TO: Union Executive

FROM: Sara Matthews

RE: Harry Crowe Conference

On February 22-23 I attended the 2019 CAUT Harry Crowe Conference “Free Speech on Campus” (see attached program). The meeting provided opportunities to hear presentations from a number of stakeholders across the sector, and also to network with individuals from other institutions.

In this short report I will comment on the presentations that I found helpful for illuminating the challenges we face at Laurier with respect to the “free speech” conversation, and touch on some of the limitations of the conference. My own perspectives are informed by my experience as a Faculty of Arts Senator, and Faculty representative to the Board of Governors. Most of my impressions are centred on parsing the differences between “free speech” and “academic freedom” and the significance to campus politics at WLU.

Alison Hearn, Faculty of Information Studies at Western University, gave an interesting talk that focused on the ‘securitization’ of the campus with regard to the depoliticization of student movements and the institutionalization of their engagement eg. moves towards “civility”. This very approach is evident on our campus with the VPA sponsored visit of Sigal Ben Porath last term, and the Administration’s move to bring the Office of Diversity and Equity under the purview of Human Resources. I’ve attached an interesting article co-written by Dr. Hearn that outlines some of her analysis, which includes a discussion of universities as “datafied institutions” along with corresponding techniques of power such as “ed-tech” and the increase of data archivization (such as the on-line Case Reports that professors can now file on students through the Office of Student Affairs).

In a panel entitled “Challenges to Free Expression on Campus”, two presentations stood out to me: Francesca Holyoke, University of New Brunswick, and Paul Barrett, Concordia University, who spoke about how power is mobilized on campuses with regard to who is able to speak, suggesting that the model of the “public intellectual” is dead. With universities increasing their part-time and precarious complement, how many faculty are able to mobilize their right to academic freedom? Furthermore, what are the statistics on full-time relative to part-time positions on campuses and how do we track these numbers? Do we have this information for WLU, and how does this help us with regard to influencing the development of WLU’s new Strategic Plan (eg. with a focus on comprehensive education)? What are the labour conditions under which faculty are employed and how does the burden of placing the demand for “more” or “better” speech onto faculty influence our loads? What are the working conditions that make academic freedom possible? Barrett noted that freedom of inquiry, not freedom of expression, is at the core of the mission of the university (though these are obviously linked).

Sara Hamill, Trinity College Dublin, gave an interesting presentation on property law (private vs. public) as it relates to campus safety and the limits of “free speech” eg. is the institution on private or public property? This will impact the kind of restrictions it can put into place. I can’t say that I fully understood the nuances of her dense and legal-ese peppered presentation – but I think worth following up her research here where she theorizes how property laws are used to direct speech. <http://ubclawreview.ca/issues/volume-471/sarah-e-hamill-location/>

Richard Moon, University of Windsor, raised some interesting points in his presentation on the limits of free speech with regard to what he called the “heckler’s veto” eg. security costs put into place that deter the presence of speakers anticipated to raise controversy on campuses. The issue of lawful speech not being hateful speech is a difficult one when these adjudications are made after the fact of speech when in some cases the invited person has previously engaged in harmful speech – what is reasonable cause to believe that someone might engage in hate speech?

David Newhouse, Trent University offered his analysis of the university’s role in colonization and how Indigenous scholars can access the rights to academic freedom in such a context. The university is a speech community and also a structure of power, with these freedoms come responsibilities – how are Indigenous faculty centred (or not) in Collective Agreements? This is a relevant question for WLU and one that needs addressing – Indigenizing the CA.

Louis-Phillipe Lampron, Université Laval, pointed out that academic freedom is poorly understood in the public domain (and I would state even within our own governance mechanisms). What is the mission of the university in an era of “post-truth”? There is a trend towards verticalization as opposed to horizontal, collegial approaches. In case law, the differences between public and private sector employees are not reflected. This affects faculty in their ability to criticize their own institution eg. employer. This freedom is not for the good of the individual faculty but the greater society and the University mission should reflect such.

Michael Lynk, Western University, gave a fascinating presentation where he analyzed 3 case studies for the ways in which academic freedom is protected through the CA. Peter McInnes, St. Francis-Xavier University, remarked on the increasing powers of HECQO and needing an analysis of how it interferes in the right to strike. Finally, RM Kennedy, OPSEU College Faculty Executive Chair, (the only speaker to mention WLU in their remarks!), impressed the importance of working towards collegial governance as the framework for academic freedom, including Student Unions. His perspective was valuable coming from a sector that only recently secured the right to academic freedom (Colleges) and which has no systems of inclusive governance. This talk was interesting to me since we have, in my opinion, a disaffected governance participation at WLU.

Overall, I found the conversation to be fairly normative. Certainly, the past two years at WLU have pressed more conversation as a result of the LS dynamic. It was my impression, speaking with several CAUT colleagues, that the majority of speakers were selected from within the caucus and that the organization itself is rather conservative as opposed to political, in its views and perspectives. Also, diversity (lack of it) was an extremely evident issue.