

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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September 2004

REPORT OF CONFERENCE

Clive Seligman, President

The SAFS Annual General Meeting took place on May 8, 2004 at the University of Western Ontario. Although attendance was down a bit from previous years the attendees made up in enthusiasm what they lacked in numbers, and the question and answer periods were quite lively. In addition to the business meeting (minutes to be distributed in the January, 2005 Newsletter), the day's main events consisted of a symposium entitled 'Limits to Academic Freedom' with panel members Bill Fisher, Ken Hilborn, and Phil Sullivan (filling in at the last minute for John Furedy who wasn't able to attend), and a keynote address by Jamie Cameron, a law professor at Osgoode Hall, who spoke on 'Equality, Affirmative Action, and Faculty Hiring'.

This year we started what we hope will be a regular feature of our website, namely, posting the talks (or summaries of them) that were presented at the AGM, as well as photographs of the speakers and many of the attendees, to convey the substance and fun of the meeting. You can access the talks and photos from either the SAFS homepage or from the annual meeting page. Simply click on the photograph of Jamie Cameron. Of the talks presented, only the one by Professor Cameron has not been posted, however, a

summary is planned for the future. A letter from Bill Smyth, in this issue, characterizes part of her very well received presentation. I hope more of you will be able to join us next year. And let us know what you think of the new conference section on our homepage. □

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IN MEMORIAM

Nancy K. Innis, our Society's Newsletter Editor since January, 2001, died suddenly of a brain hemorrhage on August 17 while travelling in Tibet. Nancy and a colleague were visiting a Buddhist Temple in Lhasa in a remote area of Tibet when she collapsed. Apparently, Nancy showed no sign that she was in distress and was chatting and joking minutes before the fatal event. Although there was medical expertise in the tour group of which she was a part, she could not be revived.

Nancy did her undergraduate studies at the University of Toronto and received a PhD in psychology from Duke University. She was on the faculty of the University of Western Ontario, in the department of psychology, for 30 years. Nancy's initial research interests in animal learning theory eventually gave way to the study of the history of psychology. At the time of her death, at age 63, she had almost completed her biography of the important psychologist, Edward C. Tolman. Her essay on Tolman and his leadership role in resisting Berkeley's attempt at imposing a loyalty oath on its faculty is posted on the academic freedom section of the SAFS website.

A memorial service was held at the University of Western Ontario on September 13. Speakers who knew Nancy at different times of her life -- family, fellow students, professors, colleagues, and friends - painted a portrait of a dedicated scholar and teacher, a kind and caring friend, and a woman of strong opinions and loyalties. She will be missed. In particular, SAFS will miss her conscientious and

steady editing of the Newsletter. She is survived by her sister, Susan.

A fund to support a prize awarded yearly to the student who writes the best essay in Nancy's "history of psychology" course will be established. Donations can be sent to: Room 270, Stevenson-Lawson Building, UWO, London, ON, N6A 5B8. On your behalf, the Society has made a donation to this fund.

IN MEMORIAM

Douglas N. Jackson, a member of SAFS original Board of Directors and for a time its Treasurer, died on August 22, at age 75, after a lengthy illness. He played an important part in helping to launch SAFS.

A psychologist, Doug was on the faculty at the University of Western Ontario for 32 years. He was an expert in human assessment and made seminal contributions to research in this area. He developed several tests to measure personality, psychopathology, intellectual abilities, and vocational interests. For example, one of his tests has been used by NASA in the selection of astronauts. He founded companies to distribute these tests to schools and businesses all over the world. He published widely and received several distinguished awards, the most recent one (August 2004) being the Samuel J. Messick Award for Distinguished Scientific Contributions, awarded by the American Psychological Association. He was a Fellow of the Royal Society of Canada.

Doug was an avid traveller and scuba diver. He read voraciously and enjoyed chess. He was philosophic about his impending death, and considered himself a very fortunate man who had led a full life. He leaves his wife, Lorraine, their three children, three children from a previous marriage and five grandchildren. He will be missed.

A scholarship fund in his name has been established at the University of Western Ontario. Donations can be sent to: Room 270, Stevenson-Lawson Building, UWO, London, ON, N6A 5B8. On your behalf, the Society has made a donation to this fund. □



**LETTER TO THE EDITOR:
McMaster University Faculty Association
Newsletter**

William F. Smyth

The Society for Academic Freedom & Scholarship (SAFS) held its annual general meeting (AGM) at the University of Western Ontario on Saturday 8 May. Why, one may well ask, should MUFA members care? I shall try to explain.

SAFS has exactly two goals (see www.safs.ca):

- (1) maintaining freedom in teaching, research, and scholarship;
- (2) maintaining standards of excellence in decisions about students and faculty.

In 1994 the Ontario NDP government threatened to impose a politically-correct speech code on Ontario colleges and universities. No college or university, no organization of any kind, complained about this threat to free speech — except SAFS, 90 faculty members at Trent University who signed a statement "On Free Inquiry & Expression", and MUFA, who endorsed the Trent statement. As a result, I joined both MUFA and SAFS. When I learned of SAFS's two goals, I began to understand that they expressed principles deeply shared by MUFA, as presumably they would be by any faculty association.

The SAFS AGM featured a lecture of great interest by Professor Jamie Cameron of Osgoode Hall Law School on "Equality, Affirmative Action, & Faculty Hiring". Notwithstanding its title, Professor Cameron's talk was really about NSERC's University Faculty Awards (UFA) programme, that is restricted to faculty members who are either female or native persons. Since NSERC is legally constrained by the Charter of Rights & Freedoms (as participating universities probably are also), and since the Charter prohibits discrimination based on gender or ethnic origin, the UFA programme would therefore seem to be in "blatant" (Professor Cameron's word) violation of the Charter.

Alas, it is not so simple. The Canadian Supreme Court has, according to Professor Cameron, introduced the idea that to be considered discriminatory, a rule must lead a "reasonable person" to take the view that the

discriminatory action would violate the "human dignity" of the person supposedly discriminated against. What "human dignity" has to do with it, or how such a thing might be determined or measured by that supposedly "reasonable" person are questions that the Supreme Court apparently does not address. Also unaddressed is the question of how discrimination against women could violate "female dignity" while the same discrimination against men would leave "male dignity" intact.

Professor Cameron's careful and scholarly exposition clarified many of the legal issues raised by the UFA programme; although she clearly disagreed profoundly with the Supreme Court's obfuscation (my word, not hers) of the discrimination question, her presentation was dispassionate and precise.

Given its history as a defender of faculty rights and freedoms, it could be supposed that MUFA might also have connections to discussion of the UFA programme. In fact, in August 2000, Professor Lorraine Allan, twice President of MUFA (1994/95 & 2002/3), in her capacity as President of the Canadian Society for Brain, Behaviour & Cognition Science, wrote Dr. Thomas Brzustowski, President of NSERC, objecting to the UFA programme. She said, in part: "We believe that NSERC's guiding principle should be the support of research excellence, based on objective evaluation."

Professor Allan's letter and NSERC's response can be found on the SAFS website: I find it hard to believe that a "reasonable person" could find Dr. Brzustowski's reply to be convincing.

Like MUFA, SAFS has in the past defended the rights of individual faculty members as well as dealing with more general issues such as UFA. Those who wish to consider membership in SAFS as well as MUFA (SAFS membership, being optional, is much much cheaper) should access the SAFS website. Those interested in the affirmative action issue might consult Thomas Sowell, "Affirmative Action Around the World: An Empirical Study", Yale University Press (2004).

Published in *MUFA Newsletter*, April/May 2004, vol.30.6

William F. Smyth, Professor Emeritus, Computing & Software. □

ON BEING A WOMAN

Judy Wubnig

1. Introduction

Since the 1970s there have been attacks on the English language for having views about subjects, including men and women, which are wrong or immoral. The English language is said to denigrate women and cause their oppression.

This view is false since no natural language has any theory and the position of women in English-speaking countries is not worse than the position of women in places where non-English languages are spoken; in fact, women are not oppressed in English-speaking countries.

2. Natural languages and theories

Edward Sapir (1884-1939) and Benjamin Lee Whorf (1897-1941) argued that different languages have different theories about the world. Whorf, for example, argued that Hopi Indians do not think about time as English speakers do because the Hopi language does not have tenses.

This view underlies the theory that English has a theory about the sexes because it has gender, because some words include the word 'man,' and because some words distinguish between men and women.

A. The Sapir-Whorf Hypothesis

I will not deal with the Sapir-Whorf hypothesis in detail here except to note faults with it. (Sapir and Whorf were, incidentally, fine linguists.) Many people speak several languages without changing their views of the world. Isaac Newton wrote in both English and Latin but had the same views. Although many languages, like Hopi and Chinese, do not have verb tenses, people who speak these languages do have concepts of time, of the past, present, and future. In English we say that the sun rises and sets, but most current speakers of English do not believe that the sun revolves around the earth, but attribute sunrise and sunset to the rotation of the earth.

B. The Sexes and the English language

1. Gender:

Gender is a grammatical category. Some in the recent past have proposed that the word be used to refer to conventional differences between the sexes, while the

word 'sex' should be reserved to refer to the biological differences.

This proposal has been a failure, since now the term 'gender' is beginning to be used for the biological differences!

There is very little gender left in English. Only the third person singular pronouns, 'he,' 'she,' and 'it,' have the genders respectively, masculine, feminine, and neuter. Other languages have all nouns with gender, for example, French has two (masculine and feminine) and German three (masculine, feminine, and neuter), while other languages have none, for example, Chinese and Turkish.

There is little (but sometimes some) connection between gender and sex, and the distinctions called 'masculine,' 'feminine,' and 'neuter,' could just as well have been called 'red,' 'white,' and 'blue,' or 'one,' 'two,' 'three.' (Aristophanes has much fun with the distinction discovered by the Greek grammarians in his comedy *The Clouds*. See the confusions of *Strepsades* when he discovers that nouns like 'pigeon' and 'trough' have gender, ca. 654-700.)

In German, two words for 'girl' are neuter (*das Fraulein*. *Das Madchen*) - the word for 'cat' is feminine (*die Katze*) and for 'dog' is masculine (*der Hund*), and Germans know perfectly well that the sex of girls is female and that cats and dogs come in two sexes. In French, the word for 'person' is feminine (*la Personne*), though every Frenchman knows that persons come in two sexes. Germans do not think that the sun (*die Sonne* - feminine) is a female nor do the French think that it is a male (*le soleil* - masculine).

The confusion about gender and sex perhaps arises more easily among those who only speak English because there is so little gender in the English language. Remnants like referring to a dog as 'he' and a cat as 'she,' or a baby as 'he' or 'it' when the sex is not known do not show that the speaker does not know that dogs, cats, and babies come in two sexes. The character Alfie in the movie *Alfie* refers to women as 'birds,' and when he is talking about a 'bird,' he refers to 'it' - Alfie the womanizer knows quite well that a 'bird' is of the female sex! When a Scot refers to a young man as 'she,' he does not think that the young man is a woman!

2. The word 'man:'

Some argue that the word 'man,' either by itself or as part of a word, means an adult member of homo sapiens of the male sex, so that words like 'chairman' and 'layman' have been changed to 'chair' and 'laypersons.' A program at the University of Waterloo instituted in 1969 called 'Man and His Environment,' eventually had its title changed, and a course I taught 'Mankind and Nature' was changed in the University of Waterloo Calendar to 'Humankind and Nature' (without my knowledge or permission). So until very recently, English speakers knew that the word 'man' is the name of the species as well as sometimes a male of that species. Unless censors bowdlerize English writings, drama, film, and television from before 1980 or so, any English speaker will have to know this.

The one word refutation of this mistake is in the word 'WOMAN' itself, which does not mean someone of the male sex! (Some women have tried to hide this by rewriting the plural as 'wymmin,' - some comic strip writers used 'wimmin' - but this changes the facts about the word 'man' not one bit.)

In fact, the original meaning of 'man' was for the species. I include material below from The Oxford English Dictionary and Dr. Ernest Klein, A Comprehensive Etymological Dictionary of the English Language, on the words 'man' and 'human'. The OED is more cautious about the Indo-European root.

a) Man: Man (Old English) - generic term for homo sapiens, probably originally meant 'one who thinks' from the Indo-European base *men "to think", whence also OI 'matih', 'm=Eltih' - 'thought', Latin 'mens, mentis' - 'mind', Gothic "muns" - 'thought', 'munan' - 'to think'. 'Mathematics' from the Greek 'mathematikos', from 'mathema' - 'to learn', ultimately from the same Indo-European root *men-dh 'to have one's mind aroused, apply oneself to'. 'Mind' - from same Indo-European base *men 'to think, remember, have one's mind aroused, apply oneself to'.

b) Human: 'humanus' (Latin), from 'homo' (Latin) - 'man'. Related to 'humus' - 'earth'. (Like Hebrew "Adam" - 'man', 'the one formed from earth'.)

Those familiar with Sanskrit or languages derived from it will recognize that 'man' means 'thinking being.'

In English, the word 'man' appeared as parts of two

words in about the eighth century: 'wereman' meant the male of the species and 'wifman' meant the female. By the twelfth century, 'wereman' had been contracted to 'man' and meant both the species and the male of the species, to be understood by context. (Again, see the OED.) This is clear in the King James translation of the Bible: "So God created man in his own image, in the image of God created he him; male and female created he them." (Genesis I, 27)

3. English-Speaking Countries and the Status of Women.

Those who have attacked the English-language as contributing to the subjection of women claim that it has the theory that women are inferior to men (in unnamed ways) and should be treated under the law with lower status. But is this true? Is there any relation between any natural language and the status of women?

A. Languages without gender

There are languages without gender, like Chinese and Turkish, yet countries where those are the main languages have not been countries where the legal status of women was equal to that of men and superior to that in English-speaking countries. What the status of men and women is relative to each other is not always easy to determine, so my comments are fairly general. Changes in the status of women in China and Turkey have occurred because of political changes, changes in ideas about the status of women, and not because of the languages. The status of women in England has for many centuries been superior to that in China and Turkey in the past.

B. The Legal Status of Women in English-speaking political units.

The legal status of women has been different in different political units where English is the language. The laws of England, for example, were and are different from those in Canada, New Zealand, Australia, and the different states of the United States. The states in the United States have different laws. Wyoming gave the women the vote in 1896, while other states did not. Before the Women's Suffrage Amendment to the U.S. Constitution in 1921, fifteen states had already granted women the vote.

C. Opportunities for Education

Even in the colonial period of English North America, girls had elementary education as well as boys. (The Massachusetts Bay Colony required that all children had to learn to read and write.)

Higher education for women was made available in the United States before it was available anywhere else in the world: Oberlin College, Mt. Holyoke, and others from the 1830s on; my alma mater Swarthmore College in 1865; graduate education at my graduate alma mater, Yale University, in 1891.

D. Disagreement about the status of women

There has been much disagreement about what the status of women should be in English, because, of course, the English language takes no position whatsoever on the issue. Disagreement would be impossible if the language required one to take a position. Even those who attack the English language as pernicious show that their view is false just because they attack it in English!

E. Conclusion

The English language had and has no influence on the status of women in English-speaking areas. Those who have discussed in English what the status should be have had that influence, but not the language itself.

(My thanks to W. Keith Percival who has let me see his unpublished paper "Sex and Gender in Natural Language.")

Published in *The Forum*, Faculty Association of the University of Waterloo, April 8, 2004.

Judy Wubnig is Professor of Philosophy at the University of Waterloo, and former editor of the SAFS Newsletter. □

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CALL ME NUTS, BUT PC LANGUAGE CRIPPLES US

Margaret Wentz

The other day some readers took me to task for speculating that a certain prominent person had been "off his meds" when he called Olympics champion Myriam Badard a pitiable single mother. Hurtful, stigmatizing, and discriminatory toward the mentally ill, they wrote. Shame on me. I ought to know better.

I guess I ought. And now they can report me to the government of Nova Scotia, where a body known as the Anti-Stigma/Discrimination Working Group is trying to stamp out media bias toward mental illness. It is running a contest encouraging alert citizens to collect examples of such bias, and it's even offering a \$2,000 reward. A partial list of biased words includes "maniac," "madman," "fruitcake," "madness," "mental hospital," "nutcase," "raving lunatic," "kooky," and "you're off your head." The word "schizophrenic" is biased when used metaphorically. Unbiased writers should not refer to mental illness as an "affliction" or call someone who has it a "victim." That might leave the impression that mental illness is a bad thing.

Let me say right up front that some of my best friends are persons who have sometimes been off their heads. Despite my rude references to meds, I would not survive without them, and there is no more enthusiastic advocate of the modern psychopharmaceutical cornucopia than myself. I'm all for destigmatizing the curse (oops, condition) of mental illness. And yet, I am extremely schizophrenic about this project. Call me crazy, but I think Nova Scotia has gone completely off the deep end.

One problem with our effort to sanitize the language of all that might offend is that it leads to lunatic results. Just ask the music reviewer at the Los Angeles Times. Last month he reviewed an opera by Richard Strauss, which he described as "a glorious and goofy pro-life paean." A diligent copy editor replaced the controversial term "pro-life" with the inoffensive "anti-abortion." This resulted in not one but two embarrassing corrections explaining that the opera has nothing to do with abortion.

Education and social work are the fields in which the language police are busiest. My favourite example is from a new college textbook on human development

that includes this statement: "As a folksinger once sang, how many roads must an individual walk down before you can call them an adult." This gruesome effort is some educator's attempt at a gender-neutral makeover to the classic folksong *Blowin' in the Wind*. In the original, it goes, "How many roads must a man walk down before you call him a man?"

I owe this gem to Diane Ravitch, a leading U.S. expert who has made a specialty of studying this nutty but unstoppable trend. In her book *The Language Police*, she lists more than 500 words that are routinely deleted from textbooks and tests by educational publishing companies and government education departments. They include "landlord," "cowboy," "brotherhood" and "primitive," — words that might offend feminists, multiculturalists or ethnic activists. The forbidden list is growing fast. "Fireman," "handyman" and "hostess" bit the dust long ago, and are now being joined by "addict" (replace with "individual with a drug addiction"), "cancer patient" (replace with "a patient with cancer"), and "yes man." New York State education officials have gone so far as to banish all words that include the hateful letters m-a-n — including "mankind," "man-made," "man hours" and "penmanship."

The elderly are another group we must not offend. They are touchy. I know this for a fact. Whenever I mistakenly refer to "little old ladies," wrathful women of a certain age are on to me like fleas on dogs. Never mind that I almost am one myself. They won't hear of it.

It is no longer proper to refer to anyone as old, no matter how long-lived they may be. According to *The Bias-Free Wordfinder*, a reference book for journalists and educators, persons are not to be described as old or even elderly. Even "senior citizens" is out. The preferred term is "older person" or "older adult," which, alas, is so hopelessly vague as to be almost useless.

Canadian education suffers from similar censorship. Ontario's education ministry insists that all textbooks must incorporate the principle of "diversity." Who could object to that? But what this means in practice is that everyone is depicted as exactly the same as everybody else, no smarter and no dumber, no richer and no poorer, no better and no worse. Diversity is good, so long as real differences, which might be awkward, are ignored.

It's probably a good thing that we no longer call Tiny Tim a "cripple." But "a young person with a disability" seems to lose something in the translation. So would King Lear without this madness and his suffering. Mental illness is a special kind of hell. Why deny it? And without the rich vocabulary and metaphors of madness, what a scrawny and impoverished (oops, disadvantaged) thing our language and culture would become.

Globe and Mail, March 23, 2004. □

ROBERT BIRGENEAU'S LEGACY AT U OF T

Martin Loney

This week, the University of California, Berkeley named Robert Birgeneau as its new chancellor. The 62-year-old Canadian-born physicist is no doubt thrilled by the honour -- not to mention the US\$390,000 salary that goes with it.

As for Berkeley, I hope it knows what it's gotten itself into.

When Birgeneau became University of Toronto president four years ago, he promised to "transform" the institution. His previous job had been Dean of Science at the Massachusetts Institute of Technology, where he'd faced discrimination claims by a handful of vocal female science professors. In response to the controversy, Birgeneau appointed chief complainant Nancy Hopkins to investigate -- with predictable results. Birgeneau's solution included hefty pay hikes, larger offices and more research funds for Hopkins and her fellow complainants.

Overnight, he became the darling of North America's radical feminists. Before he took office at U of T, Birgeneau announced that "diversity" would be the centrepiece of his presidency, though women and visible minorities were already well represented at all levels at his new home. Soon after his arrival, Birgeneau announced a settlement of a long-running dispute with physicist Kin-Yip Chun, who alleged his failure to secure a faculty position stemmed from racism. Successive investigations failed to turn up any convincing evidence beyond the predictable conclusion from the Ontario Human Rights Commission that the phantasm of "systemic discrimination" was somehow implicated. Along with

a faculty position Chun received \$100,000 in compensation and \$250,000 to cover legal expenses.

A year after his U of T appointment, Birgeneau made a major speech warning department heads that "one of the critical criteria" in the assessment of their success would be their recruitment of a "diverse faculty." In 2002, Birgeneau recruited a new senior academic officer. Provost Shirley Neuman, a long-time feminist activist, had been a founder of the Women's Studies program at the University of Alberta and former chair of the university's English department, a department that came to be seen as increasingly inhospitable to male faculty.

Neuman, who resigned earlier this year, shared with Birgeneau a commitment to diversity, though like Birgeneau, the diversity in question is not intellectual but biological. Their ethos is eloquently captured in the university's faculty recruitment materials; applicants are advised that U of T "especially welcomes applications from visible minority group members, women, Aboriginal persons, persons with disabilities, members of sexual minority groups, and others who may contribute to further diversification of ideas." The idea that biological diversity is the key to ideological diversity -- absurd on its face -- is simply assumed.

Such "biopolitics" is central to the development of new study areas at U of T, which now proudly boasts programs in Equity Studies, Women's Gender Studies, Women's Studies and Gender Studies (a different program), Sexual Diversity Studies and so on. Central to the selection of teaching staff is not only a deafening similarity of perspective (not least the belief in a pandemic of racism and sexism) but also the requisite biological claim to expertise.

Last month the university added to its minor in sexual diversity studies a major in the same subject. The director of the new sexual diversity centre is a prominent gay rights activist; the undergraduate program director is a lesbian. Those looking for scholarly detachment may be surprised to read the logo on the program Web site: "great minds for a queer future."

Criticism of such course offerings at U of T is muted: Diversity does not extend to tolerating dissent from the new biopolitical orthodoxy. President Birgeneau made this clear before taking office, advising those who failed to share his enthusiasms to seek work elsewhere.

More recently, provost Neuman called criticism of the new programs evidence of "systemic discrimination." In the present climate, only the most reckless scholar would risk a charge of that nature.

Perhaps the focus on biological diversity at U of T might be justified if it served to redress years of neglect and exclusion -- as supporters claim. But in fact, visible minorities are highly successful in Canadian education. They represent 13% of the Canadian population but a majority of U of T students. Women are 40% more likely to be admitted to the university's undergraduate program than men, and about 35% more likely to be admitted at the graduate level. In many departments, women are twice or three times as likely to be appointed as male applicants. More than 30% of new U of T faculty appointments are visible minorities.

As he heads to Berkeley, Birgeneau is emphasizing what he calls "equity and inclusion." But his record at U of T and MIT suggests his goal conflicts with the more traditional academic principles of merit and detached scholarship. Given his track record, we can only guess what social engineering plans he has for his new university. But we can at least be thankful that the fallout will be California's problem, not ours.

Martin Loney is the author of *The Pursuit of Division: Race, Gender and Preferential Hiring in Canada*, McGill-Queen's.

National Post, Thursday, July 29, 2004. □

SUBMISSIONS TO THE SAFS NEWSLETTER

The acting editor welcomes short articles, case studies, news items, comments, readings, local chapter news, etc. Longer items are preferred on a 3.5" (MS-DOS) disk in Word Perfect or Word 95, or by e-mail attachment.

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MORE DIVERSITY DEBATES AT UNIVERSITY OF TORONTO

(All letters published in *The Bulletin*,
University of Toronto)

Academic Merit Undervalued

John Furedy
Department of Psychology

May 31, 2004

The *Bulletin's* annual *paean* for the university's employment equity policy ("University Making Progress on Equity but More Work to Be Done", May 20) ignores, as usual, the alternative interpretation that the "progress" in increasing women's representation in faculty positions may actually be a "regress" towards preferential hiring that undervalues academic merit.

Aside from that interpretation, there is the interesting fact that in the hard sciences (a category that excludes the life, and social, sciences, as well as the humanities), women continue to be "under-represented" at a rate of 14.5%. This contrasts with increases, since 1997, in other disciplinary categories. Presumably it is this continuing low percentage in the hard sciences that Professor Angela Hildyard, vice president (human resources and equity) had in mind when she stated that "We want to ensure that we continue to make equity and diversity integral to our priorities at *all levels* (my emphasis)".

Evidence from biological psychology suggests that the low female percentage in the hard sciences is a "level" on which little "progress" will be made, no matter how much more "more work is done". This evidence has recently been presented by the eminent Canadian researcher Doreen Kimura in her 2003 book, *Sex and Cognition* (for reviews see www.sfu.ca/~dkimura). The findings are that there are significant group sex differences in cognitive abilities in such categories as higher mathematics, as well as in motivation. The motivational difference is that women, on the average, prefer life - over physical - sciences, even if they are capable of performing equally well in either area. These sex differences appear to have a significant biological basis, although undoubtedly societal factors also contribute.

Another more indirect source of evidence is based on analysis of the tenure-stream advertisements, assessed

in terms of their relative emphases on merit and equity. In a recent study (supported by the Donner Canadian Foundation) that examined Ontario university advertisements before and after the 1995 NDP -to- PC shift (www.safs.ca/january2003/advertisement.html) we found that only the hard-science departments increased their merit requirements by, for example, using phrases like "outstanding record of research publications" rather than ones like "an interest in developing a research program".

In contrast, across all disciplines, there was an increase on the equity emphasis. For example there was an increase in phrases like "especially welcome applications from women" relative to "weaker" phrases like "welcome applications from both women and men".

An interpretation of the unique hard-science increase-in-merit emphasis coupled with the non-differential increase in equity of all academic units is that the hard-science departments protected the integrity of their disciplines against merit-diluting equity pressure from equity officers and offices by strengthening their merit requirements in their advertisements.

Whatever the reasons for hard sciences not currently measuring up to our administration's goals of "equity" and "diversity", it does appear that if these trends continue, the most important division in the university of the future will be between those departments that treat merit seriously and those that do not.

Case Resorts to Sophistries

Vassos Hadzilacos
Department of Computer Science

June 28, 2004

Professor John Furedy makes two points (Academic Merit Undervalued, May 31).

The first is that the low representation of women faculty in the so-called "hard" sciences is a consequence of cognitive deficiencies with a "significant biological basis." This thesis is questionable and, more important, irrelevant – my myopia, whose biological basis is indisputable, is easily corrected. The disingenuous elevation of characteristics with a biological or genetic basis to ones that are unsurmountable has a long and pernicious

history. I cringe at the thought of the untapped talents of people written off because they have the “wrong” colour or sex.

The second point in Professor Furedy’s letter is that equity policies have subverted the non-hard sciences’ commitment to merit. As evidence he cites a study that found the language used in tenure-track job ads of hard science departments to be stronger than that used by their “softer” counterparts. This is akin to me judging the skill of my optometrist based on the wording of his ad in the yellow Pages. I suppose it bodes well for the success of equity policies that one of their most outspoken critics must resort to such outlandish sophistries to buttress his case.

Both Points Misstated

John Furedy
Department of Psychology

July 26, 2004

Professor Vassos Hadzilacos (Case Resorts to Sophistries, June 28) is clearly offended by my recent criticism of the administration’s equity policies (Academic Merit Undervalued, May 31). However he has misstated both of my points with which he takes issue. First, I indeed did refer to a “significant biological basis” in the determination of observed behavioural sex differences but immediately and necessarily qualified this with the point that “undoubtedly societal factors also contribute.”

This qualification is essential since it differentiates my position that heredity, environment and their interactions all play a (complex) causal role from the reductive ideology of biological determinism that views behaviour as being totally determined by biology (an ideology I reject entirely).

Second, It is not the case that the evidence I had cited found merely that tenure-stream ads in the hard sciences used “stronger” language than those in other disciplines. Rather, the results indicated a difference in merit, but not equity, requirements between the hard science departments and other sorts of departments.

For further details I refer Professor Hadzilacos to <http://safs/january2003/advertisement.html>.

Letter Misrepresents Points Made

Philip Sullivan
Institute for Aerospace Studies

July 26, 2004

In his letter to *The Bulletin* (Case Resorts to Sophistries), Professor Vassos Hadzilacos challenges Professor John Furedy’s May 31 criticism of Simcoe Hall’s diversity policies (Academic Merit Undervalued). But Hadzilacos’ letter does not contribute to debate on these policies: it misrepresents Furedy’s points and accuses him of using forms of argument tantamount to intellectual dishonesty. Furthermore his concern is misdirected. In the Feb. 9 issue of *The Bulletin* Furedy and I argue that it is the current academic plan that inappropriately emphasizes biology as a proxy for intellectual diversity (The Proportionality Game, Forum).

Hadzilacos’ letter also reinforces a view that Furedy and I share: apart from mantra-like repetitions linking diversity and excellence, from the Governing Council to individual faculty members, there appears to have been no serious justification of policies in the current academic plan promoting diversity. In an institution aspiring to the stature of the best public U.S. universities, such policies ought to be controversial.

For example, in seeking an explanation of the low representation of women in the physical and mathematical sciences, Furedy cites the work of the internationally recognized Canadian psychologist Doreen Kimura – a woman, it is to be noted. She and others have established that there are subtle but distinct differences in certain aspects of female and male intellectual abilities and interests and that these are traceable in part to biological influences. Although these differences are negligible for the average man and woman, at the extremes of the distributions, the populations can differ greatly.

One would expect to choose university faculty from the superior extreme, so that an equity policy promoting proportionality must inevitably compromise excellence. There might be valid reasons for promoting a social good by compromising in this way but such a policy needs to be subject to informed, rational scrutiny.

On a personal note, I taught in the elite engineering

science program for 38 years and during that time class composition changed from almost exclusively white male to include many women and a broad representation of the ethnic groups now making Canada their home. Some talented women and men from these groups have already become successful faculty: many more will follow. Thus I fail to see why Simcoe Hall is preoccupied with a pseudo-problem at a time when the university faces real problems arising from chronic underfunding.

Low representation can and should be remedied

*Vassos Hadzilacos
Department of Computer Science*

I am glad that Professor John Furedy rejects biological determinism but his proclamation to that effect misses the point of my criticism (Both Points Misstated, July 26). What I take issue with is his assertion that “the low female percentage in the hard sciences is at a “level” on which little “progress” will be made, no matter how much “more work is done.” (I am quoting from his original letter, Academic Merit Undervalued, May 31.) Since this point was misunderstood, let me elaborate.

Some researchers have presented evidence that men and women differ in specific cognitive abilities. Even if we accept that conclusion (and not all expert do), this tells us nothing about the potential of women to perform at the highest level in any given intellectual endeavour in equal numbers as men. To illustrate, speech-related cognitive abilities of deaf people differ from those of hearing people. This does not prevent the former from being able to communicate very effectively. They simply do it differently – using sign language instead of speech. In general, complex behaviours such as mathematical prowess are not reducible to individual attributes of cognitive ability. This is because human beings are notoriously creative in leveraging their particular aptitudes to accomplish goals, given the motivation and opportunity to do so.

Professor John Graydon correctly points out that the demographic makeup of my own classes is unrepresentative of the university’s student population (Inborn Abilities Have Effect on What We Become, July 26). But the fact of women’s low representation in the hard sciences is not in dispute. The reasons for and the desirability of that fact are, I believe that

women’s innate abilities have nothing to do with it and that it is not just a necessary fact of life but a socially and historically shaped reality that can and should be remedied. Professor Emeritus Philip Sullivan’s testimony of the increased number of women students in his elite engineering classes over the past 40 years corroborates my contention (Letter Misrepresents Points Made, July 26). This was the result of social and political change and surely not of any change in the innate abilities of women and men over that period of time. □

THE GRAND FALLACY

Thomas Sowell

A record-breaking new class-action lawsuit against Wal-Mart claims that this retail chain discriminates against women, for which of course vast millions of dollars are being demanded. The New York Times aptly summarized the case -- "about 65 percent of the company's hourly-paid workers are women, but only 33 percent of its managers are."

The grand fallacy of our times is that various groups would be equally represented in institutions and occupations if it were not for discrimination. This preconception has undermined, if not destroyed, the crucial centuries-old legal principle that the burden of proof is on the accuser.

Wal-Mart is only the latest in a long series of employers who have been hit with charges of discrimination on the basis of statistical differences among members of their workforce -- differences between women and men in this case.

Back during the 1980s a similar charge was brought against Sears, even though no one could find a single woman in all the hundreds of Sears stores who had been discriminated against -- just numbers that were different as between women and men.

When you broke down the numbers, it turned out that women were not equally represented among people who sold automotive equipment or construction materials. It also turned out that many women had no interest in selling automotive equipment or construction materials, and had turned down opportunities to do so.

In many other situations, women have avoided jobs

that demand such long hours of work, or so much travel, that it would make taking care of their children virtually impossible. The biggest difference in income is between married women and everyone else. Women who never married have long held their own economically.

The most blatant fact about male-female differences is often ignored by those on the hunt for discrimination: Women have babies.

That usually means interruptions in career and different choices of careers beforehand, because some occupations can stand interruptions better than others.

It is hardly surprising that women work part-time more often than men, drop out of the labor force more often than men, specialize in a different mix of jobs, and major in a different mix of subjects in college and postgraduate education.

Seldom are the data sufficiently detailed to permit comparisons of women and men who are the same on all the variables that matter. But the more detailed the data, the higher is a woman's income relative to that of a comparable man, sometimes surpassing that of men.

Male-female differences in incomes and occupations rose or fell throughout the 20th century as women's age of marriage and childbearing rose and fell. But such mundane facts carry little weight with lawyers or social crusaders on the hunt for discrimination.

Once a lawsuit is under way, the pressure is on the accused employer to settle, rather than risk bad publicity that could hurt profits. And, once they settle, that is taken as proof of guilt, no matter what anybody says. People without the slightest knowledge of economics or the slightest experience running a business will boldly assert that women are paid only 75 percent -- or some other percent -- of what men make for doing exactly the same work.

Think about it. If an employer could hire four women for the price of hiring three men, why would he ever hire men at all?

Even if the employer was the world's biggest sexist, he could still not survive in business if his competitors were getting one-third more output from their employees for the same money.

Sheer dogmatic repetition has pounded into our minds the notion that all groups have similar capabilities, when in fact they do not necessarily have even the same interest in developing the same capabilities.

Potential may be the same but developed capabilities depend on a lot more, including interest and circumstances. Yet those who start with the preconception of equal capabilities are quick to seize upon numbers showing group differences in results as proof that someone else has done something wrong. That is the grand fallacy of our time.

Townhall.com, Creators Syndicate, Inc., July 22, 2004.□

IF THAT'S NOT RACISM, WHAT IS? Editorial

Until last summer, race-based federal policy was creating two classes of British Columbia fishermen. Taking absurd liberties with a 1990 Supreme Court ruling that affirmed the right of Indian bands to take fish for food, social and ceremonial purposes in otherwise regulated fisheries, the Department of Fisheries and Oceans (DFO) had launched a pilot program aimed at creating native-only commercial fisheries. Rather than allowing all commercial fishermen the opportunity to make their living, fisheries were opened up to three B.C. aboriginal bands during special periods, leaving non-natives complaining that the stocks were depleted by the time they finally had a chance.

Not surprisingly, this discriminatory policy had disastrous consequences. Not only did it have a financial impact on communities, but also a social one. Whereas native and non-natives had previously enjoyed co-operative relationships, the program created racial tensions and jealousies that drove them apart. Even among aboriginals it caused problems, since those who held normal commercial licences wound up feuding with those taking advantage of the DFO program.

A year ago, following a House of Commons report that branded the policy a "dismal failure," Judge William Kitchen of the B.C. Provincial Court properly shut the programs down. Following a similar ruling by provincial Judge Brian Saunderson, Judge Kitchen stayed charges against 140 non-native fishermen who

had staged a "protest fishery" in 1998 in opposition to the program. On July 29, 2003 -- the day after Judge Kitchen ruled that the native-only fishery qualified as "government-sponsored racism" -- the DFO announced the program's suspension.

Judge Kitchen's ruling undoubtedly struck a blow for fairness and equality. But its impact appears to have been short-lived: On Monday, last year's ruling was overturned by the B.C. Supreme Court. While Mr. Justice Donald Brenner acknowledged that the program has "an unfortunate history" and has "generated much ill will" in local communities, he ruled that good intentions outweigh its problems and that it does not violate the Charter of Rights and Freedoms. While the native-only fishery may accord certain groups "deferential" treatment, he said, "not all deferential treatment is discriminatory."

Perhaps not. But in this case it most certainly is discriminatory. It is not as though there is any evidence that aboriginals were underrepresented or discriminated against in the B.C. fishing industry in the early 1990s, when the program was first implemented. Rather, this was a case of the DFO choosing favourites from among a group of equals, and placing all others at a disadvantage based on their ethnicity. If that's not racism, what is?

If the DFO had any sense, it would abandon its ill-conceived initiative regardless of what the court has to say. But that seems unlikely, given that Justice Brenner's ruling resulted from a government appeal of Judge Kitchen's decision. The best hope, then, is that the inevitable appeals to come, which are likely to eventually wind up in the Supreme Court of Canada, will lead to the only sensible outcome: an industry in which fishermen succeed based on a single criteria -- their ability to catch fish.

National Post, July 14, 2004. □

CENSORSHIP AND THE CRTC

Editorial

In what must be the most blatant example of censorship Canada has witnessed in recent memory, the Canadian Radio-television and Telecommunications Commission (CRTC) is refusing to renew the licence of Quebec radio station CHOI-FM because one of its morning hosts has offended "Canadian values."

Radio announcer Jeff Fillion has been muzzled and his station shut down for a series of admittedly vulgar comments, including repeated potshots at a rival radio host who was convicted of paying for sex with a minor. In one case, Mr. Fillion said of a psychiatric patient: "Why don't they just pull the plug on him? He doesn't deserve to live. The guy's a freaking burden on society." In another instance, he referred to a weather announcer's "incredible set of boobs" and added that "the size of the brain is not directly proportional to the size of the bra."

While it's clear Mr. Fillion's prattle crossed the bounds of good taste, it is hardly the stuff over which government censors should be getting exercised. The radiowaves are filled with mindless inanities. And inanities are, evidently, what some people want. CHOI-FM's ratings have been increasing of late, which invites the obvious question: Who is better placed to judge "Canadian values" -- bureaucrats in Ottawa, or ordinary Canadians?

In its decision, the commission makes it clear it will not even permit hosts such as Mr. Fillion to make statements of fact if those statements might expose a group to hatred or contempt. Such a ruling sets a frightening precedent. After all, even the daily news often contains matters of fact that might make certain groups the object of derision.

We do not question that the CRTC is within its rights to maintain certain basic standards of decency. But to extend that mandate to include banning remarks that might hurt people's feelings or that might "undermine the multicultural and multi-racial nature of Canadian society" is to mandate a level of social engineering that belongs in a George Orwell book, not in a free and democratic country.

If people are sufficiently offended by Mr. Fillion's comments, they should stop listening to his show and, if they feel strongly enough about the matter, petition the offending station and urge others to boycott it. But to instead turn to the CRTC and urge that agency to act as censor, as Mr. Fillion's critics (including the Mayor of Quebec City) have done, is not only unfair, it's dangerous.

The ruling suggests the proper role of government is to choose which viewpoints and truths are acceptable and polite enough to be tolerated and which viewpoints and truths are too unpleasant to be permitted. This is a level of government omnipotence that no Canadian,

not even the weather announcer of his fancy, should be willing to tolerate. For, there is no guarantee that her statements won't be the ones that the CRTC tries to silence next.

As the U.S. writer and economist David Cushman Coyle said: "Democracy needs more free speech, for even the speech of foolish people is valuable if it serves to guarantee the right of the wise to talk." You can judge for yourself whether Mr. Fillion fits the definition of a fool. But the general point applies.

National Post, July 15, 2004. □

CANADIAN UNIVERSITY LIFTS SUSPENSION OF STUDENT ACCUSED OF DISRUPTING CLASSES

Karen Birchard

York University, in Toronto, has rescinded its suspension of a student whom it had cited for disruptive behavior during two pro-Palestinian protests inside a building where classes were under way and where demonstrations are banned.

The university lifted the suspension against Daniel Freeman-Maloy, a third-year political-science student, after a provincial judge ordered that a judicial review of his suspension proceed on August 10.

Judge Gloria Epstein of the Ontario Superior Court, in a 10-page ruling on Tuesday, also issued an injunction against a disciplinary tribunal that had been scheduled to convene on Wednesday at the university. In blocking the tribunal, she said that it would put the student in a "procedural nightmare" that could "irreparably harm" his academic career.

York's president, Lorna R. Marsden, barred Mr. Freeman-Maloy from the campus on April 21 for making excessive noise with a megaphone and disrupting classes during protests in Vari Hall twice during the past academic year (*The Chronicle*, May 5).

The protests, on October 22 and March 16, involved vociferous confrontations between pro-Zionist and pro-Palestinian organizations on the campus. The university has maintained that all students are aware

that its code of conduct specifically forbids protests in Vari Hall, a multipurpose building with a three-story rotunda and open architectural features that cause sounds to echo and reverberate.

In imposing the suspension, which was to have lasted three years, Ms. Marsden had invoked a rarely used power, called executive fiat, that neither requires a hearing nor permits an appeal.

Mr. Freeman-Maloy received a letter this week from the university confirming that his suspension had been lifted.

The university said, in an official statement acknowledging that Mr. Freeman-Maloy can reregister, that its "goal throughout this process has been to protect the academic environment and ensure that all York students understand and abide by established standards of student conduct."

But the legal action may not be over.

"We are going to sue the president for damages and possibly the university," said Mr. Freeman-Maloy's lawyer, Peter Rosenthal, who is also a professor of mathematics at the University of Toronto. Mr. Rosenthal, who in his law practice specializes in social-activism cases, said he had received letters of support for his client from academics in Canada, the United States, and elsewhere. "Ten years ago, this type of autocratic stance on dissent would not have happened," he said. "But in the post 9/11 era, regrettably, universities are cracking down on dissent."

The Chronicle of Higher Education (online), July 23, 2004. □

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Thank you.

Clive Seligman, President.

STUDENT DISCIPLINE

The University has reviewed the judgment by the court and has decided to allow Mr. Freeman-Maloy to re-register as a student at York should he decide to do so. The University's goal throughout this process has been to protect the academic environment and ensure that all York students understand and abide by established standards of student conduct.

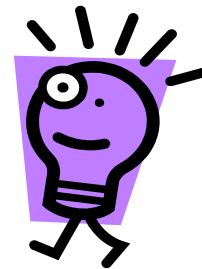
The University has emphasized to him in writing that any individual student who registers at York agrees to abide by the Code of Student Conduct and follow reasonable instructions given by University officials. Consistent with the University's core values, all members of the York community have the right to freedom of expression. In exercising their civic rights and responsibilities on campus, members of the York community are expected to adhere to the principles of peace and non-violence.

University disciplinary actions involving students must be put in proper context. The vast majority of York's 50,000 students conduct themselves in a manner that respects the rights and safety of others on campus. In recent years, the University has noted with concern the conduct of a very small number of students and external groups who use York's campus to engage in inflammatory behaviour and confrontations. These incidents have threatened the sense of security of students and other members of the York community. In 2003-2004, two highly confrontational protests on York's campus precipitated the University's decision to suspend student groups involved and pursue a variety of disciplinary measures aimed at ensuring that individual students are accountable for their actions.

This University remains committed to maintaining a civil and safe environment where open debate is encouraged and to enabling students to pursue their academic studies free from unwelcome disruptions.

In an international climate that remains extremely volatile, we call on all students to resolve their political and ideological differences in a peaceful manner that is consistent with the highest ideals of Canadian democracy, inherent in which is respect for those with opposing points of view. We believe that the Canadian public supports our commitment to these values.

York University *Media Relations*, July 22, 2004. □



"How many IRB members does it take to screw in a light bulb?"

Author Anonymous

As documented in 45 CFR 46.107(a), this review board must consist of five or more members, and at least one of these members must possess a background in Electrical Engineering. In addition, at least one of the members must come from a home without any electricity. Any member of the IRB who owns stock in an electrical utility or who regularly pays bills to an electrical utility should recuse themselves from participation in the review of this research.

If the bulb should burn too brightly, burn too dimly, or flicker, then an adverse event report should be sent to the IRB (21 CFR 312.32). If the light bulb is dropped, then a serious adverse event report should be sent to the FDA by telephone or by facsimile transmission no later than seven calendar days after the sponsor's initial receipt to the information. If this is a multi-center light bulb trial, then a data and safety monitoring board (DSMB) may be needed (NIH Policy for Data and Safety Monitoring, June 10, 1998, <http://grants.nih.gov/grants/guide/notice-files/not98-84.html>, accessed on October 9, 2002). The DSMB should review any adverse event reports and interim results. If the clinical equipoise of the light bulb is lost, then the DSMB should terminate the study and provide all previously recruited light bulbs with the best available light bulb socket.

In order to maintain scientific integrity, the use of a placebo socket may be necessary. The placebo socket should have the same taste, appearance, and smell of a regular socket and the fact that this socket has no electricity should be hidden from the light bulb and from the person screwing in the light bulb. According to the 2000 revision of the Declaration of Helsinki, paragraph 29, the use of placebo sockets is acceptable where no proven prophylactic, diagnostic, or therapeutic socket exists.

A systematic review of all previous research into light bulbs must be presented so that the IRB can determine, per 45 CFR 46.11(a)(2), that the risks to the light bulb are reasonable in relation to anticipated benefits. The IRB should also insure that the selection of light bulbs is equitable [45 CFR 46.11(a)(3)]. If the light bulb has less than 18 watts of power, then additional requirements (45 CFR 46.401 through 409) apply.

The IRB must insure that an informed consent document be prepared in language that the light bulb understands (45 CFR 46.116). This document should explain the expected duration of the light bulb's participation in the research, any reasonably foreseeable risks, and the extent to which the confidentiality of the light bulb will be maintained. This document should also emphasize that participation is voluntary and the light bulb can withdraw itself from the socket at any time without any penalty or loss of benefits. □

DUES 2004

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