

# 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

Number 42

www.safs.ca

January 2006

## MANDATORY RETIREMENT IN ONTARIO TO END

*Karen Howlett*

Employees in Ontario will be able to choose when they want to leave the workforce under the province's new law to end mandatory retirement.

The law, which passed third and final reading in the legislature yesterday, will come into effect one year after it receives royal assent later this month.

"This is all about choice," Labour Minister Steve Peters told reporters.

He said the new law would remove discrimination in the workplace against older workers. Under the present law, workers can be forced to retire at 65.

Union leaders and other critics of the legislation have said the government runs the risk of creating two classes of workers because companies will not be required to extend health, disability and life insurance coverage to employees over 64. This raises questions about whether some workers will continue to enjoy such benefits while others could be cut off.

Mr. Peters said the government had to consider costs for employers if they were required to extend benefits beyond age 64. The legislation protects workers' existing rights to pension, early retirement and benefits plans.

"We had to ensure we found some balance," he said.

Progressive Conservative Leader John Tory applauded the new law. However, he added: "We're going to have to watch carefully to make sure people who continue to work are treated in a proper manner."

The government is playing catch-up with several other

provinces. Manitoba was the first to abolish mandatory retirement in 1982. It was followed by Alberta, Quebec, Nova Scotia, New Brunswick, Prince Edward Island and the federal government.

The number of Ontarians over the age of 65 is expected to climb to 3.5 million from 1.5 million over the next 15 years.

*Globe & Mail*, Friday, December 9, 2005 Page A18.

(Acting Editor's note: Mandatory retirement in Ontario will end officially on December 12, 2006). □

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Published by the **Society for Academic Freedom and Scholarship**, a society open to all (whether in a university or not) who accept the principles of freedom in teaching, research and scholarship and maintaining standards of excellence in decisions concerning students and faculty.

ISSN 1704-5436

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**IN MEMORIAM  
Harvey Shulman  
1945-2005**

*Dr. Clive Seligman, SAFS President*

Harvey Shulman died in December, 2005 one month shy of his 61<sup>st</sup> birthday. Harvey joined the SAFS board in 1995 and was always a diligent, caring, and intelligent colleague. We will all miss his wisdom and carefully expressed advice. Harvey was an extraordinary human being who meant a lot to many people, as is evident from the three eulogies that follow:

*Dr. Martin Singer, Provost and Vice-President,  
Academic Affairs, Concordia University*

Dear Colleagues and Friends,

I am deeply saddened to report the death of Harvey Shulman, who has been my colleague and friend for over 30 years.

Harvey was an undergraduate at Sir George Williams University and did his graduate work at Carleton University in Ottawa. He was a full-time faculty member beginning in 1971 and had a remarkable teaching career, both in the Department of Political Science and at the Liberal Arts College.

Harvey Shulman was the co-founder and the first Vice-Principal of the Liberal Arts College from 1978-1984, and its second principal, from 1985 to 1991. He was a Permanent Fellow of the College. His colleagues celebrate his dedication, selflessness and sheer hard work in making the College the great success it has become. Harvey made a major contribution to University governance and the Concordia University

Faculty Association (CUFA).

He served on a number of major committees and on University Councils. He was a member of Senate in the 1970s, 1980s 1990s and into the 21st century. He was previously Vice-President of CUFA and co-chief of the team that negotiated the most recent collective agreement.

Harvey was an inspiring teacher in part because he was both thoughtful and well read, not only in the literature of political thought, but more broadly in the history of Western civilization. His publications and scholarship are on the Bible and the manner in which it was read by early modern political thinkers, such as Spinoza and Hobbes, and contemporary scholars, such as Daniel Elazar and Emil Fackenheim.

Harvey remained a committed and active teacher and participant in the Political Science Department, where he also pursued his teaching and research interests in American politics, American political thought, and academic freedom and civil rights.

Those of us who knew Harvey were fortunate to have him as a friend, colleague and teacher. His contribution to Concordia University was without equal and he will be missed by all of us. On a personal level, I feel a great sense of loss.

A funeral service for Harvey will be held on Wednesday, December 14th at 11:45 at Paperman and Son (3880 Jean Talon, West - corner of Cote des Neiges). He is survived by his wife Celia and sister, Barbara Shulman.

*Claude Lajeunesse, President,  
Concordia University*

Dear Colleagues and Friends,

I met Harvey Shulman through his work on the Presidential Search Committee this past year. I did not take a long time to appreciate the exceptional human being he was and how much he contributed to Concordia University.

Harvey was not only a gifted, committed and generous teacher, but he was a concerned Concordian. Harvey Shulman kept us on our toes and never hesitated to share his observations and his views. I will always cherish the memory of Harvey welcoming me at the Liberal Arts College and explaining in detail the accomplishments of "his" students. Harvey truly cared

about Concordia and he truly cared about the welfare and the academic development of students.

Nicole and I and the whole community will miss him dearly.

My sincere condolences to his family and his many friends at Concordia.

*John J. Furedy and Christine P. Furedy*

On Harvey Shulman’s passing:

The ‘democracy of intellect’ loses a courageous voice.

Harvey Shulman’s poor health unfortunately limited him in traveling to meetings so we met him only once or twice after getting to know him from his involvement with the Society for Academic Freedom and Scholarship. But he more than made up for being homebound by a virtual presence through email, a presence that was always vivid.

Harvey was that rarest of administrators, a man of unshakeable principle with great sensitivity and tact, who could thereby hold the respect and confidence of his peers in an important university post.

When SAFS and Harvey’s university, Concordia, came into direct conflict in 2004 over the university’s cancellation of an invitation for Ehud Barak to speak at the university, a cancellation that appeared to be yielding to threats of violence by a pro-Palestinian pressure group (see <http://www.safs.ca/concordiaumain.html>), Harvey handled the difficult task of balancing his membership on SAFS’ board of directors with his loyalty to Concordia with both tact and courage. When Concordia’s president later delivered a keynote address on “Defending academic freedom in a politicized university” to an 2003 SAFS meeting (for a summary, see <http://www.safs.ca/sept2003/defending.html>), he explicitly thanked Harvey for drawing his attention to the academic freedom issues that arose during this emotional and complex affair.

Harvey never hesitated to speak out on politically charged and delicate issues. Two examples from his contributions to SAFS were his thoughts on spousal hirings by universities (see <http://www.safs.ca/jan2001/hiring.html>) and teaching evaluations. His views on that latter issue were particularly trenchant, as we see in the unedited version of a letter *The Chronicle of Higher Education*

published, but omitted the last paragraph that was apparently judged too uncomfortable for the *Chronicle’s* readers (see <http://www.safs.ca/sept2000/teaching.html>).

We were inspired by Harvey’s intellectual courage and steadfastness, especially in recent years, as his health seriously deteriorated. There are not many of us who would persist in the life of the mind when in such poor health.

Harvey was truly SAFS’ primary font of information, providing the board and individual members with many accounts of developments at both Canadian and US universities of relevant academic freedom and scholarship issues. He could be relied upon to come up with insightful comment and relevant information in response to email enquiries. A particularly salient example of this is his report on the case of Jeffrey Asher vs. Dawson college (see <http://www.safs.ca/issuescases/dc2.html>).

Harvey had eclectic interests and he remembered the scholarly concerns of others. He, more than most of our colleagues, would often send us items relevant to our specialties (e.g., the polygraph and environmental debates). We believe he regarded himself as part of a community of scholars, prepared to discuss topics that fall far outside one’s own special interests. He was a disinterested intellectual, supporting what Jacob Bronowski called ‘the democracy of the intellect.’

We will miss being able to call on Harvey for advice, information and wise and witty insight.

.....  
*At the time that Harvey joined the SAFS board of directors, John was president of SAFS and Chris the editor of our newsletter.*

*SAFS will make an appropriate donation in Harvey’s name. □* .....

**DISCLAIMER**

The views expressed in the *SAFS Newsletter* are not necessarily those of the Society, apart from the authoritative notices of the Board of Directors.

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## ANALYSIS: ARE APPLICANTS TO CANADIAN RESIDENCY PROGRAMS REJECTED BECAUSE OF THEIR SEX?

Mark O. Baerlocher\* and Allan S. Detsky\*\*

\*Radiology Residency Training Program, University of Toronto; \*\*Department of Health Policy Management and Evaluation, Department of Medicine, University of Toronto, Department of Medicine, Mount Sinai Hospital and University Health Network, Toronto, Ontario.

In 2003, three-quarters of Canadian physicians aged 45–65 were men. This imbalance is expected to correct itself over time, since the proportion of men and women entering medical school has been evenly split in recent years.<sup>1</sup>

There is speculation, however, that discrimination against women continues in the selection of students for postgraduate training. To determine whether this is the case, we examined data from the Canadian Resident Matching Service (CaRMS), an organization that each year matches applicants' ranked choices of residency training programs with program directors' ranked choices of applicants from the 13 English Canadian medical schools ([www.carms.ca](http://www.carms.ca)). We obtained data on the first choice of specialty for all men and women who entered the match and the actual match results. We then compared the proportion of men who were not matched to a position in their top-ranked specialty with the proportion of women who were not matched to a position in their top-ranked specialty.

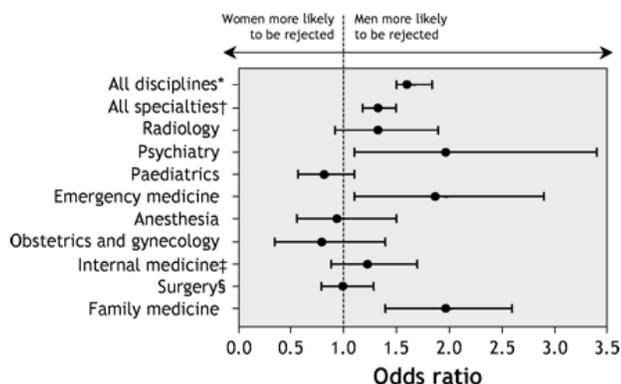
We found that, during the decade 1995–2004, women were no more likely than men to be rejected for residency positions in their first-ranked specialty (Fig. 1).

In fact, for several specialties, we found the opposite to be true: the odds of men being rejected were almost twice as high as the odds of women being rejected for residency positions in family medicine, psychiatry and emergency medicine. Overall, the odds of rejection among men were 1.6 time greater than the corresponding odds among women. (The tabular data are available online at [www.cmaj.ca/cgi/content/full/173/12/1439/DC1](http://www.cmaj.ca/cgi/content/full/173/12/1439/DC1)).

Given that the majority of senior physicians are male, it is likely that the majority of physicians on residency selection committees are also male. If so, sex discrimination, if in fact it does occur, might be expected to be against women. However, according to our data, this was not the case: male applicants were either as likely as or more likely than women to be rejected from their top-ranked discipline.

There are 3 possible reasons why male applicants had greater odds of not being matched for positions in family medicine, psychiatry and emergency medicine programs. First, the statistically significant result may have been a chance phenomenon. Second, female applicants to residency programs in these 3 disciplines may have simply had better applications. Third, residency selection committees may have consciously or subconsciously been over-selecting female applicants to compensate or “correct” for the current predominance of men in each of the 3 disciplines.

There are several caveats to our findings. First, we could not control for the quality of the candidates; for example, female applicants may have had better applications on average. Second, we could not control for the “couples match,” whereby 2 medical students tie their residency rank lists together so that one applicant does not match without the other. And third,



**Fig. 1:** Odds ratios of male:female applicants not being matched to their top-ranked specialty; error bars represent 95% confidence intervals. \*Includes all disciplines listed; \*\*includes all specialties listed except family medicine; \*\*\*excludes neurology; \*\*\*\*includes general surgery, cardiac surgery, orthopedic surgery, neurosurgery, plastic surgery, urology and ophthalmology.

we could not control for what we call the “parfait” effect, whereby an applicant values the location of a residency program more than the specialty; the preference list for such an applicant would have specialties layered within geographic locations (hence the term parfait) as opposed to the more traditional preference list of having a variety of locations for one specialty before changing specialties. For this parfait effect to have influenced our findings, a higher proportion of men than of women would have had to value location more than specialty and to have been more likely to be rejected from their first choice on the list.

Although the vast advancements in equality of the sexes in medicine over the past several decades are encouraging, residency selection committees must continually ensure equal opportunity based on credentials and selection criteria to the exclusion of sex or other characteristics not related to merit. Periodically monitoring the rejection rates among male and female residency applicants is one way to ensure this.

#### Reference

1. Burton KR, Wong IK. A force to contend with: the gender gap closes in Canadian medical schools. *CMAJ* 2004; 170(9):1385-6.

From *CMAJ* 2005; 173(12):1439-1440. □

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John J. Furedy, PhD (Toronto)

## **NOMINATION FOR SAFS BOARD OF DIRECTORS**

**2006-2007**

The Nominations Committee consisted of Clive Seligman (President), Doreen Kimura (Past-President), and Albert Katz (UWO) and Natalie Allen (UWO) as two SAFS members not currently on the Board.

The seven nominated current Directors are: **Grant Brown, Andrew Irvine, Tom Flanagan, Steve Lukper, John Mueller, Clive Seligman, and Peter Suedfeld.**

An additional nominee is **Martin Wall.** Dr. Wall recently retired from the University of Toronto, where he was a professor of psychology, director of the university's Transitional Year Program, chair of Interdisciplinary Studies, and, for ten years, chair of the Psychology Department. Marty was educated at Harvard and the University of Pennsylvania, where he was trained as a learning theorist. For many years, Marty was the instructor of introductory psychology, one of U of T's most popular (and populous) courses. In teaching the class of 2,000 students, Marty developed several innovative teaching techniques for teaching large classes, which led, among other things, to his having been appointed a national 3M teaching fellow. A member of SAFS from its beginning, Marty has participated on many panel discussions and symposia at SAFS annual general meetings.

Any member of SAFS may nominate individuals for election as Director. These nominations must be received at the SAFS Office by April 15, 2006. Each member nomination shall contain the following information: (1) the signature of the person nominating and the signatures of two (2) seconders; (ii) the full name and address of the person nominated; (iii) a statement of the status and attributes of the person nominated, showing each person's qualifications to be a director; (iv) a written consent signed by the person nominated agreeing to be nominated for election and serve, if elected.

As sadly noted elsewhere in this issue, board member Harvey Shulman recently died. □

## WOMEN TURN AWAY AFTER YEARS OF GAINS: UNIVERSITIES TRY TO LURE THEM BACK

*Louise Brown*

Engineering schools in Ontario are grappling with a drop in female students in an alarming reversal of the trend everywhere else in universities.

Women have fallen to just 20 per cent of first-year engineering classes in Ontario, down from almost 30 per cent five years ago - just as they reach nearly 60 per cent of all university undergraduates, more than 53 per cent of medical students and nearly half of law and business classes in North America.

Worried educators blame the drop partly on engineering's outdated image - "We're not all nerdy Dilberts!" insists one female prof - but also on a daunting new Grade 12 math course believed to be scaring off many students, especially less math-cocky females.

"The new math course is killing us, because even though girls do well in math, they often don't think they're any good, so they'll decide not to take it and then don't choose engineering," said biophysicist Gillian Wu, York University's dean of science and engineering.

In a bid to halt the growing gender gap, Ontario's 15 engineering schools held an emergency summit last winter and have launched a number of rare steps this fall:

They have changed entrance requirements this year to make them more female-friendly, by scrapping the dreaded Geometry and Discrete Math course as a compulsory requirement for engineering, and instead making it one of several options students may take, including biology, a subject girls often prefer, as well as earth science and data management.

They have banded together to host simultaneous hands-on workshops next Saturday at campuses across the province to pitch engineering to girls and their parents as a "people profession" that helps others as much as the health professions so popular with teenaged girls.

The five-hour event, called Go Eng Girl, will try to

replace the notion of engineers as "grease monkeys who just tinker with machines," says mechanical engineer Lisa Anderson, Ryerson University's full-time co-ordinator of women in engineering, "with the more up-to-date image of engineers doing everything from designing hip replacements to finding ways to reduce pollution."

They have formed a new province-wide committee to ensure high school guidance counsellors realize engineers are not merely "math nerds with pocket-protectors who work in cubicles all day long," said engineer Marta Ecsedi, the University of Toronto's advisor on women in engineering.

"We know girls are drawn to professions they see as 'caring' for others, so girls who are strong in math often veer towards health sciences," said Ecsedi, whose daughter is a mechanical engineer working on ways to relieve spinal cord pain.

"They need to understand that engineering is also a 'caring profession' that works on ways to detect breast cancer earlier, or clean up contaminated soil or reduce malnutrition in the world through measures like fortifying salt."

Student Sweeny Chhabra, 19, a third-year engineering science student at the U of T, says she had been encouraged in high school to choose medicine because she was good at math.

"But I don't like the idea of working with bodies. I actually prefer to work hands-on with machines, and I'm thinking of going into biomedical engineering; maybe the field of X-rays or MRIs," she said. "Engineering is so broad."

The U of T's Ecsedi first noticed the drop in female engineers four years ago after Ontario launched its new four-year curriculum, which leaves teens less time for optional subjects than under the old five-year plan. The new Grade 12 Discrete Math course was a prerequisite for engineering, but fewer students were signing up for it because it was so intimidating, she said.

"And we know if girls have any doubts at all about their math skills, they need a nudge or they'll drop it," she said. "We're not sure they're getting that nudge."

While girls consistently perform every bit as well as boys on Ontario's Grade 9 math test, only 25 per cent

of girls say they think they're good at math, compared to 37 per cent of boys.

Ontario is reviewing the course this fall as part of an overhaul of the new math curriculum, but in the meantime engineering faculties decided to make entrance requirements more flexible.

"We've raised the red flag about this because engineering needs to represent the full diversity of life experience - cultural and gender - to be truly creative," said Ecsedi.

Go Eng Girl activities are free (register at <http://www.ospe.on.ca/goenggirl>), but girls must come with a parent because it is often parents who have outdated views of engineering, say organizers.

There are even experts on "math phobia" who will speak to parents to try to dispel the myth that girls can't do math and suggest how they can encourage their daughters even if they aren't math whizzes themselves. And then there's the old raunchy image of engineers.

"Look, the old image of engineers staying up all night drinking and waking up nurses doesn't really appeal to many girls today - or many of their parents," said York University's dean Gillian Wu.

"But people don't really know much about engineering, the way they understand dentistry or teaching or business. They'll read about some fabulous new building designed by architect Daniel Libeskind - but they won't realize it's engineers who will actually build it," said Wu. "Maybe we need a prime-time TV show like 'CSI' to popularize engineering."

*Toronto Star*, October 11, 2005. □

### SUBMISSIONS TO THE SAFS NEWSLETTER

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

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## ANNUAL GENERAL MEETING

May 13, 2006

### Advance Notice

SAFS Annual General Meeting will be held at the University of Western Ontario on May 13, 2006. Further program details will be provided later. Suggestions for presentations, panel discussion, symposia, and the like are encouraged. Members wishing to participate as speakers at the AGM should contact the President.

Please mark this date on your calendar, and we hope to see you at the meeting in May. □

## PREFERENTIAL HIRING

### Liberalism In Its Death Throes

Re: White Males Need Not Apply,  
Nov. 19; Ottawa Rescinds Hiring Ban On able-  
Bodied White Men, Nov. 22

In your coverage of the edict circulated in the federal Public Works and Government Services Department temporarily banning the hiring of able-bodied white males, it was reported that "even a federal civil service union that strongly supports employment equity questioned the wisdom of the policy." However, Nicole Turmel, the spokeswoman for the union in question, cites the possibility of a "backlash against equity groups" as the sole reason for her unease. Indeed, the government's determination to avoid such a reaction is given as the main reason for its subsequent decision to rescind the policy.

This would be low comedy if not for the terrible moral muddle it betrays. For Ms. Turmel and the government, the victims in this affair are not those who, on biological grounds, are denied fair consideration for employment, but those members of "designated" groups whose advancement the state is eager to engineer at the expense of others.

Columnist George Jonas recently remarked that it is not conservatism in Canada that is in its death throes, but liberalism. Continued indifference to individual

achievement, weary obsession with quotas and blood, and debased conceptions of “culture” only support his perceptive claim.

John E. MacKinnon, Department of Philosophy, Saint Mary’s University, Halifax. Professor MacKinnon is a SAFS member.

*Globe & Mail*, Friday, Nov. 25, 2005.

### **French Report Rejects Introduction Of ‘Positive Discrimination’ In Hiring**

*Helene Fontanaud*

A report drawn up for the French government yesterday rejected calls for “positive discrimination” to help minorities find jobs, while lawmakers approved planed to install more video-cameras in public places.

In the wake of three weeks of rioting in France’s disadvantaged suburbs, the High Council on Integration said positive discrimination or setting quotas for hiring minorities has no place in a state built on the belief everyone should have equal opportunities.

“The worst result of the current crisis... would be to succumb to the temptation to do away with the Republican promise of equal rights and opportunity in place of positive discrimination and ethnic and communal policies,” said the report by a panel of academics and cultural figures.

The study was delivered to Prime Minister Dominique de Villepin, who opposes affirmative action, as does Jacques Chirac, the French President.

Against them is Nicolas Sarkozy, the Interior Minister and Mr. de Villepin’s rival to lead the centre-right into the 2007 presidential election.

The report’s conclusions were widely interpreted as a defeat for Mr. Sarkozy, who is determined to win backing for positive discrimination – and is unlikely to give up.

“I challenge the idea the we all start at the same starting line in life,” he said this month. “Some people start further back because they have a handicap – colour, culture or the district they come from. So we have to help them.”

*Globe & Mail*, Friday, Nov. 25, 2005, A.17.

### **Update: CRC Human Rights Complaint Proceeding**

*Clive Seligman, SAFS President*

According to a report in the December, 2005 CAUT Bulletin (p. A9), the Canadian Human Rights Commission will convene a tribunal to hear the complaints of eight female faculty against Industry Canada, which is responsible for the Canada Research Chairs program. The complainants (see previous stories in the SAFS Newsletter, April 2004, p.1 and January 2005, p.1) argue that there was systemic discrimination in the awarding of the CRC chairs against women, aboriginal people, people with disability and visible minorities. Mediation has failed. The next step is to begin hearings where both sides can also call witnesses. □

### **ACADEMIC FREEDOM THREATS AROUND THE WORLD: AUSTRALIA, DENMARK, GAZA**

#### **Australia - Fraud, Lies and Deception: How a University Defrauds Taxpayers**

*Kathe Boehringer*

If lawyer George Newhouse is crowing today about preventing the publication of an academic article on the White Australia Policy by my colleague Drew Fraser, universities won’t be. Vice-Chancellor of Deakin University Sally Walker has destroyed, in a single mad moment of political correctness, the basis on which taxpayer-funded support for university research stands.

Her direction to the Deakin University Law Review not to publish Fraser’s article - which it had invited, subjected to peer review and, after the author’s changes, accepted - indicates conclusively that publication now depends upon managerial assessment not independent assessment by academic peers.

The bulk of federal government funds are directed to Australian universities on a per student basis. But an additional, significant annual flow of funds is based upon each university’s research, much of which appears in peer reviewed publications. In these circumstances, the most important function by far of the peer review process is its capacity to guarantee

taxpayers that published research achieves, pace “Casablanca”, more than a round-up of the usual suspects.

Peer review requires assessors, on their academic honour, to find genuine merit - for example new findings, new theories, new applications, and so on - in submitted articles. Every academic knows the significance of a favourable peer review leading to publication is financial in nature: it is the condition upon which cold, hard, cash will be funnelled to the author’s sponsoring institution by the federal government. For a university, peer reviewed publications conduce not simply to the institution’s reputation to attract funds and students but, significantly, to its financial resources.

Question: In what circumstances, then, will a university manager feel it necessary to kill the goose that lays these golden eggs?

Answer: When managerial control is required to suppress discussion of the taboo subject of racial differences.

This cautionary tale begins with Drew Fraser’s invited article. He utilised the well-known paradigm of “racial realism” that now informs the work of many scientists and social scientists in the United States and Europe. Racial realism, based on new genetic and paleo-anthropological research, rejects the egalitarian dogma that race is only skin deep. It contends that racial differences are real, not social constructs, and that an understanding of how races differ in cognitive and athletic ability, temperament and behaviour is obviously relevant to a wide range of policy - for example health, education and criminal justice - issues.

Two reviewers recommended publication, and suggested amendments. The author then submitted changes and additions and the article was accepted. As the issue was heading to the printer, lawyer George Newhouse, on behalf of the Sudanese community, threatened to sue Deakin University on the basis that the [sight unseen] article was unlawful on grounds of racial vilification.

Section 18D of the Racial Discrimination Act provides a clear exemption for acts done “reasonably and in good faith ... (b) in the course of ... publication ... made ... for any genuine academic, artistic or scientific purpose ...”

Nonetheless, legal counsel advice was that publication would expose Deakin University to legal action. On that basis, Vice Chancellor Walker - with, perhaps, one eye on possible cost of legal action and another on the financial significance of fee-paying overseas students - waived the opportunity to test the protections offered to university publications which tackle racial issues reasonably and in good faith, for purposes of academic discussion.

The Vice-Chancellor’s action must set some curly questions for the entire political class, government and opposition alike. The racial vilification regime is rife with deception and fraud. The Attorney-General could be asked why the s 18D exemptions fail to operate as clearly intended, thus deceiving us about their capacity to protect good faith academic discussion. Deakin declined to use the Racial Discrimination Act as a shield, preferring instead to wield it as a sword to strike down deviation from academic orthodoxy.

According to Charles Murray, the well-known co-author of *The Bell Curve*, our managerial elites are living a lie in refusing to recognise racial realities. How can governments justify subsidising a hopelessly rigid orthodoxy generated by smugly complacent “scholarly research” that endlessly recycles stale, self-referential ideology? Unless you believe that the doctrine of racial egalitarianism is some sort of secular holy writ, inquiry conducted in its name must produce conformist celebrations of conventional wisdom that become ever more vapid as they are effectively insulated from intellectual challenge.

Australian academics will come to resemble workers in the old Soviet Union who pretended to work while their bosses pretended to pay them. “Anti-racist” intellectuals here will pretend to think while the rest of us will pretend to pay attention to their politically correct sermonising. Who said sacred cows are a thing of the past? Isn’t that a whole herd to be seen in the barn-like buildings of the modern public university? No wonder the views of a single non-conforming academic have caused such a stir.

Sooner than we think, an already widespread conviction will become entrenched: that Australia is an over-lawyered, cover-your-ass, fearful-of-what-you-say-in-case-you-lose-your-job society ruled by a secular orthodoxy: somehow created by “nobody” but policed by ideologically-driven activist lawyers. And managed into soporific compliance by super-cautious

bureaucrats, whose first priority is the well-being of their academic corporations rather than the debate and discussion that, for example, the exemptions in s. 18D of the Racial Discrimination Act so clearly encourage.

The casualties will be not merely academic excellence, and the economic progress and social peace that could follow but, more importantly, hope itself, the only antidote to despair. Those who now presume to manage the limits of free thought may have to reap the bitter fruits of the poisoned seeds they have sown. Once a people falls into despair, they may become dangerously unpredictable.

Kathe Boehringer teaches media law in the Department of Public Law at Macquarie University. Kathe Boehringer is a 'long-standing girlfriend' of Professor Andrew Fraser.

From *On Line opinion* - Australia's e-journal of social and political debate, 22 September, 2005.

**Denmark - Letter from Helmuth Nyborg  
requesting help from his colleagues for the  
defense of his academic freedom**

December 3, 2005

Dear Colleague:

At the 2001 meeting of the International Society for Intelligence Research (ISIR), I reported a 4 IQ point advantage for males in intelligence. Upon my return to Denmark I was interviewed by a journalist, and a veritable media storm ensued. The director of my institute publicly stated that he would personally look into the situation. He also said that I made a fool of myself and my institute. Consequently, a "Committee for Proper Research" reprimanded me for what they saw as "premature publication" - i.e. reporting in the media before a full publication in a peer-reviewed journal was at hand. I was called to several meetings with the Dean and the President of the University. The paper was eventually published (See Nyborg, H. (2005) Sex-related differences in general intelligence g, brain size, and social status. *Personality and Individual Differences*, 39, 497-509; available online at [www.sciencedirect.com](http://www.sciencedirect.com).)

In 2004 the director wrote to the dean, saying that he could not evaluate my research contribution in his yearly report. In April 2005 he halted my ongoing 30

year longitudinal research project by confiscating the research protocols and informing the Dean he would set up a committee to re-examine my calculations and the method (hierarchical factor analysis) used. As of December 3rd, 2005, I have not been notified who is on the committee.

I am asking if you will write me a letter of support. If so, please address it "To Whom it may Concern", use official paper with your professional affiliation stated, and send it to me at [helmuthnyborg@msn.com](mailto:helmuthnyborg@msn.com) or to my private address: Adsløv Skovvej 2, DK-8362, Hoerding, Denmark. Please feel free to comment on any aspect of the academic freedom and scholarship issues raised that you find relevant.

I will then assemble the letters and use them in a defence of my academic freedom.

Yours sincerely,

Helmuth Nyborg - [www.psy.au.dk/helmuth](http://www.psy.au.dk/helmuth) Professor,  
dr. phil., Department of Psychology, University of  
Aarhus, Denmark.

**Academic freedom in Gaza and beyond**

*Alexander H. Joffe*

Academic freedom can be defined many ways, but it critically includes the freedom to criticize, based on facts and informed opinion, without fear of official retaliation. It also means that scholars who experience retaliation – not in the form of criticism in return but in tangible terms such as arrest – should be defended.

On Sunday July 3rd Prof. Riad al-Agha, president of the Gaza-based National Institute of Strategic Studies appeared on Palestine TV. There he criticized the Palestinian Authority's Preventative Security Force for refusing to obey orders issued by the PA Interior Ministry. After the program he was promptly arrested by the Preventive Security Force and charged with "incitement." He was released after making a public apology in which he stated that the force was led by "nationalistic figures whom I highly appreciate and respect and who have a known history of struggling [against Israel]."

In itself al-Agha's arrest and recantation is another small but telling picture of free speech and dissent being repressed by the Palestinian Authority. While

upsetting, it is unsurprising, given the official controls over media and free speech instituted by Yassir Arafat, and now carried on by the Palestinian Authority on the one hand, and local Islamists like Hamas on the other. Al-Agha happens to be an academic, while Ammar Hassan, whose performance at a rock concert in Nablus was shut down by masked men with guns, is a singer.

Nor is it surprising that international media overlooked al-Agha's story as well. A cynic might say that reporters and editors simply didn't find this newsworthy because it reflects a commonplace, or perhaps that it doesn't fit their master narrative of the good guys and the bad guys.

But what about academics themselves? What is the position of the Committee on Academic Freedom on the Middle East and North Africa (CAF MENA) of the Middle East Studies Association on this matter? Let us allow that the incident occurred only days ago and that a rapid response could not yet be generated. Perhaps there is reason to hope they will soon. CAF MENA has weighed in on the detention in Armenia of Yektan Turkyilmaz, a Duke University Ph.D. student, apparently on the charge of attempting to smuggle antique books out of the country, as well as six year prison sentence given by Saudi authorities to Professor Matrouk Al-Faleh of King Saud University on charges of "sowing disorder in society" and "disobeying the authorities." Al-Faleh was also awarded MESA's Academic Freedom Award for 2004. Perhaps the summer vacation has slowed things down for CAF MENA.

Already disappointing, however, is the lack of any comment on by Israeli academics on the left and far-left, who would presumably be concerned to defend Palestinian colleagues. A quick look at "alef-Academic Left" listserv run out of Haifa University shows numerous messages concerning settlers, withdrawal, lynching, the arcane "Canaanite" movement, and even a defense of Norman Finkelstein. But nothing in defense of Riad al-Agha. Should anyone be surprised?

As the recent furious battles over the proposed British Association of University Teachers boycott of selected Israeli universities showed, defense of academic freedom is selective at best and wholly one-sided at worse. CAF MENA came out with a firm disavowal of such a boycott, and was careful to include harsh criticism of Israeli policy in its letter as well. And of course, it was also quick to post a furious letter from

MESA members condemning the committee's decision and calling for a boycott. Many contributors to the alef list were against the academic boycott, but primarily because it did not go far enough in boycotting Israel as a whole.

Apparently the al-Agha affair also escaped the notice of the Network for Education and Academic Rights, the Scholars at Risk Network, and the Science and Human Rights Program of the American Association for the Advancement of Science, as well as Human Rights Watch and Amnesty International. Thus far the Palestinian Independent Commission for Citizens' Rights (PICCR), Palestinian Centre for Human Rights, and the Palestinian Human Rights Monitoring Group have all chosen the prudent course of silence.

One of Riad al-Agha's mistakes it seems was to believe that it is "possible to demonstrate against the occupation in this way and also against the Authority." In fact, he seems to have been doubly mistaken. For Palestinians it does not seem possible to protest against the Palestinian Authority, but if it is, it is not especially wise. Almost as tragically, while it is wholly possible for fellow academics in the West to criticize both, the vast majority chooses not to. Perhaps this is motivated by a craven calculation that sees al-Agha's arrest, and the often violent repression of Palestinian society by Palestinians, as a lesser evil to be overlooked in favor of monomaniacal focus on the greater evil, Israel. A cynic might again be tempted to suggest that among some of the more disaffected academics sympathy with the "struggle" has led to sympathy with "resistance," no matter how totalitarian it is in words and deeds. This certainly appears to be the case with respect to Iraq.

Still, we may hope that at least a small protest will arise from academics regarding Riad al-Agha's treatment, from CAF MENA and others. Even in the midst of summer vacation.

Alexander H. Joffe is director of Campus Watch, a project of the Middle East Forum that critiques Middle East Studies at North American colleges and universities.

*American Thinker*, July 13, 2005. □

## WHY CAN'T UNDERGRADS THINK LIKE PHDS?

*Jonathan Malesic*

At 8 a.m., the faces sitting before me are as blank as the dry-erase board in the classroom of my introductory course, "Belief and Unbelief." To the students' credit, all are present and accounted for, and not a one is wearing pajama bottoms or slippers.

Not a one is taking either, as I run slowly through the list of opening questions that I had hoped would spark discussion.

I ask how many saw the recent series in The New York Times on intelligent design, the very issue we're taking up by reading David Hume's Dialogues Concerning Natural Religion.

Silence.

OK, what about the movies? Has anyone seen Grizzly Man, a film by the German director Werner Herzog about the conflict between seeing nature as harmonious and seeing it as violent? If nature is inherently violent, I tell the class, then the intelligent-design argument buckles in the face of the facts.

Bored eyes blink back at me. Cue the tumbleweed.

I give up on discussion and decide just to lecture the rest of the time. Screw the "student-centered paradigm." If I keep talking, then I can pretend that the class is quiet because everyone understands my lesson.

After 20 minutes, I come to the point where I've scripted a carefully chosen example. In order to illustrate an argument offered in Hume's book, I tell the class that I had recently read Jonathan Franzen's novel *The Corrections*, famous for the author's 2001 disparagement of Oprah Winfrey's offer to select his work for her book club. I tell the class that when I closed the book, I was astounded by Franzen's accomplishment and genius, in much the same way as the speaker in Hume's dialogue is astounded by the book of nature, and the divine author he infers from it.

None of the student has heard of Franzen. When I say that it was the book that roiled Oprah's book club, no bells ring. I go back to lecturing, pretty sure that I am

the person in class most eager for the clock to hit 8:30 a.m.

I have three hours before I have to teach a different section of the same course. That time in my office feels like solitary confinement, but with better coffee: I am alone to think about the morning's pedagogical sins. Why can't I get the class to participate in its own learning? Is it me? A rookie mistake in my first semester on the tenure track? Is it them? Is it the hour?

I take a break, treating myself to thinking more about *The Corrections*. The problem with that morning class begins to dawn on me.

One of Franzen's characters, Chip, is a hapless, theory-addled, ex-English professor, dismissed from his college because he had an affair with a student, Melissa. Months before Chip and Melissa shed their clothes, however, she dressed him down in the final class session, accusing him of trying to make his students into his clones by getting them to have the same opinions he has, to hate what he hates.

Chip is a walking "don't" list for college professors. In addition to giving in to his stupidest physical urgings by pursuing a sexual relationship with a student, he also stalks her; his turgid prose is immobilized by his arguments' theoretical underpinnings; he attempts to write a screenplay; and – as Melissa claimed at the end of his class – he indoctrinates his students.

I don't think I'm as heavy-handed as Chip is, but I wonder if I'm also subtly trying to get my students to like what I like, and hate what I hate, by drawing all of my cultural references from out-of-town newspapers, contemporary literary fiction, and art-house cinema. I know that I can become visibly exasperated when it becomes clear that my students don't read *The New Yorker*, or listen to NPR, or head straight to the documentary section when they go to the video store.

In other words, I get exasperated when it becomes clear that they are not me.

To try to get students to think like we do is powerfully tempting. We realize that we have this power the first time a student parrots back our exact words on an exam. To a large extent, student will believe what we tell them is true. If I, in lecturing on the skeptical tradition of which Hume was a major figure, compare

a radical skeptic to a child who continually asks her parents, “because why?” then the child will make an appearance in someone’s final exam essay.

Most of the time, there is nothing wrong with using our power to influence students’ judgments – after all, we need to get student to learn the truth. But we all know that this power gets abused. There is a continuum that runs from cultivating in students a healthy desire to know, through instilling certain cultural and intellectual tastes, to taking advantage of their open-mindedness by feeding them the ideological catch-phrases that rest like foam atop our considered opinions. It’s easy to slide along that continuum, as the line separating education from indoctrination is poorly defined.

But we should learn to recognize indoctrination when we see it. In graduate school, I once overheard one teaching assistant tell another that she wanted to try to make her students into liberals before it was too late. Now, I think that having a few more liberals around, especially if they were strategically placed in swing states, would be a great thing for the republic. So in one sense, I sympathize with that T.A. but I also know that to make students into liberals is an essentially illiberal act.

In his book *Why Read?*, the literary critic Mark Edmundson argues that humanities professors have a duty to our students – and ultimately, to democracy – to help them to expand the horizons of their thoughts. To do so is to help them live better lives, albeit lives of their, and not our, choosing.

Despite our temptation (it’s our job, after all) to interpret texts, art objects, and past events for our students, to tell them how things stand in the world of ideas so that they can thereby adopt the right ideas and tastes, there is a point in every course where it has to be up to the students to interpret those things. In those moments, we teach best by letting go.

No student in an introductory class ever became a faithful news reader or a literary-fiction hound because a professor browbeat him or her into it. My students might pick up a good book, though, if they have learned to be curious about the world and about themselves, and if they have seen that a reader’s life can be a very good life.

Adhering to the aforementioned student-centered paradigm that is favored at my college should mean

that I start off the class with some questions, but the kinds of questions I started that 8 a.m. class with were closed-ended.

If any student had read the Times series, I would have been able to converse about it with that one student, while the others just sat there, not learning.

Such questions are only one step shy of “What am I thinking?” questions. Better questions would have given students the chance to make claims about the book and back up those claims with evidence. Better questions would have led the students to work through their understanding by talking to each other and to me about it. Luckily for me, and for the students in my noon section, I have another chance.

Jonathan Malesic is a Ph.D. in religious studies who started this fall as an assistant professor of theology at Kings’s College, in Wilkes-Barre, Pa. The article is from *The Chronicle of Higher Education*. (2005). □

## **ON RESEARCH ETHICS BOARD (REB) MALFEASANCE**

*Letter from John Loman to ethics listserv members:*

I am still searching for concrete examples of social scientists harming research subjects, but without much luck. However, the list of instances where REB malfeasance destroys or interrupts social science research is steadily growing. Here is the latest example from Simon Fraser University.

On October 27, 2005, SFU VP Research Mario Pinto awarded Criminology MA student Tamara O’Doherty a two-semester waiver of tuition fees in “recognition of delays to [her] research program caused by the actions of the Research Ethics Board.” The award was made *ex gratia*, i.e. a payment “made by one who recognizes no legal obligation to pay but who makes payment to avoid greater expense...” (Black’s Law Dictionary, 1990 p. 573).

Ms. O’Doherty’s research concerns prostitution, thereby making this the second time SFU has compensated prostitution researchers when the REB scuttled their research (in 1999, SFU compensated two professors for the 18 month REB-induced delay of the same kind of research). Briefly, the details of Ms. O’Doherty’s case are as follows:

1) Ms. O'Doherty submitted her research ethics proposal to the SFU REB in October 2004. The SFU Director of Research Ethics (DoRE), determined the research constituted "minimal risk," performed an expedited review as per SFU Policy R20.01 (Ethics Review of Research Involving Human Subjects), and approved the application on October 14th.

2) On November 16th, 2004 the REB over-ruled the DoRE's assessment, asserting that the research constituted more than a minimal risk. The REB ordered Ms. O'Doherty to stop work immediately.

3) In the months that followed, and contrary to SFU Policy R20.01 and the Tri-Council Policy Statement (TCPS), the REB Chair did not respond to several requests from the student's Supervisor -- who is named as a co-applicant on a student's ethics application -- that the REB document its reasons for considering the application to constitute "greater-than-minimal risk."

4) In direct violation of SFU Policy R20.01 sections 6.4 and 6.5, the REB Chair allowed the REB to approve the research as greater than minimal risk without sending the application out for review; the Board effectively reviewed the research itself. The failure of the Chair to ensure that the REB complied with SFU policy in this regard is all the more surprising given that the Board was not constituted according to TCPS principle 1.3(a), which requires that "at least two members have broad expertise in the methods or in the areas of research that are covered by the REB." The REB Chair never responded to the Supervisor's emails asking which Board members attending the relevant meetings had the "broad expertise" necessary to assess Ms. O'Doherty's application. The fact is no one did.

5) Given that the REB had ruled that Ms. O'Doherty's research constituted more than a minimal risk, she now needed to know what risk the REB deemed the research to pose so that she could inform research subjects. If she did not inform them about the alleged risk, how could she claim to have achieved informed consent? Again, the REB Chair did not reply to the Supervisor's emails asking for this information -- so much for the TCPS principle that an REB must "provide reasoned and well-documented decisions" (Article 9.1).

6) Because of the REB Chair's failure to respond to the Supervisor's queries, the Supervisor sent a formal

letter of protest to the SFU VP Research on May 20, 2005.

7) On June 17, the VP Research ruled that the REB had, indeed, failed to comply with SFU Policy R20.01. Surprisingly, the VP Research suggested that the research proceed -- imagine the consequences for SFU if some kind of harm had come to a research subject in light of the REB's policy violations.

8) After further deliberations concerning the problem outlined in paragraph 5 above, and with the assistance of the SFU Faculty Association, the VP Research instructed Ms. O'Doherty to resubmit her ethics application so that the process of evaluating it could begin anew. On July 21st, 2005 she resubmitted the same application, which the REB approved as "minimal risk" a few days later. With this decision, the REB endorsed the assessment the DoRE originally made on October 14, 2004.

In seeking compensation, Ms. O'Doherty asked for her fees to be waived for two semesters -- roughly the equivalent of the time the REB delayed her program.

In the real world, the cost to her is much greater -- the REB effectively robbed her of ten months of her working life. In other words, assuming she retires at age 65, if her annual salary over her working life averages \$100,000, the REB has cost her \$83,333.00 in foregone earnings.

Despite their blatant violation of SFU Policy and the TCPS, the SFU administration has done nothing to hold the REB and its Chair accountable -- not even a mild rebuke. Indeed, the Chair has never as much as apologized to the graduate student and her Supervisor for the huge amount of time the REB cost both parties.

How anyone can continue to have confidence in the REB Chair responsible for this debacle is a mystery to this commentator. So much for "ethics" at SFU. But at least the VP Research did award Ms. O'Doherty a two-semester fee waiver, and changed course when the problem outlined in paragraph #5 above was brought to his attention.

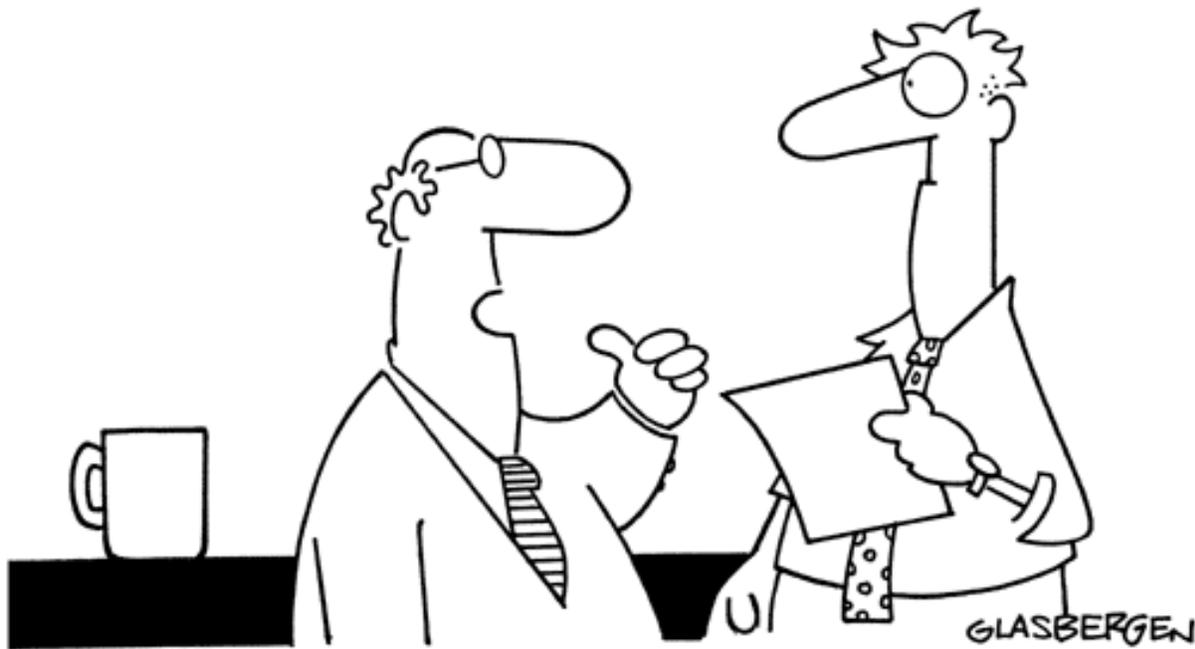
John Lowman is a professor at the School of Criminology, Simon Fraser University. □

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University of Toronto, Statement of Institutional Purpose. ▯

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