute or contention. By calling it a place of liberal learning, I mean that the people gathered in it, professors and students both, are engaged in dispassionate inquiry into the ways of the world. They seek understanding, and they seek understanding just for the sake of seeking and having understanding. By calling it a place of dispute or contention, I mean that the people gathered in it habitually dispute with each other, with scholars far away in place or time, and with themselves. They frame hypotheses and claims, and they attempt to refute the hypotheses and claims that get framed.

Liberal learning and dispute are, of course, connected. Dispute is a central method of dispassionate inquiry.

If a university is to have and maintain its character, as little as possible can be allowed to constrain the academic judgement of the people gathered in it when they are deciding academic matters. For otherwise, values and ideals other than academic will infect the university. Liberal learning will come more and more to be applied or useful learning, instruction intended and designed to prepare students for careers or to instil in them today's appropriate attitudes. Dispute will lose place to dogmatism and to the celebration of accomplishment and identity.

Policies and rules meant to increase the proportion of women in a department force the members of hiring committees to set aside their considered views of academic worth, and trust that academic value will take care of itself. That is why such policies and rules are inappropriate, despite the fact, if it is a fact, that many women are unable to find the home they crave in the discipline of (say) philosophy or math.

A first critical response to my objection is that having more women professors and more women students in the male-heavy disciplines is more important than that current professors get to exercise their shallow or blinkered judgement. This response, of course, explicitly rejects my account of the nature and purpose of a university, for it proposes that there is something more important to a university than academic values. And so the battle here must be fought on different, prior, grounds.

A second critical response is that shallow or blinkered academic judgement is bad judgement, bad academic judgement. The university would improve itself as an academic institution were it to constrain bad academic judgement, for that bad judgement is barring the gate to much rich and valuable inquiry.

Well, then, if that is right—that the professors are unable to see the value of pursuing certain topics, or pursuing them in certain ways—then those professors are making a mistake. The way academics deal with mistaken hypotheses is to dispute them, to seek to refute them. Their way is not to roll over them with policies and rules. The proper approach to take with regard to the professor whose judgement of academic worth is shallow or blinkered is to seek to deepen or widen his or her judgement.

It should give us pause, if it is true that women students who would prefer to study philosophy are studying sociology, say, because they cannot find at their university enough of the philosophy that interests them, or because they find few classes congenial. If offering courses in some area of interest would bring more students to our courses, then we should think to offer courses in this area, so long as it is academically sound to do so. And if what keeps us from seeing the academic soundness of doing so is a poor conception of academic soundness, then we should revise our conception.

Of course, no academic should ever side with an option he or she thinks other than best academically. That way lies the corruption of the university.

Mark Mercer is Chair of the Department of Philosophy at Saint Mary's University, Halifax. He has been a member of the Society for Academic Freedom and Scholarship since 2008 and became the president of SAFS in 2015.



Another murder, chief.

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