



SAFS Newsletter

Society for Academic Freedom and Scholarship

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

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JORDAN PETERSON AND LACK OF SUPPORT FOR ACADEMIC FREEDOM

Stephen Perrott

It is too early to say just what the lasting effect will be of the Jordan Peterson pronoun controversy on free speech and academic freedom in the Canadian university. The latest news is that the rebroadcast of the University of Toronto Pronoun Debate, scheduled for CBC Radio’s *Ideas* on January 8th, has just been cancelled due to concerns about the other panelists having been harassed after the initial event. I am inclined to believe that harassment did occur, though not simply on the say-so of Peterson’s opponents. His opponents are, after all, the crowd who, without basis, accuse Peterson of hate speech and racism; simply espousing a contrary opinion is enough to generate cries of harassment. Whatever the reality, the law provides mechanisms for addressing criminal harassment and it is an ominous sign when the national broadcaster self-censors itself from informing the public of an important and debatable matter because of the bad behaviour of some citizens.

Although Peterson’s situation at the University of Toronto seemed precarious in the early days of the controversy, Peterson has now garnered public support (including 16,318 signatories to an online petition) at a level likely to generate caution in the mind of any flip-flopping administrator considering disciplinary action. Widespread international press coverage has given Peterson celebrity status and he looks forward to debating “new atheist” Sam Harris later this month. Having grown his YouTube channel base to 1,120 subscribers, both admirers and detractors believe he has a secure financial future even were he to leave the University of Toronto.

Peterson might be ok, but the same cannot be said of the academy. Should we be surprised, as lamented by Frances Widdowson in the *Ottawa Citizen* at the height of the controversy, that almost none of Peterson’s support has come from within the academy? Other than a particularly tepid comment from a member of CAUT’s Executive, the only organizational support within the academy has come from SAFS. In addition to Widdowson (Membership Coordinator, SAFS), Janice Fiamengo (a SAFS Director) of-

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ferred a passionate video plea for collegial support and devoted one of her Fiamengo Files to the matter. Public support seems to run out beyond SAFS, unfortunately, with the exception of Concordia's iconoclastic Gad Saad. To my knowledge, that's the extent of academic support—or, as Gad might offer, this is the Saad Truth.

We should not be surprised that none among the growing number of ideologues embracing divisive identity politics has anything to say in defence of Peterson's academic freedom. After all, many academics have become quite open and brazen about not valuing free speech and they would be quite happy to maintain momentum in the building of their "post-fact" world. (Who could have imagined even a few years ago that there would academics claiming, without first crossing their fingers, that there is no reality to biological sex?) In a perhaps twisted way, these true believers are the least culpable when it comes to not supporting academic freedom.

There are also, I suspect, a fair number of Canadian professors who, despite being inclined to support academic freedom, find themselves turned off by Peterson's views, his demeanor, or both. Perhaps they are waiting for a purer topic and a different messenger to carry the academic freedom banner. They, perhaps, have not attended sufficiently to Peterson's arguments but, in any case, they have missed the big picture. Yes, the debate around Peterson concerns

sexual- and gender-identity and respect for transgender people, but these are just two of the issues at stake. Questions about academic freedom, freedom of expression, and administrative oversight of how we talk with each other also need to be addressed, and can be done so independently of sex or gender.

Certainly, many, perhaps even the majority of, Canadian professors understand Peterson's arguments clearly and have a solid grasp on what is at stake. This is the "I'm alright, Jack" crowd, who may claim that they could have predicted the wave of anger, name-calling, and threats to job security that engulfed Peterson when he released the three notorious YouTube videos. They won't speak up now because they are not personally affected by this matter and precisely because they do not want the torrents of acrimony directed at Peterson turned on them. They may claim to value free speech and academic freedom, but not to the point that they are willing to place any of their "social virtue" at risk.

Despite my opening contention that it is too early to tell, I am inclined to think that this controversy sounds a death knell for the central mission of Canadian universities. Social psychological research is clear about the powerful influence that the single rebel can have in freeing others to push back from an undesirable state of conformity. Peterson is that rebel and he has endured the worst of the knocks that come with challenging orthodoxy. Follow him or not in his refusal to use non-standard pronouns, we all bear responsibility to support his demand that universities set no rules about what pronouns we use. For by supporting this demand we defend the principles of academic freedom and freedom of expression we purport to hold dear. What lack of support for Peterson's demand clearly shows is that if we do in fact value the central tenets of university life, then the Canadian professoriate does not possess the courage of its convictions.

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

THEN THEY CAME FOR THE TEACHERS

Hymie Rubenstein and Rodney A. Clifton

“I have a dream that my four little children will one day live in a nation where they will not be judged by the color of their skin but by the content of their character.” (Martin Luther King, Jr.)

That white, female teachers make up the bulk of the K-12 teaching force in Canada, including some 80 percent in the Province of Manitoba, should not surprise anyone. For a variety of well-known reasons, women have long been attracted to teaching. Less well recognized is that in recent decades the profession has been significantly enriched by becoming more diverse in class background, ethnicity, visible minority status, and sexual orientation. What is even less appreciated is that the proportion of men entering the profession, especially at the elementary level (K-6), has declined over the past 60 years.

But these natural evolutionary changes weren't enough to satisfy the diversity demands of two members of the faculty of education at Winnipeg's University of Manitoba (U of M). Academics-cum-administrators Melanie Janzen and Jerome Cranston spent four long years developing a new entry-student admission policy designed to “ameliorate the socio-historical disadvantages of certain groups.” The university Senate approved the transformation last January, but not without controversy. So in the June 27, 2016 issue of *University Affairs*, Janzen and Cranston laid out their arguments for reducing the perceived dominance of privileged white women in the province's teaching profession. In our view, those arguments are full of logical contradictions and empirical errors.

The new policy reserves 45 percent of spaces in the Bachelor of Education program for students who belong to the following categories: “Indigenous, Métis or Inuit (15 percent); having a [physical, mental, psychological, sensory or diagnosed learning] disability (7.5 percent); LGBTTQ [lesbian, gay, bisexual, transgender/transsexual, two spirit, or queer] (7.5 percent); being a racialized minority (7.5 percent);

or being socially disadvantaged [homelessness, low levels of education, chronic low income, chronic unemployment] (7.5 percent).”

Janzen and Cranston helpfully explained in their magazine article that candidates “may identify with as many categories as are applicable to them” but they don't have to prove they belong to any of them because “Requiring documentation to ‘prove’ one's identity only reinforces the hegemonic power of the university and its officials to adjudicate identity claims.”

In other words, no evidence is required to prove that applicants are legitimate members of these “traditionally disadvantaged groups.” Nor is there any rationale for an ad libitum categorization which simplistically and arbitrarily solidifies fluid identities: sexual orientation, disability, racialization (imposed ethnic identity), and social disadvantage are all intertwined, malleable, and disbursed along a convoluted continuum.

Nor is any notice paid to other possibly stigmatized categories, including what is arguably the most overlooked but most common form of discrimination in Western society – “lookism” – being too short, too fat, or too ugly, as judged by superficial societal ideals.

In their research that led to the new policy, Janzen and Cranston made no effort to determine the actual diversity – including intellectual diversity – that already exists among current education students and active Manitoban teachers. If they had done some homework, they would have found that a growing proportion of aboriginal students have been enrolling in the faculty for years in the absence of any patronizing policies. If they really wanted teachers to reflect the incidence of disability, they would have set the quota much higher: by some estimates, 20-25 percent of Canadian university students suffer from some sort of mental disorder.

Ah, but they're not called quotas. “The percentage allocated to each category is an enrolment target and not a quota”, Janzen and Cranston wrote in *Universi-*

ty Affairs, because “quotas are often filled regardless of qualifications.” This is semantic sleight of hand. If it sounds like a quota and acts like a quota, it is a quota, even if the targeted applicants have to meet the faculty’s “minimum admissions standards.”

As in other faculties or schools of education, these standards are already rock bottom: U of M B Ed applicants are accepted with grades as low as a “C” in courses they wish to teach together with a meagre Grade Point Average of only 2.5, which is the lowest admission standard of any U of M post-baccalaureate degree programme. This means students with GPAs of 2.5 could be selected over those with GPAs of 4.5 if they belong to one or more of the designated categories.

This argument is admittedly a bit of a red herring because the faculty has been accepting lots of students with low GPAs for years. Moreover, it does not require applicants to take independently certified entrance tests (as is done in other jurisdictions), or even to submit to comprehensive panel-based interviews, as required by many other professional programmes. Presumably that would be another abuse of the university’s “hegemonic power.”

Low entrance requirements are exacerbated by the absence of external accreditation or uniform certification of graduating teachers, as in many other professions, including medicine, law, and dentistry. This means that if education students simply complete the required coursework, they are granted certification by the Province of Manitoba.

By comparison, at the U of M Faculty of Medicine, only 13 percent of eligible candidates – those with a cumulative GPA of 4.1 who also scored high in their demanding interviews and the accredited Medical School Admission Test – were enrolled in the programme for the class of 2016.

Given how poorly the faculty of education selects and trains its apprentice teachers, it should not be surprising that Manitoba K-12 students score at the lowest level in Canada-wide standardized tests.

Janzen and Cranston are impervious to such arguments. In fact, writing in defence of their new entrance formula, they dismissed the criticism that it “disadvantages the so-called ‘best and brightest’ from being admitted to the Bachelor of Education program” by asserting that “... this argument places an unwarranted confidence in grade point averages as reflections of ‘brightness.’ There is no evidence to suggest that students with the highest grade point averages make the most effective teachers.”

Assuming for a moment that this is actually true, then what makes the “most effective teachers”? Janzen and Cranston claim it is those who are most comfortable and secure in their self identity. So by discriminating in favour of applicants on the basis of identity, their entrance formula should produce the best teachers. Time will tell if that kind of creative logic produces the predicted result, but in the meantime most scholarly literature insists that the most important factor affecting student learning is ... surprise, surprise ... the quality of teaching.

More particularly, we have long known the characteristics of the top teachers: they are “active warm-demanders,” meaning they enthusiastically engage their students in their learning and teach them directly in an empathetic fashion. If training teachers to become excellent educators is the fundamental goal of an education programme, this means ensuring that all student-teachers are engaging, articulate, highly literate and numerate, compassionate, and have an excellent understanding and love of the subjects they will teach.

Conversely, belonging to any given allegedly marginalized minority is no guarantee of classroom sympathy with the issues faced by that minority or any other. On the contrary, as this summer’s brouhaha between Pride Toronto and Black Lives Matters teaches us, aggrandizing identity politics – in the classroom or anywhere else – is a recipe for social conflict between competing minorities. There is scarcely any anecdotal evidence, let alone empirical proof, that the social or physical identity of a teacher has any positive effect on the learning outcomes or social esteem of students who share that identity.

Conversely, what can be seen on a daily basis by observing children from countless backgrounds fostering genuine inclusion by playing together in Winnipeg's schoolyards is that they are well ahead of ivory tower academics like Janzen and Cranston when it comes to real-life equity issues.

Over the last 100 years, faculties of education have invented and promoted an almost endless list of false or unscientific school reforms (new math, discovery learning, social promotion, mainstreaming, open-area classrooms, multiple intelligence, etc.). This latest fad – which has nothing to do with teaching or learning – shifts attention to a ghettoizing preoccupation with teacher-focused identity politics. Like so many other modern innovations, this one is bound to fail. Until then it will certainly bring us no closer to realizing Martin Luther King Jr.'s inclusive dream.

Hymie Rubenstein is a retired professor of anthropology, Faculty of Arts, University of Manitoba. Rodney Clifton, who recently stepped down from the SAFS board of directors, is professor emeritus, Faculty of Education, University of Manitoba. Their article originally appeared in C2C Journal, 4 October 2016, at <http://www.c2cjournal.ca/2016/10/then-they-came-for-the-teachers/> It is reprinted here by permission.

SYMPOSIUM ON PSEUDO-SCIENCE AND ACADEMIC FREEDOM

Academic freedom enables professors to speak and teach the truth as they hold it to be. But what if the truth as they hold it to be is not only false but dangerous? Should academic freedom still protect them?

In early November, 2016, scholars from across Canada came to Saint Mary's University, in Halifax, to debate different answers to this question.

The symposium was organized by SAFS and sponsored by both SAFS (through a generous donation by Chris Furedy in memory of John Furedy) and Saint Mary's University, with logistical support from the Canadian Centre for Ethics in Public Affairs. SAFS

is grateful to Saint Mary's and CCEPA for their help.

Below are position statements from some of the invited participants.

ACADEMIC FREEDOM TO TEACH INDIGENOUS SCIENCES

Root Gorelick

Academic freedom should provide us, certainly faculty members in science, the option to teach Indigenous sciences. Academic freedom should also provide us the option to not teach Indigenous sciences. We were not hired to convey facts to students – they can look that up on their cellphones – but rather to teach them how to think and expose them to a diverse suite of ideas. There is a fairly rigorous filter to obtain a tenure-track university position. Once we hire someone, and especially after they earn tenure, shouldn't we trust them to do the right thing? That is partially what academic freedom means to me.

Teaching of Indigenous sciences, however, raises other tantalizing questions. What are Indigenous sciences? Why teach Indigenous sciences? What do Indigenous sciences contribute to knowledge that we cannot garner from western sciences? How can we promote teaching of Indigenous sciences?

These questions arose when I tried offering a course in "Indigenous perspectives ecology and evolution". While I could and have interjected bits of Indigenous ways of knowing into routinely offered biology courses, my request was for a standalone biology course in this subject. My request was rejected, with the following rationale, "There were serious concerns about creating a precedent for 'Science' courses based on mythological and folklore traditions." Note the capitalized monolithic "Science" in scare quotes. Ironically, western science is full of myth and folklore. In London, the Royal Society was founded to study the occult, especially alchemy. Wealthy bankers stood to lose if a commoner could turn "base" metals into gold. Newton's theory of gravity was occult. The four humours and much

of modern medicine are still based on occult theories. Research in evolution of sex is pervaded by its own creation myths and folklore, such as that sex increases genetic diversity. This myth was created 125 years ago to rescue Darwin's theory of evolution by natural selection, even though we have subsequently accumulated a preponderance of evidence showing just the opposite, that sex reduces genetic diversity.

I use the plural "Indigenous sciences" because each local culture developed its own science in order to survive and thrive. Appending the modifier "Indigenous" to "science" seems no more nor less justified than appending the following other modifiers to "science": *social, natural, hard, Marxist, biological, political*. Not being Indigenous, I am reluctant to state what "Indigenous" means when appended to the noun "science", especially when most North American (Turtle Island) languages are verb-based. My rudimentary knowledge of Turtle Island Indigenous sciences, however, indicates that we can often make the following generalizations:

Western science	Indigenous sciences
global	local
analysis	synthesis
disaggregated	aggregated
entities	relationships
linear time	cyclical time
experiments	observations
detachment	observer part of observed

These differences are more than just in perspective – they are the axiomatic framework with which people begin their questioning of the natural world. They are the prior beliefs, the prejudices, and the creation stories that we all have. They are like the few core words in a dictionary that cannot be defined by other words. These differences really matter if you consider science to be any field with repeated Bayesian updating, i.e. any discipline that is evidence-based.

Bayesian updating means applying Bayes theorem, which was mostly developed for military and gambling applications. But the idea behind Bayesian up-

dating is simple. Start with a prior belief about the world, collect data to test that belief, and update your belief based on the data. Bayes theorem provides a way to do this updating if the prior and posterior beliefs are probabilities of a state of nature, which is a fairly standard conceptualization. Western and Indigenous sciences start with different prior beliefs. Hence, even if given the same data, their updated beliefs will usually be different. While admittedly a western conceptualization of science, this explains how people can maintain differing views even when presented with the same evidence.

Geometry provides a nice analogy. Euclid laid out a suite of axioms for doing geometry on a two-dimensional infinite plane, including the parallel postulate, which states that given a line and a point not on the line, then only one other line, a "parallel line", can be drawn through the point that does not intersect that original line. Indigenous ways of knowing are analogous to non-Euclidean geometry, in which either zero parallel lines or an infinite number of parallel lines exist. None of these geometries are right or wrong; but they can be complementary. Similarly, quantum physics has both the Copenhagen convention and multiverse models, which are simply different ways of knowing, neither being right nor wrong, but telling us different things in the face of identical data.

Like Bayesian analysis, the U.S. military also gave the world Thomas Kuhn, whose philosophy of science revolved around problem solving. The best way to solve any problem is usually to throw a suite of methods at it, hoping that something works. Therefore, to solve a problem in science, why not throw lots of methods at it, including those from western and Indigenous sciences? Our students will be better prepared for the world if we introduce them to such tools.

We can promote teaching of Indigenous sciences by hiring people who study them. This increased diversity of ideas will benefit our teaching and research. It would be great if those hired were Indigenous, but this probably cannot be required. Likewise, I advocate that we hire people who teach and research fem-

inist science, queer science, etc. Then let academic freedom work!

Root Gorelick is a professor of biology at Carleton University, in Ottawa, specializing in evolutionary theory. He is cross-appointed in mathematics & statistics and in interdisciplinary studies. Though he had long been an advocate for due process, equal protection, and free speech, Dr Gorelick had not thought much about academic freedom until becoming a faculty representative on Carleton's board of governors, in 2013.

FALSE IDEAS SHOULD BE DISCUSSED, CHALLENGED, AND REFUTED

Frances Widdowson

One of the fundamental tenets of modern universities is that professors should have academic freedom. There are disagreements, however, as to where the boundaries of academic freedom lie. Should academics have the freedom to explore all ideas in the manner that they choose, or should universities impose restrictions on what they study and teach, and how they do it?

This question is particularly pertinent with respect to the dissemination of what has been called “pseudoscience”. Many see this as being contrary to the university’s mandate, as it enables false ideas to be given legitimacy. Even worse, it is argued, the acceptance of these ideas could be harmful for society, and so any tolerance of them should be prohibited in universities.

But an idea is not, in itself, harmful; it is acting upon an idea that can cause harm. And speculating about an idea’s truth, or its potential harm, is compromised when academic freedom is restricted. A real evaluation only becomes possible by examining all the arguments in favour or against it, and an expansive conception of academic freedom makes this possible.

This position is one that is rooted in the ideas of the philosopher John Stuart Mill. Although Mill did not specifically talk about academic freedom, he had important things to say about freedom of expression more generally. In his famous essay “On Liberty”, Mill made the following pertinent argument: “The peculiar evil of silencing the expression of an opinion is, that it is robbing the human race...If the opinion is right, they are deprived of the opportunity of exchanging error for truth: if wrong, they lose, what is almost as great a benefit, the clearer perception and livelier impression of truth, produced by its collision with error”.

This argument has great relevance for academic freedom, as it points to the importance of protecting the dissemination of all ideas, even those that are believed to be false. One of the key features of scientific knowledge, after all, is that it is imperfect and must be continually rethought, revised and corrected; correction can occur only if the exchange of ideas is uninhibited. Those arguments that we think are true today also can be improved by understanding why contradictory positions are erroneous. Through this self-correcting mechanism we have discovered that the earth revolves around the sun, and now accept that homosexuality is not a mental illness. To illustrate the benefits of a robust conception of academic freedom, David White insightfully makes the following analogy: “Just as in the judicial system we believe it better that ten guilty people go free than one innocent person be convicted, in the pursuit of knowledge it is better that some pernicious ideas be allowed to be defended than to silence some truths we have yet to discover” (“[Response to Mercer’s ‘Two Ways,’](#)” SAFS newsletter, January 2015, p. 3).

This expansive conception of academic freedom is particularly important in the social sciences, where there are often attempts to suppress politically controversial positions on the grounds that they do not meet accepted academic standards. This can be seen in two well known cases where academic freedom was violated – the cases of Philippe Rushton and Norman Finkelstein. Phillippe Rushton was a psychologist at the University of Western Ontario who argued that there was a link between race and intel-

ligence. Rushton's opponents largely would have seen themselves as residing on the left of the political spectrum, as they demanded that he be fired on the grounds that his work justified discrimination against oppressed racial groups. Norman Finkelstein, a political scientist at DePaul University, on the other hand, was mostly opposed by people who were associated with the right wing cause of supporting the state of Israel, as his book, *The Holocaust Industry*, argued that the memory of this historical event was being used to justify the oppression of Palestinians.

While it was politics that motivated the opposition to these academics, many arguments for denying Rushton and Finkelstein academic freedom were justified on the grounds that their work was flawed academically. Anver Saloojee, for example, a past vice-president of the Canadian Association of University Teachers, argued that he would have resigned his position if the organization defended Rushton's academic freedom on his watch. Saloojee supported this argument on the basis that "pseudo-scientific racism is unjustifiable in the academy".

Similarly, Finkelstein was opposed academically by professors like Alan Dershowitz, ironically a civil liberties advocate, who wrote to DePaul University faculty members to lobby against Finkelstein's application for tenure. Dershowitz did this, not on political grounds, but because he claimed that Finkelstein was guilty of "egregious academic sins", such as "outright lies, misquotations, and distortions".

But how do we know if Rushton's views were pseudoscientific or that Finkelstein committed "egregious academic sins"? The issues are so politicized that it is difficult to tell. This can be determined only by a disinterested interrogation of the ideas involved, and it is a robust conception of academic freedom that makes this possible.

In order to deal with the problem of professors teaching, undertaking research and making public utterances that are considered to be pseudoscientific, the best approach would be to make sure additional forums are provided so that these views can be discussed, challenged, and refuted. In this way we

could understand why the arguments are flawed and the evidence is lacking. We need to do much more work in the academy in discussing what constitutes good biology, good history, good archaeology, and good psychology. In this way, we will be better able to combat erroneous ideas and not be fooled by political ideologues who selectively apply arguments about upholding academic standards to silence their opponents.

Being an academic means that one has to follow the arguments and evidence, wherever they may lead. Unfortunately, universities are a business and are often more concerned with public relations than the pursuit of truth. To fight this tendency, we need to increase discussion of why ideas are incorrect rather than saying that professors should not express them because they are "pseudoscientific".

Frances Widdowson, the Coordinator, Membership Outreach, of SAFS, is an Associate Professor in the Department of Economics, Justice and Policy Studies, at Mount Royal University, in Calgary. She is, with Albert Howard, co-editor 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)

BEWARE ANTI-"PSEUDO-SCIENCE" AGITATION

Denis G. Rancourt

If we accept an operational definition of "pseudo-science" as whatever any critic of so-called "pseudo-science" probably means, then vehement criticisms of the said "pseudo-sciences" are generally made for one of four reasons:

- 1) To invalidate unworthy ideas, as part of the normal course of science itself — a classic example is the 1989 case of "cold fusion" and its fallout, in the field of condensed matter physics and chemistry

2) To celebrate and maintain the middle-class belief that modern society is based on scientific knowledge; to fight against idolatry in the realm of ideas; to participate in improving public discourse and consciousness

3) To provide false legitimacy for problematic areas of establishment science that survive owing to systemic financial and professional interests — the pre-eminent example being establishment medicine (see below)

4) To attack a legitimate criticism of a dominant scientific position (collateral attack by appeal to authority or “consensus”, using denigration)

Thus, the full array of motives for engaging in the sport of “pseudo-science” bashing spans a spectrum from good scientific practice to ordinary social behaviour in structured society to support for organized fraud to outright base competition that is incompatible with the science ideal. Here, I outline the last three reasons, as follows. A longer version of this article, with references, will be published elsewhere.

Popular support for establishment science as state religion

Given the epidemic lack of understanding of science concepts, it is not surprising that there is a wide array of beliefs that are at odds with the school lessons about science, including: astrology, “intelligent design”, “free energy”, “orgone”, “creation biology”, and homeopathy.

Realistically, virtually all citizens are entirely unable to critically evaluate what we take as scientific truth regarding public policy and regulatory questions. Thus, “public education” means state propaganda. We are reduced to “scientists have concluded” or “there is a scientific consensus that” and so on.

Systemically, from an operational perspective, establishment science is a state religion. It is not anchored in empirical evidence that can be evaluated by the non-expert individual using reason and intellectual discernment. It frames and supports the established

order. It provides legitimacy to government programs. It purports to appease our deepest quests for meaning, and supplies a creationist mythology (cosmology, string theory, and so on). Its high priests are venerated and occupy top ranks in the class hierarchy.

Ordinary well-educated citizens have invested in many beliefs delivered by establishment science, and have integrated these beliefs into their personal identities. It is therefore natural that middle-class and professional-class individuals have a learned and reflexive impulse to attack “pseudo-science”. These attacks can be individual or can coalesce via the animal behavioural collective phenomenon known as mobbing.

Legitimacy for problematic areas of establishment science

A stunning example is the organized barrage of criticism and legislation against largely benign and harmless “alternative medicine”, intended to imply that establishment medicine — said to be scientifically sound — is the only trustworthy system for repairing individual health.

The problem here is that establishment medicine is anything but shaped by objectively evaluated empirical evidence, and anything but scientifically sound. The eminent medical researcher Dr. John P.A. Ioannidis has demonstrated that “most published research findings are false”.

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

In North America, between 6% and 8% of citizens will be killed by medical errors of all types. In just one area of establishment medicine, Professor Dr. Peter C. Gøtzsche has come to the point of flatly concluding that long term use of psychiatric drugs causes more harm than good. In his words, based on a decade of research: “Psychiatric drugs are responsible for the deaths of more than half a million people aged 65 and older each year in the Western world, as I show below. Their benefits would need to be colossal to justify this, but they are minimal. ... Overstated benefits and understated deaths...”.

Attacking legitimate criticisms of establishment positions

Climate science has major domestic and geopolitical implications. It is routine to attack critics as immoral or crazy, and for influential actors and groups to seek legal instruments of intimidation and enforcement. The Wikipedia list of “pseudo-sciences” includes “climate change denial”.

This is a remarkable inclusion because many high-profile establishment climate scientists expressly reject the so-called “consensus”, including: Judy Curry (Georgia Institute of Technology), Richard Lindzen (MIT), Hendrik Tennekes (Royal Dutch Meteorological Institute), Nir Shaviv (Racah Institute of Physics), and Craig D. Idso (Center for the Study of Carbon Dioxide and Global Change). Furthermore, detailed studies contradict claims that industrial-era CO₂ has had a causal effect on climate and extreme-weather events.

Conclusion

Agitation against “pseudo-science” has two illegitimate interrelated societal mechanisms: Institutionally, it is propaganda (by word and by action) intended to legitimize and impose establishment science. Individually, it serves to preserve the identity-tied personal investment in belief of the teachings of establishment science.

For those of us who cling to the ideal of the university, a review of anti-“pseudo-science” agitation

should lead us to support a strict meaning of academic freedom, which does not admit institutional suppression or containment of any chosen research direction and expression. We must trust that actual freedoms of research and expression lead to the best that society can be, through the discourse that arises, whatever that discourse will be.

Denis Rancourt is a former full professor at the University of Ottawa. He has published over 100 articles in leading scientific journals, principally in physics and environmental science. He is the author of the book Hierarchy and Free Expression in the Fight against Racism (Stairway Press, 2013), and a regular contributor to Dissident Voice.

REFLECTIONS ON THE SCOPE AND REALITY OF ACADEMIC FREEDOM

Adèle Mercier

“Does academic freedom protect in teaching, research, and public utterance the dissemination of positions at odds with mainstream science or the consensus of scientists? Should it? —Even if the dissemination it protects can or does result in harm?”
—From the poster for the panel discussion

As with any freedom, academic freedom implies academic responsibilities. As with any right, the right to academic freedom is specious if it is not enforceable. I argue briefly below that the neo-university discourages academic responsibility and show why the so-called right to academic freedom is, in fact, an *ignis fatuus*: because unenforceable, it is but a fanciful figment of false academic expectations despite its firm grounding in law.

First, about potential harm: our question suffers from the epistemic constraints that render any consequentialism self-defeating. Simply put: we cannot predict the consequences of our actions. This is because consequences have consequences, (practically) ad infinitum. Fluttering butterflies here cause tornadoes there. Some, though not all, proximate harms can and often do result in greater goods down the

road. Even the bombing of Hiroshima has been defended as a harm reduction strategy. Some, though not all, proximate benefits can and often do result in distal harms. Smoking tobacco was once considered healthy. Being neither clairvoyant nor omniscient, we often cannot distinguish between them. Judging proximate harms as harms may be short-sighted; judging harms tout court is delicate business.

Second, about the mainstream and consensus: even the most honest researchers are only human. Researchers are motivated by many factors, some unconscious: implicit biases of many sorts; the desire to keep or advance their careers, the flip side of which is the fear of ostracism and opprobium –see Jeff Schmidt, « Disciplined minds » (2000); and so on. Social, political, and economic power are realistically better predictors of consensus than the unadulterated search for truth. What constitutes the mainstream is, in a nutshell, what sells –see Kuhn’s « the Structure of Scientific Revolutions », still as relevant today as when it caused an uproar in 1962 for introducing a hefty dose of irrationality in the science we thought of as pure. People learn what they are taught, and people can teach only what they (think they) know. In the reduplication of what we think of as knowledge, there are endless opportunities for the introduction of untruth. Agreement and correctness are only fortuitous friends.

Academic freedom is epistemically fundamental to the search for truth, precisely because the mainstream is not always right, especially not in predicting, or even in defining, harms. Academic freedom is integral to the search for truth, because better knowledge is often built on debunking what turn out to be long-held mistakes. So much is commonplace. Both above reflections, if correct, lead to the conclusion that, at least *prima facie*, we must leave researchers to their best selves, and hope they have the intelligence and integrity to make the best of it.

Recent developments in Canadian universities should cause pause over the last clause of the previous sentence. There are good reasons to have a bleak picture of the future of our universities, some of which involve the realization of the fatuousness of

academic freedom. Consider the values (education v. reputation), the sense of university mission (academic freedom v. B’Nai Brith), in e.g. the firings of Denis Rancourt from the U. of Ottawa and of Tony Hall from Lethbridge.

Academic freedom is fundamental to the search for truth also for political reasons (or for reasons of power). Universities have unique autonomy as social institutions go, as arguably they should, because in academia, as in everything else, it takes one to know one. Universities suffer unusually negligible oversight by their funders, mostly taxpayers and students (except when the sponsors call the shots). Any oversight thus has to be internal, and thus befalls academics themselves, who have the responsibility therefore to exercise their freedom to criticize the university wherever warranted. A vibrant university is a bubbling cauldron of criticism, requiring a commitment to knowledge and to values of truth and objectivity, and daring and fearlessness in their defense. The neo-university’s HR-managers, who don’t know what they don’t know about academia, are focused elsewhere: their mission is to enforce loyalty to the Brand, not to knowledge; their comfort is in conformity and predictability, not in disagreement and discovery. Among those HR-managers are banker-salaried-spent-academics-turned-managers, in an unprecedented diversion of education monies away from teachers and researchers, to the managers of teachers and researchers, and an unprecedented proliferation of deanlets and sundry make-work staff giving ever more managers ever more someone to manage, e.g. all those new and now-indispensable offices that produce glossy marketing brochures about how highly valued equity, or truth, or knowledge, or academic freedom are in our university. At the same time, we have veteran Professor Shirkanzadeh from Queen’s University’s Engineering School, bravely suffering eleven years of debilitating administrative persecution, judged to be such and denounced by CAUT, until he was beaten down into settling, for outing academic fraud of egregious varieties and proportions (tens of millions of taxpayer dollars, an embarrassment to numerous institutions, and to some among the higher echelons of Queen’s « elite » –see full story on his LORI website, or Little

Office of Research Integrity). His only sin: insisting on correcting the scientific record. Insisting on the truth. Queen's administration saw this as defamation of their reputation. As I said, different values. Also different power: HR-managers have systemic ways to enforce their bureaucratic values at the cost of the academic mission, the mission most of us call knowledge.

Imagining academic freedom at its best, there are still constraints on what it should protect. It does not protect academic malfeasance. Trivially, academic freedom does not protect one against criminal behaviours or unethical research –although the defining of unethical research is far from trivial (consider the race-based research of Rushton at The University of Western Ontario) and easy to confuse with the causing of offense, which has to be protected by academic freedom if anything is, exceptions extreme (consider St.Lewis/U.of O. v. Rancourt, and Mercier expert witness report, on the use of 'house negro'). Nor should academic freedom protect one against cheating, against academic fraud of various sorts: fabrication or falsification of data, plagiarism, redundant publication (« self-plagiarism »). *Each* one of these activities defrauds our knowledge enterprise, the common aim of our better selves. The former by infecting our common store of thoughts with lies, the latter by infecting merit with deceit and undeserved advantages. Academic freedom is required precisely to denounce both substantive and access fraud, though Shirkanzadeh's case demonstrates how specious his academic freedom actually was, his freedom to act on his duty to correct fraud, a duty explicit in most collective agreements. His academic freedom did not protect him from being petty-disciplined into oblivion; it did not suffice to invigorate his union to push their grievances through glacial legal processes; it did nothing to protect this polite, mild-mannered, diminutive man, this committed scientist, from being banned from buildings as an alleged security threat. The bravest of men will finally be beaten into submission. No good deed goes unpunished, as noted by Oscar Wilde.

Cheating, as well as two further situations, stand out as situations of academic malfeasance, that are not

defensible by academic freedom (nor by anything else). The first such situation is incompetence, which is a sort of fraud, and which is to be distinguished from the competent understanding of a so-called « pseudo-science ». Because pseudo-science is notoriously difficult to distinguish even in principle from so-to-speak « real » science, if only for practical reasons, academic freedom has to support teaching and research on allegedly pseudo matters. Some put a full stop here. I insist on an important proviso: that those engaged in such teaching or research be both able and willing to defend what they are teaching or researching against competent critics. There is no point entertaining flat earthers, creationists, holocaust deniers, slavery supporters, unless they have some novel argument to contribute or have made some new discovery. It's not just a matter of resources that we don't offer courses in astrology. This proviso distinguishes fringe scientists from incompetent prevaricators, teaching what they themselves do not understand (in more consequential a way than might be true for us all). Recent cases in point stand out in Canadian academia. There is on the one hand the case of Olympian-medallist-hired-as-athletics-coach-turned-bird-course-teacher by funding pressures, who taught epidemiology in « Social Determinants of Health 101», based on naive disreputable sources about which students complained. To great media uproar, the teacher was teaching that vaccines cause autism. University administrators, who had known about this for years, feigned surprise, the teacher immediately went into hiding, the Provost downplayed the matter, it was later announced the teacher would no longer be teaching this course. There is on the other hand, physicist climate denier Denis Rancourt, whose carefully argued views clearly command respect. Rancourt would welcome a challenge to his views. However, in the HR-managed-bird-course-encouraging-precarious-dominated workforce of the neo-university, there are common sensible reasons to expect incompetence to proliferate. You get what you pay for.

The second situation of academic malfeasance that cannot to be protected by academic freedom (or by anything else) I will call the Pointless Unscholarly Provocation, which is to be distinguished from the

Scholarly Debate, which of course is or should be protected. Even Intelligent Design Debates share academic values: *audi alteram partem*, weigh the evidence rationally,... (which is surely why Intelligent Design arguments are on the wane). The Pointless Unscholarly Provocation is not born out of respect for the knowledge enterprise, but out of political expediency; it is not nor does it consider itself bound by norms of knowledge. It flouts norms of knowledge, as does the terrifying post-truth world of « lies, lies, lies » smack in the face of the evidence. I make no claim here that the PUP is malfeasant per se (though it is); just that it is a case of academic malfeasance, because a form of academic fraud, and therefore not welcome on university campuses –though it may well have to be tolerated on city soap boxes. Examples of recent PUPs in Canadian universities have included an anti-abortion rally at Saint Mary's University sponsored by religious groups –you know an argument is a fallacious PUP whenever it is supported mainly by pictures... and anti-feminist attempt-at-rallies sponsored by CAFE (the Canadian Association For Equality, in the sense of equality of *men with women* –yes, you read that right), a Canadian, since-Harper-tax-exempt-as-a-charity, off-shoot of the Texas-based site A Voice For Men (AVFM), a misogynist website denounced as a Hate group by the Southern Poverty Law Center in Georgia, which monitors Hate groups in the US. Now, CAFE is concerned, for example, that feminists are not sufficiently concerned by the « epidemic » of men being raped by women –being « made to penetrate »--on university campuses, in the military, in prisons. Academically responsibly pointing out flaws in their interpretation of the data will get you posters of your face (distorted), printed in Indiana USA, pasted days later all over Kingston Ontario, accusing you of being « a rape apologist ». You will be cyberbullied. A group of unknown people who don't know you will write letters urging your university administrators to fire you. Another group of unknown people who don't know you but who monitor the unknown people who want you fired will write letters urging your university administrators to understand that you are being cyber bullied by a misogynist hate group based in Texas. It happened to me. It happened to others elsewhere. And it obviously has no place in rational dis-

cussion. PUPs do not belong on university campuses because their aims are not truth-seeking and they do not hold themselves to epistemic norms. They are as such not worthy of university resources, even were these plentiful, and much less when not. A university is as good as its standards. Not anything goes.

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PSEUDO-SCIENCE AND ACADEMIC FREEDOM

Mark Mercer

Approved vaccination against childhood diseases is safe and effective, or so the Public Health Agency of Canada tells us (<http://www.phac-aspc.gc.ca/im/safety-securite-eng.php>). The scientific evidence, the Agency says, is overwhelming. Were Canadian parents to stop having their children vaccinated routinely, rates of morbidity, disability, and death among children would increase dramatically.

Now if it's true that childhood vaccination saves lives and doesn't damage children, then anyone who creates opposition to vaccination is putting children at risk of harm. That's especially the case for anyone speaking from a position of authority.

And yet, now and then, a university professor will raise critical questions about routine vaccination. Three examples in just the past couple years are Melody Torcolacci, an instructor in kinesiology and health studies at Queen's University, Christopher Shaw, a neuroscientist at the University of British Columbia, and Beth Landau-Halpern, a health studies instructor at the University of Toronto Scarborough. Each of these professors has at least left the

ANNUAL GENERAL MEETING, 2017**Keynote Speaker: Jordan Peterson**

Saturday 13 May 2017

Western University, London, Ontario

Jordan Peterson is a professor of psychology at the University of Toronto. Dr Peterson has spoken publicly against Bill C-16, federal legislation that modifies the Canadian Human Rights Act and the Criminal Code to include the terms “gender identity” and “gender expression,” charging that it infringes upon freedom of expression. He has also publicly stated that he will refuse requests from students that he use non-standard pronouns.

His criticism of the bill and his stance regarding pronouns have earned him letters of warning from the chair of his department and from his dean and vice-provost.

Materials related to the issues around Dr Peterson are available on the SAFS website: <http://www.safs.ca/issuescases/jordanpeterson/>

impression that the jury is still out on the question of vaccine safety.

Should professors be free to speak against routine childhood vaccination? Professors who enjoy robust academic freedom certainly are. They are free to draw from research whatever conclusions they wish, to speak those conclusions publicly, to advocate for policy in light of them, and to teach them to their students. They are free to do so even when their conclusions are false.

Nonetheless, since sowing doubt about vaccination puts children at risk of harm, perhaps it would be best that professors didn't enjoy robust academic freedom.

The alternative to robust academic freedom isn't no academic freedom at all, but, rather, limited academ-

ic freedom. Claims within the boundaries of limited freedom may be taught and publicly promulgated, but those beyond it may not. Boundaries are created by the scientific consensus regarding a matter. Issues the consensus says are alive are within bounds, and researchers may say and teach what they want with regard to them. Where science has settled an issue, though, to speak in opposition is to step out of bounds. Professional organizations, deans of science, and university departments of science must be granted the means to force renegades back in bounds and to remove from the university the reprobates.

Since, then, the science regarding childhood vaccination is, as we've been told, settled, professors who enjoy only limited academic freedom may not question vaccination publicly. The same goes for climate change, intelligent design, racist views of intelligence or ability, and many others. Universities have no responsibility to protect those who would disseminate views science says are false. On the contrary—especially when the false views are also pernicious.

It is pretty easy to foresee the tangles and difficulties a limited academic freedom would tie itself up in. Establishing boundaries and policing them will consume time and energy, and the oversight demanded by limiting freedom will drive many of the best scientists out of the university and demoralize those who remain. But it could be done. Taking a page from the book of apartheid-era South African censorship, authorities would do well not only to ban discussion of claims and ideas outside the boundary, but also to ban discussion of proceedings against those alleged to have crossed the boundary.

Robust academic freedom might not result in the kind of heavy-handedness of limited academic freedom, but the charge that robust freedom puts children's lives at risk still needs to be answered. Can robust academic freedom say anything in its defence?

Robust academic freedom is necessary if a university is to be a place of intellectual community. Intellectual community is why even those professors whose views are false and pernicious deserve protection.

Members of an intellectual community prize believing truly and valuing soundly, but they prize even more believing and valuing according to their own reasons. The reasons you have for believing that vaccines are safe are not your own reasons if you hold them out of fear of being dismissed from the community for asking critical questions. They are not your own if you hold them in order to be favoured by your peers. Restrictions on what conclusions one may draw, teach, or speak—indeed, even the construction of boundaries to respectable opinion—detract from your ability to use evidence and argument to make up your mind for yourself.

When a teacher at an institution that fosters intellectual community instructs her students, she does not instruct them on what is true and false, or good and bad. That would be to engage in indoctrination, not teaching. Her task, rather, is to help her students to become intellectually competent and autonomous agents—people able to think, and to think well, for themselves. Whether she teaches views that are false is of no significance; whether she imparts to her charges the skills of critical engagement with the subject is all that matters.

Our wider Canadian society has an interest in universities being places of intellectual community and, thus, in their being places marked by robust academic freedom. A culture in which intellectual autonomy predominates and is valued will be a wiser and more prosperous culture than one in which authorities set limits to discussion and criticism. Robust academic freedom isn't merely for the benefit of professors, but also for their students and for all of us.

That is why, in the end, even though the academic freedom professors have to criticise childhood vaccination can put children at risk of harm, professors should nonetheless enjoy robust academic freedom. Moreover, whatever that risk currently is, robust academic freedom can work to lower it. One of the great missions of the university, I've said, is to help people to blossom as autonomous thinkers. If professors succeed in this mission, Canadians will be less likely to follow those who speak falsely. To serve this mission, professors need robust academic freedom.

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REVIEW OF FRANK FUREDI, *WHAT'S HAPPENED TO THE UNIVERSITY?*

Stuart Chambers, Ph.D.

Frank Furedi's new book, *What's Happened to the University?*, is primarily concerned with the infantilization of students, which he claims has contributed greatly to the spread of political correctness crusades across university campuses. One of the pernicious effects of these crusades involves the imposition of "safe space." The term once implied "a place of refuge for people confronted with racism, sexism or anti-gay hostility," but it has since changed to mean protection from "exposure to ideas that make one uncomfortable" (p. 81). The author suggests that the concept of safe space became problematic when it morphed from a pedagogic practice oriented towards helping minorities gain confidence and voice to a form of "quarantine against judgment and criticism" (p. 81).

The result has been the "deification of safety," which demands the policing of campus culture. For instance, in 2015, Yale University's committee on intercultural affairs took it upon itself to warn students of "insensitive" Halloween costumes. When two of Yale's professors, Erika Christakis and Nicholas Christakis, sent an e-mail asking whose business it was to tell students what costumes they should wear, a faction of students attempted to have the couple censured and ousted from their home on campus. Likewise, also in 2015, a weekly yoga class at the University of Ottawa was cancelled because it was considered a form of "cultural appropriation." Instructor Jennifer Scharf felt compelled to change the word "yoga" to "mindful stretching," largely to avoid the impression that the practice had become "westernized." In 2016, at Bowdoin College, in Maine,

two members of the student government were threatened with impeachment proceedings for organizing a tequila-themed birthday party, where some of the guests wore sombreros. In all instances, transgressors were condemned outright for their lack of sensitivity towards “vulnerable” student groups.

Because of this “vulnerable” classification, university administrators have asked professors to provide “trigger warnings” before lectures that discuss sensitive social issues, such as rape, extreme violence, or racism. Moreover, professors are expected to “watch their words,” and if they offend students, the latter are urged to report acts of “microaggression.” This has even led to the creation of “Bias Response Teams” to handle such complaints. As Furedi acknowledges, “Encouraging members of an academic community to report on one another represents a new low in the bureaucratisation of campus life” (p. 114).

Furedi insists that it is precisely these kinds of paternalistic measures that prevent students from developing the coping skills necessary for the everyday world. After university, they will encounter differences of opinion that must be resolved via negotiation or critical thinking. Antics involving personal outrage, ultimatums, and the shouting down of colleagues will be viewed by others as a sign of permanent adolescence, not as a reaction to genuine injustice. In other words, hypersensitivity will seem disproportionate to reality.

Although much of the author’s focus concerns left-wing causes—for example, those associated with radical feminists, LGBTQ activists, and the Black Lives Matter movement—Furedi’s efforts should not be perceived as anti-left. He also critiques right-wing efforts at censorship, namely, attempts to stifle criticism of Israeli foreign policy on university campuses. In the United States, Furedi notes how the Anti-Defamation League provides advice to Jewish high school pupils on how to construct “safe spaces” when they go to university. The goal is to “create a safe space and open up a conversation among students around issues of anti-Semitism and anti-Israeli bias” (p. 85). Furedi’s concerns are already well known among professors. Overt or consistent

criticism of Israel is automatically labelled “anti-Semitic,” the kind of accusation that ended Professor Norman G. Finkelstein’s tenure bid at DePaul University, back in 2007. The result of this aversion to criticism is self-censorship by professors and students alike, what Furedi refers to as the imposition of “groupthink.”

Furedi contends, however, that all free speech on campus—even speech considered offensive—is important because “without the right to offend, academic freedom becomes emptied of its experimental and truth-seeking content” (p. 177). If truth claims lack merit, they will be exposed in dialogue with others. Without dialogue, the substance of any truth claim is left unchallenged. Hence, the danger Furedi warns against is Orwellian. “Orthodoxy is unconsciousness” is not just a fictional slogan; it becomes a reality for students who fail to question their own self-evident positions.

Furedi provides a remedy to the atmosphere of political correctness: a continued emphasis on judgment, especially of ideas. In his words: “Exposure to judgment challenges us—and yes, sometimes makes us very uncomfortable—but it also helps us to understand the strengths and weaknesses of our arguments and to learn from each other’s experiences” (p. 76). It is Furedi’s consistent focus on an open, adversarial review of truth claims—not people or their identities—that alone merits his book much praise.

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FREE SPEECH IS AT GRAVE RISK ON UNIVERSITY CAMPUSES

Frank Furedi

The news that students at City, University of London have voted to ban *The Sun*, *Daily Mail* and *Express*

newspapers from its campus – a ban which could be extended to other media organisations – is just the latest example of how free speech is under threat at universities across the globe.

The university's student union voted to ban the newspapers in an "opposing fascism and social divisiveness in the UK media" motion, saying that "freedom of speech should not be used as an excuse to attack the weakest and poorest members of society". The union also added that all titles publish stories that are inherently sexist, stating that:

"There is no place for the *Sun*, *Daily Mail* or *Express* (In their current form) on City, University of London campuses or properties."

But this is nothing new. The UK prime minister, Theresa May, recently hit out at British universities for setting up "safe spaces" on campus, amid concerns that self-censorship is curtailing freedom of speech. And in recent years, a climate of intolerance has enveloped campuses – to the point where the value of free speech itself is under scrutiny.

This has led to the entire higher education sector becoming estranged from taking tolerance and freedom seriously – with recent research showing that 80% of British universities have actively censored freedom of speech on campus.

Free speech vs diversity

One of the problems is that on both sides of the Atlantic, there is the growing tendency to represent free speech and diversity as contradictory values. And a recent report from the US acknowledges that among younger faculty members and students, the value of free speech is trumped by the idea of diversity.

It notes that "at times" campus controversies "have led some groups of students to question the value of free speech itself". The report warns that:

"As students graduate, their attitudes toward speech will permeate society at large, influencing how a new generation of teachers, scholars, courts and citizens

view the balance between sometimes competing values."

But my research actually indicates that what is at stake is not so much a generational divide, but a much more fundamental shift towards an outlook that values diversity over free speech.

You can say what you want, but...

Universities have recently come under great pressure to balance these apparently competing ideals. And a few university leaders have actually taken action to remind the academic community about the merits of free speech – particularly in the US.

Lee C. Bollinger, the president of Columbia University, gave a recent no-nonsense address that upheld free speech – while the dean of students at the University of Chicago went so far as to inform new undergraduates that Chicago does not accept the practice of trigger warnings and safe spaces.

Other universities hesitated to follow Chicago's lead, but they too felt obliged to affirm their belief in free speech – albeit a weaker version.

Janet Napolitano, president of the University of California, took a slightly less hardline approach, saying that safe spaces and trigger warnings are good for fostering diversity. But she also presented free speech as something that has intrinsic value, saying: "Educating students from an informed 'more speech' approach as opposed to silencing an objectionable speaker should be one of academia's key roles."

She also explained how the status of free speech on campus has changed as the contemporary university has become more diverse. She claimed that in the context of a diverse student body, a safe space is a "good idea" because it allows undergraduates who identify in certain ways to support one another.

Other university leaders have gone further and reasoned explicitly that free speech and diversity may be contradictory values. And many administrators now argue that free speech constitutes a risk to the

welfare of new groups of “non-traditional” and minority students.

Michael Roth, head of Wesleyan University, wrote that in the past, campuses were “far less diverse places than they are today” and consequently “there were many voices that none of us got to hear”. The implication of Roth’s statement is that the exercise of free speech in the past was in some sense responsible for silencing the voices of minority groups.

A tricky balancing act

This idea, that freedom of speech and diversity are contradictory ideals has a significant influence on campus culture. And defenders of safe spaces say that freedom needs to be “balanced” or “traded off” against diversity. “I definitely think it’s a balancing act,” observed Gale Baker, university counsel for California State University. She sees “open and frank discussion and free expression” as “competing” with the “value of wanting a diverse and inclusive community”.

In the current climate, the pressure to “balance free speech and diversity” has invariably led to the notion that the former must give way to the latter. And the way free speech has been made less important than diversity can be clearly seen in the way universities frame their mission statements.

Take the recent statement made by Ronnie Green, the chancellor of the University of Nebraska-Lincoln, as he welcomed new students to campus. Though he mentioned free speech in passing, his remarks were primarily devoted to celebrating the value of diversity. As he put it: “our beliefs on diversity and inclusion” are “not-negotiable”.

Similarly, the statement of core values of the University of Nebraska-Lincoln, like that of many other colleges, includes diversity but not free speech. It gets a perfunctory mention, only to be followed by a clause stating “we do not tolerate words and actions of hate and disrespect” – which makes an implicit association between free expression and hatred. Clearly demonstrating how the rhetoric of “I believe in

free speech, but...” is fast becoming the new normal in the academy.

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UNIVERSITY OF CAPE TOWN: A BLOW TO ACADEMIC FREEDOM

David Benatar

The irony should be lost on nobody. A speaker invited to give the annual academic freedom lecture at the University of Cape Town (UCT) has been prevented by the University Executive from giving that lecture.

In March 2015, the Academic Freedom Committee at UCT decided to invite Flemming Rose, a prominent defender of freedom of expression, to deliver the 2016 T.B. Davie Memorial Lecture, which was due to take place on 11 August.

As the culture editor of the Danish newspaper, the *Jyllands-Posten*, Mr. Rose had published some drawings and cartoons depicting Mohammed. The purpose of this exercise was to establish the extent to which artists were self-censoring.

The question had arisen following a number of European instances of self-censorship pertaining to Islam. One of these occurred when the author of a children’s book about the life of Mohammed had had difficulty finding a willing illustrator because artists indicated they were fearful. Mr. Rose wrote to members of the association of Danish cartoonists, asking them to “draw Mohammed as you see him”.

Twelve illustrations, not all of them depicting or targeting Mohammed, were published on 30 September

2005. Among those lampooned by the cartoons were the author of the children's book, the leader of a Danish anti-immigration party, and the *Jyllands-Posten* itself. Nevertheless, two Danish Muslim clerics used the publication of the cartoons to incite international violence in early 2006. These reactions galvanized Mr. Rose, and he became a prominent advocate of free speech.

It is unsurprising that Mr. Rose's unrepentant publication of the Mohammed illustrations makes him a controversial figure. However, it is precisely such a person who is a barometer of how much freedom of expression we enjoy. Everybody is willing to tolerate some speech. The real test of freedom of expression occurs when people are asked to tolerate the speech of those whose ideas they do not like. On that test, the University of Cape Town has shown that it does not have the robust commitment to freedom of expression that it says it has.

In explaining the University Executive's decision to override the Academic Freedom Committee's invitation to Mr. Rose and to disinvite him, the Vice-Chancellor, Dr. Max Price, makes the obligatory affirmation of "our commitment to the right to academic freedom and freedom of expression".

As all those who seek to curtail freedom do, he is quick to qualify this commitment by noting that "[l]ike all fundamental rights ... the right to academic freedom is not unlimited". Of course, there is a sense in which academic freedom and freedom of expression are appropriately limited. Dr. Price notes that according to section 16(2) of the South African constitution the right to free expression does not extend to "(a) propaganda for war; (b) incitement of imminent violence; or (c) advocacy of hatred that is based on race, ethnicity, gender or religion, and that constitutes incitement to cause harm".

These restrictions are reasonable, at least if we interpret them appropriately. Thus, what is ominous about a reminder that a right to freedom of expression is not unlimited is that it is commonly used to segue into a justification of an unjustifiable limitation. That is exactly what Dr. Price does. He provides justifica-

tions that fail to meet any of the above criteria.

The justifications he provides are listed under three headings. One might presume that each heading would correspond to a different reason. However, he regularly slips from the titular reason to another. Irrespective of how they are classified his justifications fall short.

The first purported reason is that the lecture would provoke conflict on campus. It is not clear what Dr. Price means by "conflict". In elaborating, he refers to "protest and disruption" and then to the likelihood that the lecture will "divide and inflame the campus". Many events at UCT are protested against, and yet that has appropriately not been thought good reason to cancel them. The prospect of protest is not a reason – even under the South African Constitution – to limit freedom of expression. Instead, protest, on condition that it is peaceful and does not prevent the expression of those against whom the protest is being held, is itself a form of expression, and thus to be protected.

Nor does the prospect of disruption indicate that the potentially disrupted expression exceeds moral (or legal) limits. Disruption might be indicative merely of the disrupters' intolerance, and thus one has to show on other grounds that the limits are exceeded. If one cannot show this then the disruption itself exceeds the limits of acceptable protest. UCT has proved very ineffective at prohibiting such forms of (illegal and immoral) protest, which makes the prohibition of (legally and morally) "protected" speech all the more curious.

Moreover, the campus is already divided – about all sorts of matters. If a view's likelihood to cause division were grounds for prohibiting it, then Dr. Price's own letter should be prohibited for it too will divide the campus. If his letter does not *inflame* the campus, that is only because the people who disagree with him on this matter are unlikely to cause a conflagration.

The second reason for disinviting Mr. Rose is "security". The Vice-Chancellor tells us that he and the

University Executive are “convinced” that the lecture “would lead to vehement and possibly violent protest”. The mere vehemence of the protest is beside the point, and thus we are left here with the conviction that there will *possibly* be violence.

There are two problems with this argument. First, we have been provided with no evidence that violence is likely to result from Mr. Rose’s lecture (even though the Academic Freedom Committee specifically requested such evidence). Second, if a lecture results in violence it does not follow that the lecture itself exceeds the moral or legal limits of freedom of expression. If it did follow, then those willing to respond violently will have a *de facto veto* on any ideas they dislike.

Put another way, there is a difference between “incitement” to violence and a violently intolerant response to a speaker or the expression of an idea. Speech constitutes incitement to violence when the speech aims to elicit the violent behaviour of those who then act violently. If the content of the speech does not seek violence then it is not incitement. Your violent reaction to my expressing an idea does not mean that I have incited you. It means you have resorted to violence when you should not have done so.

The expectation of a violent reaction may sometimes require somebody to desist from expressing the idea that will be reacted to violently. However, in the rare cases that this is true, the reason for being silent is not that one’s right to freedom of expression has exceeded its limits.

Instead one’s right is being violated by those threatening violence. Perhaps Dr. Price and his colleagues have this position in mind. If that is the case, then they should unequivocally acknowledge that academic freedom and freedom of expression are being violated. Dr. Price does gesture at such a possibility, but it is obscured by his more extensive (but flawed) implied argument that Mr. Rose’s lecture would fall foul of the Constitution’s limits on freedom of expression.

When legitimate speech has to be curtailed because of a threat of violence, limiting the speech has to be seen as a temporary measure until the threat is neutralized. Dr. Price’s attempt to defend the position of those opposed to Mr. Rose’s speaking encourages rather than neutralizes that threat. Dr. Price’s energies should be focused on condemning those who threaten violence rather than on veiled condemnations of Mr. Rose. He is thus ill-placed to invoke an “imminent violence” defence of the Executive’s decision.

The third purported reason for disinviting Mr. Rose is that bringing him to campus “might retard rather than advance academic freedom on campus”. Here Dr. Price’s “doublespeak” reaches full-throttle. He wishes to restrict academic freedom in order to advance it.

He says that we “know that many within our universities don’t feel safe to engage, which undermines the spirit of mutual tolerance and understanding”. He asserts that this is “a deeply worrying situation which all adherents of academic freedom should find disconcerting, and ultimately unacceptable”. However, he asks rhetorically whether progress will be made “by inviting somebody who represents a provocatively ... divisive view”. Because the Academic Freedom Committee’s brief is to defend academic freedom on campus, he implies that in sticking to its invitation to Mr. Rose it is in breach of its brief.

Dr. Price is not explicit about who “feel unsafe to engage”. It is unlikely to be campus revolutionaries and those who will resort to violence, for their very actions suggest that they feel very safe. It is much more likely that Dr. Price is referring to campus liberals who have either been cowering or, if outspoken, under constant attack – without a public word of support from the University Executive. (If Dr. Price is referring to this group, then the fact that he does not identify them as such is another indication of just how politically dangerous it has become to express sympathy with them.)

Thus, it seems that we are being told that we must restrict the speech of those serious about freedom of speech in order to protect those same people’s free-

dom of speech. That is exactly the wrong response. Instead, the University should be standing firm on freedom of speech and teaching those who do not already know, that this value extends (most crucially) to people with provocative and even divisive views. There is a fourth reason running, as a thread, through Dr. Price's argument for disinviting Mr. Rose. This takes the form of impugning Mr. Rose, although in a slippery way. Thus, Dr. Price *refers* to accusations of bias and bigotry that are buttressed by the claim that "the *Jyllands-Posten* had previously refused to publish cartoons that mocked Christ, on the grounds that this would offend its readers, and also said that it would not publish cartoons about the Holocaust".

In fact the *Jyllands-Posten* has published several cartoons ridiculing Jesus. It has also published anti-semitic and Holocaust-mocking cartoons – not because it endorsed them, but so that their readers could see for themselves what, for example, was being published in the Arab and Iranian press. Mr. Rose is at pains to emphasize that publication does not constitute endorsement.

Dr. Price also says that "Mr. Rose is regarded by many around the world as right wing, Islamophobic, someone whose statements have been deliberately provocative, insulting and possibly amount to hate speech". Dr. Price quickly adds that "[n]o doubt all these claims can be contested". This is exactly why it is not sufficient to trot out those accusations as a basis for disinviting. For example, there are those who have said that Edward Said, who in 1991 gave the TB Davie lecture without disruption, was an anti-semitic and terrorist sympathizer. It is easy to make such accusations but harder to make them stick. Anybody wanting to disinvite a speaker because they are not a suitable "chosen champion of the University of Cape Town to deliver its symbolic and prestigious TB Davie public lecture on academic freedom" will have to make the accusations stick. In fact, the accusations against Mr. Rose, to which Dr. Price refers, are utterly groundless. Mr. Rose's commitment of freedom of expression is a deeply principled one and has resulted in [his defending the anti-democratic speech of fundamentalist Muslims](#).

Almost all of the arguments that Dr. Price musters could be advanced, *mutatis mutandis*, against giving a platform for the many Israel-bashers who speak on campus. These speakers are typically selective in their moral outrage, cause division and hostility between different groups, and risk "diminishing, rather than bolstering, the opportunities for proper and mutually respectful intellectual and institutional engagement".

Moreover, they occur against a background of millennia of anti-semitism. This is not to say that anti-Israel speakers should be banned from campus, but rather that the selective application of the arguments to some speakers is revealing.

The one argument that does not apply to anti-Zionist speakers is the argument about violence. The University Executive have had grounds for confidence that campus Zionists will not engage in violent, disruptive protest. We can only hope that that remains the case and that other parties learn the bounds of acceptable protest. The University Executive should be helping them learn that rather than pandering.

The decision to disinvite Mr. Rose is not the only way in which freedom of expression has been limited recently at the University of Cape Town. It is, however, the most obvious and the least deniable example. During the Apartheid era, the torch of academic freedom was extinguished. It was only rekindled with the advent of democracy. It is now time to extinguish it again, and to keep it extinguished at least until Mr. Rose delivers the lecture he was invited to give.

Postscript (4 December 2016)

As fate would have it, the four-year membership term of the University of Cape Town's Academic Freedom Committee expired in the middle of 2016, soon after Mr. Rose was disinvited. The committee's expression of outrage was its final act.

The process of constituting the new committee overlapped with the outgoing committee's struggle with the University Executive and was completed only after the outgoing committee's term of office had

ended. There is some reason to think that the outgoing committee's stand on the Flemming Rose matter galvanized the dominant regressive sector of the University in a way that influenced the membership of the incoming committee. The majority (but not all) of the outgoing committee's most vocal critics of the decision to disinvite Mr. Rose are not on the new committee even though they were nominated. Still worse, is that the new committee includes people who openly criticized the invitation of Mr. Rose or who supported his disinvitation. It thus seems that the Academic Freedom Committee has largely been "tamed", thereby enabling future repression of academic freedom to be more readily swept under the carpet.

Amidst this ominousness, there is one ray of light. Upon learning that Mr. Rose had been barred from delivering the Thomas Benjamin Davie Memorial Academic Freedom Lecture, the South African Institute of Race Relations promptly extended an invitation to Mr. Rose to deliver the Alfred and Winifred Hoernlé Memorial lecture in 2017. Mr. Rose has accepted this invitation. While he will not be delivering the lecture created in Dr. Davie's memory, he will be following in Dr. Davie's footsteps, for Dr. Davie delivered the Eleventh Hoernlé Memorial lecture in 1955.

David Benatar, Ph.D., is a professor of philosophy and head of the Department of Philosophy at the University of Cape Town, South Africa. This article originally appeared in Politicsweb, a website focused on the news and politics of Southern Africa, 22 July 2016, at <http://www.politicsweb.co.za/opinion/uct-a-blow-against-academic-freedom> It is reprinted here by permission.

STORIES FROM CANADIAN CAMPUSES OVER THE LAST FEW MONTHS

Western University: In early October, photographs of four students clad in Western purple and posing in front of a banner reading "Western Lives Matter" were posted to the internet. Administrators at the university launched an investigation to determine

whether the students involved had violated the Student Code of Conduct.

"'Black Lives Matter' is an important human rights movement and a powerful response to systemic racism that permeates our society," Jana Luker, Western's vice-president for student experience, wrote. "Co-opting the 'Lives Matter' phrase in this way is repugnant and trivializes the validity of this international cause and network."

Western's code includes the sentence: "Nothing in this Code shall be construed to prohibit peaceful assemblies and demonstrations, lawful picketing, or to inhibit free speech as guaranteed by law."

The investigation concluded that no student violated the code. "It did not rise to the threshold as a code violation under our student code," Ms Luker explained.

University of Lethbridge: Also in early October, professor Anthony Hall was suspended without pay by Lethbridge president Mike Mahon because of concerns that Dr Hall might have contravened the hate-speech provisions of Section 3 of the Alberta Human Rights Act.

Dr Hall is an outspoken critic of Israel, and some people say that his internet postings have been anti-Semitic. Nothing in President Mahon's public statements faults Dr Hall's research, teaching, or behaviour toward colleagues or students. The suspension is entirely for extra-mural speech.

Both the University of Lethbridge Faculty Association and the Canadian Association of University Teachers have called for Dr Hall's reinstatement.

University of Toronto: On October 3rd, psychology professor Jordan Peterson received a letter from the chair of his department stating that failing to use student's preferred pronouns constitutes discriminatory treatment under human rights legislation. The letter instructs Dr Peterson "to comply with applicable human rights law." On October 18th, Dr Peterson received a similar letter written jointly by his dean and the university's vice-provost.

Dr Peterson will give the keynote address at the SAFS Annual General Meeting, Saturday 13 May 2017.

Hallowe'en: The campus equity office at the University of British Columbia held its annual awareness campaign, "Think Before You Dress Up." Despite its fear that students will costume themselves thoughtlessly, UBC does not enforce rules regarding costumes.

That's too bad, would be the reaction of University of Windsor law professor Richard Moon. "It seems entirely appropriate for an institution to ask students to think about why they might be wearing a particular costume," Mr Moon said. "Does it involve denigrating or mocking disadvantaged groups?" Mr Moon thinks restrictions should be applied to such costumes.

While Canadian universities themselves didn't go further than awareness campaigns (at least to the knowledge of SAFS), student associations weren't so shy. The student union at Brock University, in St. Catharines, Ontario, used a costume protocol for the Hallowe'en fun it sponsored. "If a member of your party is denied entry because of their costume, they will be escorted to a space where they can change or remove the offending item," students are told.

Students dressed as Donald Trump were not immediately turned away. Laura Hughes, the Student Justice Centre supervisor, suggested that those who wore Trump costumes in the spirit of mockery or critique might be admitted.

The student society at McGill University vetted costumes partiers wore to its bash by giving out stickers: red for stop, green for go, and yellow. If you got a yellow sticker, you had to sit for an interview.

Queen's University: The actor that director Maggie Purdon, of Queen's Vagabond Theatre, selected to play the Moor of Venice was female. "We wanted [the role of Othello] to be cast as a woman because then it would be more of an issue of sexuality, and the issue would be that Othello's sexuality makes him

an outsider." That actor, though, was white. (The possibility of blackface was not broached in any published report SAFS read.)

Four weeks before opening night, Queen's Vagabond cancelled the production and apologized for what the troupe agreed was an oppressive artistic decision. "[T]o have people of colour feel as though their identities were being invalidated.... Theatre is a form of art, but it becomes unacceptable when artistic decisions are oppressive."

Vagabond gave a second reason for the cancellation. "For the safety and mental health of our entire team we unfortunately feel the need to suspend our production of *Othello*." In an interview, Ms Purdon added: "I was feeling super anxious. I wasn't getting any sleep. It was making me feel sick to my stomach because people were upset, and nobody was really being informed."

The two reasons for backing out are compatible, although people convinced of the first wouldn't likely add the second. Neither reason, though, has to do with the quality of the director's vision or the experience of *Othello* the audience would have had.

University of British Columbia: In June 2016, *Celolist of Sarajevo* author Steven Galloway was fired as associate professor and chair of the creative writing program, because of an "irreparable breach of the trust placed in faculty members" following undisclosed accusations of sexual assault, sexual harassment, and bullying. (No accusation has been investigated by the police.)

Confidentiality requirements prevent UBC from explaining just why Mr Galloway was fired, and the lack of information has caused both complainants and supporters of Mr Galloway to question the fairness of the proceedings. Madeleine Thien, author of *Do Not Say We Have Nothing*, has instructed UBC to remove her name from its website and promotional materials, and Hart Hanson, creator of the TV series *Bones*, has reconsidered his intention to donate to the university.

In mid-November, over seventy Canadian writers signed a letter critical of UBC's handling of the case and demanding procedural fairness for Mr Galloway. That letter, in turn, was criticized by other Canadian writers for its perceived neglect of the complainants. "I felt the letter largely prioritized Steven Galloway's damaged reputation and well-being, while siloing the complainants into a mere side note," wrote poet Amber Dawn. Those who objected to asking for due process said the letter would serve to silence victims of abuse and promote rape culture.

Queen's University: Photos of Queen's students at a mid-November off-campus party made it onto the internet and sparked an investigation by university authorities. The students were dressed as Buddhist monks, Middle Eastern sheiks, Mexicans, and Viet Cong fighters. "These events undermine Queen's ability to provide a welcoming and respectful campus environment," explained the vice-president of the Queen's Alma Mater Society, Carolyn Thompson.

"If we determine that this was a Queen's sponsored or sanctioned event, we will take appropriate action," a university statement read.

In the end, the students were not disciplined.

The student government at Queen's put on its best face and called the incident "an educational opportunity to engage all students in discussion about race and racism on Queen's.... Over the coming days, we will be engaging with the University, faculty society leaders, and diverse groups on campus. Our goal is to find an appropriate forum for this conversation to take place."

Queen's principal Daniel Woolf "acknowledged that the party had upset and degraded many students, and announced that he would be assembling an advisory task force to consult on the issue of diversity at Queen's," according to the student newspaper, the *Queen's Journal*.

The Maple League: Lawyer Marie Heinen, head of the defence team for former CBC broadcaster Jian

Ghomeshi, is to speak at Bishop's University in February. Her talk will be live-streamed to St. Francis Xavier, Acadia, and Mount Allison.

Soon after the November announcement, St. Francis Xavier University student Jasmine Cormier wrote that the talk should be cancelled. "[T]he safety of students at this school comes first and foremost, and is more important than hosting a woman who has spent her career contesting women who are possible victims of sexual assault."

Lucille Harper, director of the Antigonish women's resource centre, agrees, for Ms Heinen's successful defence of Mr Ghomeshi "contributed to a culture . . . where survivors themselves are blamed for the violence."

Ms Cormier's arguments were rebutted by a student opinion writer in the 5 December issue of *The Xaverian Weekly*. Bishop's University president Michael Goldbloom responded in the *Montreal Gazette* to calls to cancel Ms Heinen's talk by writing, "We look forward to welcoming her on our campus."

University of Regina: Michelle Stewart, an associate professor of justice studies, is a member of The Saskatchewan Coalition Against Racism, a group that succeeded in getting an author's book-signing event cancelled. The coalition persuaded first Chapters and then three hotels to back out.

The book, *When Police Become Prey: The Cold, Hard Facts of Neil Stonechild's Freezing Death*, by Candis McLean, takes issue with the claim that two particular Saskatoon police officers were to blame for Neil Stonechild's death.

"I was stunned that people would yield to political pressure," Ms McLean said. "Chapters told me they couldn't assure my safety."

In a statement, the coalition said it was pleased that Ms McLean's plans had been thwarted. "Her views about Neil Stonechild's death are not welcome here."

According to Christie Blatchford, Dr Stewart wrote on Facebook on Nov. 4, “Hey folks, happy Friday night. We have ONE last hotel to contact to get rid of Candis McLean’s garbage book. ... Join me in calling the Quality Inn ASAP...”

University of Alberta: From the same Blatchford article: “the University of Alberta law faculty announced it is investigating whether students who wrote a satirical article — meant as a funny piece, it depicted a fictional ‘desperate drunk girl’ and was merely dopy — have breached the school’s code of conduct by perpetuating, and worse normalizing, dangerous stereotypes about women.”

Ryerson University: Henry Parada, an associate professor at the School of Social Work, stepped down from his position as the school’s director after students accused him of racism toward black women. Dr Prada is alleged to have walked out of a meeting while a black woman colleague was speaking or being applauded.

According to the school’s core values statement: “As a community of people connected to the School of Social Work we agree that we will address micro-aggression as it occurs and discuss how we might be implicated in acts of micro-aggression.”

Though Dr Prada resigned as director, he did not apologize, as the protesting students demanded he do. Dr Prada has not said why he resigned or why he left the meeting; he has not commented publicly on the affair at all. Some of the students demanding an apology have now denounced the school for failing to discipline Dr Prada.

Wilfrid Laurier University: Sandor Dosman managed the Veritas Café for the Wilfrid Laurier University Graduate Student Association for nearly five years — until mid-December, that is, when he was fired. He had posted a job ad that began “I need a new slave (full-time staff member) to boss (mentor) around at Veritas Café.”

Wilfrid Laurier supported the student association’s action: “Given the importance that Laurier places on

being an inclusive, welcoming and respectful community, the university supported the direction that the GSA chose to take. The university appreciates the challenges of dealing with confidential personnel and contract matters and we support the GSA in its efforts to reopen the café and rehire the affected employees.”

Students and professors at WLU have been vocal in their criticism of the GSA but their efforts to have Mr Dosman reinstated have failed. Mr Dosman is now the culinary team manager for Fo’ Cheezy Food Truck, in Waterloo.

University of British Columbia: In the last days of December, UBC rescinded its invitation to John Furlong to give the keynote address at a fundraising event for athletes, the ZLC Millennium Scholarship Breakfast, to be held 28 February. Mr Furlong oversaw the 2010 Winter Olympics and is chairman of the Vancouver Whitecaps FC, a professional soccer team.

Mr Furlong has been accused of sexually and physically abusing First Nations children. No allegation has been proven in court and some have been discredited. UBC dropped Mr Furlong when a sexual-assault activist complained, without, apparently, considering that Mr Furlong has so far been vindicated in his denials of the accusations against him.

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Gary Mason, in the *Globe and Mail*, wrote: “The campaign against him has the palpable feel of a vendetta, and UBC should be ashamed of itself for participating in it. This decision shows UBC is a school with little moral spine, an intellectual wimp that is captive to moral arbiters who get their jollies from shutting things down.”

UBC president Santa Ono, who agreed to step in to give the keynote address, was unaware that Mr Furlong had been disinvited. President Ono has since apologized to Mr Furlong on behalf of UBC, and Mr Furlong has accepted his apology. Mr Furlong has asked donors to support the school.

President Ono’s statements regarding the events were for a while vague and weak. He originally said only that the athletics department made its decision in good faith (suggesting that the department wasn’t merely trying to avoid controversy by dropping Mr Furlong), but that the department erred in not considering how rescinding the invitation would affect Mr Furlong and his family. President Ono did not address the allegations on which Mr Furlong’s fitness was impugned nor did he invite Mr Furlong to participate in some other UBC event.

That changed on 9 January. “The British Columbia Civil and Supreme Courts have ruled in favour of Mr. Furlong in every matter that has come before them. The university had no basis to put its judgment above theirs,” President Ono finally said, as he reinstated Mr Furlong as the keynote speaker at the ZLC breakfast. “My strong hope is that we can now all move forward with Mr Furlong delivering an inspirational address that will result in a memorable, uplifting experience for the audience and a highly successful fundraiser for UBC’s student athletes.”

In a *Globe* article from 9 January, Mr Mason reveals that after rescinding its invitation, UBC tried to get Mr Furlong’s people to claim that a scheduling conflict had forced Mr Furlong to decline. Mr Mason also wonders whether the decision to re-invite Mr Furlong is an attempt to placate disgruntled donors.

REPORT: RESTRICTIVE CAMPUS SPEECH POLICIES SEE RECORD DECLINE

The Foundation for Individual Rights in Education (FIRE)

PHILADELPHIA, Dec. 12, 2016—This year, the Foundation for Individual Rights in Education (FIRE) saw an unprecedented decline in the percentage of universities maintaining written policies that severely restrict students’ free speech rights. This is the ninth year in a row that the percentage has dropped.

Released today, *Spotlight on Speech Codes 2017: The State of Free Speech on Our Nation’s Campuses* reports on written policies at 449 of America’s largest and most prestigious colleges and universities, all of which are accessible online in FIRE’s [searchable Spotlight speech code database](#). FIRE rates schools as “red light,” “yellow light,” or “green light” institutions based on how much, if any, protected speech their policies restrict. The report’s findings were first featured in an editorial in this weekend’s *Wall Street Journal*.

Major findings from *Spotlight on Speech Codes 2017* include: 39.6 percent of surveyed institutions maintain severely restrictive, red light speech codes—a nearly 10 percentage point drop from last year’s 49.3 percent.

Of the 449 schools surveyed, 27 received FIRE’s highest, green light rating for free speech. This number is up from 22 schools as of [last year’s report](#).

Twenty schools or faculty bodies in FIRE’s Spotlight database adopted statements in support of free speech modeled after the one adopted by the [University of Chicago](#) in January 2015.

“The precipitous decline in restrictive speech codes means thousands of current and future students and faculty members will not be subject to policies that clearly violate their basic rights,” said FIRE Vice President of Policy Research Samantha Harris.

“Over the past year, FIRE used all the resources at our disposal to achieve this result. We’ve worked collaboratively with college administrators and [even members of Congress](#) to reform policies, and [litigated against speech codes](#) when necessary. FIRE will continue our reform efforts until the last speech code is eliminated.”

As the report details, however, there are still serious threats to free speech on campus: 237 schools surveyed received a yellow light rating (52.8%). Yellow light policies restrict narrower categories of speech than red light policies do, or are vaguely worded in a way that could too easily be used to suppress protected speech, and are unconstitutional at public universities.

Of the institutions surveyed for this report, roughly 1 in 10 have “free speech zone” policies—policies limiting student demonstrations and other expressive activities to small and/or out-of-the-way areas on campus.

Hundreds of colleges have implemented bias reporting systems to solicit reports of bias on campus, which most universities explicitly define to encompass speech *protected* by the First Amendment. FIRE will release detailed metrics on these systems in the coming days.

“There are positive developments, but in many ways the climate for free speech on campus is more troubling than ever,” said Harris. “There are increasing demands from students for censorship, yellow light speech codes that don’t pass First Amendment muster are still a serious problem, and bias reporting systems are growing in popularity. It’s important that free speech advocates not rest on their laurels and remain diligent in defending this core civil right.”

Spotlight on Speech Codes 2017: The State of Free Speech on Our Nation’s Campuses can be read in full on FIRE’s website. FIRE also [released a Google Chrome extension](#) that will notify visitors to college websites of FIRE’s speech code ratings.

The Foundation for Individual Rights in Education (FIRE) is a nonpartisan, nonprofit organization dedicated to defending liberty, freedom of speech, due process, academic freedom, legal equality, and freedom of conscience on America’s college campuses. The above report originally appeared on FIRE’s website on 12 December 2016, <https://www.thefire.org/report-restrictive-campus-speech-policies-see-record-decline/> Reprinted with permission.

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