

Abstract

Academic Freedom in Cross-Border Perspective: Is Canada Colder, Chillier, or Just Plain Cooler Than the United States?

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The idea of academic freedom is highly valued by faculty members on both sides of the Canada/U.S. border. In part, this reflects the fact that the academic community moves fluidly across the border and that faculty expectations, standards, and norms are transported and shared. Each country contributes disproportionately to total foreign student enrollment in the other. Many professors in Canadian universities received some of their education in American institutions, and one can point to numerous examples of “cross-pollination” where academics from one country become deeply involved in the academic politics of the other.

Despite the coherence of this transnational community of scholars, "academic freedom" does not mean precisely the same thing on both sides of the border. Structural, legal, and politico-cultural differences account for variations in faculty expectations and experiences with regards to academic freedom in Canada and the United States. The most significant of these difference is the contrasting depth and uniformity of academic unionism. Scholars in both countries may view intellectual freedom as a negotiable condition of employment, but only in Canada do the preponderance of academics (full-time faculty and contract academic staff alike) actually work under contracts with enforceable academic freedom provisions. As a result, Canadians understand academic freedom as more of a contractual right and function of their specific employment relationship than do Americans who associate academic freedom with the First Amendment and regard it, therefore, as more of a constitutional right and function of their general professional status.

Challenges to academic freedom in Canada typically involve cases of internal criticism with some faculty member pitted against his/her institution. American cases, however, often result from external demands that a faculty member be disciplined for criticizing national policy or threatening corporate interests. This difference reflects the fact that university administrators in Canada best live up to their contractual obligation to protect academic freedom when they are not themselves the targets of criticism. A significant exception ought to be noted with respect to academic medicine: Canadian researchers are seldom protected by union contracts and far more likely, therefore, to find themselves the victim of corporate and political pressures than other Canadian academics.

Finally, the stultification of political discourse that follows from America's two-party politics, combined with heightened sensitivities to issues of homeland security, national loyalty, and cultural homogeneity, make the United States more hostile than Canada to those who are perceived as dissenters. American universities suffer from greater politico-cultural surveillance and endure more, and bolder, efforts to meddle in their affairs than do institutions of higher education north of the border. Canada, for example, has no real analogue to the so-called “Academic Bill of Rights” movement and--lacking anything like the enormous right-wing media apparatus that exists in the United States--Canadians would be unlikely to sustain the sort of

politicized frenzy that caught up and held faculty members like Sami Al Arian at the University of South Florida or Ward Churchill at the University of Colorado.