

## 253. Reasons for Pessimism

The Newsletter of the Society for Academic Freedom and Scholarship, Number 77, September 2017

<http://www.safs.ca/newsletters/article.php?article=606>

Mark Mercer  
Department of Philosophy  
Saint Mary's University  
Halifax, NS B3H 3C3  
[mark.mercer@smu.ca](mailto:mark.mercer@smu.ca)

Thanks, again, Rick, for organizing last May's panel discussion. I thought it went very well. You are to be commended for helping academics, and all others concerned about universities, to understand issues around expression on campus and their importance. I write to you and the other participants in the spirit of continuing the conversation.

Universities should be places of free and open discussion, places at which no topic, and no thought or judgement on a topic, is barred. Or, rather (because I am a pluralist about institutions of training and education), everyone should have easy access to a public university at which any topic may be pursued and any thought on it spoken. (People and democratic governments should be free to organize institutions as they see fit, and if some group wants a place heavy with rules and regulations about what may and may not be said, well, that's their business. But all Canadians should have the option to associate themselves with an honest-to-God institution of liberal study.)

One of the questions we panelists were asked was whether speech really is all that regulated and fettered at Canadian universities. Yes, we've seen in the past few months and years one or another invited speaker shouted down or panel discussion cancelled, but maybe such incidents are rare. Perhaps there seems to be a problem only because disruptive protests, though rare, draw lots of media attention.

I think the problem is actually quite widespread. It seems to me that much more disruption, censorship, and suppression is happening than gets reported. Any case at all of disruptive protest on campus is one case too many, and now we're seeing that even the vague threat of disruptive protest is enough for a university to back away from its responsibility to honour and protect expression and discussion. Vague threats of disruption were enough recently for Ryerson to cancel a panel discussion. And disruptive protest is hardly the only source of interference with free expression on campus today.

Let me list a few of the other ways in which campuses make themselves inhospitable to freedom of expression and the free exchange of ideas: speech and behaviour codes; student association regulations on student societies; student association rules governing elections; safe and respectful campus initiatives; committees charged with overseeing who gets invited to campus; senate regulations regarding course syllabi; even oversight by building and grounds of what goes up on university walls.

Western University used its student code of behaviour last year to investigate students who had created a "Western Lives Matter" banner; the students might have been suspended had they been found to have violated the code. Dalhousie's student association once required that the student atheist society not speak ill of religion; the society was free to celebrate atheism, but not

to criticize religion. The student association at my university once removed from a student pro-life display a sign reading “women regret abortions.” Student associations typically vet campaign posters and literature, thereby potentially preventing students from hearing a candidate’s real message. Safe and respectful campus initiatives are part of the systems of pressure brought to bear on students and professors not to speak candidly. Senate directives to include learning outcomes on syllabi force professors to mould their courses in ways they might not want, if they reject the “learning outcomes” ideology. I once wanted to put up a bulletin board on the wall outside my office to display arguments; Facilities Management, which has jurisdiction over walls, opposed my plan on the grounds that wall clutter detracted from the business-school tone of our institution.

The most serious chain of violations of academic freedom in Canada in at least the last few years was directed against Anthony Hall, at Lethbridge University. In October 2017, Lethbridge suspended Dr Hall for allegedly anti-Semitic internet posts. Indeed it tried to fire him. (In August, 2015 Rick Coupland was in fact fired from St. Lawrence College for an internet posting.) Then Lethbridge took the step of lodging a complaint against Dr Hall with the Alberta Human Rights Commissions. Universities should be actively opposed to violating civil liberties in the name of human rights; they shouldn’t be calling on government to punish people for the peaceful expression of opinion or emotion. Bad as the case of McGill’s behaviour toward Andrew Potter was, it was nothing compared to Lethbridge’s actions against Anthony Hall.

Things are not good, I would say, right from the fear students have on campus and in classrooms that they will be called out or worse for saying what is on their minds, all the way to the failure of academic freedom to protect extra-mural utterance. (Documents connected to specific cases are available on the SAFS website under Issues/Cases: <http://www.safs.ca/issuesscases/index.html>.)

We don’t hear much about these things for two reasons. One is that in Canada we lack reporters and newspapers committed to reporting on higher education. We don’t have *The Chronicle of Higher Education* or *Inside Higher Ed* or the *Times Educational Supplement*. The other is that too many of us are too accepting of restrictions on expression. We in Canada don’t much care about civil liberties and so violations of them aren’t newsworthy. (A third might be that the people who do get outraged about attacks and limitations on freedom of expression seem to be on the right politically, and who wants to be associated with those people?)

A second question the panel was asked was whether things are worse now than they were. I don’t know, though certainly things have been bad, at least now and then, for a very long time. I suspect that threats to and violations of expression have marked campus life ever since there’s been any such thing, though some periods must have been worse than others.

Yet I feel that things are different now from how they were just three or four decades ago. It seems to me that the ideal of free and unfettered discussion resonates with fewer people nowadays, both within and outside the universities, than it used to. I fear that the defenders of liberal study are now outnumbered even within the university itself, certainly within the administration of universities (that’s because administrators are chosen by administrators), and that the forces of oversight, management, and control have won.

I mentioned above Anthony Hall and his university’s attempt to fire him for things he said (perhaps also for things he didn’t say, which certainly makes the story even more dismaying and frightening). Universities, though, have been firing professors for their comments since the beginning of time (Rick Coupland, again; Vesselin Petkov, Concordia, 2010, is another example,

and it's hard to see that Petkov said or did anything at all wrong), although my impression is that that particular violation of academic freedom is becoming more common.

So, for an example of how things really are different now, let me recall the reaction to *Hypatia's* publishing "In Defense of Transracialism," by Rebecca Tuvel. Over eight hundred academics signed an absurd and obnoxious open letter to *Hypatia*, demanding that *Hypatia* retract the article and revise its editorial and refereeing procedures. The letter was absurd because Tuvel's paper was a perfectly fine, often illuminating, discussion of a matter of social or ethical importance. The letter provided no critique of Tuvel's theses or arguments. It was obnoxious because of its explicit disdain for dispassionate inquiry. Those who signed the letter would have scholarship not only serve particular social or political ends, but be entirely subservient to them. I cannot imagine scholars of a previous generation coming together *en masse* to disparage liberal study, let alone with such zeal. *Trahison des clercs*, indeed.

Liberal study has been central to many universities for many decades, if not for many hundreds of years. By "liberal study," I mean the pursuit of inquiry, interpretation, and appreciation for their own sakes. We engage in liberal study when we are intrigued by an intellectual problem and we set out to solve it, or at least to understand it, and do so simply for the joy of the work and of the insight we might achieve. Liberal study requires freedom of expression and the other civil liberties because insight demands that all avenues be explored.

It is part of our endeavor as academics committed to liberal study to understand things and to value them appropriately, but that is not the only goal intrinsic to our calling. We want to believe the truth (and to disbelieve falsehood), but more importantly we want to believe the truth for good reasons. Further, while we want to value soundly, we want to value soundly also for good reasons. Good reasons are reasons of evidence and argument. We don't want to believe and value what we do because that's what's in the air or because of pressures to conform or fears of being ostracized.

And so in intellectual community we refrain from applying any pressures other than those of evidence and argument on our fellow inquirers. They must be left free to inquire where they will and to say what they want if they are either to be of service to us in our inquiries or themselves to find and hold their beliefs and values for good reasons.

Now the ideal of liberal study—dispassionate inquiry for its own sake, the coming to understandings for one's own good reasons—and the form of free and engaged community that it demands, has never been the sole reason intellectuals come together in universities and other institutions. Universities are also here to produce reliable knowledge for the world outside and to create a cadre of experts and professionals to run society. Members of that cadre need to have the right skills and knowledge to do their job, and they need to have the right values so that they will aim at the right ends when doing that job.

What worries me is that these other reasons for having a university have crowded out the ideal of liberal study. Indeed, many students, administrators, and even professors see the needs of liberal study as getting in the way of knowledge production and the training and socializing of professionals.

As a place of liberal study, a university is a culture of disputation. But when it is an institution charged with creating experts and professionals, a university might prefer to be a culture of celebration, the celebration of cultures and identities and diversity. An identity, though, cannot be inquired into and be a centre of dispute while at the same time be protected and celebrated. Intellectuals gathered together in community are always putting their identities at

risk; students and professors looking to preserve and celebrate identities, on the other hand, cannot afford to put them at risk.

Now the objection, of course, is that a university needs to be a well-ordered place in order to be a place of any community at all, including intellectual community. The order it takes must stem from the ways and needs of the actual people within it. And so, in order to include all, the rules must ensure that people are not hurt or upset by our behaviour or the content of what we say. Thus, we need to have officers charged with vetting syllabi and guest speakers, officers to oversee the campus newspaper and the Hallowe'en costumes, and to watch what goes up on the walls. Not all these officers need wear uniforms or deal in any punishments other than shame and ostracism, though some of them will be officially designated and possess the power to suspend, punish, or expel miscreants.

I think a university can happily be a much more anarchic place than the objection presumes it can be. We need rules or, at least, patterns to keep things moving: a course is so many weeks, the class meets these times these days, a grade of C is required to move up to the next level in that study.... But if the people gathered are truly engaged in liberal study, inquiry for its own sake, they won't need many more rules at all. Customs will evolve and a sense of what the endeavour is all about will inform disputes about structures and responsibilities. Students, the aspiring scholars, will acquire informally an understanding of what is expected of them, and appreciate the role those expectations play within the community of scholars.

The final question put to us panelists was what is to be done, how to make things better.

The problem is one of culture, and cultures are always difficult to create or change. If a sizeable block among a university's students, professors, and administrators is not moved by the ideal of liberal study, then the institution will not be one of liberal study. The institution will be indifferent to dispassionate inquiry, inquiry for its own sake, if not actively hostile toward it.

A good way, maybe the best way, to create or change a culture is by example. Work and live in ways that express the values of your preferred culture and, if others are touched by one's example, those others, some of them, will follow one. This is especially true of students, who, despite their experience of high school and elementary school, might still feel a passion for understanding things as they are.

A central element in one's practice as a member of the culture of liberal study is to follow the injunction "always academicize" (that's how Stanley Fish puts it). We academicize when we take theses simply as theses, and not as the beliefs of particular people, and direct our talents of analysis, interpretation, and evaluation toward them. What is the contention, what reasons are there for thinking it true, what reasons for thinking it false? Doing this in our classrooms and in our writings and presentations shows our students and our colleagues what dispassionate inquiry looks like.

Another element in our practice is to support campus groups, particularly student groups, in their academic or semi-academic endeavours. We won't criticize their choices of speaker or panelists, say, but engage only the thoughts that we hear expressed. Again, we academicize: even when hearing the inflammatory rhetoric of some alt-right or racist speaker, we analyze and evaluate dispassionately. Student groups will now and then, for good or bad reasons, invite to campus figures whose views are false and pernicious and whose arguments, if they even have arguments, are risible. We promote a culture of liberal study when we exemplify it, and we exemplify it when we refrain from savaging the character of these figures but attend critically to their message.

We should oppose any call for administrators, professors, or student governments to oversee or vet campus events, even those events that threaten to include people accused of denying someone's humanity. Vetting belongs to the culture of protection and celebration, not the culture of disputation. We should, of course, be concerned that resources (money, tables in the quad, poster space) are distributed fairly among campus groups. How the fairly distributed resources are used by campus groups is not our business. Our business is just the theses and arguments on offer.

Finally, we should never let an event be disrupted or a display be vandalized. If a university needs to invest in security, it should, and the costs should be borne by the institution, just as the costs of lighting, heating, and infrastructure are. There is no place for punishment in liberal study, and so students who shout down a speaker or tear up a display should not be fined or suspended or otherwise made to pay a price. Rather, they should be talked to, once, twice, maybe again, and if that doesn't work, expelled. Asking a person inclined to disrupt academic activities to go away isn't to punish that person for his behaviour. It's simply to protect the integrity of what the rest of us are doing.

*Mark Mercer ([mark.mercer@smu.ca](mailto:mark.mercer@smu.ca)) is Chair of the philosophy department at Saint Mary's University, in Halifax, and the president of SAFS. On 3 May 2017, he participated in a panel discussion, "[Free Speech at Universities](#)," organized by Rick Mehta (Psychology, Acadia) and moderated by Diane Holmberg (Psychology, Acadia). The other panelists were Erin Crandall (Politics, Acadia), Marc Ramsay (Philosophy, Acadia), and Stephen Perrott (Psychology, Mount Saint Vincent).*