www.ucalgary.ca/hic/ · ISSN 1492-7810
2004 · Vol. 4, No. 1

ACADEMIC FREEDOM

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(The following is the Keynote Address delivered at the Meeting of Western Canadian Deans of Arts and Science, Victoria, British Columbia, 19 March 2004.)

If Sir Arthur Currie (1875-1933) is remembered today, it is chiefly as the first Canadian-born commander of the Canadian Expeditionary Force in France and Flanders during the First World War. If Eugene Forsey (1904-91) is remembered, it is as a Senator, constitutional expert, and indefatigable letter writer to the *Globe and Mail*.

By 1933, Currie owed his prominence not only to his war record but also to his position in the academic world. Although he was not a university graduate, he had been appointed Principal of McGill University in 1920. McGill's Board of Governors must have thought that a man who had ably commanded thousands of soldiers would be more than able to hold his own as a captain of the higher learning. They were right.

In the fall of 1933, Currie had problems on his mind. The Depression had the country, and McGill, in its grip. Endowment income was down by more than a third, and the gap between income and expenses was widening,[1] making donations from well-to-do alumni and other supporters even more important than usual. Meanwhile, two faculty members, Frank R. Scott and Eugene Forsey, were drawing unwelcome attention to themselves and the university.

Scott had first come to public notice in the winter of 1931 as a critic of police interference with meetings held by communists and labour radicals. By 1933, he was a self-identified socialist, a founding member of the League for Social Reconstruction (LSR) and an early supporter of the Cooperative Commonwealth Federation (CCF). His presence in the Faculty of Law troubled more than one Montrealer. But his younger colleague Forsey was giving Currie far worse headaches.

Forsey had taken an undergraduate degree at McGill before going to Oxford on a Rhodes Scholarship, returning to McGill in 1929 to become a sessional lecturer in Political Economy. By 1932, the Depression and the huge and growing hardships it imposed especially on working-class Canadians had turned him by 1932 into a voluble critic of the way things were. That year, Forsey travelled to the Soviet Union in the company of his friend King Gordon, and on his

return to Canada sang the praises of the USSR's supposed accomplishments. "I have no doubt that we were kept well away from anything that might have created an unfavourable impression," Forsey wrote later in his memoirs.[2]

Forsey's rosy-hued account of Soviet life led a number of people to write to Currie and his Man Friday, Col. Wilfrid Bovey, in a critical vein. Among them were the Commissioner of the RCMP, General J.H. MacBrien, and a member of the Board of Governors, John W. Ross. In response, Currie and Bovey opined that Forsey's opinions were foolish but that he was not a Communist. Currie's evident unhappiness with Forsey was chiefly due to his perceived pedagogical inadequacies. In replying to Ross, Currie wrote: "When we dismiss him we shall do so because he has been a failure as a teaching professor."[3]

Currie would not let Forsey go without a recommendation to that effect from the head of political economy, Stephen Leacock, best known today for his humourous writings, among which *Arcadian Adventures with the Idle Rich* sheds light on the universities in his day. Leacock recommended that Forsey be reappointed, even though he "was not a good teacher" and his opinions "were mistaken and silly." If his contract were not renewed, however, people would say it was because of his opinions. "They will be wrong but that is what they will think and say." It would therefore be in the best interests of the university if Forsey were kept on.[4]

This all but forced Currie's hand, and he recommended Forsey's reappointment. But he remained unhappy. Some months later, W.L. Grant, principal of Upper Canada College, who had heard Forsey speak, wrote a letter praising Forsey's "unselfishness and enthusiasm and also his powers as a lecturer."[5] Currie was unimpressed. Describing Forsey as a "very dogmatic" teacher who marked down students who disagreed with him, Currie wrote to Grant: "You will be doing the University a kindness if you will recommend Mr. Forsey to someone else."[6]

Very soon, Currie had renewed reason to be annoyed with Forsey. Speaking to the St. James Literary Society on 17 October 1933, he allegedly described capitalists as "greedy" and predicted the early demise of capitalism. This created a stir. Capitalism *was* in crisis in 1933, and various people questioned Forsey's right to denigrate it, or wondered why they should continue to give money to McGill.[7] Others defended Forsey, but Currie was of the view that even if the economist had *not* said that capitalists were greedy, he had nevertheless been foolish. It was difficult enough to administer McGill's affairs, Currie wrote to one of Forsey's defenders, "without having members of the staff alienating from the University the sympathy. . . [of] those members of the community who constitute the field from which the main resources for McGill have come and must continue to come, i.e. 'Those who have.'"[8] Responding to someone else who had defended Forsey's right to express his views, Currie wrote: "I don't see how we can get away from the fact that the 'greedy capitalist' pays Mr. Forsey's salary."[9]

Although McGill, as a private university, received no government support, the premier of Quebec, L.-A.. Taschereau, wrote to Currie to express concern. Currie replied that for the last two years he had been trying to get rid of him without creating a *cause célèbre*, and he hoped to do so yet. But it would not be easy. Noting the "great importance" which professors attached "to what they are pleased to call 'academic freedom,'" Currie explained, "I am between the devil and the deep blue sea. If I dismiss Mr. Forsey. . . it will be heralded from one end of

Canada to the other that McGill dismisses its professors because of their political views, that we are a. . . university. . . in which freedom of speech is not tolerated."[10]

To another correspondent, Currie complained that it was "ridiculous" for newspaper critics, among them the editors of the *Quebec Chronicle-Telegraph* and the Toronto *Globe*, to suggest that Canadian universities in general and McGill in particular had been infiltrated by socialist professors. Of McGill's 450 full- and part-time faculty members, only Forsey and Frank Scott were socialists. It was "intolerable," moreover, that some newspaper editors sought to deny free speech to academics. Currie disapproved of academics who devoted their "time and effort to planning for and speaking on behalf of a particular political party" while drawing their salaries from a university. But at the same time, he wrote, he might "be forced to make a public statement" defending "the right of free speech."[11]

On 26 October, Currie dictated a long memorandum to his secretary, Dorothy McMurray, recording that Forsey had undertaken to "refrain absolutely from any comment on political matters for at least six months to come" and to "devote himself wholeheartedly to. . . his own subject."[12] The document was important chiefly for its insights concerning the possible significance of the attack on socialism in the Canadian universities.

No one need be alarmed about socialism at McGill, Currie thought: "And I am not sure that Mr. Forsey's critics are greatly alarmed about it. I am not sure but that behind it all there is a desire on the part of those who pay the great bulk of taxes to be free from any obligation which adds greatly to those taxes. This agitation may be one directed not against socialism in particular but against higher education in general." He had asked one of Forsey's critics why he gave money to McGill, Currie continued. Did he want to control "the thinking of the students and the teaching of professors," or did he believe in higher education? "His answer was rambling and meant nothing."[13]

Did the critics of socialism in the universities, Currie asked, want "to live amongst people who have been trained to think for themselves and are capable of forming correct judgments," or did they prefer to live among "a population whom they can dominate or control?" He feared the worst: "We may be called upon to fight a battle. . . for the existence and development of universities themselves. An institution which tries to stimulate a respect for truth and sincerity, for honesty and honour, for justice and fair play, may not be one that selfish interests like. . . It would seem sometimes as if higher education were tolerated only because those who have it can thus become hired men."[14]

We can only wonder what the response would have been had Currie made these views public. He did not have an opportunity to do so and openly defend academic free speech. Within days of writing his memorandum, Currie fell seriously ill; five weeks later he was dead.

Forsey taught at McGill until 1941. That year he was eased out, on the grounds that he had failed to get his doctoral dissertation finished on time. These grounds were spurious.[15] Writing to a friend almost thirty years after the event, Principal F. Cyril James claimed credit for the scheme that got rid of Forsey, who continued to be seen as a troublemaker,[16] but his predecessor, Lewis Douglas, may have cooked it up. No matter: Forsey's non-renewal did not distress most of his colleagues to the point that they wished to protest it. And yes: his left-wing opinions *were* the principal cause of his involuntary departure.

* * *

The narrative historian loves this kind of tale. The main characters are known quantities to the audience or readership; the story that ties them together is inherently interesting. As well, it offers a link to the present.

There may be historians who neither see connections between the past, the present, and the future, nor seek to draw them out, but I suspect they are rare. Most if not, indeed, all historians begin to nod sagely when someone quotes (or misquotes) Faulkner's dictum (from *Requiem for a Nun*): "The past is never dead. It's not even past." Speaking for myself, in reading *David Copperfield*, many years now, I was struck by something the protagonist's aunt, Betsey Trotwood says: "It's in vain. . . to recall the past, unless it works some influence upon the present." I jotted it down when I read it; I quoted it in the opening chapter of my history of academic freedom in Canada; it is part of what brings me before you today.

We cannot know what, had he been able to get down to the task, Sir Arthur Currie would have written in defence of higher education. But his suspicion that universities in general rather than socialism in the universities constituted the target in 1933 seems shrewd. His comment that wealthy people were seeking to limit the taxes they paid indicates Currie was taking a view of the matter that extended beyond McGill, which received no public funds, and the province of Quebec, which at that time spent nothing on universities directly. No: his gaze was almost certainly fixed on the West and especially on British Columbia, a province with which he was well-acquainted for personal reasons, having lived and worked in Victoria before the war.

The Depression had a devastating effect on public finances throughout Canada, but it had its greatest impact on the four western provinces, with Saskatchewan hardest-hit of all. British Columbia, though certainly in dire straits, was marginally better off than the Plains provinces. It was only in B.C., however, that the provincial government in 1932 appointed a committee of businessmen, headed by the Vancouver stockbroker George Kidd to investigate the financial and fiscal problems facing the province, and to advise the government on ways and means of dealing with those problems. The Kidd Committee's report in July, 1932, rejected tax increases as a possible way of reducing the deficit and instead proposed a reduction in the size of the Legislative Assembly, shortening the period of free public education, and making deep cuts in civil service salaries and spending on social services. One proposal was that the grant to the University of British Columbia be eliminated.[17]

Government grants to all the provincial universities – in 1932 there were six of these – were cut in the early 1930s, but no provincial university sustained a greater percentage cut than UBC.[18] Its grant for 1932-33 was, at $250,000, little more than half of what it had been the year before and more than 60 per cent lower than it had been in 1929-30. The possibility of losing all of it threatened disaster. The only other significant source of revenue was tuition fees, which had already been hiked by an average of almost 25 per cent in 1931, (to $125 in Arts and Science, Nursing, and Agriculture, and $175 to Applied Science). No further increase was justified or prudent, because the Depression and the deflation that accompanied it had worsened since 1931, and enrolment was in a decline that was only partly planned. In the spring and summer of 1932, more than ten per cent of the faculty were released on budgetary grounds, and all

research in the Faculty of Agriculture was ended. Without the grant, which constituted roughly half of UBC's income, the university would probably have to close its doors.

This possibility enjoyed some support. A few media observers argued that the full costs of higher education should be paid by those receiving it or, more accurately, by their parents; and at least one commentator said it would save money if, instead of making a grant to the university, the government were to award scholarships to meritorious students for use outside the province.[19] Neither view seems to have been widely shared. For some, the social benefits of higher education seemed obvious; others may have thought it would harm the province's image if British Columbia were to eliminate its university grant while the Prairie provinces, harder hit by the Depression than B.C., maintained theirs. And it must have seemed wasteful to send money out of the province.

Interesting from a present-day perspective is that my researches did not uncover a defence of UBC based on its contribution to the Vancouver economy. Was this a result of the comparative lack of sophistication of university economists and Chamber of Commerce stalwarts in the 1930s? Or did it reflect a shrewd awareness that a statement of the economic value of UBC to Vancouver would sit badly with the inhabitants of the British Columbia hinterland, where hostility to a public university located in the province's wealthiest region, strong in the past, had by no means disappeared?

In the event, the grant remained in place. In fact, the Kidd Committee's report enjoyed little support outside the business community. To use the words of Robin Fisher in his biography of T.D. "Duff" Pattullo, "on financial matters the commissioners were Robin Hoods in reverse: they wanted to steal from the poor and give to the rich."[20] This program was apparently too crass and harsh for even a cash-strapped Conservative government to adopt. Only in our own more enlightened times have some Conservatives come to realize that taking from the poor to give to the rich is the very essence of good government – witness the recent "common-sense revolution" in Ontario, which combined tax cuts for higher-income earners with reductions in public services and welfare payments. In the process, a number of the common-sense revolutionaries managed to feather their own nests very nicely.[21]

What of Sir Arthur Currie's point that institutions which promoted the disinterested pursuit for knowledge and truth might not appeal to "selfish interests," and that some people tolerated higher education "only because those who have it can thus become hired men"?

Currie was right in observing that some wealthy and powerful Canadians opposed the free expression of opinions which they disliked. This had an inhibiting effect on academic freedom and academic free speech. The sensibilities of current or prospective donors mattered; so, in the case of the provincial universities, did the sensibilities of legislators. And some of these people surely expected from universities no more (and no less) than that they supply the business world and the country with well-trained managerial and professional workers.(A similar pattern is discernible today. The relative generosity of the wealthy towards medical faculties, university hospitals, and business schools offers clear hints as to what they value. "Where your treasure is, there will your heart be also," we read in the Sermon on the Mount, and what many well-to-do Canadians treasure most are their health and their wallets.)

But it would be wrong to assume that Canadians of modest means have been friendly to academic freedom and free speech in a way that the wealthy at times are not. Far from it! Almost all people fear or dislike the discussion of certain ideas, the unhindered expression of some attitudes, or the implications of some lines of research. In consequence, they may try to control or eliminate sources of intellectual, emotional, or moral discomfort, or to end the "waste" of money implied by the derogatory term "idle curiosity." They may seek to end or even prevent expressions of anti-religious, anti-government, or anti-business sentiment, or, more recently, of racism or sexism. And presidents or governing boards will try to ward off the harm, real or imagined, that may befall a university if its professors express unpopular views or pursue disturbing research and publish its results

"The itch to be intolerant of something is very deep," the historian Conrad Russell states in his essay on academic freedom.[22] We academics are certainly not untouched by the itch. Unconventional ideas may trouble us less than they do some observers of the academic scene, although clearly some *do* trouble us, but we can be very intolerant of personal habits and idiosyncracies, especially when they make our own lives less pleasant than we think they ought to be. We have all known colleagues who are for some reason "difficult." We do not necessarily suffer them gladly. Occasionally, professors have a hand in their expulsion, which may be accompanied by a form of behaviour known as "mobbing."[23] Very probably the most famous (and generally misunderstood) dismissal in Canadian university history, that of the historian Harry S. Crowe from United College (now the University of Winnipeg) in 1958, had the tacit or active support of a majority of his colleagues.[24] The same thing was true of another controversial dismissal, high-profile when it happened in 1949 but now largely forgotten, that of the biochemist George Hunter from the University of Alberta.[25] (Both dismissals, though influenced by the outside world, had their origins in events internal to the institution.)

* * *

A few words about academic freedom. As it is understood today, it is essentially tripartite. The first and oldest part is the freedom of professors to teach, to carry out research, and to publish it, with due regard for the law of the land and the forms of academic self-government. The second and historically most controversial part is academic free speech, the freedom of professors to express their scholarly and non-scholarly views publicly. The third part, achieved only during the last four decades, is the freedom of academics to participate in university government and to criticize the institutions in which they do their work.

With limited time at my disposal, I want to focus on the first two parts of academic freedom and especially on academic free speech.

For many years the main subjects that got academics into trouble were religion, politics, economics, current and recent history, and sex. Religious issues, including theology and Biblical interpretation but also the relationship between religion and higher education, were especially sensitive in the denominational institutions. Into the second half of the twentieth century, these were numerically dominant in the Atlantic provinces, Quebec, Ontario, and Manitoba, until, from the 1950s into the 1970s, the liberal arts colleges and universities among them followed the

path earlier blazed by Dalhousie, McGill, and Queen's, and became non-sectarian. Secularization did not always come easily. At Lutheran-controlled Waterloo College, secularization failed, and in 1960 the Board of Governors of what had become Waterloo Lutheran University (WLU) adopted a document on tenure and academic freedom that imposed significant restrictions on the latter where issues of religion were concerned. Almost half the faculty resigned. By the winter of 1962, there was renewed anguish at WLU when the board imposed "a statement of university philosophy" calling for "a faculty that as a whole openly and unapologetically avows the Christian perspective in and out of the classroom." Not every professor needed to be a Lutheran or even a Christian – exceptions might be made for a "distinctly superior person" – but everyone had to "honour the Christian character of this institution, and co-operate in its programme of Christian nurture."[26] Seven more faculty members resigned.

At Acadia University, a Baptist institution in the Annapolis Valley, a struggle broke out in 1965 between the Board of Governors and the Baptist Convention of the Atlantic Provinces as to who should control the institution. Key issues with implications for academic freedom were whether it was appropriate for the university to employ non-Christian professors, and what, on the subject of religion, were the appropriate limits on professorial free speech. An incident that disturbed some members of the Baptist Convention was a debate at Acadia in early 1965, sponsored by the Student Christian Movement, on the "Necessity of Religion," in the course of which two faculty members had reportedly said that in its current form religion did more harm than good.[27]

At secular institutions, too, religion could be disruptive. In the fall of 1962, a UBC philosophy professor, Peter Remnant, kicked up a storm of controversy with a lunch-time address to more than a thousand students on the subject of the Bible, part of an explanation of why he was an atheist. "Gasps repeatedly rippled through the audience," a reporter wrote in a *Vancouver Sun* front-page story. "Said one student under his breath: 'I can't believe it.'"[28]

Had I not at that time been an undergraduate here in Victoria, I would find it hard to believe not only that the media gave so much space to the issue, but also that a thousand students would come to hear to a professor speak on *any* subject. But as is so often the case, the context is of key importance. Religion's influence was waning, but it still mattered to many students. It mattered also to the provincial cabinet, led by Premier W.A.C. Bennett, who were probably all church-goers and several of whom were evangelical Protestants. For this reason, both the chancellor and a member of the Board of Governors expressed concern at the next board meeting about the possible effects of Remnant's address. President John B. Macdonald appealed to the concept of academic freedom: "The University must uphold the right of every scholar to analyze any issue in a sober, careful and scholarly way."[29] He was satisfied Remnant had met this requirement. The board accepted his assurance.

For a long time, current history was a fruitful source of controversy, as was the intersection of politics and economics. James Mavor's 1916 free-market criticisms of the forerunner of Ontario Hydro led Premier William Hearst to urge the University of Toronto's president, Sir Robert Falconer, to call Mavor to account.[30] One of Hearst's successors, Howard Ferguson, at various times in the 1920s wrote irritated letters to Falconer about the political economists C.R.

Fay and E.J. Urwick, and the historian Frank H. Underhill.[31] Underhill was repeatedly in hot water during the 1930s because of his critical view of the past, present, and future of the British Empire.[32] Others whose negative assessment of the value of British connection to Canada aroused hostility in the 1930s included historian A.R.M. Lower of United College[33] and Carlyle King of the University of Saskatchewan English department.[34]

A Dalhousie political scientist, R.A. MacKay, published an analysis of the Beauharnois scandal, in *Maclean's* in 1931, that enraged Prime Minister R.B. Bennett, a member of Dalhousie's Board of Governors, and prompted him (unsuccessfully) to demand MacKay's dismissal.[35] A few years later, Ontario's Premier George S. Henry made the suggestion that two members of the faculty of Victoria University, classicist Eric A. Havelock and divinity professor John Line, be ordered to end their involvement in politics as members of the LSR and CCF.[36]

In the fall of 1939, when McGill historian Edward Adair offered as one of the reasons for the fall of Poland the inept foreign policy pursued by the government of Neville Chamberlain, the editors of both of Montreal's English-language dailies were after his hide.[37] Speaking at the Lake Couchiching Conference in August, 1940, Frank Underhill welcomed the recently-signed Ogdensburg Agreement between Canada and the United States, said it underlined Canada's status as a North American country, and predicted that, no matter what the outcome of the war in Europe, Canada's relations with the United States would strengthen over time and those with Britain would weaken. This struck many people as disloyal to the mother country, and Underhill came within an inch of being fired.[38]

Less than a decade later, Glen Shortliffe, a French scholar at Queen's, offended some listeners with his even-handed treatment of European and world politics on CBC radio. In the early days of the Cold War, evenhandedness struck some people, including a few potential donors to Queen's endowment, as an apology for Communism. When Principal R.C. Wallace informed Shortliffe that people close to the university were objecting to what he said, Shortliffe, unwilling to compromise a fund-raising campaign in progress, stopped his broadcasts.[39]

The context of these and other incidents is crucially important to understanding the history of academic freedom. Something got said or written that, whether it was right, wrong, or somewhere in between, some people found offensive enough to kick up a fuss about. If these people were important enough, there would be pressure on the university's president and governing board. Sometimes they resisted pressure; sometimes they did not and transferred it to the professor who had offended. Dismissal rarely took place, and when it did, as in George Hunter's case at Alberta, there were complicating issues. But pressure applied to professors almost invariably had the effect of making them more careful about what they said and wrote, often silencing them altogether.

During the twentieth century, subjects like religion, the British Empire, and the economy gradually lost the power to arouse controversy. This development was aided by the growing lack of media interest in what professors had to say. A few media stars still draw attention, but we rank-and-file academics now labour in obscurity. No metropolitan daily would dream today of sending a reporter to cover a speech by a sessional lecturer like Eugene Forsey.

But there are subjects that have gained in their ability to offend, however, most notably issues of gender and race. Again a bit of history may be needed: into the 1960s universities acted

in loco parentis to students, with severe restrictions on student behaviour. Alcoholic beverages were banned from residence rooms and often entire campuses; residences were segregated by sex, and visits from students of the opposite sex in residence rooms were either very strictly regulated or *verboten* altogether. Serious sexual relations took place off campus, often in the backseats of cars.

Campus restrictions ended in a rush later in the decade, leading to a residence scene that struck some older observers (who mostly averted their eyes) as bacchanalian if not worse. It was against this background that in 1993 a University of New Brunswick mathematician, Matin Yaqzan, contributed an article about date rape to the student newspaper, *The Brunswickian*. He sought, no doubt ineptly, to put the phenomenon in context from a vantage point that discerned little of value in the sexual revolution that had begun in the sixties.[40] Some of what he wrote sounded rather like what my Victoria High School health teacher said, or more accurately, implied in class back in 1954: young women were unwise to accept invitations to visit young men's bedrooms because young men were likely to have wicked designs on them. But my health teacher would hardly have agreed with Yaqzan's assertion that young women who were sexually active were likely to experience date rape as more of a "discomfort" than anything else, and therefore that compensation in the form of "damages" would usually be appropriate.

The storm of protest that followed was by no means altogether to the point. In some circles, Yaqzan was understood to condone violence towards women, and there were demands that he be fired. On *Canada AM* early one morning, I debated the issue with a young woman at UNB who didn't seem much interested in what Yaqzan had actually written but instead attacked him for what she believed him to be saying: that young women who went up to young men's rooms were asking to be raped, indeed, that he was condoning, even justifying date rape. I suspect, too, that she objected to his implicit disapproval, unsurprising in someone of Muslim background, of sexually active women. Facing pressure from a variety of sources, among them the local media, the university's vice-president suspended Yaqzan with pay; and, since he was near retirement, in due time UNB bought him out.

The incident demonstrated how much the campus landscape had changed in thirty years. Once commonplace conservative views of what was appropriate and inappropriate sexual behaviour, especially for women, had become unfashionable and even unwelcome by the 1990s. What a contrast with an incident in Halifax in 1929: King's College psychologist Norman Symons, in class, asked a female undergraduate to define petting. This prompted the president, who was in any case concerned that Symons's Freudianism exposed the college to criticism, to obtain the psychologist's resignation![41]

Another major change since the 1960s, though it should be obvious, may be worth noting. Into the 1960s, faculty members and administrators of universities were overwhelmingly male and Anglo-Celtic in origin, except for the French-Canadian institutions where the men were overwhelmingly French in origin. Scholars of other European origins were few. Women were also few and from many fields largely absent. Jews were even fewer, though less confined as to subject area. No scholar of African background taught in any Canadian university before the biologist Howard McCurdy gained appointment at Windsor's Assumption University in 1959. I don't know when the first professor of Asian origin was appointed in a Canadian university,

but it was not until after 1960. The exclusive nature of pre-1960 universities affected academic freedom, not only because it largely restricted the range of discussion to people with a common background but also because the awareness of being marginal is bound to have an inhibiting effect on those who belong to small minorities.

Canadian universities reflected the larger Canadian society, in which discrimination was commonplace. That society was changing by the 1960s, and the universities were changing with it. As one result, attitudes to the discussion of the tangled issue of race changed as well. In 1989, the University of Western Ontario psychologist Philippe Rushton read a paper which "examined social-science data related to social behaviour, sexual habits, personality traits, physical characteristics, and numerous other traits, and concluded that the data clustered in such a way that three different groups, 'Negroids,' 'Caucasoids,' and 'Mongoloids' could be distinguished. . . He has become especially well known for his findings on race differences in brain size and levels of intelligence."[42] He claimed that, on average, "Caucasoids" had larger brain sizes and higher intelligence than "Negroids" but ranked behind "Mongoloids," adding, however, that there were large individual variations within groups and that it was unethical to treat groups differentially.[43] In the controversy that ensued, Premier David Peterson, a Western graduate, demanded that Rushton be dismissed for doing work that was "offensive to the way Ontario thinks."[44] Peterson was not alone in his demand.

Cooler critics challenged Rushton's research methods; I remember one of my squash partners, a psychologist, telling me at length what was wrong with them. It did occur to me at the time that Rushton's findings would also have been controversial earlier in Canadian history but for quite different reasons. In 1935 or even 1945, his assessment of the relative intellectual capacity of "Mongoloids" and "Caucasoids" would have met with outrage, especially in B.C., with its history of anti-Oriental feeling and legislation. For example, when the UBC economist Henry F. Angus in 1935 became an advocate of extending the franchise to Canadians of Asian origin, nativists in British Columbia condemned him, "and at least one of his critics demanded his dismissal from the University."[45]

Since the Rushton controversy, I have been made aware that his method of ranking has much in common with that used by *Maclean's* in its annual ranking of Canadian universities. In the fall of 1996, I was in Saskatoon, attending a conference on academic freedom. The editor then responsible for the magazine's "Universities" issue spoke to us, and during the subsequent question period someone challenged the way *Maclean's* did the ranking, saying the method was about as valid as Rushton's method in ranking large racial groups. The editor was unapologetic. The basis for the rankings were ones his staff felt comfortable with, he said, but anyone else was free to produce their own. "I can tell you this," he added, "that issue sells 75,000 more copies than any other *Maclean's* publishes in the course of the year." In the world of commerce *that* argument trumps all others. I don't know, though, why Canadian universities keep cooperating in an enterprise so intellectually dubious.[46] Perhaps it is because many academics, too, have succumbed to the curious notion that differences in quality can be determined quantitatively.

* * *

On 2 December 1935, E.W.R. Steacie, assistant professor of physical chemistry at McGill, addressed the Montreal branch of the Canadian Engineering Institute. Having spent the previous year at a German university, Steacie said he resented ignorant criticism of Germany. The press was muzzled there, he stated, "but he asked if it was any better off in Canada. He preferred the control of Goebbels to that of the advertising manager of a large store."[47] (This may have referred to the cautious way in which the press had recently treated the damaging evidence presented to the Royal Commission on Price Spreads concerning the employment and buying practices of department stores, which happened to be major advertisers.)

Steacie turned to the persecution of Jews in Nazi Germany. He conceded that the Jews "had some cause for complaint. He could not condone the way they had been treated, but politically the discrimination against them was justified," for the Jews had been "the large mortgage-holders and had gone to extremes in evictions." Besides, Steacie said, they had been over-represented in the professions, where they had discriminated against non-Jews: "Every other country had taken a similar anti-Semitic attitude when it was found suitable. The only reason there was no outward anti-Jewish movement here was because discrimination existed underneath."[48] (It is possible that Steacie, not being French-Canadian, was ignorant of the Parti national social Chrétien, founded by Adrien Arcand in 1934, which identified its enemies as communists, socialists, liberals, Freemasons, and Jews.)

To those who were concerned about the loss of democracy in Germany, Steacie offered food for thought. According to the *Gazette*'s reporter, the chemist claimed that "80 to 90 percent of the people were persuaded that Hitler's regime was the best thing for Germany. The Germans liked to be regimented. 'If virtually everyone in Germany does not want freedom, why should we worry?'. . . The speaker contended that, good or bad, stable government was preferable to uncertainty, and Hitler had brought stability. He had restored the national self-respect."[49]

Steacie went on to deprecate fears of German rearmament: "Germany's increased army was a point of honour." Furthermore, Hitler had dealt with unemployment more effectively than the government of any other country: "He had drafted the men into labor camps, put them into uniform, and their morale was as good as that of the regular troops. . . Hitler had brought action while other governments had done nothing but talk."[50]

We must hope that Steacie, who later became president of the National Research Council, soon came to recognize that much of what he had said was claptrap. But more interesting than remarks that strike us as incredibly naive at best, deeply insensitive and unintelligent at worst, and distressing either way, was the response to them or, more accurately, the near-complete lack of response. The *Gazette* printed two letters, one mildly and one (from H.M. Caiserman of the Canadian Jewish Congress) strongly critical of Steacie's speech, but it seems to have elicited no editorial comment – surprising, given Steacie's disdainful assessment of Canadian press freedom. Neither politicians nor anyone associated with McGill commented publicly on the speech, and McGill's records contain no indication that the Board of Governors discussed it or that Principal Arthur E. Morgan spoke to Steacie.

The well-known remark by Sherlock Holmes in the story "Silver Blaze" comes to mind. He refers to "the curious incident of the dog in the night-time." Informed that "the dog did nothing in the night-time," Holmes says: "That was the curious incident." Why did Steacie's remarks

cause so little controversy, especially when compared with Forsey's critique of capitalists two years earlier?

The disagreeable truth is that Steacie's remarks were uncontroversial. Although Germany's Nuremberg Laws, passed in September 1935, must have raised some eyebrows here, anti-Semitism was pervasive in 1930s Canada. And Hitler still had a good many admirers in 1935 – not only fascists and their fellow travellers but also people who saw in him a man of action who got things done, while his persecution of communists, socialists, and trade unionists recommended him to more than a few Conservatives and business people in the western world. As well, Steacie's remarks expressed, in part, an impatience with "do-nothing democracy." During the Depression years, such a reaction was all too common.

Context, I said earlier, is of key importance. Whether some professorial comment, spoken or written, sparks protest and brings demands that the offender be silenced has less to do with content than with the accepted verities of the time. Opinions and research findings that do not offend contemporaries, or that offend only a few uninfluential people, hardly require the protection of academic freedom. Their inoffensiveness is protection enough. It is when the gale of protest breaks loose that we know academic freedom is very probably in danger.

It is at this moment, of course, that another danger arises. Faculty members and administrators, though at least nominally committed to academic freedom, may disapprove as strongly of the expression of certain views as do outsiders to the university, or board members, a group who are neither fully outside nor fully inside. The disapproval may focus on what has been said, or on the fact that it has been said at all. We may even agree with the statement but feel that its utterance was imprudent or unwise, that it has caused controversy, has exposed the university to criticism, has brought it bad publicity.

The historian Charles Lightbody, who taught at Brandon University and both campuses of the University of Saskatchewan, once said that the average university administrator fears bad publicity the way wild animals fear fire. It is at the point that bad publicity hits home that we are likely to hear the claim that *some* statements are so outrageous that they do not deserve protection, that academic free speech has degenerated into license. Even (and perhaps especially) the most egregious infringements on academic freedom in the twentieth century have been accompanied by the claim that academic freedom was not at issue.

Barring the expression of views that are illegal or actionable, it is our duty as university people to tolerate and even on occasion to promote the statement of views and the publication of research that are offensive to some people and that may offend us personally. This is very important at a time, like today, when universities are supposed to be market-oriented. In such institutions, professors and administrators may have to refrain from saying anything, in class or outside, that could offend any significant number of the universities' customers or "stakeholders," including students, their parents, donors, and the governments that pay a large part of the freight.

What are universities for, after all? Part of our historical role is assuredly the preparation of young people for the working world, and the carrying out of research that will, if successful, have useful applications. But that is by no means all there is to universities, especially not for

those of us who work in the humanities and social sciences, areas currently under pressure because of the supposed demands of the marketplace.[51]

In 1970, the eminent political theorist C.B. Macpherson spoke in his presidential address to the Canadian Association of University Teachers of "a sick society" and its need for "diagnosis, at every level of its malfunctioning: ecological, physiological, economic, psychological, political, and above all (or below all), to use an old-fashioned word in little repute these days, moral."[52] He claimed for the university the role of diagnostician, and compared the institution to the medieval court jester, the one person in a prince's entourage who was supposed to be outspoken and to say things no courtier was allowed to say.

The task is essential, but it has never been terribly rewarding. In 1977, the historian Desmond Morton wrote that, in spite of the university's loss of public esteem since the 1960s, one of the institution's functions continued to be crucially important: ". . . to hold a mirror to our society, allowing neither a flattering self-portrait nor an outsider's caricature. It is the role of an honest friend." Morton concluded: "As both educator and analyst of its society, the university community can look forward to being more needed and less wanted that at almost any other period in its history."[53] I couldn't have said it better myself.

A key role for university people today, one that academic freedom ought strenuously to safeguard, is to challenge the dominance of the cult of marketability, which is expressed in the view that the central, perhaps the sole, purpose of universities is to supply the economy's need for personnel and to satisfy commercial wants. We owe it to ourselves and to our society to maintain the university's function of criticism. It is a function that demands a broad conception of academic freedom.

Notes

1. Stanley Brice Frost, *McGill University*, Vol. 2: *1895-1971* (Kingston and Montreal: McGill-Queen's University Press, 1984), 189, 196. The decline was mitigated to a considerable extent by deflation.
2. Eugene Forsey, *A Life on the Fringe: Memoirs* (Toronto: Oxford University Press, 1990), 52.
3. McGill University Archives (MUA), RG2, Principal's Office (PO), c.43/301, Arthur Currie to John W. Ross, 23 Nov. 1932, copy.
4. MUA, RG2, Principal's Office (PO), c.43/301, Stephen Leacock to Currie, 13 May 1933.
5. MUA, RG2, Principal's Office (PO), c.43/301, W.L. Grant to Currie, 13 Oct. 1933.
6. MUA, RG2, Principal's Office (PO), c.43/301, Currie to Grant, 16 Oct. 1933, copy.
7. Michiel Horn, *Academic Freedom in Canada: A History* (Toronto: University of Toronto Press, 1999), 130-1.
8. MUA, RG2, PO, c.43/301, Currie to Cyril H. Adair, 4 Nov. 1933, copy.
9. MUA, RG2, PO, c.43/301, Currie to S.P. Rose, 25 Oct. 1933, copy. See also: Paul Axelrod, "McGill University on the Landscape of Canadian Higher Education: Historical Reflections," *Higher Education Perspectives* 1 (1996-97), 128.
10. MUA, RG2, PO, c.43/301, Currie to L.-A. Taschereau, 21 Oct. 1933, copy.
11. MUA, RG2, PO, c.43/301, Currie to Lorne C. Webster, 24 Oct. 1933, copy.

12. MUA, RG2, PO, c.43/301, AWC, Re Professors Forsey and Scott, 26 Oct. 1933.
13. MUA, RG2, PO, c.43/301, AWC, Re Professors Forsey and Scott, 26 Oct. 1933.
14. MUA, RG2, PO, c.43/301, AWC, Re Professors Forsey and Scott, 26 Oct. 1933.
15. Horn, Academic Freedom in Canada, 142-4.
16. MUA, MG1052, David C. Munroe Papers, F.C. James file, James to Munroe, 4 Mar. 1969.
17. Report of the Committee Appointed by the Government to Investigate the Finances of British Columbia, Presented to the Government July 12th, 1932, with Appendix Containing Comments by the Government of British Columbia (Victoria 1932), 36, 69. See: Margaret A. Ormsby, British Columbia: A History (Toronto: Macmillan, 1958), 446-8.
18. Michiel Horn, "Under the Gaze of George Vancouver: The University of British Columbia and the Provincial Government, 1913-1939." *BC Studies* 83 (Autumn 1989): 46-58.
19. These suggestions may be found in a file of newspaper clippings on the Kidd Report, deposited in the Special Collections Department of the University of British Columbia Library.
20. Robin Fisher, *Duff Pattullo of British Columbia* (Toronto: University of Toronto Press, 1991), 222.
21. See, for example, Jim Coyle, "Rogers Fought for Scraps as Tories Gorged," *Toronto Star*, 6 Mar. 2004.
22. Conrad Russell, *Academic Freedom* (London and New York: Routledge, 1993), 24.
23. See: Kenneth Westhues, *Eliminating Professors: A Guide to the Dismissal Process* (Lewiston, N.Y.: Edwin Mellen Press, 1998).
24. Horn, Academic Freedom in Canada, 230-45.
25. Horn, Academic Freedom in Canada, 195-202.
26. Horn, Academic Freedom in Canada, 268.
27. Horn, Academic Freedom in Canada, 270-4.
28. Simon Cardew, "UBC Professor Says: 'If There's a God, Prove it,'" *Vancouver Sun*, 20 Nov. 1962.
29. University of British Columbia Archives, Board of Governors, Minutes, 27 Nov. 1962.
30. Horn, Academic Freedom in Canada, 48-50.
31. Horn, Academic Freedom in Canada, 71-2.
32. Horn, Academic Freedom in Canada, 95-8, 118-22.
33. Horn, Academic Freedom in Canada, 110-11.
34. Horn, Academic Freedom in Canada, 104-5.
35. Horn, Academic Freedom in Canada, 108-9.
36. Horn, Academic Freedom in Canada, 111-2.
37. Horn, Academic Freedom in Canada, 145-6.
38. Horn, Academic Freedom in Canada, 154-64.
39. Horn, Academic Freedom in Canada, 186-90.
40. John Fekete, *Moral Panic: Biopolitics Rising* (Montreal and Toronto: R. Davies, 1994), 250-1.
41. Horn, Academic Freedom in Canada, 84-6.
42. Fekete, *Moral Panic*, 214.
43. Rushton continues to hold these views. See: J. Philippe Rushton, "Race, Brain Size, and IQ," *General Psychologist*, 37/2, (Summer 2002): 28-33.
44. Fekete, *Moral Panic*, 215.
45. W. Peter Ward, White Canada Forever: Popular Attitudes and Public Policy toward Orientals in British Columbia (Montreal: McGill-Queen's University Press, 1978), 141.
46. The dubious quality of the *Maclean's* survey is confirmed in a recent cross-national analysis that Prof. Margery Fee of UBC has drawn to my attention: David D. Dill and Maarja Soo, "Is There a Global

Definition of Academic Quality?: A Cross-National Analysis of University Ranking Systems," *Public Policy for Academic Quality*, Jan. 2004, www.unc.edu/ppaq.
47. MUA, Scrapbooks, Vol. 9, 326, *Gazette*, 3 Dec. 1935.
48. MUA, Scrapbooks, Vol. 9, 326, *Gazette*, 3 Dec. 1935.
49. MUA, Scrapbooks, Vol. 9, 326, *Gazette*, 3 Dec. 1935.
50. MUA, Scrapbooks, Vol. 9, 326, *Gazette*, 3 Dec. 1935.
51. See: Paul Axelrod, Values in Conflict: The University, the Marketplace, and the Trials of Liberal Education (Montreal and Kingston: McGill-Queen's University Press, 2002).
52. C.B. Macpherson, "The University as Multiple Fool," *CAUT Bulletin*, 19/1 (Autumn 1970): 4.
53. Desmond Morton, "Canadian Universities and Colleges: After the Power Trip, Priorities," in Hugh A. Stevenson and J. Donald Wilson, eds., *Precepts, Policy and Process: Perspectives on Contemporary Canadian Education* (London, Ont.: Alexander, Blake Associates, 1977), 190.