The Charge of Thought-Policing in Universities

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ABSTRACT

A phrase used for internal criticism within leftist movements in the 70s and 80s, “politically correct,” has now become equivalent to thought policing in the minds of many professional academicians. Taking University of Toronto as an example, this essay questions whether the thought policing (as enforcement of political correctness) accusation is justified, and if so, in what forms such enforcement could take place, and whether any of those are defensible. Three possible forms of enforcement are identified as curricular occupation, language control, and conflict of rights; among these, the last is the most severe. In terms of rights, the issue of political correctness is usually framed as a conflict between expression rights and equality rights. In a university, restriction of expression rights is not justified. However, expression rights need not be characterized as conflicting with equality rights if both those charged with policing and those who charge them genuinely respect each others’ expression rights.

RÉSUMÉ

L’expression « politiquement correct » utilisée par les mouvements de gauche des années 70 et 80 dans un contexte de critique interne est maintenant devenue l’équivalent de coercition idéologique dans l’esprit de plusieurs universitaires. Prenant l’Université de Toronto en exemple, cet essai cherche à déterminer si cette accusation a sa raison d’être, et le cas échéant, sous quelles formes ces mesures coercitives se
manifestent et si l’une ou l’autre est défendable. Trois de ces mesures peuvent exister et se définissent comme suit : occupation pédagogique, contrôle linguistique et conflits au niveau des droits, qui est la plus grave de toutes. Pour ce qui est des droits, la question du conformisme politique est habituellement abordée en tant qu’incompatibilité entre droits d’expression et droits à l’égalité. Dans une université, imposer des restrictions au niveau de la libre expression est injustifié. Par contre, il n’est pas nécessaire de caractériser la libre expression comme étant incompatible avec les droits à l’égalité si ceux qui sont chargés d’exercer la censure et ceux qui la dénoncent respectent tous les deux leurs droits concernant la liberté d’expression.

INTRODUCTION

A phrase used for internal criticism within leftist movements in the 70s and 80s, “politically correct” (Smith, 1995, p. 31, 56-60) today conjures images of thought policing in the minds of many professional academicians. They feel that those who are politically correct are trying to restrict the rights of those who are politically “incorrect” to speak their minds – in other words, their freedom of expression. In a university, not many accusations could be worse than the accusation that free speech is threatened. Here are two passages, the first from University of Toronto’s Statement of freedom of speech (1992), and the second from its Statement of institutional purpose (1992).

[T]he essential purpose of the University is to engage in the pursuit of truth, the advancement of learning and the dissemination of knowledge. To achieve this purpose, the members of the University must have as a prerequisite freedom of speech and expression, which means the right to examine, question, investigate, speculate and comment on any issue without reference to prescribed doctrine, as well as the right to criticize the University and society at large.

It is this human right to radical, critical teaching and research with which the University has a duty above all to be concerned; for there is no one else, no other institution and no other office, in our modern liberal democracy, which is the custodian of this most precious and vulnerable right of the liberated spirit.

The following is also from Statement of freedom of speech (italics added): “The University must allow the fullest range of debate. It should not limit that debate by preordaining conclusions, or punishing or inhibiting reasonable exercise of speech.”

So, even if the accusation is true, those who are “politically correct” cannot be acting on behalf of the university. This short essay is aimed at bringing some
clarification to this perplexing issue by trying to understand what and whose rights are at stake in the “thought police” accusation within Canadian universities, whether these rights are jeopardized, and if so, whether the attempt to restrict them by the so-called thought police is justified. In my attempt to cover as much ground as possible, I will have to rely on some generalizations and omissions. I will, for example, characterize the aggrieved party as homogeneous – based on the most salient features of their complaint. Further, to avoid losing sight of the central issue under the weight of details, I do not examine any particular case of complaint but rather try to draw a rough sketch of the most relevant issues. I have chosen the University of Toronto and its policies as a paradigm due to its multicultural character (the reason for that should become clear soon); thus my references to “the university” are to the University of Toronto. Last, I ignore parallel goings-on in other parts of society, such as in journalism, and only address the complaint of academics against academics (not students or other university members), and only insofar as the complaint is informal – despite my occasional use of legal-sounding terms like “complainant.”

The Complainant and the Complaint

The individuals who feel their rights are restricted are university instructors who mostly identify themselves in the political correctness issue as being at odds with left-wing, or feminist, or post-modern, or de-constructivists/post-structuralist views, or diversity and multiculturalism in university curricula, or all of the above. (At times the list also includes liberalism.) Their primary claim is that they are, in their capacity as scholars, prevented by subtle or not-so-subtle means from expressing their negative views on the above and related political positions, and that they are pressured to use “correct” language, including, but not limited to, non-racist, non-sexist, non-heterosexist expressions (e.g., see Smith, 1995, p. 47).

The right they experience as jeopardized is freedom of expression, a liberty right protected by the Canadian Charter of Rights and Freedoms, Section 2: “Everyone has the following fundamental freedoms: ... (b) freedom of ... opinion and expression.” One has, against everyone, this right to freely express oneself or to decline to do so, and to non-interference. As indicated earlier, from the point of view of the university, this right is the right with utmost strength: “Within the unique university context, the most crucial of all human rights are the rights of freedom of speech, academic freedom, and freedom of research” (Statement of institutional purpose, 1992, p. 3). It follows, as also mentioned, that the university has no official thought-policing function or penalties against voicing disturbing opinions: “These rights are meaningful unless they entail the right to raise deeply disturbing questions and provocative challenges to the cherished beliefs of society at large and the university itself” (p. 3, italics added). Whence comes the aforementioned suppression of voices, then?
“Tyranny of the Majority”

J. S. Mill (1956) was well aware of the kind of pressure that can silence an unorthodox view, with or without formal backing; he named it the “tyranny of the majority” (p. 17). Remarkably, the source of [sometimes unintended] pressure need not come from “majority” as understood quantitatively. To use Mill’s expression, those who are “most active” (p. 6) – presumably, the most vocal or politically involved – are also effectively a “majority.” It is an often unfortunate psychological fact about humans that they generally resist change; thus it seems inevitable that the majority opinion in any group or society, formal or informal, will discourage dissenters from expressing themselves. Academicians, I think, must and can self-consciously resist such “inevitability.” But before I find my way back to that naïve-sounding optimistic declaration, I will take a closer look at the shape of the thought-police “tyranny.”

“The attempt to limit debate and confine teaching, research and publication to nonthreatening topics has a history longer than academic freedom itself,” writes historian Horn (1999, p. 328). “In this sense, PC [political correctness] has always been with U.S.” But up to recently, the struggle was within a largely homogenous group. As Horn (2000) explains, in Canadian universities, “[a]s recently as 1960, women, all of them white and Gentile, made up only one in seven full-time faculty, while ethnic minorities were still little in evidence” (p. 48). “Having cause to feel exposed and vulnerable, members of minority groups almost invariably tried to fit in and stay out of the limelight” (p. 13-14).

Historically, with the exception of a few incidents, academics in Canada have been “uncontroversial” (Horn, 1999, p. 13) on the subject of free speech and other academic freedoms. Some memorable episodes of controversy include a student unrest in 1864 following the increase in the trustee and principal’s power to suspend or dismiss faculty members for remarks “‘injurious’ to other professors or ‘disrespectful’ to the college authorities” (p. 16); the successful challenge by Frank Underhill of an attempted dismissal in 1940-41 following the controversy surrounding his remarks that sounded to some people a little short of full loyalty to Britain (p. 154-64); and dismissal and reinstatement of Harry Crowe in 1958 due to a private letter of his, critical of colleagues, ending up on the principal’s desk (p. 223-41). But in the short time since the members of the minority groups have started to assert themselves, two significant challenges to the ability of universities to sustain free speech have taken place in very close succession. Before the echoes of the historically disadvantaged groups’ legitimate claims to being silenced by the privileged group had died, the same group charged of trying to silence them was already complaining of being silenced themselves.

This oppression is said to take mainly two forms: 1) Implicit or explicit disapproval, via some kind of informal speech (or behaviour) code, or stigmatization of remarks or scholarly hypotheses that could be conceived as an attack on the dignity and status in society of an “identifiable group” and its members. The disapproved behaviours range from use of discriminatory
references towards those groups, for example refusal to display gay-friendly stickers on an office door, to research projects which may happen to put a certain identifiable group in an unfavourable light. 2) Control over curricula, research and conference content by domination with multicultural content, interdisciplinary or post-modernist approaches, and “critical theory” themes. 6

The “Thought-police”

The tyrannical majority is identified by the aggrieved as leftists, feminists, post-modernists, de-constructionists and supporters of diversity and multiculturalism. Following those clues, hereafter I will refer to the aggrieved as “traditionalists,” and their putative aggravators as “reformists.” These titles are for convenience only, and not meant to be definitive.

The traditionalists notice a connection between the “safe-speak” (Emberley, 1996, p. 234) in which they are expected to participate and the commitment on the part of their “intimidators” to equal opportunity, equity, and anti-discrimination policies of universities (p. 229). I will not venture into the very complex first two concerns. I think they need separate treatment. 7 As for the third, the university, with its Prohibited discrimination and discriminatory harassment policy, affirms the Canadian Charter claim-right of “equal protection and benefit of the law without discrimination and, in particular, without discrimination based on race, national or ethnic origin, colour, religion, sex, age or mental or physical disability” (Equality rights, Section 15 [1]), and the Ontario Human rights code (Part I: Freedom from discrimination), which expands the list to 16 with other factors such as sexual orientation, marital status, same-sex partnership status. The university is well-aware of the tension between this claim-right to equal protection and consideration, and liberty-right of free speech. 8 This difficult “balancing act” 9 has been also articulated in depth by both the majority and minority positions in the Supreme Court of Canada case challenging the criminalization of hate speech (R v. Keegstra, 1990), that is, limitation of freedom of expression when hatred of “any identifiable group” is “willfully” promoted in public communication (Criminal Code of Canada 319[2]). Granted, the “censored” expressions in universities are not expressions of hate (or so I will assume – the “thought police” have legal channels for dealing with that). But there are parallels in universities to the “two kinds of harm” (of hate speech) mentioned by Justice Dickson - i) to the “target group,” and ii) to society at large (R v. Keegstra, para. 746-747): in and outside a university, publicly expressed biased language can cause undeserved feelings of humiliation and self-doubt in a member of the group in question, and can deepen existing prejudicial negative opinions of others toward him or her. 10 Understandably, the reformists object to use of discriminatory expressions.

One complainant writes that while he has sympathy for the anti-racism education aimed at reducing explicit discrimination that grew (“even in university communities”) parallel to the increase in Canada of people from other cultures,
he is impatient with the extent to which these activities have proceeded (Emberley, 1996, p. 229). Emberley, a professor of political science, claims that the “noble intentions” (p. 229) “now apply, thanks to the cultural left, to such an immense range of behaviour, that universities are utterly polarized and paralyzed” (p. 244); worse, counter to original intentions, these institutions are in the midst of “further discord and fragmentation” (p. 229). Emberley also views the attitude of the politically correct as paternalistic and imperialistic, making a “social welfare agency” (p. 230) of the university, taking “intellectual charity” (p. 233) to extremes.

Still, to sum up the motivations of the reformists as protection of minorities’ rights would be unfair. There are many kinds of reformists – and they are not always in harmony with each other. For our present purposes, however, it will suffice if I point out two general groups which, while overlapping, are on the whole different in virtue of their aims.

(1) “Minorities” (identifiable groups) and/or those who speak for or about them. These reformists are indeed interested in protecting minorities’ right to equal treatment. But they may also or instead want to promote the rights of minorities to free expression – as articulated in the words of Drakich, Taylor, and Bankier (1995), for specialists respectively in sociology, law, and social science

[t]he current emphasis is on ensuring that the differing values, perspectives, and insights of women and other marginalized groups are fully represented in the academy. … These changes confront the androcentric and ethnocentric conceptualizations of the university and push the boundaries of traditional academic convention to encompass diversity of thought and diversity of community. (p. 118).

(2) De-constructionists, representatives of an intellectual movement that reformists in group (1) may or may not endorse. De-constructionists’ motive transcends the mere securing of diverse voices. They are, on the whole, not merely set upon finding an intellectual niche for themselves in the spread of opinions, but aim at a revolution of sorts, of overturning established views, including standard liberal views, and replacing them with, in Weedon’s (1987) words, “a subjectivity which is precarious, contradictory and in process, constantly being reconstituted in discourse each time we think or speak” (p. 32). It is not false to say that their mission involves an eventual silencing of traditionalist views – not by violence or intimidation or sophistry, but by revealing the claims as doubtful or unsound. The sentiment is not one-sided. The traditionalists may prefer to see themselves as victims (see McCaskell, 1995, p. 253), but they too have been accused of trying to “delegitimize the claims made upon universities …by subordinated social groups” through using a blanket label that is, in the words of Richer and Weir (1995), “an ideological code” (p. 11-12): PC (politically correct).
In (2) we find a picture of conflict for intellectual hegemony that only an arena that thrives on free expression could make possible, and therefore difficult to characterize in terms of infringement on free expression. To be sure, if one side makes an overwhelmingly strong case for itself, the other side will be "silenced" in virtue of losing its serious listeners. Nonetheless the "losing" side is free, as long as the right to expression prevails, to re-group and try to win supporters again. Thus, only insofar as the de-constructionists are using academic means – for example, lectures, papers, conferences – and not tactics of stigmatization, I see no grounds for complaint. Bracketing the possibility that some de-constructionists are also guilty of the latter (I will return to that), let me return to group (1) and consider their potential to infringe on free speech. Three possibilities stand out.

The Infringement

(i) Curricular Occupation

If the diversity supporters occupy the curriculum (a) by instructors from diverse backgrounds, and/or (b) with a variety of views previously excluded, and/or (c) by explicitly de-constructionist themes, then fewer courses are left for the traditionalists to teach. Above, I characterized (c) briefly as a turf war, where the de-constructionist might stigmatize the traditionalist, but need not. I note that (a) reveals another issue overlapping with the thought-police complaint, those of hiring policies, an issue, as mentioned before, too complicated to include in this essay. As for (b), if the traditionalists are serious about objecting to the very idea of intellectual diversity, or think that diversity is dragging academic standards down (e.g., Emberley, 1996, p. 230, 232), they will have to utilize policies and formal channels of appeal15 (backed by facts, of course). That is a difficult task, and more so in a university committed to "recognition of the diversity of the University community" (Institutional purpose, 1992, p. 5), situated in a multicultural city, in a multicultural nation; but any challenger has the backing of another commitment of the university, that to the "highest academic standards" (p. 4). (Indeed there are many aspects of "multiculturalism" or "diversity" that call for examination, but such examination would have to be constructive, not the opposite. My note 7 points to a relevant source.) Thus we can conclude that (b) is a source of difficulties, but not of thought-policing.

(ii) Language Enforcement

One of the other complaints, the censoring-of-language accusation, might be no more than an attempt by the traditionalists to prevent erosion of the "traditional" language they are used to (or want to use). As language changes not only in academia, but also in other communication venues and the wider society, as, for example bold sexist, racist, heterosexist, colonialist terms are gradually replaced with more neutral terms, the traditionalists might feel pushed out, forced to use a language foreign to them in order to survive
a language whose connotations with which they do not agree, a style of thinking and writing that fits them and their sense of humour like a straight-jacket. Let me also bracket this legitimate-sounding complaint for now; however, this picture could only constitute part of the story, for the accusation is one of active “thought policing” via stigmatization.

(iii) Conflict of Rights

As mentioned, it would appear that two kinds of rights are in constant tension. The original infringement would be by the expression rights of the traditionalists on the equality rights of individuals in minority groups (a group to which a reformist may or may not belong) with their discriminatory speech acts. Thus, feeling confident that they have the lawful (in principle) backing for the equality rights of “identifiable groups,” the reformists might counter-infringe, behaving like law-enforcers by trying to limit the free expression rights of traditionalists. That sounds like a definite case of illegitimate “policing.”

I will return later to what I think is a better characterization of the above relationship, one that eliminates the notion of “policing.” That aside, all three analyses (loss of intellectual turf to new curricula, new language pushing out the old language, and clash of two different kinds of rights) have revealed possibilities for “thought policing,” the last one standing as the most severe. Conceived in less dramatic terms, as limiting the free speech rights of the traditionalists, is the activity justified?

To answer the question, we could use Mill’s list of conditions under which limits could be applied to speech, formalized by Sumner (2005).16 The conditions are as follows:

- **Harm principle:** the expression in question must cause harm to others.
- **Consequentialist principle:** interference with the expression must yield a better balance of benefits over costs than non-interference. (p. 33)

I am not going to follow the actual process through. Mere naming of harms is not the same as an empirical investigation of them; furthermore, for an institution whose “primary obligation is to protect the free speech of all involved” (*Freedom of speech*, 1992), the totality of harms to justify restricting that right would have to be significantly high. I am fairly confident in speculating that if evidence significant enough is produced, the issue is likely to be one that falls under hate speech, an area outside the limits of this essay. Moreover, the list of opposing harms, some already hinted at above, will have to include the harms born from the university losing one of its essential qualities, that of being “the custodian of this most precious and vulnerable right” – that is, the harms to students, instructors, and Canadian citizens. As well, some expected benefits might be imaginary. Ehrenreich’s (1992) caution on multiculturalism that “there is a tendency to confuse verbal purification with social change” (p. 335) hints at one likely disappointment.
In sum, I do not think that the activity of “thought-policing” in universities can be justified – neither do I think it is worth the effort. But I have become convinced that part of the problem is lack of honesty by both (some) traditionalists and (some) reformists about their respective motives and the nature of the harms they perceive. The rest of this essay is devoted to articulating that conviction and briefly returning to the issue of “competing” rights.

Re-orienting the Disagreement

First, both parties might benefit from looking at the precise character of the inhibited speech. There is a difference between an instructor alerting a colleague to the rudeness of his racial slur, and her shaming him into holding back his findings that for example in group X, spouse-beating is at a higher level than any other group, or his view that allowing Sharia laws in Canada is incompatible with liberal principles. (Subject to the usual vagueness that accompanies language use) there is a recognizable difference between derogatory and critical phrases and views. If it is of the first kind, the traditionalist might want to take into account that what is expected from him is not “correct” language for the sake of “ideology,” but ordinary respect demanded by another human being. If it is of the second kind, then the reformist has to remember that respect for the humanity of another person or group does not entail being uncritical and blind to their shortcomings, taking “intellectual charity to the extremes.” Furthermore, the reformist must acknowledge and abide by the university’s proviso that “values of mutual respect and civility, may, on occasion, be superseded by the need to protect lawful freedom of speech” (Freedom of speech, 1992).

One of the greatest difficulties in commitment to the right of free expression is genuine acceptance of the other’s freedom of expression, especially when one’s “cherished beliefs” are challenged. But whether it is the upholders of the intellectually rich Western tradition that are unnerved by “unorthodox ideas, alternative modes of thinking and living, and radical prescriptions for social ills” (Freedom of speech, 1992), or it is the reformists that are appalled by attacks by the ever-present “tradition” on the very principles that have taken them so long to secure (and are still far from secure), they must tolerate (if toleration is what it takes) others’ rights to free expression. Disturbing opinions are an integral part of academic life. If it is true that diversity, in Emberley’s (1996) words – “genuine plurality” (p. 233) – matters to the reformists, they should not “stop at ethnic diversity and gender balance, but also look at intellectual diversity and balance” (p. 234). (I would add that they also have to recognize dissenting views within their own ranks.) Note that this advice also implies that traditionalists must view themselves as part of the diversity, not a replacement for it. Moreover, if the traditionalists are as eager to banish de-constructionist themes to the curiosity shop of the history of thought as much as the de-constructionists wish to banish theirs, then they must admit to some disingenuity in their own commitment to the right of free speech.
The nervousness of the reformists about the idea of letting the traditionalists raise their voices without limit is understandable. As Mill (1956) noticed, there is no guarantee that a bad idea will expire when faced with truth (p. 84). Fortunately, universities are the best we have as far as testing grounds for opinions and theories go, because they have standards, bogus-detectors if you will, that are more effective than those of other institutions. Those worried about an appalling idea burying a good one should send the bad idea to a university so it can have its 15 minutes of fame. But if unusual or unpleasant opinions are not allowed into or are immediately evicted from the university, they will go underground, as Mill has also pointed out (p. 40); the truth of that is evidenced today by Internet’s becoming the new sanctuary of fringe ideas. There the opinions will flourish independently of fact, rational analysis and values, and it will be too late for a recall.

If the reformists are worried about the vulnerability of their intellectual position in the face of centuries of tradition that is barely and infrequently out of sight, then coercive behaviour is the worst reaction. If they are trying to prevent the return of the systemic discrimination of some groups, perhaps including their own, then instead of silencing the discriminators, they may well be better advised to raise the volume of the other side. Sumner (2005) reminds U.S. that the positive features of a claim-right, the “periphery” of the core right, might include “enhancement, or development, or facilitation” of that right (p. 11). “The periphery,” writes Sumner, “can also include duties imposed on others (or on the state) to provide them” (p. 11). If that duty is taken seriously (and given that a university, in virtue of what it is, has the necessary infrastructure to enhance, develop and facilitate expression), the focus of the reformists can shift from protecting to promoting. Then we can, following the suggestion of Drakich et al. (1995), think of expression in a university as a “reciprocal right” (p. 127), instead of one in competition with another right. This is the “better characterization” I mentioned earlier of the relations between the two parties.

Last and most difficult, I repeat that everyone in an academic environment is expected to be self-consciously resistant to the natural human propensity to fear change. If we stand firm by this recommendation, we might be able to live with our differences, and even welcome radical challenges to our cherished beliefs. Part of what makes U.S. human, after all, is our ability to modify our convictions. As for those of U.S. content with our convictions, we can “rejoice that there is someone to do for U.S. what we otherwise ought” (Mill, 1956, p. 55).
NOTES

1 “Expression” is a wider term than “speech,” but in this essay the two are used interchangeably.

2 That said, complaints about restrictions on expression may also come from within those named groups, which, in my opinion, is a more serious accusation, but of a somewhat different nature.

3 Here, “expression” is meant to include behaviour, but my focus will be mainly on speech.


5 The phrase “identifiable group” comes from Criminal Code of Canada, 319 (2) in reference to hate speech. It is similar to “visible minority”; except the group in question is not always a minority; for example, it could be women. I shall nonetheless sometimes use “minority” “or group” instead of “identifiable group.”


7 If they are to be examined in conjunction with the freedom of expression complaint, that has to be done, in my opinion, in a work of broader and deeper scope. The Introduction to Political correctness by Richer and Weir (1995) illuminate the basic connections between these difficult issues.

8 See “Reconciling competing rights” section of Prohibited discrimination (1994, p. 4).

9 I borrow the phrase “balancing act” from Sumner (2005, p. 52-87).

10 Feelings alone are not evidence that one is being harmed by another. However, it is likely that even the most reasonable person will suffer psychological harm when the group to which she or he belongs, or herself or himself in virtue in belonging to that group, is publicly singled out as defective in some respect. Still, as I indicate in part (iii) of the next section, in the university setting, some of these harms might have to be balanced against other benefits.

11 Stasiulis (1995) gives an excellent presentation of some of the complexities and significant shortcomings within those groups I have hastily named “reformists” in her “Diversity, power and voice: The antinomies of progressive education.”

12 Although evident, I should remind the reader that characterizing a “minority” as a homogeneous group – here, a deliberate oversimplification - is an error made all too often by those on both sides of the political-correctness tension.
13 I here admit the inadequacy of the title ‘reformist’. De-constructionists are not merely reformists.

14 There is much to say on this, which necessitates the de-constructionist embracing a paradox in order to avoid another, all of which complicates a straightforward explication, and I admit, undermines it. My purpose here, however, is to make the intellectual dynamics of academia as simple as possible for clarity’s sake. Simplification too has its price; however, it leaves its subject matter open to de-construction.

15 For example, the university’s Guidelines for divisional submissions (2003), and Policy for assessment and review of academic programs and units (2005).

16 This decision puts U.S. in the realm of consequentialism. I think this kind of framework is most appropriate for examining actual “thought policing” cases, but I will not argue for that here.

17 It should be clear by now that I view free expression in universities as a hyper-freedom regarding expression, without committing to the generalization of the principle outside academia.

18 It is not good, however, that this nervousness was identified (in reference to Canadian writers) as “paranoia” in 1994 by Canadian writer Timothy Findley (1994), by no means a traditionalist.

19 Even those standards are kept under scrutiny, as, for instance, challenges from philosophers of science from the last century have demonstrated.

20 It is only a decade ago that an inquiry into “sexual terrorism” and “systemic racism” in the university of British Columbia’s Political Science department took place (McEwen, 1995, p. 21-22).

21 For practical recommendations, see also Bankier’s (2000) caution to academics to “practice what they preach” and suggestions for developing more solidarity among them.

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REFERENCES


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