FREEDOM OF EXPRESSION, BUT…:
A Response to Adèle Mercier

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While reading the first two-thirds of Adèle Mercier's "Reflections on the Scope and Reality of Academic Freedom," in the January 2017 SAFS newsletter, I was thinking to myself that the author was articulate, principled, and knowledgeable about academic freedom issues. I skipped to the end to see who this Adèle Mercier was, and was surprised to read that she is a philosophy professor at Queen's, and a past president of the Canadian Philosophical Association (CPA). I was surprised because I didn't think philosophy professors in Canada cared much about academic freedom, other than to attack its defenders as apologists for racism, sexism, homophobia, and so on in academic research. I was especially surprised to read that a philosopher who defends academic freedom intelligently and with style could have been elected to the highest organizational office for Canadian philosophers. I was beginning to hope that perhaps this was a sign of positive transformation at the CPA.

And then I got to the "but..." in the final column of her article. (Salman Rushdie has said that everyone claims to "believe in freedom of expression, but..." - and as soon as you get to the "but," you realize that they are not really believers after all.) In Mercier's case, the "but" moment comes with the "Pointless Unscholarly Provocation" (PUP) exception that she carves out for tolerating academic freedom. She offers two examples: anti-abortion rallies, and "anti-feminist attempt-at-rallies." I have objections to what she says about both.

"You know an argument is a fallacious PUP," she says about the anti-abortion rallies, "whenever it is supported mainly by pictures." Apparently, she knows nothing about the central role of visuals in the campus rallies against the Vietnam war, against aparthied and Jim Crow laws, against fossil fuels, against police brutality in the Black Lives Matter cause - and for that matter, in favour of legal abortion in the form of what happens to women when they have to go to "back-alley butchers." I have nothing against the legal provision of abortion services - although I suspect that a lot of the psychological and medical consequences of the practice are probably buried in fear that unpleasant truths could incline more people to want to put more restrictions on it - but to make the use of visuals a litmus test for what counts as a "pointless unscholarly provocation" is extremely weak.

Which brings me to Mercier's second example of a PUP, and her personal hostility to the Canadian Association for Equality (CAFE). I have a long-time but mostly casual awareness of CAFE, and they have always impressed me as an exceedingly careful, truthful, moderate voice for equality (or "men's rights") in Canada. So I was surprised to see Mercier attack them with such vitriol and irrationality. (As an example of the irrationality - the academic "malfeasance" - of her attack on CAFE, I cite her linking CAFE's charitable status to Harper's tenure as PM. The link is manifestly utterly gratuitous on several levels, and suggests more than a hint of Harper Derangement Syndrome in her rather than a defect in CAFE.) If what she had said about CAFE were true, it would be concerning (but still no reason to deny their academic freedom, or freedom of speech), so I dug into the matter a little deeper.

It seems that CAFE had an event on the Queen's Campus in April 2014 - just a month after Janice Fiamengo gave a talk there about which was written: The Fiamego lecture will attract "Queen's Most Likely To Rape," etc., etc. So that gives a flavour of the heated and irrational culture of gender politics on Queen's campus into which CAFE was wading. Anyway, from what I can gather from a quick web search, a spokeswoman from CAFE cited some study which claimed that 95% of boys in juvenile detention had been sexually interfered with by female staff. This seems to have set Adèle Mercier off like a mad thing.

She wrote a letter to some campus publication, non-responding to that statistic. She claimed to have done the "responsible" thing - go back and read the study to see if it actually supported what the spokeswoman had claimed. Her published counter was that (a) the boys mostly wanted to have sex with the female staff, so nothing to see here; and (b) the study showed that most of the rape that went on in juvenile detention centres was of female detainees by male staff. (That response is what Mercier characterizes in her SAFS article as "pointing out flaws in their interpretation of the data"!)

At this point in 2014, some people came to the defense of CAFE, pointing out that (a) statutory rape is not not-rape just because the child who was imprisoned under the attacker's authority had "consented" to it; and (b) is simply a deflection from the issue at hand - a bit of statistical "malfeasance" of her own. And so some of CAFE's defenders started calling Mercier a "rape apologist" - perhaps harsh, but I would opine well within fair comment laws and certainly well within the range of rhetorical tactics employed by Mercier and her fellow-travelers in the feminist movement. There is nothing here that I have seen which warrants labeling CAFE a "misogynist hate group" engaged in "cyberbullying," etc., etc.

(Here is part of the story reported in the *Whig-Standard*: http://www.thewhig.com/2014/04/09/queens-prof-targeted-by-group. As usual, you get more complete information in the comments section than from the sympathetic reporter.)

I consider Mercier's personal vendetta against CAFE in this SAFS article to be a calumny against them, one that SAFS owes CAFE an opportunity to correct on the record. Mercier's entire discussion of PUPs is itself a PUP - a self-serving, maliciously motivated fabrication full of scholarly malfeasance that illustrates precisely why there must be no "but" to academic freedom.

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