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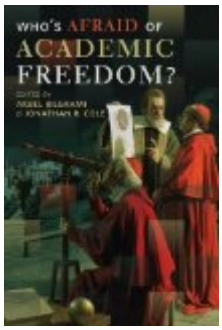

Akeel Bilgrami, Jonathan R. Cole, eds.. *Who's Afraid of Academic Freedom?.* New York: Columbia University Press, 2015. xvii + 428 pp. $35.00, cloth, ISBN 978-0-231-16880-9.

Reviewed by Michiel Horn

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Commissioned by Jeffrey R. Wigelsworth (Red Deer College)

Reviewing a collection of essays is usually a frustrating experience. Space limitations generally mean that it is impossible to give each essay the attention it deserves. The collection under review poses yet another frustration. For a scholar who has spent his career teaching in a university outside the United States and who has a keen interest in academic freedom, this book is disappointing. The essays are well worth reading, thinking about, and discussing, but the collection does not meet the expectations raised by its title.

Simply put, it is too limited in its scope. First of all, the seventeen distinguished contributors are all drawn from the humanities, social sciences, and law. There is not a single scientist among them, let alone a professor of medicine, engineering, or business. From personal experience I know there is no lack of interest in issues of academic freedom among such people. Secondly, only academic freedom as it relates to the United States and Israel is of interest to the contributors, with Palestine occasionally dragged along because of its importance in the Israeli context. A few other countries rate a nod of attention when they are directly or tangentially relevant to the central concerns of the authors. Most countries and any issues of academic freedom in their universities may as well not exist.

Take the country in which I have spent almost all of my academic life: Canada. In his essay “Academic Freedom and the Boycott of Israel Universities,” Stanley Fish refers critically to a demand made by a Concordia University anthropologist for an academic boycott of Israel. That is it for anything having to do with Canada in any way. Full disclosure: from 1984 to 1990 I served on the Academic Freedom and Tenure Committee of the Canadian Association of University Teachers. Furthermore, I am the author of a history of academic freedom in Canada that might have provided several of the authors with a useful comparative perspective. I suspect that to most Americans, perhaps even to many US academics, Canada exists mainly as a source of hockey players and bad winter weather. Being ignored by our cousins and neighbors to the south is something Canadians

are familiar with. When it is evidence of a larger parochialism, however, it raises uncomfortable questions. What, for example, should the reader make from the fact that not one of the authors refers to the historian Lord Conrad Russell's brilliant essay on academic freedom, published in 1993? Whether one agrees with Russell or not, anyone writing about academic freedom should be aware of his book, and surely one or more of the contributors should have referred to it, acknowledging or challenging his argument.

The editors note in their introduction that several of the essays "wrestle with the question: Is academic freedom just a name for the practice, within universities, of the political freedom guaranteed by the U.S. Constitution, or is it, for reasons having to do with the specific nature of the academy, set apart from that more general freedom?" (p. x). To a non-American ear the constitutional justification sounds strange, because it altogether lacks relevance in all those countries which do not or did not until recently have a constitutional guarantee of freedom of expression, but in which academic freedom has long been an accepted concept. The Canadian Charter of Rights and Freedoms does guarantee "freedom of expression," for example, but it dates only from 1982.

The essay by Robert Post, "Academic Freedom and the Constitution," is reassuring. "The constitutional theory of academic freedom is incoherent," he writes, "because courts lack an adequate theory of why the Constitution should protect academic freedom" (p. 123). He is one of several authors who provides a brief history of academic freedom--Geoffrey R. Stone does so in the book's first essay, as do Joan Scott and Robert J. Zimmer in their essays--and identifies the importance of the German research universities of the nineteenth century as a model for Johns Hopkins University and other institutions. He discusses the incompatibility of the notion of the marketplace of ideas with the idea of academic freedom as it was conceived by the American Association of University Professors and expressed in its Declarations of Principles of 1915 and 1940. The freedom of expression guaranteed by the First Amendment reaches well beyond academic freedom, for in principle, if by no means always in practice, it protects the right of all Americans to express their opinions.

Neither Post nor any of the other authors use the term "academic free speech," which looms large in a discussion of academic freedom in Canada. The concept is basically British and refers to the claim that when professors speak in public about matters of public interest, whether these are related to their academic expertise or not, they are exercising their academic freedom. Widely accepted in the United Kingdom, the claim was controversial in Canada, as those professors discovered who challenged the politically correct orthodoxies of their time. Some of them got into serious trouble, most notoriously the University of Toronto historian Frank Underhill in 1940-41. Known and occasionally attacked since the 1920s for his trenchant commentary on current events, he spoke at a conference in late August, 1940, about the agreement signed by President Franklin D. Roosevelt and Prime Minister William Lyon Mackenzie King at Ogdensburg, NY, on August 18, establishing the Permanent Joint Board on Defense. Putting this agreement in the context of the war in Europe as well as the history of relations between the two North American neighbors, Underhill predicted that one outcome of the war would be to strengthen Canada's ties to the United States and weaken those to Britain. Today this assessment seems anodyne. At the time, with the Battle of Britain raging overseas, Conservative and empire-minded Canadians took umbrage. Underhill's job was saved only because senior Ottawa officials intimated to U of T president H. J. Cody that the historian's dismissal would make a bad impression in the United States, which Canada and Britain were hoping to draw into the conflict with Nazi Germany.

Academics in Canada, the United States, and elsewhere continue to get into trouble for using academic free speech. David Bromwich, in his essay "Academic Freedom and Its Opponents," discusses the case of the Israeli political scientist Neve Gordon of Ben Gurion University, whose 2009 call, in the pages of ***The Guardian***, for a boycott of Israel proved highly controversial. Bromwich quotes Rivka Carmi, president of Ben Gurion, as stating that, because Gordon was expressing a personal opinion, he had overstepped the bounds of academic freedom. Bromwich points out that this echoes the traditional AAUP view of academic freedom, and, he might have added, the German tradition of ***Lehrfreiheit*** that influenced it: the expression of opinions that are not based on one's academic expertise are not sanctioned by academic freedom. Bromwich challenges this view, but I suspect that many university administrators and members of governing boards, and not a few professors, would support President Carmi in her view. (Of course, even the expression of opinions that ***are*** rooted in a professor's academic expertise may prove unwelcome.)

As this collection of essays makes clear, US professors who challenge whatever is currently politically correct, may face sanctions, up to and including dismissal, Indeed, at times, such as during the McCarthy period, US professors were more vulnerable. In his essay "Academic Freedom under Fire," Jonathan R. Cole states that "today, a half century after the 1954 House Un-American Activities Committee held congressional hearings on Communists in American universities, faculty members are witnessing once again a rising tide of anti-intellectualism and threats to academic freedom" (p. 40). He details several threats here, but he makes too little of the threat that may come from corporations eager to ensure that academic research and its publication do not damage corporate profits.

The experience of Nancy Olivieri at the University of Toronto provides an interesting case study. In 1995 Olivieri, a member of the university's Faculty of Medicine and Toronto's Hospital for Sick Children, a U of T teaching hospital, found herself in a bind when she began to suspect that a new drug she was testing was doing her patients more harm than good. Having agreed to confidentiality concerning her research findings at the time of accepting financial support from the pharmaceutical firm Apotex, she found that when she wanted to warn the medical community as well as her patients, Apotex threatened her with legal action. Although the university denied Olivieri's request for legal help, she nevertheless made her concerns known. When this action became public in 1998, it sparked a debate about the effects of corporate interests on academic freedom in pharmaceutical research. It also once again raised questions about whether and how the pursuit of scientific truth and private profit can be reconciled with each other. That these questions have not found their way into this book surely reflects the limited range of disciplines from which the contributors are drawn.

If the effect of corporate power on academic freedom gets scant attention in this book, the same cannot be said of the influence of Middle Eastern politics. Essays by Stanley Fish, Judith Butler, John Mearsheimer, and Noam Chomsky deal with various aspects of the Arab-Israel conflict, the boycott-Israel issue, and their impact of academic freedom; David Bromwich discusses an aspect of the issue as well. Both defenders of Israel and opponents of its policies towards Palestine are well represented on US campuses, but I do wonder whether the issues of academic freedom raised by the conflict are not overrepresented here. The collection concludes with a very interesting "pilot study" of faculty views on academic freedom in the United States.

In summary, in spite of its limitations, this collection offers much of value. For my part, however, I wish the authors of the essays and the book's editors had shown a more inclusive aware-

ness of the academic world and academic freedom.

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