

Is Academic Freedom Possible Where There is Sexual Violence?

For ten years now, the USFA has sponsored an annual Academic Freedom Event. These gatherings attract national and international speakers, faculty from other universities, and executive members of the Canadian Association of University Teachers (CAUT). In addition to a guest speaker, each Academic Freedom Event includes a panel of faculty or students from the U of S speaking to issues of current concern.

This year, Dr. Dianne Miller, a historian and sociologist of education, raised the question of whether women can inquire in a manner free from institutional restraints where they are victims of sexual predation and violence. In her article, "Academic Freedom also means Freedom from Sexual Violence," she points to growing evidence at Canadian universities, including the U of S, where violence threatens female students. Moreover, the policies whose purported purpose is to protect them are largely inadequate. Numerous task forces and commissions of inquiry have made recommendations for reform, but the required resources for their implementation are too often lacking. This begs the question of whether safe campuses for women are less important than other priorities in the "research intensive" corporate university, a question raised by novelist Virginia Woolf almost eighty years ago.

For many of us, the relationship between academic freedom and the opportunities for women to study, teach and conduct research without fear of violence is one we would rather not consider. The question is overlooked as we continue with our work in the university. But if we are really concerned with equity, this attitude must change. For academic freedom itself includes "the right ... to express freely one's opinion ... without institutional censorship" especially where the institution fails to protect the wellbeing of some of its members (CAUT Policy Statement on Academic Freedom available at <http://www.caut.ca/pages.asp?page=247&lang=1>)

The Editors

Academic Freedom and Freedom from Sexual Assault

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I acknowledge that I live and work on the traditional lands of Cree and Métis peoples, now Treaty Six territory.

"Rags. Petrol. Matches."

This is what Virginia Woolf (1938/1977) famously proposed as the solution to the College in *Three Guineas*, her three-years-in-the-making letter in response to the question — "how in your opinion are we to prevent war" (p.5)? Her answer to this question includes a scathing criticism of university education and the "Research" that universities produce, research that invents the implements of war, research that induces donations and endowments from successful capitalists (p. 38).

Cheek by jowl with the letter from the gentleman asking how war might be prevented is one from a treasurer seeking funds to rebuild a women's college. Woolf (1938/1977) sees this request as an opportunity to demand that the college be built along new lines: a college not built with stone nor set in stone. No chapels; no stained glass. She imagines a poor college that teaches "only the arts that can be taught cheaply and practiced by poor people; such as medicine, mathematics, music, painting, and literature" (p.40). But wait, and here we have the dramatic pause, the imagined look on the honorary treasurer's face as she turns to preside over yet another fundraising bazaar—the counsel to face "realities" (p. 41) —how would such a college teach students to earn their livings?

Woolf (1938/1977) decides:

No guinea of earned money should go to rebuilding the college on the old plan; just as certainly none could be spent upon building a college upon a new plan; therefore the guinea should be earmarked 'Rags. Petrol. Matches'. And this note should be attached to it. 'Take this guinea and with it burn the college to the ground ... And let the daughters of educated men dance round the fire and heap armful upon armful of dead leaves upon the flames. And let their mothers lean from the upper windows and cry "Let it blaze! Let it blaze! For we have done with this 'education'!" (p. 42)

However Woolf had to admit that to exert whatever limited influence women might have in the prevention of war, that influence had to be disinterested and that depended upon women earning their own livings for which they required an education and so the college must be rebuilt as

imperfect as it would be.

Writing forty years after Woolf, feminist Adrienne Rich (1979) gives a pretty thorough assessment of the university's imperfections and explodes the myth of what had by then become coeducation: "Women and men do not receive an equal education because outside the classroom women are perceived not as sovereign beings but as prey" (p. 241). Almost forty years after Rich's address, Ziering's (2015) film, "The hunting ground," affirms that on university campuses across North America, women and sexual minorities are prey. For evidence a little closer to home, recall the 2013 Rape Chant at St Mary's University ("Saint Mary's pro-rape chant"); the 2014 sexual conduct of University of Ottawa's hockey team ("U of O men's hockey players," 2016); and the 2015 revelations of a rape culture at the Dalhousie School of Dentistry (Backhouse, 2015).

For evidence even closer to home check out the Facebook page USask Confessions:

#19162 I'm sick and tired of being yelled at, whistled at and gawked at when I don't have either my boyfriend or a male friend walk with me to school.

Comment JJ: It means you're hot. Just stfu and be thankful.

Comment CB: Not everybody cares about your opinion that you don't like getting cat called. I have never seen a women talk like such a pretentious bitch in my entire life. Please call me when you find a husband. I have a bet going.

...

Comment SE: Stop wearing lulu lemons then. (USask Confessions, 2016).

So here is a limit on academic freedom, albeit of a different kind from what is usually imagined. Adrienne Rich

(1979) argues, as do a cadre of feminists, that when women are primarily defined by our sexuality, when our sexuality is defined by patriarchy, and when patriarchy is shored up and reproduced through our institutions of education--when rape of women's bodies as well as rape of women's minds is an imminent possibility and the threat of it a tool of intimidation--then it is impossible to engage wholeheartedly in intellectual work (pp. 242-244). Knowledge "is best advanced when inquiry is free from restraints by the state, by the church or other institutions, or by special-interest groups" ("Academic freedom," 2014)--what Woolf (1938/1977) called "freedom from unreal loyalties" (p. 90). It is also best advanced when free from restraints posed by sexual predation and the suppression of inquiry into it.

Root Gorelick (2016) discusses the principles of **due process** and **equal protection** which the Board of Governors at Carleton University did not uphold. These principles also often elude targets of sexual violence as the Jian Ghomeshi trial and acquittal make abundantly clear. The Crown represents the Queen; the defence represents the accused. There is no one representing the rights of a complainant, and in a sexual assault trial, what that effectively means is that she (for it is usually a she) is the one on trial (see Ling, n.d.; Tanovich & Craig, 2016).

Gorelick (2016) also discusses a range of methods employed by the Board to silence him. Here I point to methods of silencing those who experience sexual violence on campuses.

Forms of gagging:

Literally gagged: Women might be literally gagged by their dates or their boyfriends and the question will not be 'who would do such a thing'? but 'did she consent to it'? Apparently if you 'consent' to an assault in the context of a sexual encounter, it is no longer an assault or an 'alleged' assault.

Self-silencing: Those that experience sexual violence on campus may silence

themselves. According to a recent *Globe and Mail* article ("Justice on Campus," April 02, 2016) in reference to sexual harassment, "ninety per cent of people will not report an incident" (A9). Why? You likely all know the reasons why and some of us may have stayed silent ourselves for these very reasons. Speaking out may expose you to further violence from the perpetrator(s) or from those handling the case, or, in the case of a court of law, from the presumption of his innocence and your guilt. Speaking out may have negative repercussions for your career (A8). Fear of these consequences as much as the consequences themselves regulates behavior.

Direct Institutional silencing:

Those who have the courage to report sexual violence on campus may be required by the university administration to keep it quiet. Yet another link in a chain of bad news stories is the revelation that Brandon University requires victims of sexual assault to sign a behavioural contract (aka gag order) that stipulates that they can say nothing about the assault except to counsellors or run the risk of being expelled from the university (Laychuk, 2016). For students, the basic elements of academic freedom include "the freedom to study subjects that concern them and to form conclusions for themselves and express their opinions" ("Academic Freedom," 2014). These gag orders violate students' academic freedom as well as their personal integrity. Of course there is a case to be made around protection of privacy and confidentiality, **and** there are also important questions to be raised about what is being protected. Is it the risk to the institution's reputation which is really at stake here?

Indirect institutional silencing:

The same *Globe and Mail* article ("Justice on Campus," April 02, 2016) reveals that in the twenty institutions surveyed, less than 10 per cent of complaints of harassment or discrimination

are resolved through formal processes and less than 1 per cent in some cases. Students report being steered toward informal processes of resolution. One troubling feature of this type of resolution is that there is no evidence of the event recorded in official records (A8-9). The response of institutions to an assault may be as traumatic as the assault itself. Close to half of campus victims report at least one of the following forms of institutional betrayal: dismissing the experience, not taking proactive steps, making it difficult to report the experience, covering up, not responding adequately, or punishing the victim (Smith & Freyd, 2013, p.122).

One might also consider here institutional efforts which expend considerable resources while doing very little of real consequence for those who experience sexual violence. It has become very fashionable of late to appoint a task force in the wake of incidents that hit the press (task forces whose members are chosen by administrators not the collegium). The report of the task force at Dalhousie received a fair amount of public attention (Backhouse, 2015)—there was also, to name a few, one at St Mary's (MacKay, 2013); University of British Columbia (UBC President's Task Force, 2014); Lakehead (Chambers, 2014); University of Otta-

wa (Andrew, 2015); Sir Wilfred Laurier (Gendered Violence Task Force, 2016); and Queen's (SAPRWG, 2015). A task force was called here at the U of S (Quinlan, Clarke, & Miller, 2013, p.1) although I could not readily find its report. In an era of Lean and Lean-like Management practices, such a proliferation of expert panels all investigating essentially the same thing seems highly inefficient and expensive. What is the real purpose then?

High profile incidents of sexual violence also spur institutions to create or revise sexual assault policy. In late 2014, less than two years ago, an investigation by *The Toronto Star* revealed that out of 78 Canadian universities, only nine had a specific sexual assault policy and the 24 Ontario colleges surveyed had none (Mathieu & Poisson, November 25, 2014). In the wake of media attention at that time, universities vowed to improve their efforts by striking task forces, reviewing or creating policies, improving access to policies, and developing special webpages to access needed information (Mathieu & Poisson, November 29, 2014). These measures are fine and in the case of policy, necessary, but there need to be resources directed to creating safe campuses, some of which are quite obvious if we simply ask ourselves what we would want for our sons and daughters, nieces and nephews, partners, grandchildren.

The Coalition Against Sexual Assault here at the U of S has fully developed a proposal for the creation of a Sexual Assault Centre which would have the dual purpose of providing education to prevent sexual violence and providing services in response to incidents of sexual violence and care of the persons targeted. This proposal is based on a thorough review of existing programs at Canadian post-secondary institutions and effective models of campus-community partnerships, as well as drawing on the expertise of community practitioners in the field (Quinlan, Clarke, & Miller, 2013). It makes sense. Why don't we do it? Apparently we cannot afford it.

The politics of austerity is as familiar today as it was in Woolf's time. She spoke of the "voracious receptacle" of Arthur's Education Fund which drained family funds for the education of sons at the expense of education for daughters (Woolf, 1938/1977, p.7). We have our own voracious receptacles which are defended as necessary, including the proliferation of administrative positions, mega-research infrastructure, and capital spending projects. However, in the end, we can and must choose where to spend our hard-earned guinea.

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