

Freedom of expression and academic freedom: A response to Indira Samarasekera

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Outgoing University of Alberta president Indira Samarasekera distinguishes strongly between academic freedom and freedom of expression.

“Academic freedom is so hopelessly misunderstood,” she said, according to a report on the CBC News website, 29 May 2014. “Academic freedom is there for you to be able to speak about things you absolutely are an expert on. We’re talking about free speech, here.”

The “here” in that last sentence refers to professors criticizing the policies at their universities. For Samarasekera, universities allow professors to criticize their institutions not because those professors enjoy academic freedom, for academic freedom, again, applies only to professors when they are speaking as credentialed experts. Rather, universities don’t sanction professors who speak critically simply because universities value freedom of expression.

President Samarasekera is not describing the institution of academic freedom as it actually exists at her university; she is, instead, proposing that things be changed. The collective agreement at the University of Alberta affirms, under the heading “Academic Freedom,” that professors are free “to speculate, to comment, to criticize without deference to prescribed doctrine” (article 2.02.3). Nothing in the agreement restricts that affirmation to speculations, comments, or criticisms made within a professor’s areas of academic expertise.

Samarasekera is, then, telling us how things should be, and not how they presently are. Those who so hopelessly misunderstand academic freedom might not be making a factual mistake regarding policies currently in place. They are simply wrong about what utterances should be protected under academic freedom.

President Samarasekera is not alone in her view that much of what is protected in collective agreements under the heading “academic freedom” shouldn’t be included under that heading. It is safe to say that most university presidents in Canada share her view, for, in 2011, the Association of Universities and Colleges of Canada (AUCC), an organization of university and college presidents, adopted a new statement on academic freedom that conspicuously fails to include both criticism of the university and public expression. (The AUCC statement is now being cited by some universities in their bargaining with professors’ unions. These universities would remove from collective agreements freedom of expression protections professors currently enjoy.)

Should we, then, reform policies of academic freedom along the lines Samarasekera describes, removing the protection they give to professors who speak on matters outside their credentialed expertise?

Samarasekera's proposal certainly raises a host of practical difficulties around how to determine a professor's areas of expertise. But that's not the real problem with it. The real problem is that it rests on a misunderstanding of the nature of academic credentials.

It is true that earning a Master's or Doctoral degree in a subject makes one an expert on a topic or two. More significantly, though, one's degree indicates that one has acquired a high level of competence in enquiry, interpretation, critical thinking, and expression. The competence the master or doctor has acquired is a general competence, one that can be exercised on whatever field or topic to which the person turns her attention. It also indicates an outlook, a fondness for enquiry and discussion. An academic degree is not the credential of a narrow specialist, as a professional title is; first and foremost, it announces one's citizenship in the republic of enquiry and letters.

Academic freedom, then, on a correct view of academic credentials, is not an expert's freedom to voice her expert judgement, but the freedom of a researcher, scholar, or intellectual to carry on as a researcher, scholar, or intellectual. (Since researchers, scholars, and intellectuals are skeptical, if not disdainful, of authority and expertise, they would be embarrassed to claim the authority of an expert.)

Now, although Samarasekera would restrict academic freedom to recognized expertise, she would also defend freedom of expression on campus, as she makes clear both in her CBC interview and in an article she published in the *Globe and Mail*, 28 May 2014. In that article, she writes, "Certainly campuses are places where free debate must reign, even heatedly, and this free speech—just like academic freedom—must be defended in the strongest terms." (Unfortunately, Samarasekera's defence of expression on campus isn't, in fact, in the strongest terms. She endorses, in her *Globe and Mail* article, Canada's laws against defamation and hate speech, laws that deform enquiry and discussion to a greater degree than they protect anyone's wellbeing.)

On Samarasekera's campus, then, academic freedom would protect only expert opinion, and freedom of expression would protect what members of the university community say outside their spheres of expertise. In the end, everything would remain protected. Apart, then, from the mistake of thinking of academics as experts rather than intellectuals, why bother to protect professors' freedom of expression under the heading of academic freedom?

Prudence. When freedom of expression is protected under academic freedom, a whole faculty union may well mobilize in its defence should it be threatened or violated. On the other hand, words from a university senate proclaiming freedom of expression on campus will protect nothing should an administrator decide that a professor's speech puts the university's reputation at risk, say, or threatens the campus atmosphere of tolerance and respect.

A whole faculty union *may* well mobilize. Nothing is for certain, of course, and there are plenty of examples of faculty unions happily siding with the administration against talkative professors. Still, if President Samarasekera were to have her way, professors would almost immediately enjoy no more security of expression than their students currently do.