

Fight for your right to say it?

In the latter part of last year a Macquarie University academic aroused outrage with his comments over the supposed links between race and criminality. For his colleagues and the union alike, the case provided a difficult example of the clash of shared academic values and the right to speak. Here four participants in the controversy - from NTEU's National President to colleagues - reflect on the thorny matters at issue.

Beyond 'political correctness'

Carolyn Allport

Over the last few years universities, both here and abroad, have seen a contesting of traditional ideas of the meaning of academic freedom. Such contests have come from within the academy (from all sides of the political spectrum), from increasing commercialism within universities, from government in terms of increasing direct intervention in the operation of universities, from research funding councils in their creation of 'community' representatives to assess the 'relevance' of research projects, and from new anti-terrorism legislation including the crime of sedition.

Universities' responses to these contests have varied, ranging from clear support for the principles of academic freedom in teaching and research to immediate suspension of individual academics, censorship and new codes of conduct aimed at limiting dissent.

There is so much in play and so many enter the contest believing that their intentions are not just good, but also correct. Freedom of speech has always been difficult to defend when the stakes are high - witness the McCarthy era investigations. Is it any surprise that the film *Goodbye and Good Luck* has been received so warmly by Australian theatre goers, and at such a time?

The expectations of our society are clearly that teaching and research staff at Australian universities have the right, as well as the responsibility, to speak out.

In North America and Australia there have been disturbing and troubling signs of moves to redefine the meaning of academic freedom, and place on to its traditional meaning an action agenda. Such an agenda would, as our sister organisations in the United States argue, highly limit rights under the name of diversity. This has become an important movement on American campuses, although it could also be seen as part of the older 'political correctness' debate.

The leader in this movement is David Horowitz, described as a 'former radical leftist who has abandoned his leftist roots for the extreme political right'. Horowitz is campaigning for an 'Academic Bill of Rights' to counter the perception that American colleges and universities are hiring too many liberals and democrats, and that students who do not share liberal views are discriminated against. The campaign

includes a 'Students for Academic Freedom' website² where students are able to download complaint forms and advice on tape-recording 'partisan' professors. They are also encouraged to report 'abuses' by professors. The ultimate purpose of such reports are to directly influence the hiring practices of American universities.

The Australian situation is a little different, but our institutions have found that they too can be trapped within 'political correctness' politics. As our contributors detail, debates around the situation of Macquarie University and a member of the Law School, Andrew Fraser, show us that there is little to gain by debating labels such as 'left' and 'right'.

Our institutions need to take their responsibilities seriously, and not act in a knee-jerk way. The recent decision by the University of Technology, Sydney (UTS) to introduce a policy on the 'Expression and Practice of Religious, Political and other Values, Beliefs and Ideas at UTS', is one such example of reactive policy making. As NTEU members at UTS have pointed out, such a policy risks discouraging and inhibiting free inquiry, while at the same time and punishing certain forms of academic freedom in the name of protecting the particular beliefs and values of unnamed groups of individuals.

It is counterproductive to simply respond to arguments that 'rights' should be weighed against 'responsibilities', as universities claim in their codes of conduct and policies. In fact, academic freedom is seen as worthy of legal protection by our society, with exemptions providing for the exercise of professional rights contained in the Commonwealth's *Racial Discrimination Act*.

The expectations of our society are clearly that teaching and research staff at Australian universities have the right, as well as the responsibility, to speak out. This requires a robust culture of debate, critique, and respect based on professional standards. Overt partisanship, political correctness and racism

are alien to these principles and are not part of professional debate.

For NTEU, this means that the Union has a responsibility to foster such debate, to be part of social and political campaigns supported by its membership, such as anti-racism campaigns, and to protect the workplace rights of its members. When we look to the future, it is clear that human and civil rights, including academic freedom rights, will increasingly be compromised on the basis of the 'fight against terror'. Far too often, academic freedom has been compromised to the needs of the state, our economy and unfortunately at times our political and religious leaders.

However the concept of the university, and of those who teach and research in it is valued in almost all countries of our world. As such we do have a responsibility, not simply to claim academic freedom, but to promote and defend the exercise of professional expertise in the creation and dissemination of new knowledge.

Dr Carolyn Allport is the National President of NTEU.

Endnotes

- 1 Quote from American Federation of Teachers Vice-President, Bill Scheuerman, Northeast Public Radio Commentary, March 2005, American Federation of Teachers, *Commercialization, the Security State and Academic Freedom in America*, Education International, 5th Conference on Higher Education and Research, December 2005.
- 2 www.studentsforacademicfreedom.org

Race matters

Gillian Cowlshaw

The immediate scholarly response to Andrew Fraser, in my view, took his comments on race and biology too seriously in one way and not seriously enough in another. In defining Fraser's assertions in terms of an 'ethics of speech', some scholarly critics positioned him as a serious intellectual being morally irresponsible. We are thus in a position to admonish and correct him, in terms of his faulty biological knowledge in terms of his human values and in terms of his (lack of) professional ethics.

But is he not thumbing his nose at academic respectability? Should he not be admonished for talking nonsense, rather than for saying that he has bad opinions about black people? Lecturing him on the firm facts about the biological dimen-

sion of race will have no effect on Fraser and his sympathisers because they are deploying a different kind of knowledge.

And this is where we should take him more seriously. If social scientists participate in public debate, we are foolish to deny or avoid what appears well-established evidence. The foundation of Fraser's views about racial categories is an ordinary part of public perception. A constant barrage of imagery and events displayed in the public domain relies on racial/cultural categories to report on all kinds of social phenomena that are linked to 'social problems'. Readily available statistics testify to the criminality – or criminalisation – of black populations in Britain, America and Australia. I am suggesting that there is nothing irrational about predicting a degree of social

disorder when peoples with different histories live contiguously. In fact liberal opinion uses such facts to garner support for ameliorative social programs. What we want to deny is that these social problems are the responsibility of the less powerful (blaming the victim), yet that denial can entail, or imply, a refusal to face real social difficulties.

Mostly, conflict between the marginalised and the privileged is avoided by the latter separating themselves from the former, and when Fraser recommends continuing and formalising this separation, we can surely do better than merely jump down his throat. What is offensive, but also ludicrous and mischievous, is his attributing inherent criminality and inferiority to people identified by skin colour, as if skin colour caused criminal behaviour. But he also displays some of that deeper racial anxiety that is a seldom recognised element of ordinary social functioning. While the deeper anxieties associated with all kinds of human variation, nowadays called difference, are seldom the subject of public debate, the view that such anxieties are natural is as often associated with a sense of responsibility for social disorder as it is with hostility to otherness. But let us leave deeper anxieties aside for now.

The alternative to biological proclivities as explanations for the statistical evidence of black criminality (to use a shorthand for what Fraser is talking about) are well known; such populations have been exploited, they are poor, unemployed, treated unjustly and, as well, subjected to the hostile prejudices of people like Andrew Fraser. But what such liberal explanations lack is the power to displace the loose set of ideas that make some kind of racialised explanation, with or without the hostility, appealing. In fact they can be seen as themselves racialised explanations. We can emphasise that communal conflict, alienation and criminality stem from poverty, inequality and injustice rather than racial (bodily) or cultural differences *per se*. Yet these kind of standard responses, in tones of sympathy and concern, can sound like mealy-mouthed excuses in the face of the destructive violence and the aggressive anger that often characterise such conditions.

I have been struggling with the meaning of race for some years in relation to public and self perception of Indigenous Australians, and offer three strategies, which I suggest could be usefully deployed in the public debate.

One development that arguably saves us from a new upsurge of officially sanctioned white racist violence, once associated with racial hierarchy and racial science, is the power and visibility of people from a wide range of racial backgrounds in the world and associated with this, the fact of racial and cultural hybridity, interaction, and mixing of heritage. The intermingling of different peoples in what were once called mixed marriages is burgeoning among the middle classes everywhere in the world. While this does not mean that racial identities are waning, it could be used in public debate as a powerful counter to racial essentialism.

Second, what I have called liberal explanations – that increased criminality and other social ills are a predictable consequence of marginality, poverty and injustice – could be much more robustly presented as sociological science, free of pity, excuse or embarrassment.

Also I believe such social facts need to be aligned with explorations of the psychology involved in marginal conditions of life. For instance, those of us who dwell in the pockets of peace and comfort in the contemporary world can nonetheless recognise that conditions of chronic injustice give rise to certain systematic

responses, such as rage and resentment which in turn provide conditions in which social disorder can become endemic.

I am suggesting that, besides expressing offence at his childish insults to black people, we could provide some alternative ideas for those to whom Andrew Fraser's opinions may have some appeal.

Gillian Cowlshaw is a Professorial Fellow at UTS. Her latest book is 'Blackfellas Whitefellas and the Hidden Injuries of Race', Blackwell 2004.

Endnote

This was an impromptu response written for anthropological colleagues to explain why I could not sign the petition and endorse other responses to the opinions of Andrew Fraser which attracted so much public attention. These ideas, especially the alternative tactics, would merit a good deal of development and perhaps modification.



'It is forbidden...'

Jennifer Rutherford

There is a moment on the Paris Metro when the visitor's fantasies of French culture are interrupted by a bureaucratic bark of interdiction – *Il est interdit de...* – sounding on every carriage door. *Il est interdit...* to do many things, it seems. Likewise in my corridor these last few months, where many doors bark interdictions at the passer-by.

They state things like: "Freedom of speech is not racism". One reproduces the enterprise agreement in colour-coded font as if this transitory industrial agreement ends the philosophical question of what is and isn't freedom of speech:

Academic freedom is: freedom to express unconventional or even unpopular views in your area of research expertise where you have a record of research and publication.

Academic freedom is not: freedom to state views unsupported by evidence of research, with the authority of your institution.

The signs are repetitious; the same words appear on numerous doors. The impression arises of a unanimous, univocal community of shared belief. All are marked by their emphatic and declarative quality. They state what freedom of speech is; how and in what circumstances it is to be exercised; and how it is to be regulated by disciplinary boundaries and university administration. There is no ambivalence present in any of them.

Should Fraser be allowed to speak? Up and down the corridor academics have lined up to express a univocal support for the need to shut him up. Contra Fraser – we witness a highly visible display of a seemingly unanimous community intent on stopping the speech of an academic and willing to draw on bureaucratic definitions of academic freedom to enforce this prohibition.

Is this a collective act of amnesia? There is no trace here of the ego-ideal of the new humanities as the site of new forms of intellectual freedom; disciplinary boundary crossing, and openness to ambivalence, pluralism, contradiction. Nor any trace of the old humanities ego-ideal of the intellectual speaking their truth against the interdictions of all institutions. Forgotten too is the old truth that repression produces desire. In its political form this translates to censorship produces popularity. I am struck by the repetition of a failure. Filming One Nation's rise in 1997–8, I witnessed how effectively the 'run her out of town and shut her up' strategies adopted by many anti-racist and left groups were in galvanising Pauline Hanson's support.

As a strategy it was abysmal. Hanson's popularity sky-rocketed, a far-right party manifested overnight, and swept into

power in eleven state seats; an unprecedented victory for a fledgling party. Elements of Hanson's political agenda are now cemented into policy by a Liberal government that has ridden to electoral victory on the racist paranoia she made legitimate. Hanson herself rides high on the celebrity circuit – a new icon of the Aussie battler who stood her ground. Who, we might ask, has been silenced?

There is a long history of racism in this country and it should come as no surprise that it finds popular support. The question is how does the left respond to an emerging racist hegemony? The stakes are high... the question in need of serious reflection and effective political strategy. Fraser is just an instance of a world-view that is in mass circulation. As Etienne Balibar has pointed out, the only mass movements in recent decades have been those articulated against stateless persons and foreigners.

In Europe, neo-fascist parties have forged new populist fronts. In Romania, Corneliu Vadim Tudor's Partidului Romania Mare (Greater Romania Party), an anti-gypsy party, won 33% in the popular vote in presidential run-off elections in 2000. In the same year, Jörg Haider's Freiheitliche Partei Österreichs (Austrian Freedom Party) entered the Austrian national government in alliance with conservative Wolfgang Schüssel. In Italy in 1994, the Alleanza Nazionale (National Alliance) – the reborn neo-fascist Movimento Sociale Italiano – won 15% of the vote and with the Lega Norda (Northern League) entered parliament with Berlusconi's conservative Forza Italia. The same parties formed a government again in 2001. Most notably, in 2002 France's Le Pen won 17% in the second ballot of the French presidential elections.¹

In the main part, these parties have utilised the camouflage of the new far-right to distinguish themselves from the historical stain of Nazism and fascism. In lieu of biology, they argue for cultural integrity. Fraser has missed this electoral draw-card by framing his argument in terms of innate biological inequality. As such, his arguments are easy to refute, as is his piggy-backing of a defence of the White Australia Policy on to the bell curve.

After all, the humanities have expended much energy in the last thirty years building erudition, historical scholarship, social and political analysis, and cultural production that easily refutes the sloppy pastiche of Fraser's cobbled together views. We can do better than 'shut-up!' – and we'll have to. Because once the censorship card has been played by 'us' it can be played against us.

At the time of writing this piece, Jennifer Rutherford was a senior lecturer in Cultural studies and Critical theory at Macquarie University. She has since taken up a position in Literary Studies at the University of Melbourne. She is also the director of 'Ordinary People', a Film Australia documentary on One Nation, and the author of 'The Gauche Intruder; Freud, Lacan and the White Australian Imaginary' (MUP).

Endnote

- 1 Eatwell, R, 2003 'Ten theories on the Extreme Right' in *Right wing extremism in the 21st century*, P Merkl and Weinberg (eds), London. Frank Cass. Cited in Rutherford, J 'The Unusable F word: Fascism and the Australian Media', *Social Alternatives* vol 24, 2005, pp. 33-37.

Legitimate enemies

Dr Judy Lattas

In September 2005, Macquarie University law lecturer Kathe Boehringer wrote on the decision to pull Andrew Fraser's 'Rethinking the White Australia Policy' from Deakin University's *Law Review*. It is an opinion piece heavily loaded with phrases that have come to dominate the public debate in Australia on race. Race is a matter of concern for everyone, apparently, except a 'leftist intelligentsia', internally repressive of mavericks like Fraser. Boehringer's piece speaks of an 'academic orthodoxy' and 'sacred cows', the 'politically correct sermonising' of a 'conformist' university 'herd' for which 'the doctrine of racial egalitarianism is some sort of secular holy writ'.¹

Now, Fraser's article was an extended review of Keith Windschuttle's book, *The White Australia Policy* (2004). One might think that Windschuttle is on the right, on race. Fraser tells us, however, that 'Windschuttle happily joins the left in its attack upon race as "an unscientific category"'; he 'resolutely denies that differences between 'races' have a biological or genetic foundation'.² Windschuttle, that is, may be contributing to the right in its attack upon multiculturalism, but he is to the left on the question of race egalitarianism. Fraser is on the right, on race. Or is he?

Windschuttle, in a response to Fraser's article, argues that 'Fraser is not, as the press has painted him, a right-wing, neo-Nazi theorist. Instead, he is really a very old-fashioned leftist'. In Windschuttle's account, Fraser is kin to the 'one group of genuine racists in Australia before Federation': the 'intellectual elite' of socialists, republicans and feminists of the time who

believed, like modern multiculturalists, in 'separate ethnic interests'. Unlike Fraser and the 'leftist historians' of the 1970s, says Windschuttle, he does not believe that the White Australia Policy was an expression of British race nationalism. The policy was born, he writes, of a concern for just labour conditions and a 'loyalty to Australia's democratic political institutions' (to prevent the formation of ethnic underclasses). He maintains that the 'only major difference' between these anti-White Australia Policy historians and Fraser 'is that whereas they thought racial nationalism a bad thing, Fraser believes it is good'.³

So what is the left position on race, and what is the right? Does it matter? David McKnight, in a new book entitled *Beyond right and left*, is one Australian writer who argues that the distinction between left and right in politics is no longer relevant. He finds that 'the right-left confusion is a symptom of a broader historical shift in cultural, social and economic ideas', and that this shift 'offers new opportunities for escaping the right-left bind and creating new ways of seeing the world'.⁴

I am not convinced, however, that one can and should escape the language of left and right. I am persuaded more by the Arendtian scholar Chantal Mouffe, in an earlier piece of writing on the rise of Le Pen in France. She maintains that we need the opposition of left wing and right wing, now more than ever. As the major left parties give up on imagining an alternative to capitalism's New Right, what comes to prevail is a totalising dream of consensus. For all its faults,

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the opposition of left and right is the symbolic structure that we have, in the West, for recognising and legitimating conflict and difference in our polities. It allows us to engage a 'legitimate enemy'; which is the agonistic heart, she maintains, of democracy.⁵

But still, is there a coherent left and right, when it comes to race and multiculturalism? There is clearly no right wing orthodoxy, if Fraser and Windschuttle are anything to go by. I would say that there is clearly no left wing orthodoxy, either, at least on the question of multiculturalism. One only has to read through the collection of essays from 1999 called *The Future of Australian Multiculturalism* to find plentiful critique of the kind of happy liberal 'cultural pluralism' that is popularly assumed to be the left position.⁶ When it comes to race, however, the question is less clear. Is it a left wing orthodoxy – that race is 'an unscientific category', for example?

From a gender studies perspective, it is a commonplace now to say that the problem, for the left, lies not with (sexual) difference, it lies with attempts to justify institutionalised forms of violence, exclusion and negative discrimination on that difference. Sex is a 'scientific category'; fortunately, there is enough good science now to challenge (without being anti-scientific) any effort of group exclusion or inference of a group inferiority built on sex-based specificity. For example, in the current scientific paradigm, it is the hormonal body that dominates the discussion.⁷

Melissa Hines is one biologist who responds to those who would question a woman's intelligence, her human capabilities or her moral character on the basis of a hormonal or 'brain sex' difference between males and females. In the 2003 book, *Brain gender*, she offers substantial scientific evidence on the flexibility of hormones in response to environment and across time; they are a 'source of diversity from one individual to another within each sex, and, within each individual, from one sex-related characteristic to the next.'⁸ Her research on testosterone and crime contradicts the presumption that men commit more crime, and are predisposed genetically to violence against women, because they carry higher levels of the hormone. It should be noted here that it is Andrew Fraser's claim, with regard to race, that on the basis of comparative general testosterone levels, blacks 'are as much more dangerous than whites as men are more dangerous than women.'⁹

There will always be a science of the left, and a science of the right. Much of the science of the right is poor science (such as the thesis, from evolutionary biology, that men are naturally rapists).¹⁰ We can recognise the right, I suggest, by its attempts to justify institutionalised forms of violence (like rape), exclusion (the White Australia policy) and negative discrimination (claims that blacks have a low intelligence). It is time to accept and to engage a right wing racist like Andrew Fraser as a 'legitimate enemy.'¹¹ Rather than continue to leave

the field open to claims of 'sacred cows' and 'political correctness' among the left, it is crucial to tackle race theory on whatever ground (including 'scientific') that serves, in Australia, the proper staging of public debate.

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Endnotes

- 1 Boehringer, Kathe. 'Fraud, lies and deception: how a university defrauds taxpayers', 22 September 2005, <http://www.onlineopinion.com.au/view.asp?article=197>
- 2 Fraser, Andrew, 'Rethinking the White Australia Policy', 28 September 2005. <http://www.onlineopinion.com.au/view.asp?article=128>
- 3 Windschuttle, Keith. 'Racist essay is from the Left, not the Right', in *The Australian*, 29 September 2005. <http://www.theaustralian.news.com.au/printpage/0,5942,16753032,00.html>
- 4 McKnight, David, *Beyond right and left*, Allen & Unwin, 2005, p.2
- 5 Mouffe, Chantal. 'The End of Politics and the Rise of the Radical Right', in *Dissent*, vol. 42, no. 4 (181), Fall, 1995
- 6 Hage, Ghassan & Couch, Rowanna (eds) 1999, *The Future of Australian Multiculturalism: reflections on the twentieth anniversary of Jean Martin's The Migrant Presence*. Sydney, NSW, Research Institute for Humanities and Social Sciences, University of Sydney. See for example Jon Stratton, in 'Multiculturalism and the Whitening Machine, or How Australians Became White', who argues that the Australian version of multiculturalism, although based on the early American model, has never followed the Americans in developing a radical critique of cultural pluralism and its assumption of a shared moral order.
- 7 Oudshoorn, Nelly 1994, *Beyond the natural body: an archaeology of sex hormones*. New York; London, Routledge.
- 8 Hines, Melissa 2003, *Brain gender*. Oxford; New York, Oxford University Press. p. 214
- 9 I quote from a flyer distributed by Fraser at a 'Forum on Racism' hosted by the Centre for Research on Social Inclusion, Macquarie University, 5 August 2005.
- 10 Thornhill, Randy & Palmer, Craig 2000, *A natural history of rape: biological bases of sexual coercion*, Cambridge, Mass., MIT Press. See for example, a review of this book, 'Born to rape?' by Margaret Wertheim, 29 Feb 2000, <http://www.salon.com/books/feature/2000/02/29/rape/> or 'A theory that rape has its origin in evolutionary biology is seriously flawed' by Jerry A. Coyne and Andrew Berry. http://www.eurowrc.org/06.contributions/1.contrib_en/11.contrib.en.htm
- 11 I attended a conference of the far right in Sydney recently where every speaker stood under a banner proclaiming 'Beyond Left and Right'. Andrew Fraser was there. It was the Fifth Sydney Forum: Identity, Independence, Freedom, 27–28 August 2005. See Dr Jim Saleam's report, <http://www.alphalink.com.au/~radnat/forum2005.html>