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### CONFRONTING OUR VITAL LIES

*Sinclair MacRae*

"[Norwegian] playwright Henrik Ibsen coined the term 'vital lies' for the operative fictions that cover a more disturbing truth in troubled families. A vital lie masks a truth that is too threatening, dangerous, or painful to be spoken aloud. The vital lie preserves the surface harmony of the family but at great cost. Problems that are not acknowledged rarely get better on their own.

"A similar dynamic afflicts many organizations. ... The emotion that seals people's lips about vital lies is the unconscious fear that if we look at and speak about these dangerous secrets, we will either destroy the family or be expelled from it. The anxiety of living with those secrets is often allayed by ignoring them."<sup>1</sup>

The climate of coercive conformity and cancel culture in higher education conceals several hard truths that, since they pass unacknowledged, persist unaddressed. And as Bennis, Goleman, and Biederman observe, failings that are unacknowledged tend not to self-correct. Among the ironies of our current state is that, as academics, open inquiry, respect for the truth, for principled dissent, diversity of opinion, content expertise, and candour should *be* our oxygen. That they are not, that they have been displaced by the vital lies to which we cling to preserve the appearance of unity, is evidence of our failings. Those who care about the justified social mission of the university must expose our failings. My aim here is to consider how we might do this.

First, we can address the decline in our academic culture

by raising concerns with our colleagues and administrators. For example, in February I posed the following question to the president of my institution at a "Leaders Dialogue Event":

The wave of coercive conformity and cancel culture that has been a blight on this institution for at least the past four years persists in its full vigor. Survey after survey tells us that our students are afraid to express themselves and entertain ideas in their classrooms that veer from the ideologically rigid and extreme dogmas that effectively rule here. Meanwhile, their professors continue to advance the grade inflation that aligns with the activist ideology of the day but that further degrades the quality of education that we offer. Meanwhile, their professors continue to express contradictory and nonsensical claims at public meeting after public meeting – always unchallenged. Unchallenged not because these ideas are not privately recognized for the nonsense that they are but because the apathetic, the obsequious, the careerists, and especially the fearful continue to predominate here. The Foundation for Individual Rights and Expression (<https://www.thefire.org/news/new-red-scare-taking-over-americas-college-campuses>) in the United States has released data that suggest that the current climate is much worse – by some measures ten times worse – than the climate of the Red Scare in the 1950s.

These plain facts go not only mostly unad-

<sup>1</sup>Walter Bennis, Daniel Goleman, and Patricia Ward Biederman, "Creating a Culture of Candor" in *Transparency: How Leaders Create a Culture of Candor*, Wiley & Sons, 2008, pp 34-35.

dressed here, but they are mostly not even publicly acknowledged by faculty and administrative leaders alike. This is evidenced in the recently adopted Academic and Strategic Plans that briefly, formally endorse the rights of our students to various freedoms and the rights of faculty to academic freedom while in practice these rights are effectively degraded by the prevailing culture, a culture that undermines not only the practice of academic freedom but the main justified social mission of the university to pursue truth and knowledge. Principled dissent, diversity of opinion, respect for the ideals of disputation, merit, excellence, and the pursuit of the truth – all in alarming decline.

What are you doing to reverse this sorry decline in the state of our culture?

In response the president acknowledged my concerns. As for addressing them, one step we can take is to educate our communities about the subversive effects of epistemic tribalism, including the various illegitimate dissent-suppression techniques used by its proponents. “Epistemic tribalism” is the phrase Jonathan Rauch uses to characterize the state in which the proclivity of individuals to engage in confirmation bias is compounded by the group dynamics of conformity bias, resulting in the sort of echo-chamber effect that inhibits open inquiry and the search for truth and knowledge.<sup>2</sup> Whereas this phenomenon is merely a warning sign of an academic culture at risk, it becomes an actual threat when its adherents, led by defenders of (bad) critical theory, normalize various unethical tactics including threats, intimidation, personal attacks, and academic mobbing. One such adherent is the “crybully” – someone who elicits pity for their alleged oppressed status while simultaneously leveraging that status to threaten and intimidate those who try to subject their beliefs to critical scrutiny.

Until we publicly call out and denounce these tactics, the vital lie that we support the protections of tenure and academic freedom, along with our students’ rights to freedoms of thought and expression, will persist. One intimidation and deplatforming technique commonly used is appealing to safetyism.<sup>3</sup> Safetyism consists in insisting that adults need to be protected from hearing ideas with which they might disagree, and therefore find “harmful”. Whereas those who engage in this practice claim to be acting out of a concern for the wellbeing of their colleagues (!) and their students, such appeals are paternalistic and patronizing. They are captured by such anti-intellectual slogans as “Words are violence,” “Argument is assault,” “Disagree-

ment is oppression,” and “Impact not intent.”

Appeals to safetyism aim to subvert the functioning of an ethically-regulated marketplace of ideas by illegitimately limiting the range of thoughts that can be publicly expressed. Safetyism promotes catastrophizing because it equates emotional discomfort with physical danger. It confuses being offended with being harmed, or even traumatized, and then appeals to this alleged harm to censor speech and suppress dissent. Such catastrophizing is linked to adopting an external locus of control – the belief that external forces determine the outcome of events in a person’s life – because it denies a hearer’s agency and capacity to critically evaluate what they hear. Promoting safetyism among students in Generation Z is not just patronizing, it is also irresponsible and mentally unhealthy because these young people are already experiencing comparatively high and concerning rates of anxiety, depression, sadness, loneliness, and ideations of suicide.<sup>4</sup> Furthermore, as Rauch observes, safetyism not only trivializes actual physical violence, but it catastrophizes everyday interactions and attempts to excuse real violence. (If words are violence, he asks, then isn’t the use of physical violence to silence and deplatform a speaker justifiable self-defense?)

Another illicit technique involves confusing causing harm with causing wrongful harm. The correct standard here is the evaluative one – causing wrongful harm. Thus, exposing someone’s incompetence as an academic may cause them harm but this is not wrongful. On the contrary, attempts to suppress such efforts are themselves illegitimate because they undermine the regulation of higher education. The insistence on “Impact not intent” is another illegitimate dissent-suppression technique that seeks to undermine an academic culture by bypassing the norms of reasonable speech and standards of fair and due process and replacing them with the judgments of the offended, who, as a result, are empowered to censor where such censorship is unjustified. Such thinking also rewards catastrophizing and is simplistic (and patronizing) in that it valorizes those encouraged to view themselves as victims in need of help and demonizes those who express principled dissent at odds with the prevailing dogmas.

Yet another illegitimate dissent-suppression technique consists in conflating criticisms of the views of the offended with criticisms of *them*, and then insisting that since such criticisms are personal and objectionable, they are harassment. This most commonly applies to academics who practice so-called “me” studies – people whose main area of expertise is their own life – and various practitioners of identity politics, each of whom seeks to illegitimately suppress critical scrutiny of their ideas.

<sup>2</sup>Jonathan Rauch, *The Constitution of Knowledge: A Defense of Truth*, The Brookings Institute, 2021, p. 28.

<sup>3</sup>Greg Lukianoff and Jonathan Haidt, *The Coddling of the American Mind: How Good Intentions and Bad Ideas Are Setting Up a Generation for Failure*, Penguin Books, 2018, p. 28.

<sup>4</sup>See Jean Twenge, *iGen: Why Today's Super-connected Kids Are Growing Up Less Rebellious, More Tolerant, Less Happy--and Completely Unprepared for Adulthood--and What That Means for The Rest of Us*. Simon and Schuster, 2017.

In addition to calling out these academic-freedom suppressing tactics, a second step we can take to improve the academic quality of our culture is by insisting that our institutions remain neutral with respect to political matters, and especially controversial and contested ones. In response, some will claim that justice demands that we take stands on such matters. However, university officials should not be engaging in social activism, and what may appear obviously just to some is disputed by others. By weighing in on such matters, our departments, faculties, and universities threaten to chill inquiry into these subjects. So, although it may appear that institutional neutrality is a form of censorship, the opposite is the case. By maintaining neutrality, we promote free expression and inquiry. We do not suppress them.

By making pronouncements on various controversial topics universities increase pressure on students to not express “wrong” ideas. Such practices promote a culture of group-think and evidence a conflict of interest. Specifically, the interest that administrative and professor activists have in propagating their views through such channels conflicts with their duty to cultivate an environment in which students can learn and freely inquire. By violating the principle of neutrality, they contribute to a climate of indoctrination, where students feel pressure to uncritically accept received views to gain social acceptance.

Unfortunately, the corruption of higher education via the violation of the neutrality principle is pervasive, especially in the expanding domain of academic administration, which now includes Diversity, Equity and Inclusion (DEI) offices and offices of Indigenization and Decolonization. Examples of this abound. Consider one from my own institution. In 2021 dr. linda manyguns (who uses lower case to “resist oppression” <https://www.ctvnews.ca/canada/calgary-professor-won-t-use-capital-letters-unless-it-s-to-acknowledge-indigenous-people-1.5575010>), then Associate Vice President of Indigenization and Decolonization at Mount Royal University, led a poster campaign to raise awareness about colonization. The campaign initially consisted of displaying posters around campus. Here is the text from two examples:

*do you think Indigenous people have the same opportunities as other Canadians?*

*if you do, then your mind is colonized.*

*were you surprised when they found the children's bodies?*

*if you were, then your mind is colonized.*

In an article on the topic published by MRU media services (<https://www.mtroyal.ca/AboutMountRoyal/MediaRoom/Stories/2021/12/decolonization-poster-campaign-hits-hard-but-finds-an-audience-at-mru.htm>), dr. manyguns said she embraced the opportunity to spread the ideas of her office outside of the classroom and that the

poster campaign captured the interest of several schools and institutions around Alberta

including calgary public, rocky view, Siksika, Blood, Peigan and grand prairie public, as well as the rocky mountain school district centred in invermere, b.c., will be bringing the poster campaign to their schools. each poster will have the mru logo to let participants know the university is behind the initiative.

The obvious intent and effect of branding these posters and letting “participants know the university is behind the initiative” is not to foster educational climates in which students are encouraged to investigate serious social issues and draw their own conclusions. It is to intimidate and indoctrinate, to wield the power and status of the university to manipulate students into uncritically accepting institutionally-approved views. In typical coercive-conformity fashion, it does this by fomenting guilt and fear, not by appealing to reason. It accuses students who have not yet sufficiently “decolonized” of being brain-washed colonizers and implicit racists. Such accusations expose the vital lie of another Mount Royal University branding phrase, the one that graces the cover of the most recent university strategic plan: “Opening Minds and Changing Lives” ([https://www.mtroyal.ca/AboutMountRoyal/OfficesGovernance/\\_pdfs/vision-2030-opening-minds-changing-lives.pdf](https://www.mtroyal.ca/AboutMountRoyal/OfficesGovernance/_pdfs/vision-2030-opening-minds-changing-lives.pdf)). If we really want to open our students’ minds and improve their lives, then perhaps we should stop imposing on them the very cancelling and dissent-suppression techniques, along with the various forms of institutional indoctrination, that have degraded our academic culture, lest we lose what remains of our moral authority, and with it, our right to exist.

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#### ACADEMIC CULTURE

*Mark Mercer*

Academic culture is a culture of disputation. This makes it unlike just about every other culture. An academic university, a university that houses a culture of disputation, is a very strange human institution indeed.

Academic culture is a culture of disputation as a result of two factors. First, the people who come together to engage in study want to understand, interpret and appreciate the things of the world, and they want to get the world right. To get the world right they need to criticize current theories, interpretations and evaluations of that world, for

they need to find where those theories, interpretations and evaluations go wrong. Having identified errors, an academic will attempt to correct them. Second, the people who gather to engage in study value, and value highly, intellectual and moral autonomy, both their own autonomy and the autonomy of others. They will not, then, seek to manipulate others into believing and valuing as they do, but instead will confront others with evidence and arguments and invite criticism of their ideas.

A culture of disputation is a rare and fragile thing because disputation is unpleasant and troubling. Most people do not like to engage in it. Among the most shocking and hurtful things one person can do to another is to tell that person he's wrong about something. For some people, certainly, criticism and disputation come naturally, but very few people are like that. For most serious academics—those, that is, who have come to enjoy disputation—their taste is a taste they have acquired.

Almost always when someone comes up with a powerful idea, an idea that resonates with his fellows, the institution that grows up around that idea, and around the person who pronounced it, will be like a church. The task of the institution that houses it will be to protect the idea and the reputation of its originator, and to spread that idea, in its original form, far and wide. Criticizing the idea or engaging in disputation about it will be reviled by church members as disrespectful. Criticism expresses an attitude of discontent, as though things are not fine as they are and must be interrogated. Criticism can be dangerous, of course, for it might eventually bring down a settled way of life. It's for these reasons that many people want criticism and disputation to be policed closely, if allowed to exist at all, and so they have been policed closely in most human cultures.

Nonetheless, although very rarely, intellectuals will adopt a critical attitude toward the ideas of a master, and perhaps even openly dispute that idea. Thales of Miletus, who lived until the middle of the sixth century BC, proposed that water is both the substance from which all substances arise and the sustaining principle of all substances. He also held that the earth floats on a body of water (and that earthquakes are caused by the water's movement). His pupil Anaximander of Miletus reasoned that if everything were water, then nothing would be dry or hot. From this criticism of his master, Anaximander conjectured that the origin and principle of all substances cannot be any substance with which we are in direct sensory contact. He proposed *Apeiron*, the unbounded or indefinite. He also criticized the idea that the earth floats on an ocean, on the ground that that idea fails to explain what the ocean rests on. Noticing the beginning of an infinite regress, Anaximander conjectured that the earth hangs unsuspended in space. Anaximander's pupil, Anaximenes of Miletus, in turn criticized his master, and proposed air as the fundamental substance.

(One lesson here is that criticism doesn't always take us closer to the truth.)

We have here, in ancient Greece among the three central Milesian philosophers, an early instance of a culture and tradition of disputation. According to the twentieth-century philosopher Karl Popper, it was as though Thales said to Anaximander, "here is my theory to explain these phenomena; now you take it and criticize it, and through your criticism devise a better theory," and that Anaximander said the same to Anaximenes. The tradition of disputation of the early pre-Socratics has through the ages occasionally died or been suppressed, but it has also now and then been revived or rediscovered. Cultures of disputation have always been minority cultures, but a culture of disputation is integral to any academic university.

Academic culture is an individualistic culture, as it must be if it is a culture enjoyed by people who prize thinking and valuing for themselves. It's not a culture in which ideas are chosen for discussion on the basis of whose ideas they are or in order that certain groups be properly represented. If your own or your favourite ideas are discussed in academically rigorous classrooms or in academic papers, it is because members of the community think they are ideas worth discussing.

The language of academics at an academic university will be direct and clear. Academics will be candid and will not engage in euphemism or indirection. Anything might come up for discussion and anything could be said about it. All accept that whatever is said may be said in the way the speaker prefers. Being concerned for people's sensitivities is contrary to academic culture. Academics do not care if people are embarrassed or offended by what they say. (In any case, a person who possesses intellectual and moral autonomy is never offended.)

Importantly, academics are not disputing with a view to doing something. In non-academic cultures, disputation is sometimes tolerated when people have to decide what to do so that they can act. At issue in these cases will be a practical matter; criticism might be allowed as part of a process of deliberation, so that a decision can be taken and a path of action initiated. In academic life, on the other hand, there is no deadline for action and no decision to be taken. Critical inquiry is in principle interminable. Neither individual professors nor students need ever reach a final conclusion.

Academic culture is a collegial culture, in that distinctions of rank or office, if there are any, do not weigh on people's minds or require deference from anyone. Everyone is free to speak, and to speak critically, with anyone else. Some associate collegiality with civility, but that's a mistake. Academic culture is not actually a culture of civility, no matter how collegial professors and students happen to be. Civility is not an academic value; unlike, say, academic

freedom or respect for intellectual autonomy, it is not constitutive of the academic mission. Civility is, rather, an external value, one that a person would honour for reasons unconnected to academic concerns and academic culture. Now, it may appear to a naïve eye that professors and students are treating each other civilly, but that's just because their behaviour often follows the patterns of civility. They are not behaving in the ways they do to be civil, though, or out of civility. Professors and students committed to the academic mission are not shouting at each other, to be sure; but that's not because they value civility. The reason they are listening closely to each other is that they believe that others might have something to say and they don't want to miss it. Professors and students pursuing the academic mission will give the impression of people being civil with each other, but it is an impression only. Their motive is not civility.

Indeed, often they won't be civil with each other, though they remain cheerful and without spite. Academic life requires staying on topic in a discussion and neither repeating oneself nor telling stories or singing praises. A professor or student who goes on too long for no reason connected to getting things right may properly be interrupted in the hope of moving the discussion forward. Irrelevant words may be ignored. All this will seem rude to spectators, and rude it might be. But firm control of the discussion for the sake of the academic mission is welcomed by professors and students committed to that mission.

The great destroyer of academic culture is authority. When professors or students abandon discussion and criticism to seek from a dean or an academic vice president a ruling, academic life ends. Appealing to authority will bring censorship and self-censorship. Candid discussion cannot occur under such conditions. Academic life will then have to go underground, even within a university.

This, sadly, is the current condition of many of our universities. Instead of a culture of disputation, they feature a culture of celebration. Rather than identities being interrogated and examined, identities are affirmed and lauded. Instead of individualism, they favour teams, groups or collectives. Professors and students, instead of pursuing insights into what interests them, are encouraged to find authors and topics that represent ethnic or other identity groups. Instead of respect for intellectual and moral autonomy, they are required to value safety and to defer to people's feelings and identities.

To summarize: 1) Academic culture is a culture of disputation. We dispute with each other in our attempt to find the truth—or, at least, to identify error. 2) A culture of disputation is difficult both to create and to sustain. Few people are native to such a culture, and few who are not native will ever go native. 3) A culture of disputation is necessary, though, if people who value intellectual and moral autonomy are to come together to pursue study. In study, people

willingly put their feelings and identities at risk. 4) To a naïve observer, academic culture will appear to be a culture of civility. That appearance, though, is a mere artifact. The behaviour of people concerned with understanding, interpreting or appreciating the ways of the world might simulate civility, but their behaviour is guided by values internal to the academic mission, and not constrained by values external to it. 5) Seeking a ruling from a university authority, such as a dean or an academic vice president, or a disciplinary association, is fundamentally anti-academic. Doing so introduces fear and self-censorship into an academic community, thereby destroying academic culture.

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#### CATALYSTS AND CONSEQUENCES SURROUNDING JANICE FIAMENGO'S RESIGNATION

*Barbara D. Miller*

This essay is loosely based on a letter I submitted to the SAFS board of directors two weeks after reading long-standing board member Janice Fiamengo's description of her decision to resign. In the aftermath of my letter, informal exchanges with board members helped to flesh out a bigger picture, and I am grateful for the time investment and general consideration represented by those conversations. As a result, from my perspective, some of the troubles addressed in Janice's essay have been mitigated, at least to a degree. But many such problems appear to remain in full force.

In the newsletter editor's invitation to submit articles on this subject, it was properly noted that Janice's exit represents a loss to the organization, and that her decision to leave was due to philosophical differences with other SAFS leaders. All this is true as far as it goes, and the announcement was reasonably phrased. Nevertheless, sometimes expressing a thing diplomatically or just concisely can inadvertently cloud an understanding of deep significance. Janice's differences from some of her board colleagues are not only philosophical; they are moral. The latter qualification is the one that explains why those differences were sufficient to provoke her resignation after more than seven years' dedicated service. Before discussing content specifics of her essay, I would like to state my admiration for Janice's courageous forthrightness and for her integrity in this matter, and to point to those qualities as particular losses for SAFS worth considering in the context of the organization's alignment with its core purposes.

Some revision here compared to my original letter is based on the welcome news that the SAFS board as a whole

did not contemplate officially endorsing the spirit of Natalie Knight's inflammatory remarks, or even her right to make them, *per se*. However, according to Janice's very credible summary there are board members who favored exceeding the parameters of academic freedom in the matter, and even sending something readable as society approval of Knight's hate-filled opinions. What remains especially concerning, including its implications for future SAFS decisions, is the circulation by the board chair, cited by Janice, of a letter defending Knight's right to promote antisemitism, despite vigorous objection by some board members on ethical grounds.

Especially given that attempt at formal SAFS backing, at least in some sense, for speech supporting genocidal violence, it is a matter of conscience for me to address the situation, from my stance as a SAFS member who will not be attending the annual meeting in light of what I learned in Janice's essay. In fact, it would be impossible to express adequately my shocked disappointment at the postures of some board members. Even apart from moral considerations however, as I understand it, espousing political positions as an organization, or by the leadership in professionally linked communications and decisions (not counting unendorsed personal comments during meeting presentations and debates) runs contrary to SAFS's stated purposes. One reason I joined the society is that SAFS is supposed to advocate for intellectual (including political) diversity, and therefore not to identify with individual political positions. One basic reason for the criticism in this essay is that the conversations detailed in Janice's letter included obviously partisan, and therefore markedly inappropriate contentions, coming as they did from individuals acting in their capacities as board members.

According to my reading of Janice's clearly articulated explanation, some society representatives spoke as if Knight's vile and potentially dangerous public pronouncements should have had no repercussions for her job status as a professional educator, on the basis of academic freedom, even though Knight's diatribe was irrelevant to any scholarship she may have conducted, or to her field or fields of study more generally. As the founding Declaration of Principles by the American Association of University Professors asserts, "The liberty of the scholar within the university to set forth his conclusions, be they what they may, is conditioned by their being conclusions gained by a scholar's method and held in a scholar's spirit; that is to say, they must be the fruits of competent and patient and sincere inquiry, and they should be set forth with dignity, courtesy, and temperateness of language." There could have been no justifiable society support for Knight's genocidal demagoguery, grounded in commitment to academic freedom, since her remarks fail to meet a single criterion designated in this authoritative and highly relevant statement of enduring value.

Although SAFS, of course, is fundamentally connected with the overall right to free speech, one of its primary concerns and its most fitting purviews is specifically academic freedom, a concept with its own contexts and targeted objectives. These include the rights of institutions and their responsibilities as public trusts. An aspect of the Knight situation that may not have been discussed in meetings while Janice was a board member is that of fair expectations by Knight's contracted employer, given the reflection of her public behavior on that institution, and given that her remarks did not form part of any university function, occurring instead at a very specifically political rally. It is easy enough to understand on an intellectual level that an unnuanced stance favoring no-holds-barred speech protection for Knight, and failing to credit the impact of her words on anyone else, would likely be based on a belief that individual freedom of speech effectually supersedes any other consideration. Important as freedom of speech is to the ethos of SAFS, the society's mission does center on academic freedom and on the merit principle. Merit certainly encompasses ethics. And the logical and moral problems with an exclusively pro free-speech position encompass its dismissal or denial that actions, including assertions, affect others, and that they can facilitate infringement on the rights of those others. This is, after all, a general principle underpinning legal limitations on free speech established long ago in British law, and basic to the legal codes of both Canada and the U. S. Actions practically always have consequences, whether or not we admit it. Janice's letter, and her concurrent resignation from SAFS, as well as this modest follow-up, are at least secondary consequences of Knight's lamentable words and of the reactions to them by some SAFS leaders. Regarding more direct outcomes, I doubt whether anyone reading Knight's comments, let alone hearing them firsthand, would be unaffected. Persuading crowds of people to join her in antisemitic jubilation was demonstrably one of her main objectives. What is ultimately important for SAFS members in this scenario is the outcome that no letter of approbation for Knight's reprehensible behavior was sent in the name of the society.

By comparison to SAFS's ultimately judicious restraint in the Knight case, the recent board change, from a consensus decision-making procedure to majority vote, lacks any discernible silver lining. That power-consolidating move will support expediency. But it can subject all dissenting SAFS members to the tyranny of the (bare) majority of a small set of leaders, and partly for that reason it has already damaged collegiality and objectivity. This is significant even apart from the question of unkindness, because both collegiality and properly applied impartiality are necessary to the optimum functioning of the organization in accord with its stated principles. Indeed, had voting procedure been changed prior to the Knight controversy, there is a chance a society letter supporting the activist's celebration

of antisemitic barbarism might have been sent. In fact, as I understand it, board member support for such a letter, rationalized as backing Knight's right to free speech, may actually have fueled the procedural change. So much for judicious restraint. It remains to point out that dictators have always favored efficiency.

In email exchanges following my letter, most of them civil and at least moderately constructive, it surfaced that there is confusion about active support for the content of vile speech versus the central goals of SAFS. To say that statements are unethical is NOT to undermine the right to free speech. It is, rather, freely to express moral judgement, and to suggest that mature adults do better to think before they speak, regardless of their right to do so. *Criticism of deplorable public speech is a very different matter from suppression of it.* To publicly condemn questionable utterances, without stopping someone else from making them, is actually to exercise one's own freedom of expression properly. When people speak as Knight did on the subject of Israel and Hamas, in the short run they should expect push-back, and in the long run they effectively condemn themselves. In fact, these are valid points in any good argument for preserving the freedom to speak as one wishes, short of criminal violation. Nevertheless, the connected lack of clarity among SAFS leaders about definitions pivotal to the society mission is suggestive and even worrying. Declining to promote genocide simply because someone else does so is not censorship. It's ethics. And intellectual diversity is not the same thing as an anything-goes approach to morality. *The bottom line on free speech is that it removes prohibition, with exceptions as dictated by law; it does not require support for particular utterances.* As National Association of Scholars President Peter Wood has indicated, intellectual freedom "entails a combination of more particular freedoms," among these the freedoms "to criticize. . .and even the freedom to refrain from speaking."<sup>5</sup>

To be fair, it bears emphasizing that SAFS's decision to publish Janice's essay, a choice which was unclear at the time I originally wrote to the board, has restored some of my respect for the organization. That respect could be more fully recovered if the board were to make a more formal statement of regret over her departure than the gracious but understated reference of the newsletter editor, whose primary purpose was to specify particularly welcome themes for the next issue. Further to the point, there is no reason such a statement could not include a suggestion that Janice reconsider, and an affirmation that she would be welcomed back as a valued society member. Even in purely pragmatic terms, SAFS needs to expand, not narrow, its membership, and when a significant contributor resigns, the organization sustains a blow to its

constructive potency.

On the subject of proper governance in the context of the Knight conflict, it is key that leadership, by definition, is largely public. Some comments leaders might make without raising an eyebrow in private could be judged inappropriate or be misunderstood during business meetings, even though of course individuals should have the technical right to make them. Some might argue that board meetings are private. Once again, leadership is ultimately public, and of course things may be repeated to those not present at meetings, for any number of reasons, including that board members ultimately speak for the membership at large. The place of self-control as a component of self-government comes to mind here. Sensible people recognize that merely having the right to say something does not automatically make it the right thing to say. Neither does it make formal promotion of questionable assertions a requisite of free speech advocacy.

SAFS nobly elevates the democratically essential right to free speech, concentrating many of its efforts on protection of that necessity for political and broader social interaction. *But none of this makes free speech into an unassailable good. The ultimate good will always be goodness itself, which includes honesty, as well as humility, kindness, and consideration for the best interests of others.* It was argued by one correspondent following my original letter that free speech IS the highest good because it facilitates all the other goods. That statement directly reverses the logic of the classical philosophy embraced by key Enlightenment thinkers. In those terms, the highest good is that at which all other goods aim, precisely because the highest good is that which is valuable in and of itself (and not as a mere means to an end).

The broader subject of properly applied freedom of expression relates to one of the very few comments in Janice's letter with which I slightly differ. She says that while "university educators should have wide latitude in the academic subjects they discuss and the manner in which they engage them, vociferations of pleasure in mass murder cross a line. They are not the same as incitement to violence, which is illegal, but they come close." To my mind, they come much too close. There is a case for holding people ethically culpable, in part, for the actions of their audience members, in some circumstances where violence or other substantial harm closely follows on corresponding public statements, whether or not followers are explicitly directed toward particular conduct. As we in the States saw all too clearly, public exhortation that did not technically cross the line on January 6<sup>th</sup>, 2021, was nevertheless directly linked to outcomes that were tragic, and that benefitted no one in any way a person of good judgment would deem constructive (save, perhaps, along the lines of a cautionary

<sup>5</sup>See the 2016 National Association of Scholars report by Peter Wood, Association President, "The Architecture of Intellectual Freedom," available online at [www.nas.org](http://www.nas.org).

tale).

Finally, as an American who could well have lost three important friends on 9/11, who knows intimately their continuing related anguish, and who has met members of victims' families, I can only view the viciously heartless, or callously thoughtless, comments around the idea that that event and the October 7<sup>th</sup> attack on Israel can rightly be viewed as "amazing" as evidence that some members of the SAFS leadership lack the will to call out frankly reprehensible statements. Although no one is perfect in this regard, one measure of reliable character is a habit of judicious restraint. Another is the will to retract statements and / or to apologize for them when warranted. *We learn the civility necessary to worthwhile interaction and achievement by participating in communities that model it.* If, as was suggested to me in an email, at least one unfortunate comment directly linking 9/11 and October 7<sup>th</sup> was meant ironically, I would add that although people living in free societies must hold the freedom to make them, some statements are not funny no matter where or how they may be uttered. In light of such talk by members of the current SAFS leadership, I would have to be convinced of material changes in shared board attitudes for me (or for my husband, who had been considering joining) to feel welcome or comfortable among you again. However, it is important to add that in the wake of my letter one board member explained the intention to argue for due process in the Knight case, and ultimately not to suborn her explicitly political evangelization of hatred. Society support for due process is, of course, completely appropriate in any case that would normally come before the board, and knowing about this intention does mitigate the outrage expressed in my original letter. Finally, that collegial board member was gracious enough to express the hope that I would not resign my membership. It is largely to his credit that I will wait to see what develops in coming months before making a final decision.

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#### ACADEMIC FREEDOM AND FITNESS FOR OFFICE: A RESPONSE TO JANICE FIAMENGO

*Frances Widdowson*

In the previous issue of the SAFS Newsletter, Janice Fiamengo explained why she resigned as a SAFS board member. This article will summarize Fiamengo's arguments.

I will argue, using the assertions of law professor Jamie Cameron, that the only limitation that should be placed on academic freedom is "fitness for office."

In "Why I resigned from the Society for Academic Freedom and Scholarship," Janice Fiamengo gives two reasons for her resignation. They are that 1) "The board has lost sight of its mandate," becoming "increasingly concerned with nonacademic political issues;" and 2) the board "has abandoned collegiality." This raises the questions of what SAFS' mandate is and what Fiamengo means by "collegiality."

Fiamengo's resignation was in response to a board decision – five in favour, two opposed and one undeclared – to send a letter to Langara College criticizing the investigation of instructor Natalie Knight. Knight had given a political speech in downtown Vancouver on "decolonization," which included the opinion that the Hamas attack against Israel on October 7, 2023, was an "incredible" and "amazing" act of resistance. This resulted in Knight being suspended and investigated by her college. Knight was originally reinstated, but then fired for allegedly violating the conditions that her employer had placed upon her return to work. At this time, it is not known exactly what resulted in Knight's being fired. (I have tried to contact Knight, but she has not returned my messages.)

Fiamengo maintained that the Board's decision amounted to condoning Knight's "praise for mass murder," which should not receive academic protections. By writing the letter to Langara College, SAFS was supporting a "nonacademic political issue" that is not within the organization's purview. Fiamengo also implied that there was a double standard at work in this decision, since the Board accepted the principle of majority rule in the Knight case but did not send letters opposing the vaccine mandates due to a lack of consensus. This apparent change in procedure, in Fiamengo's view, amounted to an abandonment of collegiality.

Fiamengo, however, has misrepresented both the Board's decision to criticize Langara and its use of majority rule to make this decision. Knight was defended not because she "praised mass murder," but as a result of the need for extramural expression to be defended neutrally no matter how offensive the views are perceived to be. Majority rule was used in this case because consensus broke down. To rely on consensus in the face of polarization would paralyze the organization and prevent it from carrying out its mandate.

#### SAFS' MANDATE

Fiamengo correctly states that SAFS' mandate is "maintaining freedom in teaching, research, and scholarship" and that "[w]e oppose measures such as speech codes, extra-legal tribunals and so-called anti-hate legislation that may infringe on the right and responsibility of the academic



community (faculty and students) to teach and do research on controversial subjects.” She then asserts that “Nowhere...does SAFS claim that professors should be able to say, with impunity, any false or bloodthirsty thing that pops into their minds.”

Fiamengo argues that “academic excellence and the merit principle are SAFS’ primary values,” and, as Knight’s speech was not based on these values, her speech should not be defended. Knight’s statement at the rally, according to Fiamengo, was not academic as it “did not articulate any argument to explain why the deliberate murder of civilians, including children and the elderly, was a glorious or even necessary act of liberation.” On the contrary, what Knight said was “jarring in its crudity.” Knight also was “not a researcher on the Middle East” and had not “published on the Israeli-Palestinian conflict.” Knight, according to Fiamengo, is not really an academic at all because “she is primarily an activist rather than a scholar committed to evidence-based and logical arguments.” Fiamengo maintains that “any institution of higher education at which men praised violence against women, or vice versa, or at which one racial group praised acts of violence against another, would not be a place conducive to learning or to reasoned intellectual exchange. On the contrary, such an institution would be a place given over to tribalism, unreason, and bigotry.”

In her summary of the arguments from board members concerning whether to send Langara College a letter, Fiamengo states the following: “One board member agreed with me that Natalie Knight’s words do not deserve to be defended. Other members disagreed. They stated that universities should take no position on political matters and that a professor’s extra-mural speech is none of the Langara administration’s business.” She goes on to argue that “The nub of the matter seemed to be that the content of Knight’s speech did not matter, only the principle of free expression.”

Fiamengo also mentions the Board’s discussion of the case of Samantha Pearson, who was fired from her job as director of the University of Alberta’s Sexual Assault Centre. Pearson was allegedly fired for signing a letter with her University of Alberta affiliation. This letter criticized NDP leader Jagmeet Singh for accepting the claim that Israeli citizens had been raped by Hamas fighters, and suggested that these rapes were “unverified.” Fiamengo states that “[o]nce again, I queried the board about the rationale: did we truly believe that an institution would be wrong to fire a sexual assault counsellor who didn’t believe, as a matter of principle, reports of sexual assault? Wouldn’t belief in victims’ claims be a necessity for the position?”

With this statement, Fiamengo is obfuscating the difference between an academic position and a bureaucratic one. In her position, Pearson is expected to be an advocate for people who have been sexually assaulted, and this is differ-

ent from being a professor who is supposed to be exploring ideas and pursuing the truth. If Pearson were an academic, I would have recommended that SAFS support her academic freedom rights to question reports of sexual assault. In fact, many academics have raised the alarm that “belief in victims’ claims” undermines the principle of being presumed innocent within the criminal justice system.

## COLLEGIALITY

In the past, SAFS has generally operated by consensus. Fiamengo uses the fact that the Board decided not to write a letter in opposition to the vaccine mandates to show that consensus was the mode of decision making that we had always used. But in reality, the mandate issue was different procedurally from the Knight case because the former did not have majority board support. And while Fiamengo provided extensive arguments opposing the Knight decision, the other board member who agreed with Fiamengo had no academic defense for his position. Instead, he cast aspersions about the character of the letter’s supporters (“evil” was the word used to describe us). This board member stated that he knew many people in Israel, and these political sympathies appeared to have shaped his personal feelings about the Knight case.

Fiamengo may be correct that going from consensus to majority rule is indicative of a decline in collegiality on the Board, but this is due to the fact that both Fiamengo and the other opponent of sending the Knight letter were acting in a manner that was inconsistent with SAFS’ mandate. Fortunately, Fiamengo has resigned – as any board member should when they no longer agree with the fundamental principles of an organization that they are supposed to be serving. This raises the question of how Fiamengo’s arguments are actually contrary to what SAFS stands for. Fiamengo undoubtedly believes that she is upholding SAFS’ principles because she believes that she is focusing on academic standards, while the majority of the Board is “concerned with nonacademic political issues.” As will be discussed below, however, academic standards and political issues cannot easily be separated when it comes to extramural expression.

## FIAMENGO’S ARGUMENTS CONFLICT WITH SAFS’ MANDATE

For the record, I was the board member who proposed that a letter be sent on the grounds that “Natalie Knight was expressing a political position [sic] at a rally” and that freedom of expression “gives [faculty members] confidence to engage with the world and to develop their intellectual interests without fear of institutional censorship.” I see nothing wrong with this assertion, and continue to stand behind it. This is consistent with SAFS’ mandate to “oppose measures such as speech codes...and so-called anti-hate legislation that may infringe on the right and responsibility of the academic community (faculty and students)

to teach and do research on controversial subjects.”

Fiamengo, however, believes that there *should* be “speech codes” at universities, and therefore her views are inconsistent with SAFS’ mandate. These speech codes, according to Fiamengo, would limit what she perceives to be “false” and “bloodthirsty” utterances. For Fiamengo, the “truth” of her understanding of Knight’s comments has already been found. She cannot accept that there could be other interpretations of these views, or that it is important that Knight be heard so that academics can determine for themselves how to respond to her opinions.

Knight’s case is actually not very contentious because her speech had nothing to do with her duties as an academic. Knight was making her speech as a private citizen away from the Langara College campus. She did not even mention that she was a professor while she was making her comments. To punish Knight for saying things as a private citizen is a clear violation of her freedom of expression rights – rights that are protected by the Charter and most faculty collective agreements.

Even though her speech was made as a private citizen at a political rally, and not in the course of her academic responsibilities at Langara College, many besides Fiamengo would argue that it might not be possible to defend such extramural utterances. This point was raised most effectively by Norman Finkelstein during a talk that he gave at the Toronto Public Library (<https://www.youtube.com/watch?v=OoS-mAtVN19Q&t=2470s>). In this talk, Finkelstein discussed the following principle of academic freedom: “when you’re in that classroom, you have certain professional obligations...However...once you leave the classroom, once you leave the university, once you step off campus, then, like everybody else, you should have full freedom to say and think as you like because...it’s a constitutionally protected right.” He went on to point out, however, that while this principle sounds logical in theory, it was not “altogether practical.” To illustrate this, Finkelstein used an example that he intended to resonate with the audience, which was pro-Palestinian. He first asked the audience to raise their hands if they agreed with the academic freedom principle that he outlined, and most put up their hands. He then posited this example:

A professor at home, at his or her computer, on his or her Facebook page, writes, ‘I hope Israel kills every single Palestinian.’ And that professor teaches, let’s say, math on campus. He or she is off campus. He or she is exercising their [freedom of expression rights]...Now let’s see by a show of hands, how many people think that professor should have the right to do that? Look around you. I would say about 10 altogether. So in the blink of an eye, a principle which most of you agreed with in the abstract

suddenly gets very little support.

Although Finkelstein provided this excellent example, and the cognitive dissonance that it created for the audience was palpable, he did not pursue its implications. Just because most of the audience was quick to violate its principles when faced with an expression that they perceived to be extremely offensive and immoral, the question is still before us. Is there any objective principle that can be relied upon to determine what kind of extramural speech should result in a professor’s academic freedom being limited?

Just such a principle has been identified by the legal scholar Jamie Cameron. For Cameron, it does not matter whether the speech is within or outside of a professor’s area of expertise. The principle for determining if speech should be limited comes down to the same criterion — “fitness for office.” According to Cameron, “...to the extent that academic staff have engaged in extracurricular expressive activity that makes them unfit for office, unfit to discharge...their academic duties, then it’s at that point that academic freedom will not protect them.” Cameron also points out that this determination should be made by a “peer-led process” and not by administrators who have no knowledge of the academic principles involved (<https://www.youtube.com/watch?v=VDtEUCnulyg>).

The question about the Knight case then becomes whether what she said at the political rally makes her unfit to carry out her academic duties at Langara College. On its face, it is hard to see how Knight’s political statement would prevent her from engaging in teaching, research, and service, as she was not even on campus at the time. The only thing that will undoubtedly be brought up is that Knight, by making remarks that upset many people, damaged Langara College’s “reputation.” But, as James Turk has pointed out, faculty members’ allegiance is to the academic mission, not to their employer (<https://www.youtube.com/watch?v=xwizM-0vfQw&t=1797s>). Therefore, professors have a duty to state what they think is true, even if this is perceived to negatively impact the public image of the institution for which they work.

Janice Fiamengo states that Natalie Knight is an activist, not a scholar. This may be true, but, if so, Knight was hired for her activist orientation. The hiring of activists instead of scholars is a major problem in universities, but this is not why Knight was subjected to institutional censorship. Knight was suspended (and then fired) because many complaints were made about her speech, and Langara College – a corporate entity – now thought she had become a liability rather than an asset. This is not how post-secondary institutions should make decisions. Until a peer-led process determines that Knight is “unfit for office,” she should not be fired from her job or muzzled in any way.

*Frances Widdowson (widdowsonfrances@gmail.com) was a professor in the Department of Economics, Justice, and Policy Studies at Mount Royal University from 2008-2021. Her unfair dismissal case is currently in arbitration, and details are available here: <https://wokeacademy.info/episodes/>.*

# UNIVERSITIES MUST BE FREED FROM THE GRASP OF SAFE SPACE BUREAUCRATS

*Lawrence Krauss*

Recent events have demonstrated the need to re-establish free inquiry, free speech and academic freedom at universities throughout North America. But current efforts by academic administrators to remedy the situation are often missing the point. You cannot restore free speech by creating further restrictions on what speech is appropriate, and by focusing on what sanctions may be appropriate and when.

The United States has a legal system that not only enshrines free speech, but creates a strong barrier against the success of false or misleading accusations. Due process and evidentiary hearings with the right to confront accusers are central features of legal proceedings, that, while they may make it difficult for alleged victims to bring suits to seek the justice they believe they deserve, also protect the innocent. As English jurist William Blackstone famously put it, “It is better that 10 guilty persons should escape than one innocent suffer.”

University tribunals are famously not law courts, but that does not imply they shouldn’t uphold high legal bars when it comes to complaints about conduct. Rather, given that one of the purposes of higher education is to encourage intellectual discomfort as a means to motivate thinking and reflection, universities should be extremely hesitant to take any inhibitory actions at all. Even more so because of the recent pressure, in the skewed notion of what constitutes a safe environment, to adjudicate offenses that should never have required adjudication at all.

Fundamentally, it is not the job of universities to police behaviour, including claims of victimization and harassment, or to defend moral values. The legal system exists to handle the former, and families, religious institutions and political parties exist because they attempt to do the latter. Some universities, particularly private universities, may argue that they have the legal right to protect fragile minds from appalling or offensive ideas and statements, and create special policies and internal judicial systems to do so. But while they may have the legal right to do this, in so doing they effectively renounce their fundamental role as educators. While I suspect those who oversee codes of conduct believe they are working to improve the educational environment, they are actually missing teachable moments.

Discussion and dialogue would provide important learning experiences, in contrast to formal and generally insular judicial tribunals.

There should, for example, be no proscription against having racist or sexist, or politically extreme opinions. After all, beyond the walls of academia, democratic societies do not (or should not) demand that voters are rational or responsible in order to participate in the democratic process. There are no mandated tests demonstrating adherence to democratic or egalitarian ideals. So too, within their walls, universities should not ensure conformity to even widely accepted normative beliefs. Intellectual provocations that might appear offensive to some are often important pedagogical tools, motivating reflection and discussion that can push scholarship forward.

One may ask, as one of my colleagues who read a draft of this piece did, how can one effectively censure or get rid of faculty who have gone off the rails, for example, speaking before crowds, as some did after Oct. 7, praising the horrific mass murders that day as “brilliant” or “amazing.” To this, one must respond first that the purpose of free speech is not to protect speech one agrees with but speech one abhors. Second, while there are laws against speech that incites future violence, there are no laws that protect against moronic reflections. However, universities have no need to retain faculty who are intellectually weak, and who demonstrate that by their writing or speaking. Faculty in a department can vote against tenure, for example, for faculty who are ideologues rather than scholars. If such faculty are tenured because they have otherwise demonstrated talents, departments can effectively ensure that they teach only classes in areas of expertise where they have demonstrated excellence. And if the departments, or even whole fields of claimed research, are demonstrably intellectually vacuous (to be distinguished from politically incorrect!) and/or rife with second-rate intellectual activity, universities can, for sound scholarly reasons, disband entire departments.

Students who come to university expecting a “safe” intellectual environment are not adequately prepared for the experience. While singling out individual students for ridicule or abuse isn’t acceptable, discussing sensitive topics in class that some students might find triggering or offensive should be permitted without sanction. Students who feel personally offended or attacked when sensitive issues are discussed should learn that the process of education is not always comfortable. Students are ultimately responsible for their own education. If they cannot handle such discussions, that is a problem they must deal with, not others. The students can either choose to avoid environments they might find triggering, or learn that intellectual safety is antithetical to their education, both in university and outside of it.

There is no place for generic “safe spaces” for students who,

for one reason or another, feel victimized without them. Nor should students feel that they should control the educational direction of the institution they are attending. If they find the environment not conducive to what they are seeking in their education, they are free to work with faculty to try and improve it. But the final decisions on curricular issues should not be theirs, and if they are not satisfied, they are free to study elsewhere. Faculty should never be concerned about possible retribution for raising controversial issues within the classroom or while mentoring students. Moreover, and perhaps most important, human resources, DEI and Title IX offices (which monitor compliance with U.S. prohibitions on sex-based discrimination in federally-funded education programs) should have no place in governing what faculty say in the classroom or think outside of it.

Faculty should have a right to hold racist, sexist, Marxist or postmodernist opinions. They don't have to agree with current notions about diversity, Israel, or sex or gender. They are free, or should be free, to be wrong and even ridiculous. There are, after all, already existing laws against *acting on racist or sexist opinions in a way that discriminates against individuals*. Those who seek remediation can always appeal to the criminal or civil justice systems. The university should not, as a matter of course, feel the need to go beyond the legal system, which is designed to protect free speech and provide transparent due process. If a student, staff member, or faculty member brings a complaint, it should be a complaint that can survive the light of day in a courtroom. If universities have unambiguous evidence of illegal behaviour, they are also free to launch legal proceedings. If they fire a faculty member for such actions, they should prepare to potentially lose a lawsuit. Finally, universities should not feel that routine adjudication of claims of victimization or harassment is their purview. They should assist legal authorities in any such investigations.

The university should differ from broader society in at least one important aspect, however. In the court of public opinion, one may suffer unduly from speaking one's mind. But in an academic environment, the opposite should be the case. Refusing to engage in argument or debate by withholding one's ideas and opinions, for whatever reason, or forcibly shutting down discussion, should not be a pathway to success.

Beyond these principles, certain general truths need to be recognized. First, language is not a form of violence. It should not be policed beyond the limits of the legal system. Statements of adherence to high moral principles should not be mandated. It is not the role of the university to endorse principles beyond honesty, intellectual rigour and free exchange of ideas. And finally, universities are not the places to solve society's ills. Systemic racism, economic exclusion, bigotry and more may exist in society, but those

societal problems need to be addressed at the level of their root causes, which do not reside in tertiary education.

Some are concerned that unless faculty are forced by mandates to ensure certain externally imposed moral principles, such as those relating to gender or racial diversity, then faculty will, as a group, not protect those principles in their actions. There is no clear evidence that these concerns are well-founded, and moreover, even if it were the case, imposing mandates from above is not appropriate.

An argument for affirmative action requirements in faculty hiring relies on the (unproven) assumption that faculty most often tend to hire those who resemble themselves. This extends beyond race and gender to include political or ideological leanings. But to be frank, even if groups of faculty are narrowminded in this sense, this need not always harm scholarship. Of course, if outstanding candidates are not hired on ideological or other grounds, the quality of scholarship in the department will generally deteriorate as a result, and its reputation will decline, leading good candidates to choose positions elsewhere. However, the opposite can happen and has happened. Consider the University of Chicago's economics department in the heyday of Milton Friedman, who taught there from 1946 to 1976. It became one of the few such intellectually conservative departments in the country which in turn produced many of the most intellectually respected conservative economists in the country today.

Bureaucratic enforcement of utopian ideals of behaviour and responsibility is unrealistic, and also inappropriate. Scholarship at its best involves a battle of ideas, and also acceptance of a clash of personalities. Some faculty are jackasses. It is not up to the university to weed out those personality types. Students who are intimidated by unpleasant individuals need to learn how to deal with it, and if they don't like a faculty member, they can either suck it up and continue the course, or take another. It is, for better or worse, good training for the outside world, which is full of unpleasant bosses.

Universities need to be run by the faculty who teach at them. Administrators work on behalf of faculty to provide an environment in which they can flourish, not the other way around. Bureaucrats should not control university policies. This is why the current incursion of a DEI bureaucracy that doesn't report to faculty, with control over policies that govern faculty behaviour and hiring, is a force that hinders academic scholarship. The same would hold true of any other politically motivated bureaucracy, be it conservative or from the left, whether or not their ideals may seem noble in advance.

U.S. academia became the model for the world by a simple rule. Let faculty seek out and hire the best new faculty, and let them be free to explore whatever they want, teach whatever they want and behave as they want, as long as it

is within the bounds of legal civility. If you trust faculty as a group, then further constraints should require a very high bar. And if you don't trust the faculty, they shouldn't have been hired in the first place. The benefits of setting faculty free to roam over the unlimited sea of ideas far outweigh the risks of doing so. As the saying goes, a ship in harbour is safe, but that is not what ships are built for.

*Lawrence M. Krauss, a theoretical physicist and author is*

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Thank you,  
Robert Thomas, SAFS president

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