



Information for Social Change

"an activist organisation that examines issues of censorship, freedom and ethics amongst library and information workers..."

Academic Freedom Post 9-11: An Issues Report

by Toni Samek

September 28-30, 2005, I attended a *Conference on Academic Freedom Post 9-11* on behalf of the AAS:UA. The conference was organized by the Harry Crowe Foundation and the Canadian Association of University Teachers (CAUT). For full conference information, see: <http://www.crowefoundation.ca/>

The Harry Crowe Foundation is a registered charity that undertakes education and research on freedom of academic expression, institutional autonomy and the independence of academic research and scholarship.

As you know, CAUT has an active Committee on Academic Freedom. For the [CAUT Policy Statement on Academic Freedom](#), see page 6 of this report or see: <http://www.caut.ca/en/policies/academicfreedom.asp>

Speakers included: Kent Roach, Allan Manson, Jonathan R. Cole, Robert M. O'Neil, Peter Leuprecht, Ursula Franklin [words read on her behalf by a colleague], Chandler Davis, Lee Lorch, Jon Thompson, Roland Penner, Maureen Webb, Lee Lorch, Joel Lexchin, Nancy Olivieri and Andrew Bone.

I bring the below "collective conference points" to your attention as they relate to the importance of academic freedom to societies (especially knowledge societies) AND the common and public good. Ursula Franklin noted that the protection of one might well require the promotion of the other.

Some conditions for the production and transmission of new knowledge:

- full and frank debate
- trust
- creativity
- collaboration
- innovation
- freedom of inquiry
- freedom of association
- freedom of expression
- access of citizens to government information

- openness
- willingness to speak truth
- recognition of both our rights AND our responsibilities
- recognition that freedom is more than a collection of privileges ... we need to protect freedom

Some powerful statements:

- The goal of academic research is to not to convey, but to provoke.
- The goal of academic research is enlightenment, not balance.
- We need to uphold our academic spirit and moral intelligence.
- Most academic freedom cases have been about “free association and political movement”, not about subjects [such as mathematics].
- Re Canada’s Anti-Terrorism Act, the government of Canada can consider anybody a terrorist.
- Health Canada is complicit in keeping information secret (e.g., Nancy Olivieri case).
- Most people inquiring to CAUT don’t want to go public.
- Canadian academics HAVE BEEN visited by CSIS agents and asked about who was at a conference and what they talked about.

A disturbing question:

- Could economic security be mobilized against academic research?

Some of the issues raised and addressed in the context of rights AND responsibilities of scholars and scholarly communities include:

- lessons from the Cold War era (personal experiences reported by Chandler Davis and Lee Lorch)
- lessons from today (personal experience reported by Nancy Olivieri)
- anti-terrorism laws, both in Canadian and international perspective
- surveillance
- harassment of foreign students
- denying scholars entry and access to visas
- atrophy of bio-terrorism research (e.g., anthrax, small pox)
- transmodification of speech into punishable action
- vetting of research topics
- peer review under attack
- corporatization of the university
- access to government information
- attack on scientific consensus (“as if scientific knowledge is negotiable”)
- criminology in service of the state
- suspect communities (e.g., Muslim, Asian, activist, protestors and dissenters)

- the academic family
- the nexus between universities, employers, and the state
- globalisation market fundamentalism
- democratic authoritarianism
- internationalizing of universities
- secrecy in research (e.g., health/medical/drug)
- the rise of managerialism
- commodification of education
- pressure from private groups and government (e.g., Iran, Iraq, China, Egypt, Tunisia, Columbia, N. Korea, India, former countries of the Soviet Union)
- climate of fear and the chill
- repressive environment
- self-censorship
- obedience by anticipation
- one voice
- travel advisory re conferences
- security costs of controversial speakers on campuses (yet, “is it not up to the police to protect us?”)
- academic research as insurgency
- the contingent worker model
- censorship
- pre-publication review
- ideological controls
- sharing information across national borders
- data torture
- guidance of students
- regulation of publications
- limits to international exchange of ideas
- Patriot Act and surveillance in libraries
- exaggerated fear of tenure track
- political appointments to national committees
- power of the purse to military to recruit in law schools
- refusal to give information about inquiries
- the Australian model in higher education (no more collective bargaining; each employee negotiates one-on-one)
- risk assessment model
- technological capacity
- stifling workload
- passivity
- global infrastructure of mass registration and surveillance (e.g., biometrics)
- re the UK terrorism bill, researchers can be persecuted based on the papers they are examining
- e-mail archive of intimidation
- removal of possibility of speech
- what is the cash value of your reputation [you need a reputation to mount a defamation case] (e.g., Lorraine Weir case at UBC)

- Board of Governors are becoming more intrusive
- U.S. “Student Bill of Rights” now permeating into state law and students use this to bring suits ... yet there were/are student grievance processes on campuses
- for-profit ethics boards doing the research reviewing
- suppression of publication
- suing to suppress, not necessarily to win ... but to delay and intimidate
- biases in published research
- the independence of journals (to whom are journal editors answerable?)
- human life (e.g., outsourcing of torture/rendering people to countries for torture and death [global gulag]; needless health retesting that harms already sick people, often the poor in developing nations)

Some of our needs:

- We need more empirical study AND anecdotal reports on civil disobedience and academic freedom.
- We need to address the fact that we have tremendous imprecision about the concepts of grievance, balance, and intimidation.
- We need to recognize that we are neglecting the research mission of the university in discussions of academic freedom.
- We need to shift from the rights of the individual to examining the institutional structure, because here are the attacks today ... between universities and societies.
- We need to realize that most problems are non-statutory threats (administrative, process, policy, new application of regulations) and NOT as a result of “sweeping changes”.
- We need to think broadly. Academic freedom is too narrowly conceived (e.g., often, we don’t perceive an issue as an academic freedom issue).
- We need to develop academic freedom training for graduate students and junior faculty.
- We need to improve our rhetoric. Because, for example, Article 19 of the *Universal Declaration of Human Rights* is insufficient in our definitions of academic freedom. (Article 19 states: “Everyone has the right to freedom of opinion and expression; this right includes freedom to hold opinions without interference and to seek, receive and impart information and ideas through any media and regardless of frontiers.”)
- We need to recognize that a university culture that breeds disconnect from teaching, breeds other disconnects.
- Every institution should have a policy about visits and interviews by police of academic staff.
- We need to learn to live with dignity and strength and protection for ourselves and for our communities and societies

Note:

For the CAUT travel advisory titled “Travelling to the United States: Your Rights at the Border (June 2005)” see:

<http://www.caut.ca/en/publications/traveladvisory/default.asp>

Also Note:

The Canadian Library Association (CLA) has a Statement on Intellectual Freedom (see page 7 of this report). And the first directive in CLA’s Code of Ethics is to “support and implement the principles and practices embodied in the current Canadian Library Association Statement on Intellectual Freedom”. <http://www.cla.ca/about/ethics.htm>

-- Submitted/presented to the University of Alberta’s Association of Faculty Staff Association Council by Toni Samek on November 3, 2005. Updated Nov. 4, 2005.

CAUT Policy Statement on Academic Freedom

The Canadian Association of University Teachers is dedicated to the promotion and protection of academic freedom. The common good of society depends upon the search for knowledge and truth and its free expression. Academic freedom is essential for these purposes. Academic freedom does not require neutrality on the part of the individual. Rather academic freedom makes commitment possible.

Academic staff, like all other groups and individuals, are entitled to enjoy recognized civil, political, social and cultural rights. Therefore, all academic staff must enjoy freedom of thought, conscience, religion, expression, assembly and association as well as the right to liberty and security of the person and liberty of movement. They must not be hindered or impeded in exercising their civil rights as citizens, including the right to contribute to social change through freely expressing their opinion of state policies and of policies affecting higher education. They must not suffer any penalties simply because of the exercise of such rights.

Academic staff are entitled to the exercise of academic freedom. Academic freedom includes the right, without constriction by prescribed doctrine, to freedom of teaching and discussion, freedom in carrying out research and disseminating and publishing the results thereof, freedom in producing and performing creative works, freedom to engage in service to the institution and the community, freedom to express freely their opinion about the institution, its administration, or the system in which they work, freedom from institutional censorship and freedom to participate in professional or representative academic bodies.

Academic staff must not be forced to teach against their own best knowledge and conscience or be forced to use curricula and methods contrary to national and international human rights standards. Academic staff must play the predominant role in determining the curriculum and assessment standards.

All academic staff must have the right to fulfill their functions without discrimination of any kind and without fear of repression by the state or any other source.

Amended and approved by the CAUT Academic Freedom & Tenure Committee, December 2002; Approved by the CAUT Council, May 2003.

<http://www.caut.ca/en/policies/academicfreedom.asp>

Canadian Library Association Statement on Intellectual Freedom

All persons in Canada have the fundamental right, as embodied in the nation's Bill of Rights and the Canadian Charter of Rights and Freedoms, to have access to all expressions of knowledge, creativity and intellectual activity, and to express their thoughts publicly. This right to intellectual freedom, under the law, is essential to the health and development of Canadian society.

Libraries have a basic responsibility for the development and maintenance of intellectual freedom.

It is the responsibility of libraries to guarantee and facilitate access to all expressions of knowledge and intellectual activity, including those which some elements of society may consider to be unconventional, unpopular or unacceptable. To this end, libraries shall acquire and make available the widest variety of materials.

It is the responsibility of libraries to guarantee the right of free expression by making available all the library's public facilities and services to all individuals and groups who need them.

Libraries should resist all efforts to limit the exercise of these responsibilities while recognizing the right of criticism by individuals and groups.

Both employees and employers in libraries have a duty, in addition to their institutional responsibilities, to uphold these principles.

Approved by Executive Council ~ June 27, 1974; Amended November 17, 1983; and November 18, 1985.

<http://www.cla.ca/about/intfreed.htm>