

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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WHAT MAKES A GREAT UNIVERSITY

Lessons from Cambridge

Ross Anderson

Just as fire regenerates a forest, so a great university regenerates human culture. We burn the rubbish, and create the space for new stuff to grow.

Vice-chancellors echo ministers' vision of the university as a research laboratory for local industry — just as they assured government in the 16th century that they were fighting heresy, and in the 19th that they were building empire.

But as the University of Cambridge celebrates its octocentenary, we should celebrate a deeper truth. Cambridge has been successful as a focus of dissent; we've had the biggest impact because we have long been the hottest flame-thrower.

The ground we cleared made us the cradle of evangelical Christianity in the 16th century, of science in the 17th, of atheism in the 19th and of the emerging sciences of information since.

Rebellion has been in Cambridge's DNA from the start. We were founded by scholars fleeing persecution at Oxford. As the Renaissance got going, Cambridge was one of the first to embrace the Classics, or "humane letters." Because we were a self-governing community of scholars, the reformers only had to convince colleagues.

During the Reformation, Cambridge had scholars on both sides of the barricades. One of the most influential was Erasmus, who "laid the egg that Luther hatched" by undermining the Vatican's authority.

SAFS 2009

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When Henry VIII needed a theologian to justify rebellion against the Pope, he turned to Cambridge and Edward Foxe, the provost of King's College. Foxe was soon eclipsed by his colleague Thomas Cranmer, who became the first Protestant Archbishop of Canterbury.

Puritanism got traction as an internal Cambridge rebellion against statutes imposed by Queen Elizabeth I in 1570, which gave college masters power over academics with the aim of curtailing heresy. Wishful thinking! Our Puritan tradition drove not just the Civil War, but also the settlement of America — key Pilgrim leaders were Cambridge men.

The Restoration saw science blossom. Within a decade of Oliver Cromwell's death, Isaac Newton discovered the laws of motion and gravity, and the calculus. This trashed the medieval notion of a God micromanaging the world. By 1703, Edmond Halley became a professor at Oxford despite being an atheist. The 18th century Enlightenment flourished in the space all this created.

In the 19th century, many Cambridge scientists extended the idea of the world as mechanism. Charles Darwin was the greatest iconoclast. By explaining how organisms evolve by random variation and natural selection over time, he shredded the notion of humans being qualitatively different from other animals.

The early 20th century continued this tradition of disruptive scientific innovation, with John Cockcroft and Ernest Walton splitting the atom. It also saw disruptive work in the humanities from the likes of John Maynard Keynes and E. M. Forster, and Ludwig Wittgenstein and Bertrand Russell (jailed for opposing the First World War). Pioneers such as Alan Turing

and Maurice Wilkes made the computer a reality; James Watson and Francis Crick decoded DNA's structure. Bioinformatics is now a strong point — about a third of the Human Genome Project was done at Cambridge.

Our effect on belief systems, from Reformation to atheism, has been profound: if Richard Dawkins is the Devil's chaplain, Cambridge is the Devil's flame-thrower. At the practical level, our talent for creative destruction has led to huge advances in liberty and prosperity.

So how can academia drive and support the next eight centuries of progress? The critical factors are self-government and intellectual freedom. The two are deeply linked, and are both under pressure from bossy governments and centralising university bureaucrats.

The Government would like to see Cambridge (and Oxford) controlled by boards of "external" worthies chasing Treasury targets. Why? Every pound spent on research at Cambridge over the past 800 years has been repaid a hundredfold to following generations. Fencing in the golden goose is not the way to optimise egg production. The academic goose needs to be free range.

So my suggestion is this. Let's make the Oxbridge model universal and encourage every university to have a majority on its governing body elected by university staff from among our number. David Cameron, Nick Clegg, what say you?

Ross Anderson is professor of security engineering and an elected member of Council, University of Cambridge. Web: www.Ross-Anderson.com.

Times Higher Education, February 5, 2009. □

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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QUEEN'S CANCELS 'DIALOGUE FACILITATOR' PROGRAM

Joseph Brean

Calling it "incompatible with the atmosphere required for free speech," Queen's University in Kingston, Ont., on Wednesday scrapped its controversial "dialogue facilitator" program.

It caused a scandal last year when it was revealed the six student "facilitators" were mandated to intervene in private conversations to encourage discussion of social justice issues and discourage offensive language.

In a report to the administration, a panel of experts expressed "strong reservations about unsolicited interventions into the lives of students" because of the risk of "making students feel unsafe or under surveillance because of their opinions."

The panel included Leora Jackson, the school's rector, John Meisel, an emeritus professor of political science, and Keith Norton, the former head of the Ontario Human Rights Commission. They had "serious concerns" with how the program was set up.

The panel faulted Dean of Student Affairs Jason Laker for importing an American model of diversity promotion, from the National Coalition Building Institute, while failing to research any comparable programs at Canadian universities.

The panel report also faults him for giving "no thought" to a communications strategy to explain it, and for not involving anyone outside of the Student Affairs office in the program's design. The campus consultations his office did do were "inadequate, ineffective and undertaken too late."

The review was launched in response to "a tempest of negative, sometimes searing, comment in the national press."

It did not find evidence of the worst fears expressed in the media commentary, such as comparisons to the KGB.

"In all of our consultations, we found no evidence of snooping," the report reads.

At the peak of the controversy in November, Patrick Deane, vice-president (academic), said the media

"have not sought to ascertain the facts," and that the program "has a very simple goal: to foster amongst students, in their ordinary interactions, a spirit of mutual respect and understanding."

On Wednesday, however, Mr. Deane accepted the recommendation to kill the program, but noted that there had been no actual complaints about the facilitators.

"I think the very public discussion around this was triggered, I suppose, by the hot-button issue of freedom of speech, and my personal complaint, and I suppose the university's complaint during that process, was that the context for the program needed to be more fully understood, and the whole question of the likelihood of people feeling constrained in that way [by a dialogue intervention] needed to be better understood before it was condemned," Mr. Deane said. "Had it been better communicated, people might not have been misled. You can't blame people for being led to conclusions if they're not given sufficient information."

He said Queen's will continue to try to address the problems of racial and religious intolerance.

The six facilitators who were hired last year will serve out the remainder of this academic year, "but should not engage in active dialogue intervention," the report reads.

National Post, February 11, 2009. □

FREE SPEECH DIES A SLOW DEATH ON CANADIAN CAMPUSES

John Carpay

Should a public university, funded by taxpayers, be able to censor controversial speech on campus? According to the University of Calgary, the answer to this question is a resounding "yes." In spite of its stated mission to "seek truth and disseminate knowledge," and in spite of advertising itself as "a place of education and scholarly inquiry," the University of Calgary has charged some of its own students with "trespassing" because they set up a pro-life display on their own campus this past November.

It wasn't always so. In 2006 and 2007, the University of Calgary erected signs stating that the pro-life students' large colour photographs of aborted fetuses were permitted under the Charter's guarantee of freedom of expression. On six separate occasions, the pro-life campus club has erected its provocative display without incident, using it to engage other students in debate.

But in 2008, the University of Calgary wholly abandoned its commitment to free speech as a means of pursuing truth, and demanded the pro-life students erect their signs "facing inwards" -- so that passers-by could not see the signs. While the university described its demand as a "reasonable compromise," the practical effect was akin to total censorship.

Students ignored the university's threats of arrest, and even expulsion for "non-academic misconduct," and erected their controversial display again this past November. Under the watchful eye of numerous media cameras, the university did not arrest the students. But two months later, the university instructed Calgary police to deliver summons to these same students -- privately at their homes, with no media present.

This aggressive censorship flies in the face of the university's *raison d'être*, not to mention the long-standing Canadian tradition of tolerance for the expression of all views.

In cases dating back to the 1930s, the Supreme Court of Canada has made it abundantly clear that the purpose of freedom of expression is to protect minority beliefs which the majority regard as wrong. The majority is not permitted to impose its perception of "truth" or "public interest" by silencing the minority.

For example, in the case of *Edmonton Journal vs. Alberta*, the Supreme Court of Canada declared it "difficult to imagine a guaranteed right more important to a democratic society than freedom of expression. Indeed, a democracy cannot exist without that freedom to express new ideas and to put forward opinions ... The concept of free and uninhibited speech permeates all truly democratic societies and institutions."

The Canadian tradition of tolerance extends to polemical speech that is considered extreme in its context. Long before the Charter, the Supreme Court acquitted a Jehovah's Witness of seditious libel for distributing a pamphlet entitled "Quebec's Burning

Hate for God and Christ and Freedom Is the Shame of All Canada," which contained offensive statements about Quebec society, the clergy and the courts. Even if some listeners perceive it as hurtful, polemical speech plays a crucial role in public debate.

Charter rights aside, the University of Calgary holds itself up as a tolerant and open place of inquiry. So, unless the university alerts the public of an official policy against pro-life speech on campus, it cannot deny equal freedom of expression to all of its students.

Moreover, the university has expressed no qualms about other controversial large colour displays, including ones showing the effects of torture on political dissidents in China, the cruelty of animal testing and the consequences of spousal abuse. It seems gory and disturbing displays on campus are fine--as long as they do not convey a politically incorrect view on abortion.

The University of Calgary receives over \$500-million from taxpayers each year. If it does not reacquaint itself with the ideals of tolerance, it may find taxpayers becoming less tolerant of footing such a hefty bill to support an institution which so blatantly disregards its own mission.

John Carpay is executive director of the Canadian Constitution Foundation, and one of the lawyers acting for the Campus Pro-Life Club at the University of Calgary.

National Post, February 09, 2009. □

LETTER TO THE PRESIDENT OF YORK UNIVERSITY

Dear Dr. Shoukri,

York University President and Vice Cancellor

February 25, 2009

I am Shalom Lappin Professor of Computational Linguistics at King's College, London, and I am currently a visiting professor in the Department of Computer Science at the University of Toronto, where I am on sabbatical for the semester.

I was recently invited to give a talk on my research on computational modeling of grammar induction in the Colloquium of the Cognitive Science Program of the Philosophy Department at York, on March 25. I accepted the invitation with great pleasure. I received my BA in Philosophy from York in May 1970, and I welcomed this opportunity to return to my first academic home. It is therefore with considerable regret that I must now withdraw from this engagement in light of the York administration's handling of the attack on Jewish students that took place on the afternoon of February 11.

The reports of this attack that I have read in both the Canadian and the foreign press (confirmed by eyewitness accounts that I have received) converge on a disturbing sequence of events. A group of approximately 100 students supporting the York Student Federation (YSF) broke up a press conference organized by other students campaigning to impeach the YSF. This group then pursued approximately 40 of the students from the press conference, most of them Jewish, to the offices of the campus Hillel, where the latter locked themselves in for fear of physical assault. The YSF supporters banged on the door and the windows of the offices, shouting threatening comments at the students trapped inside. The students in the Hillel headquarters appealed to campus security for assistance but received none. They then called the Toronto Police, who eventually arrived to escort them out of the offices, through lines of hostile YSF supporters chanting angry slogans and hurling insults at them.

To date I have seen no public statement by any University official on this incident, beyond the expression of an intention to investigate it. I called your office on Monday, February 23 to seek clarification of the administration's view of the attack. A member of your staff called me back today and graciously listened to my concerns. However, she was unable to do more than reiterate the University's official position that the matter is still under investigation. Given that the incident took place two weeks ago, I find it odd that the administration has been unable to come to any conclusions on what took place. It is particularly remarkable that it felt no need to release at least a general statement specifying that violence and abuse of any kind will not be tolerated on campus, and confirming that all students have the right to express their views without fear of intimidation.

The fact that the University has not taken up this assault with the students who launched it, nor acted to reassure the students who they targeted indicates a severe failure on the part of the administration to fulfill its responsibility to sustain a campus free of physical violence and harassment. Several of the Jewish students at York claim that the assault was not an aberration, but part of a general atmosphere of extreme hostility that they have been forced to contend with over an extended period of time. I am in no position to evaluate this assertion. But it seems to me that the administration is obliged to address the grievances of students who feel that they are being victimized, particularly in light of a significant incident which lends some credence to their charge.

I do not regard the ethnic identities or the political views of any of the participants in this event as of relevant concern. All sides to a controversial question have an equal right to be heard in a civil environment of tolerance and mutual respect. Nor do I see criticism of Israel as the problem here. I have frequently spoken out publicly against the policies of the Israeli government, most recently in a joint letter and comments critical of Israel's operation in Gaza, published in the *Observer* in January.

If one group of students is permitted to engage in violent harassment of another without the decisive intervention of the University's administration, then the conditions for a free and unfettered exchange of ideas are completely undermined, and the primary purpose of university life is betrayed.

When I was an undergraduate at York in the late 1960s the University was home to lively political activity on a variety of issues. The Israeli-Palestinian conflict was one of these, and discussion was intense, occasionally heated. However, at no time did this discussion degenerate into systematic bullying, intimidation, or expressions of bigotry. Nor would the administration of that period have allowed it to do so. It is a source of great sadness to me that the current administration is either incapable or unwilling to insure the existence of a basic culture of decency, civility, and free speech on its campus. This culture is a necessary feature of any serious institution of higher learning.

Sincerely,

Shalom Lappin, Professor of Computational Linguistics King's College, London. □

EXCERPTS FROM PRESIDENT SHOUKRI'S ADDRESS TO YORK UNIVERSITY SENATE

26 February, 2009

Good afternoon. My remarks today will not be the usual variety of university news and topics, because the state of our affairs here at York is not usual, nor is it sustainable. I want to speak to you today about the future of our University.

We are all here today because we believe in York. We believe in what it stands for: accessibility to the very best education, equity, social justice. We believe that this place has great strengths and even greater potential. No other university in Ontario — maybe in Canada — has the potential that York has. But before we can realize that potential, before we can build the York University of the future, we must address the shared challenges we face, as well as the threats to this institution that are holding us back.

There's a lot of good work happening here, but it's being overshadowed by recent events. York is at a critical point in its history and we need to change. We need to address the issues that threaten our institution and our academic reputation. As the University's academic governing body, I call on you to rise to this challenge and to help deliver the change York needs.

We have just endured the longest university strike in the history of English-speaking Canada. Our students have returned to class and to examinations, only to be faced with a barrage of disruption, hostility and even intimidation from their fellow students. This state of affairs is unacceptable to me, and it should be unacceptable to you. Intimidation, bullying, and discrimination will not be tolerated here, and we are taking action to protect the rights and the safety of all students and staff.

If these challenges were not enough, the world is entering the greatest economic downturn since the Great Depression. Tens of thousands of our fellow Canadians are losing their jobs. Parents have told me what a struggle it is to send their children to university; students have told me how difficult it is to juggle part-time jobs with their education and how worried they are about their prospects for summer jobs.

The Government of Ontario has put us on notice that it

will be looking for savings in university operating grants. Along with most other universities, our endowment payouts — which benefit students and faculty directly — are dwindling. Our budgets — which were already being cut by two per cent per annum — will have to be cut further. Our pensions are facing a shortfall and will have to be topped up to meet our legal obligations. The strike has cost us many millions of dollars in direct costs. The costs in lost opportunities cannot be measured. Our applications are down 10 per cent, our first-choice applications are down 15 per cent

But at a time when our community should be pulling together, we turn on each other instead — academic disruption, intimidation, sit-ins, name-calling, shouting people down, banging on the doors and windows of Senate or the Board of Governors or student clubs. Then we run to the media and tell anyone who will listen how bad York is.

Is it any wonder our own students are disconnected? Or that turnout at our student elections is so low? Or that our students and their families are voting with their feet? Our public face is not demonstrating the core values a university should stand for:

- Freedom of speech — *especially* for those with whom we disagree
- Mutual Respect
- Reason
- Discourse
- Objectivity
- Being able to teach — and learn — without disruption
- Being open to other ideas and other people.
- And yes, social justice.

But we cannot demand social justice only for ourselves and for those who think like us. Social justice is for everyone, or it is for no one. York has a history of social activism, but the events of the past weeks — intimidation and shouting each other down — have nothing to do with social activism.

That is why I am asking you today, as Senators and key representatives of the academy, to make your voices heard and say, “enough is enough.”

I want to give a couple of examples of how the academy can contribute to open dialogue on tough

issues. At other universities in this province, faculty members participate as guest speakers at lecture series organized by student clubs. These events tackle the very same issues we are struggling with:

- Islamophobia
- Anti-Semitism
- Racial profiling
- Overcoming stereotypes

The goal is not agreement or endorsement of each others' ideas, it is to create safe spaces where people can come together to articulate their views — without fear and without being shouted down.

I'll give you another example happening right here at York. Next week, the York Centre for International and Security Studies is hosting an event that will examine the idea of academic boycotts. Speakers will explore the topic in a reasoned way in an academic forum. These two examples share one common element: faculty involvement.

Our faculty needs to become more involved in leading these conversations. Students look up to their professors. They look to you for direction. You are in a position to mentor and guide them and to teach them how to talk with passion about things that anger us, but without anger, without hate, without fear. I am asking you to help us fix our community, because this truly is our problem.

We talk a lot about diversity here at York, but somehow we have allowed that diversity to divide us. We need to focus now on unity, on our common values and on what makes us a community. We must identify the challenges and work as a community to address them.

We talk about educating citizens of the world and about developing critical thinkers, but we must do more. We must teach a sense of responsibility so that our graduates can contribute to the life of their times. □

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YORK UNIVERSITY SANCTIONS STUDENT GROUPS OVER RALLY CLASHES

Craig Offman

Toronto's York University has penalized four student organizations for participating in disorderly rallies and also says it is investigating a series of purported hate crimes. The announcement follows criticism that the administration has not sufficiently clamped down on rancorous, militant behaviour, which culminated in a series of tense protests and counter-protests involving pro-Palestinian and pro-Israeli groups on February 12.

The school said on Thursday that the participants broke an agreement that they not disrupt classes in the vicinity of Vari Hall, a popular, all-purpose building where students can go to lectures, socialize or protest. "We understand that there will be protests from time to time, but these clubs agreed not to disrupt classes," said Rob Tiffin, vice president of students. "There were drums and bullhorns on both sides."

Hasbara Fellowship, an Israeli advocacy group, was suspended for 30 days and fined \$1000, the maximum penalty for the infraction. The same penalties apply to Students Against Israeli Apartheid.

On account of its "secondary role," Hillel@York - another Jewish group on campus - was fined \$500, but was not suspended.

Hillel's president, Daniel Ferman, disagreed with the penalty, saying that his group had never made an agreement with the administration, nor did it use amplification.

Mr. Ferman also insisted that York still refuses to acknowledge that safety has become an issue for Jewish students on its campus. "True confidence will not happen until the university recognizes the severity of events in recent weeks. This is only the first acknowledgement, and we're upset it took this long. It didn't even say that Jewish students were targeted."

In a recent speech, York President Mamdouh Shoukri made his most explicit statement on the controversies.

"Intimidation, bullying, and discrimination will not be tolerated here," he told the university senate on Feb. 26. "We are taking action to protect the rights and the safety of all students and staff."

The York University Tamil Students' Association was also penalized for a separate protest in Vari Hall, in which it accused Sri Lanka of committing genocide against the Tamil people. It was suspended for 15 days and fined \$500.

Mr. Tiffin also said the school is investigating complaints from incidents that involve Jewish and pro-Palestinian groups.

On Feb. 11, a non-denominational group called Drop YFS held a press conference to announce it had gathered 5,000 signatures necessary to impeach the student executive, the York Federation of Students, which has been highly critical of Israel. The gathering was disrupted by dozens of pro school-government protesters.

Feeling threatened, members of Drop YFS ran upstairs to the lounge of Hillel. Eventually, about 100 YFS supporters swarmed at the door, allegedly baiting and harassing those inside.

Mr. Ferman, also member of Drop YFS who took refuge in the lounge, claimed that when he briefly faced the throng, he was referred to as a "dirty Jew" and "f---ing Jew."

Toronto police are investigating the incident as a possible hate crime, as well as subsequent incident in which a Jewish student was harassed as she left the Hillel lounge a week later.

Earlier last month, another Jewish student involved in the Drop YFS movement reported receiving a phone call at his Thornhill, Ontario, home during which an unidentified person threatened his life and those of his family members if he did not stop his pro-Israel activities.

A potential hate crime is now being investigated by York Regional Police. "We've made progress in identifying the number of the caller," said Det. Brent Kemp of the force's Hate Crimes Unit, but would not elaborate. Mr. Tiffin suggested that outsiders may have been ratcheting recent tensions. "They're not all students who show up these events," he said. "There might be legal options that make it inadvisable for them to come onto the campus."

National Post, March 05, 2009. □

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WWW.SAFS.CA

VISIT THE SAFS WEBSITE AT

Please give notification of attendance by MAY 8th, so that we can arrange appropriate catering.

Contact Information given below.

Thank you!

SAFS ANNUAL GENERAL MEETING

Saturday, May 16, 2009, 9:00 am – 3:30 pm

University of Western Ontario, Somerville House, Room 2355

9:00 am – 9:30 am	Registration and refreshments, meet other members
9:30 am – 9:45 am	President's introductory remarks (Clive Seligman)
9:45 am – 11:50 am	The Regulating University: Student Codes of Speech and Behavior, Research Ethics, and Women's Issues
	<i>Chair:</i> Paul Paré (University of Western Ontario – Sociology)
	<i>Speakers:</i> Stephen Lecce , (President, University Student Council) Stephen Lupker , (University of Western Ontario – Psychology) Jane Toswell , (President, Western's Caucus on Women's Issues, English)
12:00 pm – 12:45 pm	Buffet lunch (in Somerville House [Michael's Garden], Rm. 3320)
12:45 pm – 2:30 pm	Keynote Address: <i>Chair:</i> Clive Seligman, University of Western Ontario
	KEYNOTE SPEAKERS: Barbara Kay, National Post
	MANIPULATING DEBATE: ANTI-ISRAEL RHETORIC AND POLITICAL ACTIVISM ON UNIVERSITIES WORLDWIDE
2:30 pm – 2:40 pm	Break
2:40 pm – 3:30 pm	Annual Business Meeting (<i>members only</i>) (Somerville House, Rm. 2355)

Registration Fee: \$30.00 per person, may pay at the door. Members must have paid their dues. (Registration includes coffee and lunch, but not parking).

To confirm attendance (please by May 8) and for further information: E-mail: safs@safs.ca, or write to SAFS, 1673 Richmond Street, #344, London, ON, N6G 2N3. For further info contact: Daniella Chirila, e-mail: dchirila@uwo.ca

Getting there: From the 401, take Wellington Road North to its end, then jog one block west to Richmond Street, go North to University gates (on your left), just North of Huron Street. On campus, follow this road over the bridge, turn left at the light and continue to traffic circle. **Visitor parking** is on your right next to Alumni Hall once you are almost around the circle. Rate: \$5.00 flat rate. From Highway 7, take Highway 4 South (it becomes Richmond Street) At the fork after Fanshawe Road you can either stay left on Richmond to University gates (now on Richmond Street) as above, or stay right and go down Western Road, turn left at 3rd light (Lambton Drive). Visitor parking is on your right as you enter traffic circle. Somerville House is across the traffic circle, 2nd building on Oxford Drive On Saturday there is usually no one at the Information booths.

Accommodation: On-campus rooms at Elgin Hall are \$56.00 per night including breakfast. A modern, air-conditioned residence, situated at University Drive, off Richmond St. North. (1-519-661-3476). The Station Park Inn on Pall Mall (1-800-561-4574), and Windermere Manor (1-519-858-1414), have UWO rates at approx \$110.00 per night.

**LETTERS TO THE PRESIDENTS
OF THE UNIVERSITY OF OTTAWA AND
CARLETON UNIVERISTY**

**The following letter was addressed and sent
separately to each of the presidents.**

April 7, 2009

Mr. Allan Rock
President and Vice-Chancellor
University of Ottawa
Office of the President
president@uOttawa.ca

Dr. Roseann O'Reilly Runte
President and Vice-Chancellor
Carleton University
Office of the President
presidents_office@carleton.ca

Dear President Rock (or Runte):

I'm writing on behalf of the Society for Academic Freedom and Scholarship (SAFS), a national organization of professors, students, and interested others who are dedicated to academic freedom, free speech, and reasoned debate on university campuses. You can learn more about our organization at www.safs.ca.

Recently, your senior administration banned from your campus a controversial political cartoon displayed as a poster during Israel Apartheid Week. SAFS strongly opposes your decision to censor the cartoon. No doubt the banned cartoon was perceived by some, or even many, as offensive, inaccurate, unfair, deliberately provocative, and repugnant. But lawful and peaceful debate must be allowed to run its course. The primary mission of the university is the pursuit of truth, and this goal must not be limited because the presentation of an argument is hurtful or because university administrators want to shape the extent or tone of the debate.

SAFS' position is to oppose all censorship of lawful speech on university campuses, because censorship precludes the full investigation of the correctness or incorrectness of ideas. Proponents and opponents must be able to present whatever facts and viewpoints they believe are relevant in an attempt to demonstrate the correctness of their position. Reasoned and free debate is the best means yet discovered to pursue and

ascertain the truth. If debate is corrupted by censorship then the university becomes no more than an indoctrination center.

Our hope is that we will not see any further attempts at your university to censor opinion on controversial topics. We would appreciate a response to our concerns.

Sincerely, Clive Seligman, PhD
President. □

**UNIVERSITIES ARE BETRAYING THEIR
CENTRAL MISSION**

Penny Stewart & James Turk

Over the past few weeks, CAUT has become aware of a number of disturbing cases in which university administrations have limited or suppressed debate on controversial issues. Whether it is banning posters or noisy demonstrations, we believe such heavy-handed actions constitute a clear threat to the purpose of post-secondary education.

Not surprisingly, the failures involve bitterly contentious issues. One is Middle East politics. Last month Carleton University and the University of Ottawa banned a student organization poster for Israeli Apartheid Week because the universities felt it too provocative. The poster, by noted political cartoonist Carlos Latuff, shows a stylized Israeli warplane firing a missile at a child holding a teddy bear and standing on ground emblazoned with the word "Gaza." York University has gone even farther, invoking a noise policy to justify handing club suspensions and fines to student organizations that held counter-protests for and against Israeli government policies.

On the contentious issue of abortion, the University of Calgary told a student pro-life group it could only set up its graphic images of abortion, likening abortion to genocide, if it turned the images inward so that passersby couldn't see them unless they approached the display. The students were threatened with suspension, expulsion, fines of up to \$2,000 and arrest for trespassing unless they complied. The university's lawyer was quoted as saying the Charter of Rights and Freedoms does not apply to universities and freedom

of expression protection does not extend to trespassers.

In invoking the need to be “respectful” and “civil” and to avoid “provocation,” too many universities are suppressing free speech and freedom of expression. Some universities are even stretching to invoke human rights’ codes to justify suppression when these codes typically address the right to be free from discrimination in employment and in access to services and accommodations and are not meant to silence campus discussion and debate.

Our institutions must remember the integrity of their central mission, which is so aptly described in the University of Toronto’s statement of institutional purpose: that “within the unique university context, the most crucial of all human rights are the rights of freedom of speech, academic freedom and freedom of research,” and affirms that “these rights are meaningless unless they entail the right to raise deeply disturbing questions and provocative challenges to the cherished beliefs of society at large and of the university itself.”

The statement concludes: “It is this human right to radical, critical teaching and research with which the University has a duty above all to be concerned; for there is no one else, no other institution and no other office, in our modern liberal democracy, which is the custodian of this most precious and vulnerable right of the liberated human spirit.”

Our universities and colleges have occasionally lost sight of that vision in periods of tension, as during the Cold War years. Regrettably we now appear to be entering another era when many of our post-secondary institutions are failing in their public responsibility to foster rather than suppress discussion of deeply disturbing questions and controversial issues around which public passions run high.

However intensely supporters of Israeli government policy feel that criticism of Israel is anti-Semitism or defenders of a woman’s right to choose find pro-life imagery disgusting and offensive, universities and colleges must rebuff their demands for suppression of their opponents. The Criminal Code provides limits on advocacy that threatens or justifies violence or other illegal harm. Our post-secondary educational institutions should look for ways to extend legal limits to promote discussion and debate, not invoke internal

policies and narrow reading of the law to make discourse on campuses more restrictive than what can occur in society at large.

As far as the importance of civility, our institutions could well remember John Stuart Mill’s caution in *On Liberty* in which he decried as risky and hypocritical the notion that “the free expression of all opinions should be permitted on condition that the manner be temperate and do not pass the bounds of fair discussion.”

As he noted, “Much might be said on the impossibility of fixing where these supposed bounds are to be placed: for if the test be offense to those whose opinion is attacked, I think experience testified that this offense is given whenever the attack is telling and powerful, and that every opponent who pushes them hard, and whom they find it difficult to answer, appears to them ... an intemperate opponent.”

Unless universities and colleges champion and defend faculty and student rights to raise deeply disturbing questions and provocative challenges to cherished beliefs, they have little reason to exist.

Editorial, CAUT Bulletin, Volume 56, No. 3, March 2009. □

PROFESSOR MAKES HIS MARK, BUT IT COSTS HIM HIS JOB

Erin Anderssen

OTTAWA — On the first day of his fourth-year physics class, University of Ottawa professor Denis Rancourt announced to his students that he had already decided their marks: Everybody was getting an A+.

It was not his job, as he explained later, to rank their skills for future employers, or train them to be “information transfer machines,” regurgitating facts on demand. Released from the pressure to ace the test, they would become “scientists, not automatons,” he reasoned.

But by abandoning traditional marks, Prof. Rancourt apparently sealed his own failing grade: In December, the senior physicist was suspended from teaching, locked out of his laboratory and told that the university administration was recommending his dismissal and

banning him from campus.

Firing a tenured professor is rare in itself, but two weeks ago the university took an even more extreme step: When Prof. Rancourt went on campus to host a regular meeting of his documentary film society, he was led away in handcuffs by police and charged with trespassing.

With his suspension raising questions of academic freedom, the Canadian Association of University Teachers has started an independent inquiry into the matter. "Universities are to be places that not only tolerate, but welcome, vigorous debate," said executive director James Turk. "There would have to be some very serious misdeeds by Dr. Rancourt to justify this action."

A university spokesperson refused to comment specifically on the trespassing incident or give reasons for the disciplinary action, saying that the decision was "very serious" and "not made lightly."

Prof. Rancourt's suspension is the most serious step in a long series of grievances and conflicts with the university dating back to 2005, when, after researching new teaching methods, he first experimented with eliminating letter grades. He also altered course curriculum with student input – although not the approval of the university – an approach he calls "academic squatting."

A well-published and politically outspoken scientist who revels in hashing out theories on napkins at conferences, Prof. Rancourt's unconventional teaching style has generated both an ardent following among a core group of students, and the rancour of many of his fellow faculty members, one-third of whom signed a petition of complaint against him in the fall of 2007. In the letter, which he provided, the complaints stem largely from a series of critical e-mails he distributed about their "paternalistic" teaching methods – a criticism he still expresses, with little restraint, today.

But he also has some high-profile support from an award-winning psychology professor at the university, Claude Lamontagne, who wrote in an e-mail that faculty members need to fight for the freedom to teach how and when they want, lest their independence be "pressed out of our souls like juice from an orange."

Building on his science and society lectures, the self-described "anarchist" developed a popular course on

activism at Ottawa U, which was cancelled by the university the following year, and started an alternative film society focused on social justice.

He made headlines after 10-year-old twins registered for his course with their mother – and he supported the filing of a human-rights complaint claiming ageism when the university said they couldn't stay. His research can be equally alternative: He has called global warming, for instance, a myth. He has also been an outspoken critic of "Israeli military aggression" and is not shy about expressing those views with students.

And while the university may be keeping quiet, Prof. Rancourt has freely disseminated his side of the story: correspondence with university officials and a video of his arrest has been posted on the Internet. "I have nothing to hide," he says.

Sean Kelly, a master's student who had Prof. Rancourt as his thesis supervisor until his suspension, said some students complained in class when the professor allowed debates to wander off-topic – or refused to set deadlines for homework. Some people, Mr. Kelly admitted, took advantage of the free A, but many others put more energy into the class. Comparing Prof. Rancourt to other professors who practically give students the questions that will be on exams in advance, the 27-year-old said, "He really pushes you to think more for yourself."

For now, Prof. Rancourt, 51, is meeting his graduate students in cafés, continuing to advise them unofficially on their thesis projects. He is still receiving his salary while awaiting a final decision from the university. The independent board of inquiry appointed by the Canadian Association of University Teachers may take many months to release a report.

But the professor is undeterred about those A-pluses: "Grades poison the educational environment," he insists. "We're training students to be obedient, and to try to read our minds, rather than being a catalyst for learning."

Editor's Note: On March 31, 2009, the Board of Governors unanimously recommended the dismissal of Denis Rancourt.

Globe and Mail, February 6, 2009. □

THE TWO LANGUAGES OF ACADEMIC FREEDOM

Stanley Fish

Last week we came to the section on academic freedom in my course on the law of higher education and I posed this hypothetical to the students: Suppose you were a member of a law firm or a mid-level executive in a corporation and you skipped meetings or came late, blew off assignments or altered them according to your whims, abused your colleagues and were habitually rude to clients. What would happen to you?

The chorus of answers cascaded immediately: “I’d be fired.” Now, I continued, imagine the same scenario and the same set of behaviors, but this time you’re a tenured professor in a North American university. What then?

I answered this one myself: “You’d be celebrated as a brave nonconformist, a tilter against orthodoxies, a pedagogical visionary and an exemplar of academic freedom.”

My assessment of the way in which some academics contrive to turn serial irresponsibility into a form of heroism under the banner of academic freedom has now been at once confirmed and challenged by events at the University of Ottawa, where the administration announced on Feb. 6 that it has “recommended to the Board of Governors the dismissal with cause of Professor Denis Rancourt from his faculty position.” Earlier, Rancourt, a tenured professor of physics, had been suspended from teaching and banned from campus. When he defied the ban he was taken away in handcuffs and charged with trespassing.

What had Rancourt done to merit such treatment? According to the *Globe and Mail*, Rancourt’s sin was to have informed his students on the first day of class that “he had already decided their marks: Everybody was getting an A+.”

But that, as the saying goes, is only the tip of the iceberg. Underneath it is the mass of reasons Rancourt gives for his grading policy and for many of the other actions that have infuriated his dean, distressed his colleagues (a third of whom signed a petition against him) and delighted his partisans.

Rancourt is a self-described anarchist and an advocate of “critical pedagogy,” a style of teaching derived from

the assumption (these are Rancourt’s words) “that our societal structures . . . represent the most formidable instrument of oppression and exploitation ever to occupy the planet” (Activist Teacher.blogspot.com, April 13, 2007).

Among those structures is the university in which Rancourt works and by which he is paid. But the fact of his position and compensation does not insulate the institution from his strictures and assaults; for, he insists, “schools and universities supply the obedient workers and managers and professionals that adopt and apply [the] system’s doctrine — knowingly or unknowingly.”

It is this belief that higher education as we know it is simply a delivery system for a regime of oppressors and exploiters that underlies Rancourt’s refusal to grade his students. Grading, he says, “is a tool of coercion in order to make obedient people” (rabble.ca., Jan. 12, 2009).

It turns out that another tool of coercion is the requirement that professors actually teach the course described in the college catalogue, the course students think they are signing up for. Rancourt battles against this form of coercion by employing a strategy he calls “squatting” — “where one openly takes an existing course and does with it something different.” That is, you take a currently unoccupied structure, move in and make it the home for whatever activities you wish to engage in. “Academic squatting is needed,” he says, “because universities are dictatorships . . . run by self-appointed executives who serve capital interests.”

Rancourt first practiced squatting when he decided that he “had to do something more than give a ‘better’ physics course.” Accordingly, he took the Physics and Environment course that had been assigned to him and transformed it into a course on political activism, not a course about political activism, but a course in which political activism is urged — “an activism course about confronting authority and hierarchical structures directly or through defiant or non-subordinate assertion in order to democratize power in the workplace, at school, and in society.”

Clearly squatting itself is just such a “defiant or non-subordinate assertion.” Rancourt does not merely preach his philosophy. He practices it.

This sounds vaguely admirable until you remember what Rancourt is, in effect, saying to those who

employ him: *I refuse to do what I have contracted to do, but I will do everything in my power to subvert the enterprise you administer. Besides, you're just dictators, and it is my obligation to undermine you even as I demand that you pay me and confer on me the honorific title of professor. And, by the way, I am entitled to do so by the doctrine of academic freedom, which I define as "the ideal under which professors and students are autonomous and design their own development and interactions."*

Of course, as Rancourt recognizes, if this is how academic freedom is defined, its scope is infinite and one can't stop with squatting: "The next step is academic hijacking, where students tell a professor that she can stay or leave but that this is what they are going to do and these are the speakers they are going to invite." O, brave new world!

The record shows exchanges of letters between Rancourt and Dean Andre E. Lalonde and letters from each of them to Marc Jolicoeur, chairman of the Board of Governors. There is something comical about some of these exchanges when the dean asks Rancourt to tell him why he is not guilty of insubordination and Rancourt replies that insubordination is his job, and that, rather than ceasing his insubordinate activities, he plans to expand them. Lalonde complains that Rancourt "does not acknowledge any impropriety regarding his conduct." Rancourt tells Jolicoeur that "Socrates did not give grades to students," and boasts that everything he has done was done "with the purpose of making the University of Ottawa a better place," a place "of greater democracy." In other words, I am the bearer of a saving message and those who need it most will not hear it and respond by persecuting me. It is the cry of every would-be messiah.

Rancourt's views are the opposite of those announced by a court in an Arizona case where the issue was also whether a teaching method could be the basis of dismissal. Noting that the university had concluded that the plaintiff's "methodology was not successful," the court declared "Academic freedom is not a doctrine to insulate a teacher from evaluation by the institution that employs him" (*Carley v. Arizona*, 1987).

The Arizona court thinks of academic freedom as a doctrine whose scope is defined by the purposes and protocols of the institution and its limited purposes. Rancourt thinks of academic freedom as a local

instance of a global project whose goal is nothing less than the freeing of revolutionary energies, not only in the schools but everywhere.

It is the difference between being concerned with the establishing and implementing of workplace-specific procedures and being concerned with the wholesale transformation of society. It is the difference between wanting to teach a better physics course and wanting to save the world. Given such divergent views, not only is reconciliation between the parties impossible; conversation itself is impossible. The dispute can only be resolved by an essentially political decision, and in this case the narrower concept of academic freedom has won. But only till next time.

The New York Times, February 8, 2009. □

APSA-LUTE FREEDOM

Mark Steyn

In September the American Political Science Association is supposed to be holding its annual conference in Toronto — which isn't actually in America. When it emerged that it is, in fact, in Canada, Professors Robert P. George, Harvey Mansfield, and some 60 other members issued a strong statement calling on APSA to seek assurances from government up north that "the civil rights and liberties of members to free speech and academic freedom will be secure". (Matthew J. Franck wrote about it over in the Benchmemostan province of the NR caliphate.) The gist of the argument is summed up here:

The incident has given momentum to a U.S. petition arguing that the right to free speech is threatened in Canada. The petition refers obliquely to this case and two others: the human rights commission complaints against Mark Steyn/Maclean's, and the Christian pastor Stephen Boissoin, whose homophobic letters ran in a local paper. Its 60 signatories include some of the world's most respected political scientists. In all three cases, says signatory Harvey Mansfield, a professor at Harvard, Canada failed to give sufficient protection to people with opinions that differ from the status quo.

The APSA petition says that "while we know of no

direct suppression of academic freedom that has yet occurred in Canada" they're concerned about the pressure to avoid controversial topics. They might want to dispense with the qualifier. Frances Widdowson is no right-wing nut like me but an impeccably respectable Marxist who made the mistake of "differing from the status quo": Speaking at the 2008 meeting of the Canadian Political Science Association (CPSA), Widdowson, a policy studies professor at Mount Royal College in Calgary, argued our Aboriginal reserve system isn't working. It encourages unemployment and alcoholism, since there are few jobs on reserves, she said. Policies that encourage First Nations to live separate lives merely prop up a broken system; the best way to help natives achieve health and prosperity is assimilation. Her paper also criticized Aboriginal traditional knowledge, arguing that some claims didn't hold up to scientific analysis, and discussed a "development gap" between natives and settlers, implying the Europeans were more advanced.

The presentation got heated. Some of the political scientists started shouting at Widdowson... Some members said her presentation was "hate speech," and called for her to be investigated under the criminal code. A few wanted McGill-Queen's University Press to be censured for publishing Widdowson's recent book, *Disrobing the Aboriginal Industry: the Deception Behind Indigenous Cultural Preservation*. Others wanted the chair of the lecture censured for hosting a presentation where such ideas were voiced.

The CPSA is "investigating the matter, and a committee will be formed to look at hate speech" — in effect, to self-censor pre-emptively in order to avoid the possibility of "human rights" complaints. Once a government gets comfortable with regulating opinions, even institutions that exist for the very purpose of examining ideas learn to get with the program. The difference between APSA and its northern cousin is instructive, and the professors should make their conference plans accordingly.

National Review Online, February 25, 2009. □

STAVING OFF THE 'YELLOW PERIL'

The University of California regents attempt to curtail Asian admissions

Stephan Thernstrom

In 1995, the regents of the University of California, at the urging of Ward Connerly and Gov. Pete Wilson, voted to bar racial preferences on all nine of the system's campuses. A year later, the state passed Proposition 209, an amendment to the constitution that extended that ban to state and local governments. But today, the regents are expected to approve major changes in admissions policies that represent the most recent of many misguided attempts to circumvent Prop 209.

The move is breathtaking. It will drop the requirement that applicants take two SAT "subject tests"; if the students the school wants tend to do poorly on such tests, then it is best not to know just how poorly. The plan also sharply lowers the academic standards that applicants must meet to be eligible for a "full admissions review." This review is where their distinctive "personal qualities" can be discerned and made to count for more than the weaknesses in their academic performance.

These changes are manifestly driven by the desire to bring in more black and Hispanic students. Remarkably, though, the university's own projections indicate that the plan will do almost nothing to expand black enrollment and will be of very modest benefit to Hispanics. Even more remarkably, the prime beneficiaries of the changes will be non-Hispanic whites, whose share of total enrollments is predicted to rise by 20-30 percent. And the big losers will be Asian Americans, whose numbers will be reduced by 10-20 percent. The net effect will thus be to make the University of California substantially "whiter" than it has been. That's ironic, because when the battle for race-blind admissions began, opponents worried that Prop 209 would transform UC into a "lily white" institution. This dire prophecy proved ludicrously far from the mark. The big gainers were not white applicants; they were Asian Americans. Although only 12 percent of the state's population, Asians accounted for 37 percent of UC admissions in 2008.

Also, while black and Hispanic enrollments at the

most selective campuses (Berkeley and UCLA) did fall sharply, rises at places like Riverside and Irvine more than offset the declines. In fact, the Hispanic share of total UC enrollments has risen dramatically over the past dozen years, from 14 to 22 percent. Black students made gains too, though slight ones. More important, minority graduation rates have improved substantially, now that these students are no longer “mismatched” as a result of racial double standards.

Although these numbers indicate that blacks and Hispanics, particularly the latter, have fared well under race-blind admissions, university officials have long been tinkering with the rules in an effort to bring in more “underrepresented minorities.” Standardized tests have counted for less and less, and admissions have become more “holistic” – i.e., subjective. Demonstrating that an applicant has “overcome disadvantage” has become more important than demonstrating that he grasps quadratic equations and can write a literate essay.

It’s hard to believe that, as part of this mission, the regents are deliberately trying to do their bit to stave off the “yellow peril.” But proponents of racial preferences have let slip some highly unsavory attitudes on occasion. My wife, Abigail, appeared on *Crossfire* many years ago and was asked by liberal co-host Bob Beckel whether she would “like to see UCLA Law School 80 percent Asian.” In a 1995 interview, President Clinton said that “there are universities in California that could fill their entire freshman classes with nothing but Asian Americans.” In 1998, a writer for *Newsday* asked, “Since Asians outscore everyone, would we accept an all-Asian class?”

Nasty stuff, and not aberrational. If you truly believe that it is unjust that some groups are “underrepresented” at elite institutions, it follows inexorably that no groups may be “overrepresented.” Mathematically, when no one is underrepresented, no one is overrepresented. Since Asians have more than triple their “proper share” of places at the University of California, and quadruple their share at Berkeley and UCLA, they are the chief obstacle to “equity” in higher education.

A high-school counselor interviewed by *Inside Higher Education* denied that the university officials who dreamed up the new plan were motivated by anti-Asian prejudice. He contended that the drop in the number of Asians admitted is just “collateral damage.” The metaphor misleads. The new admissions policy is likely not motivated by a desire to cut back on Asian enrollments but by a desire to expand the enrollments of other groups. But if you can’t do much of the latter without a lot of the former, this is a distinction without a difference.

Stepan Thernstrom is Winthrop Research Professor of History at Harvard University.

National Review Online, February 6, 2009. □

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