

*Michiel Horn*

### **The Mildew of Discretion: Academic Freedom and Self-Censorship<sup>1</sup>**

Six decades ago the editors of Canadian student newspapers rarely criticized professors. Yet on 27 January 1931 Andrew Allan, editor of the *Varsity*, did just that, gently ridiculing more than 200 University of Toronto professors who would not commit themselves, even anonymously, on a matter of free speech. At issue was a letter that 68 faculty members had signed in protest against police interference with public meetings. Having affirmed their belief "in the free public expression of opinions, however unpopular or erroneous," the sixty-eight came under attack as meddlers at best, closet Communists at worst. Many public figures had their say; most of them were critical. Of the four Toronto dailies only the *Star* failed to join the chorus of condemnation.<sup>2</sup>

A few days after the story broke, *Varsity* reporters asked faculty members: "Do you agree with the sentiments on the subject of free speech, drawn up and signed last week, by . . . members of the faculty of the University of Toronto, and published by the press of this city?" Almost half, 219 of 452, refused to answer even after being told: "Your name will not be used in any announcement of the results of this poll."<sup>3</sup> Their refusal prompted Allan to comment caustically:

The interpretation which is going to be put upon the silence of these 219 members of the University Staff is simply that the persons who refused to give a straightforward answer to a straightforward question did so because they did not have the moral courage to back up their convictions with an unequivocal statement. It may be argued that years

of association with the academic atmosphere unsuits the individual for the voicing of an unequivocal reply to any question. But such a defence . . . cannot be urged for the persons who banged down the receiver the moment they heard that at the other end of the wire was a press representative with an interrogation point. Nor can it be urged for those who talked at length . . . only to take fright before the conversation was over and insist that under no circumstances did they wish to be considered as having any possible opinion on the matter. . . .

It looks strangely as if the 219 were thinking of their jobs, their bread and butter. They have heard ominous rumblings from the direction of Board of Trade dinners and the columns of the morning press. They are scuttling for shelter.

The mildew of discretion still lies heavy upon us.<sup>4</sup>

It did not lie heavy on Allan. On 24 February he wrote an editorial with the title "Atheists" which asserted that "the teaching in a good many of the courses here is of such a type as to result in a practical atheism on the part of the students. . . ." This shocked right-thinking people, the more so because of Allan's breezy tone. The university's disciplinary body, the Caput, took action: Allan was forced to resign.<sup>5</sup>

Into the 1960s discretion—some might say pusillanimity—characterized Canadian professors. The great majority avoided controversy in their teaching, research and especially their public statements. The experiences of a few who did not do so provided occasional reminders that it was safe to be outspoken only in support of widely held opinions. A University of Alberta classicist, W. H. Alexander, commented in 1934: "the 'successful' way of life in our universities may be equated with the life of conformity both to doctrine and authority."<sup>6</sup> And five years later he wrote: "Our people as a whole and fundamentally have little use for universities except as purveyors to their material comfort, and none at all for academic heretics."<sup>7</sup> This view reflected personal experience. In the 1923 provincial election he had publicly opposed Prohibition. The Board of Governors had been unhappy and had asked him to explain himself. For years he felt inhibited from speaking freely. In 1934 he sought to enter politics, obtaining a nomination to represent the CCF in a federal seat, but withdrew after the Board ruled political candidacy to be incompatible with continued employment.<sup>8</sup>

Board members and presidents may have been less important than academics themselves were in shaping the culture of conformity. An historian who began teaching at Dalhousie University in 1951 recalls:

" . . . We were 'brought up' by older staff, like G. E. Wilson and others, to keep our conversations on current life and politics for our friends' dinner tables, or as occasional *obiter dicta* in class. A strong public position on a contemporary issue compromised academic integrity, for not all the data was in on which one could make a proper judgment. One did have colleagues who got their exercise jumping to conclusions, but they were usually marked down as eccentrics . . . whose judgments one learned to mistrust.<sup>9</sup>

This experience was surely not isolated. The influence of older on younger faculty members tended to reinforce conformity. Heterodoxy was risky, too, because outsiders tended to identify professors with the institutions in which they worked. Both the desire to get along with one's colleagues and the wish not to endanger one's institution pointed towards self-censorship.

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Before the late 1950s the main statement on academic freedom in Canada came from the pen of Sir Robert Falconer, President of the University of Toronto. In 1922 he asserted the freedom of professors to teach and carry on research without let or hindrance. In order to enjoy this freedom, however, professors should use discretion when moving in the larger world.

He is a citizen with a right to all the privileges of a citizen, but at the same time like a judge or a great civil servant he has high functions the exercise of which may make it wise for him not to perform all the offices of the ordinary citizen. Especially is this the case in a State University.<sup>10</sup>

It was "expedient" that professors in provincially supported universities should neither be active in "party-politics" nor express themselves on "burning political questions." Injudiciousness in these matters might harm the institutions in which they taught.

Falconer championed the *Lehrfreiheit* (freedom to teach) of the nineteenth-century German university, as adapted by the American Association of University Professors (AAUP). The AAUP version of academic freedom, stated in 1915, safeguarded the classroom and laboratory from outsiders but did not include an unequivocal claim to a professorial right of free speech and association. The historian Ellen Schrecker has noted that even in 1915 the AAUP's statement was already "in many respects obsolete."<sup>11</sup> Not their work within the university but their activities outside it were exposing professors to the threats of discipline and even dismissal. All the same, the AAUP's conservative formulation evidently suited Falconer.

This raises a question: *should* professorial utterances outside the context of the classroom, the laboratory, or the scholarly or scientific publication, enjoy the protection of academic freedom? In 1922, and for many years afterwards, different people answered this question differently. Some, mainly presidents and members of governing boards, held that professors should say or do nothing outside the academy that might reflect unfavorably on the universities employing them. They might go even further and claim a right to silence or discipline those who by their utterances brought "discredit" to the institution. Others, mainly professors, claimed that rules that might govern other classes of employees should not govern academics, and that it should be regarded as an infringement of academic freedom to use institutional sanctions in order to control what professors said or wrote outside the university. Not until the 1960s did the latter view become dominant.

Before that time few Canadian academics acted as though they disagreed with Falconer's 1922 statement. Only a handful played an active part in politics. Even if not asked to resign when they sought election, however, they usually resigned if they were successful. There *were* some notable exceptions. For example, Richard Weldon continued as dean of law at Dalhousie University even after being elected to Parliament in 1887.

The Dalhousie Law School term was in consequence peculiar; it began two weeks before the regular arts and science classes, but it ended early in February, two months before the others. That allowed the dean of law to go to Ottawa for the session of the House of Commons!<sup>12</sup>



In 1933 George Weir secured an unpaid leave of absence from the University of British Columbia so that he could serve as Provincial Secretary and Minister of Education. The Board had wanted him to resign but changed their minds after Premier T. D. Pattullo expressed the wish that Weir be accommodated. He was on leave for eleven years.<sup>13</sup>

Participation in public affairs short of running for office was another matter. The University of Toronto economist James Mavor in 1916 attacked provincially-owned Ontario Hydro, arguing that electric power should be developed privately. After Premier Sir William Hearst complained to Falconer, Professor Mavor defended himself by saying that his expert knowledge entitled him to comment on an issue of public policy.<sup>14</sup> This principle enjoyed support outside the university. In 1922 the Toronto *Globe* described Falconer's view of academic freedom as "too limited," praising the role played by *Queen's Quarterly* in bringing professorial intelligence to bear on matters of public policy,<sup>15</sup> and in July 1931 the editor wrote: "The *Globe* does not always agree with the views of university professors, but can see no reason why an attempt should be made to keep academic thought within the bounds of party exigency."<sup>16</sup> On the other hand, during the 1920s Premier Howard Ferguson complained whenever U of T professors expressed even expert views that countered the interests of his government. His biographer comments: ". . . Ferguson's attitude may have stifled the free expression of opinion in university circles."<sup>17</sup> And, notwithstanding its tolerance of professorial free speech on other occasions, the *Globe* attacked the propriety of the sixty-eight in addressing the issue of free speech.

Presumably they were not speaking as experts. Should they be permitted the freedom to speak as private citizens? A classicist at Victoria College, C. B. Sissons, said:

If university men are not in a position to make statements, who are? I should think that the general opinion of the people of Toronto would be that with their comparative freedom from prejudicial ties and their contact with the past they [professors] should be qualified to speak on public matters. . . ."<sup>18</sup>

What the "general opinion of the people of Toronto" was we cannot know. But the dominant view expressed in the press was that professors

had no business challenging the police practice of breaking up "radical" meetings.

A crucial point emerges: academics, whether speaking as experts or as private citizens, were likely to get into hot water if, like the sixty-eight, their views were unconventional and if, unlike James Mavor, they lacked powerful allies. Another important point is that freedom of speech ranked well below institutional loyalty in Canadian universities. This was explicit both in Falconer's view of academic freedom and in a comment Sir Joseph Flavelle made on the letter of the sixty-eight. A governor of the U of T, Flavelle faulted the sixty-eight for failing in their duty not to stir up people needlessly.

The University must be supported. It must carry public opinion whereby it can be adequately housed and maintained. Every teacher in the University is a trustee for the institution, that no act of his resulting from hasty and unreflective impulse shall jeopardize the progress and development of the University. . . .<sup>19</sup>

Flavelle's remarks had application beyond Toronto. If Canada's provincial universities depended heavily on legislatures, the private ones relied quite as heavily on wealthy benefactors. (Roman Catholic universities represented a third way, but episcopal control over them made the academic freedom of *their* faculty virtually a chimera.) Even at McGill, the best-endowed university in the country, the Board of Governors worried constantly about money, especially during the 1930s when income from investments fell. As a result the socialist views of Frank Scott, a law professor, and Eugene Forsey, an economics lecturer, and the latter's romantic misrepresentations of life in the Soviet Union, caused concern whenever they prompted criticism. So did the left-wing speeches of King Gordon, professor of Christian Ethics at Montreal's United Theological College, because he was sometimes mistakenly thought to be a teacher at McGill.

Gordon, in fact, lost his position in 1934, ostensibly because of financial exigency. The perilous finances of the college did compel retrenchment, and Gordon was the most junior faculty member. However, his friends had raised a sum of money large enough to keep him in his post in 1933-4 and were reportedly willing to do so again. Some observers charged, therefore, that Gordon's views constituted the real

reason for his dismissal.<sup>20</sup> Although these observers were probably wrong,<sup>21</sup> the publicity given to their charges may have had an inhibiting effect on other academics.

Among Gordon's close friends was Eugene Forsey, who in March 1933 wrote to the historian Frank Underhill: "I hear [Sir Arthur] Currie is much 'worried' by my recent political speeches, or rather (I fancy) by the impertinent comments of busy-bodies who plague him on the subject."<sup>22</sup> Indeed, Currie was worried enough to ask for advice: should Forsey be forced to resign? The head of Forsey's department, Stephen Leacock, responded:

Dean Mackay had [sic] spoken to me about the question of asking Mr. Forsey to resign from the staff.

I do not think that this would be in the permanent interest of the college. . . .

Mr. Forsey is not a good teacher. It is a pity he was appointed. But I think that the tenure of a college teacher should not be on a mere basis of success. . . .

Mr. Forsey's opinions are mistaken and silly. I have no sympathy with them. If he were an open agitating communist, I would want him "fired" not only from McGill but from Canada. As I understand it, he is not an open agitating communist. . . .

If a man uses his classes for propaganda instead of for instruction he should be put out. I do not know that Mr. Forsey has done this.

I am aware of the great difficulty in which you are placed by the soap-box activities of silly young men. The burden of it falls on you and not on the rest of us. . . . I can only add that I will not quarrel with your decision whatever it is.<sup>23</sup>

Having decided to retain Forsey's services, Currie was annoyed when, in October, the economist launched a well-publicized attack on capitalism.<sup>24</sup> A Quebec newspaper commented:

. . . Professor Forsey's frank profession of faith . . . seems to be a typical demonstration of a general condition that is threatening the cause of higher learning in Canada and giving alarm to parents in all parts of the country. For some time past there have been entering into our universities teachers . . . who have been spreading socialist ideas, insidiously to begin with, but with increasing boldness of late years.<sup>25</sup>

The industrialist Arthur Purvis wrote:

From time to time McGill University turns to capitalism for its "sinews of war." Whereas I have no objection to McGill professors holding opposite views on the social system best likely to produce results from those held by their subscribers, nevertheless it seems to me that it is a little too much to ask a "greedy capitalist" to subscribe to his own downfall. . . .<sup>26</sup>

Currie solicited an explanation from Forsey, then replied to Purvis, expressing his unhappiness with Forsey but adding that dismissing him would prove more trouble than it was worth. Besides: "Out of our teaching staff of nearly four hundred and fifty we have only two (Scott in Law and Forsey in Economics) who declare themselves socialists."<sup>27</sup>

Currie's last thoughts on the matter date from 26 October 1933, just before his final illness and a mere five weeks before his death:

While I have not changed my views as to the impropriety of Forsey's conduct, I do not sympathize with any action which his enemies could possibly construe as a victory for them. I believe there is far more behind the attack on "Socialism in Universities" than appears on the surface. . . . I do not think anybody need be alarmed about socialism in this University, and I am not sure that Mr. Forsey's critics are greatly alarmed about it. . . . This agitation may be directed not against socialism in particular but against higher education in general. . . .

Would the critics prefer to live amongst people who have been trained to think for themselves and are capable of forming correct judgments, or would they prefer a population whom they can dominate or control? We may be called upon to fight a battle, not for socialism, so-called, in universities, but for the existence and development of universities themselves. An institution which tries to stimulate a respect for truth and sincerity, for justice and fair play, may not be one that selfish interests like. . . .

It would seem sometimes as if higher education were tolerated only because those who have it can thus become hired men. . . .<sup>28</sup>

Currie had no opportunity to develop his ideas. Eugene Forsey taught at McGill for eight more years, but expressed himself more discreetly after October 1933 than before. Nevertheless he was eased out in 1941. (I quizzed Forsey more than once about his departure, as I did Leonard

Marsh whose contract had been terminated in 1940. Neither knew why McGill had let them go, though each had a theory that turned out to be quite mistaken. Marsh died in 1982 without ever knowing that Principal Douglas had taken his left-wing views as evidence of unsoundness. After reading S. B. Frost's *McGill University* I was able to inform Forsey that he, like Marsh, had lost his job because of his socialism.)<sup>29</sup>

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Anti-capitalism was one of the bugbears of the 1930s. Criticism of Britain and the British Empire was another. In March 1938 Carlyle King of the University of Saskatchewan English department was reported to have said that "the present government of Great Britain . . . would go to war for only two purposes, to maintain the British Empire or to prevent the spread of socialism in Europe, and he did not consider either cause worth fighting for."<sup>30</sup> This caused a stir. President J. S. Thomson held King to have been "exceedingly foolish" but wrote to the chairman of the Board of Governors that it was best to let the storm pass: the students had been "loud in protestation for free speech, so that if anything were attempted in the way of interference we should have more trouble than ever on our hands."<sup>31</sup> Discretion could cut both ways.

Some months later the Minister of Education wrote Thomson to complain that King had addressed a Doukhobor group in an anti-British sense.<sup>32</sup> When King again publicly rejected participation in a "British war," Thomson had had enough. "After due consideration, and very reluctantly, I felt it was my duty to see Mr. King and to let him know the unfavourable comment which was being attracted towards the University by the public reports of his address," Thomson wrote to a Saskatoon newspaper:

In the course of a friendly talk, we both agreed that it would be regrettable if the University should become involved in public controversy through speeches made by members of the faculty. . . . I suggested to him that he might be able to attain his objective, namely the prevention of war, by modifying his public utterances so that he would not alienate the goodwill of people in whom he was arousing resentment. Mr. King felt that he could not accept this suggestion without compromise of principle, and ended by declaring that in view of the difficulty in which it appeared

in which he was involving the University, he would refrain completely from public speech on the subject of peace.<sup>33</sup>

The choice had been King's: ". . . At no time by threat of dismissal or otherwise, has the University of Saskatchewan attempted to induce Mr. Carlyle King from speaking in public."

This was disingenuous. King wrote to one of his former professors, Frank Underhill, that Thomson had informed him demands for his dismissal might become irresistible if he continued in his ways.<sup>34</sup> When I spoke with Professor King in 1986 he confirmed that he *had* felt threatened. And he did keep his peace.<sup>35</sup>

There is further evidence that the atmosphere at the University of Saskatchewan around 1940 prompted prudence. George Britnell of the Department of Economics and Political Science wrote to Underhill in 1941: "I expect it is lack of moral fibre but all last year from September 3rd, 1939, I refused to make any speeches on International Affairs as I had a conviction I should get into trouble and serve no useful purpose."<sup>36</sup>

No academic got under the skin of right-thinking Canadians more often than the recipient of the two letters just cited, the University of Toronto historian Frank H. Underhill. Although for years he resisted pressure to limit his freedom of expression, he saw the light after remarks made in the course of a 1937 radio broadcast led the *Globe and Mail* to suggest that he be fired. The publisher, George C. McCullagh, was on the Board of Governors; President H. J. Cody called Underhill in to express his concern. "The President is very anxious that I not cause any more trouble in the near future," the historian wrote to a friend, "and since he has treated me pretty decently I don't want to make trouble for him."<sup>37</sup> To another friend Underhill reported in 1938: "Things are fairly quiet in Ontario and around the University. I am enjoying an unaccustomed peace, since I haven't been making any speeches this winter."<sup>38</sup> But the next year a paper he had written in 1935 came back to haunt him. Premier Mitchell Hepburn and the Leader of the Opposition, George Drew, both said the university should discipline Underhill. The latter informed Cody that he had kept his promise "to try to avoid undesirable publicity," and could be trusted "to do [his] best in future to behave as reasonable men would expect a professor to behave."<sup>39</sup> When he got into hot water at the Couchiching Conference in August 1940, therefore, no one was more surprised than he. Discussing the Canada-U.S. agreement recently signed

at Ogdensburg, N.Y., he predicted that as a result Canada's ties to the U.S. would strengthen at the expense of our ties to Britain.<sup>40</sup> He thought this was obvious; *we* know he was right. But there are truths people do not care to hear, lips they do not care to hear them from. Britain was fighting for her life. Was it not treasonable to predict a weakening of the British connection? The *Toronto Telegram* led demands for the historian's dismissal. A frightened Underhill promised Cody that he would make no speeches outside the university for a year. Nevertheless in 1941 he almost lost his job.<sup>41</sup>

The furore over Underhill's Couchiching speech probably influenced W. P. M. Kennedy, head of the department of law, in writing in September 1940 that Bora Laskin could be relied upon not to embarrass the university in any way. "I have told him—as indeed I tell *all* those whom I recommend to you for appointment—that his duties are to teach law, not to make any public statements—oral or written—on political or public questions . . .," Kennedy reassured President Cody. "I think you can trust me to recommend to you no one, who, as far as it is humanly possible to find out, is not loyal in word & deed, or indeed is not endowed with practical common sense. If I fail—such a man will *go*."<sup>42</sup> Laskin was appointed and did, indeed, prove to be discreet.

Kennedy's letter highlights the function of the hiring process in keeping out potential "troublemakers." Another example: President Sidney Smith of the University of Manitoba, in 1935 hoping to appoint a new head of the Economics department, wrote of one potential candidate: "I have been told that [Robert] McQueen is a radical in his economic thinking and if this is the case I would rule him out." Only after J. W. Dafoe, editor of the *Winnipeg Free Press*, assured Smith that "any fears of undue political activity etc. on [McQueen's] part are groundless," was Smith willing to appoint the economist.<sup>43</sup> How often something like this happened is hard to say. We may surmise, however, that well into the post-war era conspicuously independent spirits (along with women and Jews) found it hard to secure university teaching jobs.

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One depressing aspect of the history of academic freedom is the limited tolerance the press showed for professorial free speech. During

the 1930s and 1940s not a few newspaper editors stood ready to truncate it when professors expressed unorthodox opinions.<sup>44</sup> This attitude was abundantly evident in the reaction to E. R. Adair's criticism of the British Prime Minister, Neville Chamberlain, in November 1939. Speaking to the Montreal Rotary Club about the recent fall of Poland, the McGill historian painted an unflattering picture of that country's weaknesses, among them the trust the Poles had put "in the guarantee given them by . . . Mr. Chamberlain, a guarantee given in a desperate attempt on his part to save his face and to save the prestige of his foreign policy and that of the Conservative party." Lloyd George and Winston Churchill had warned him that Poland could be saved only in alliance with the Soviet Union. "This warning Mr. Chamberlain was stupid enough to ignore and the inevitable happened. Russia made her own arrangements with Germany and Poland fell."<sup>45</sup>

Both Montreal English-language dailies showed outrage. The *Gazette* deplored Adair's speech as "inopportune, indiscreet and vexatious" and objected to both tone and substance of his attack on Chamberlain; unlike Adair, the *Gazette* had supported Chamberlain's policy of appeasing Nazi Germany.<sup>46</sup> The *Montreal Star* held the attack on Chamberlain to be "in the worst possible taste and woefully lacking in understanding." The editor continued: ". . . We yield to nobody in our defence of freedom of speech; but we are equally insistent that such freedom, when it is allowed to degenerate into license, ceases to be a virtue or a right."<sup>47</sup> In this sort of sentence only the words following the "but" need be taken seriously. Taken to task for seeking to restrict free speech, the *Star* a few days later quoted with approval the Rev. F. H. Wilkinson, rector of the Church of St. James the Apostle: "Anything that tends to offend good taste and good judgment, and work against the best interest of the majority, is a violation of free speech."<sup>48</sup> This astonishing statement went unchallenged.

The response at McGill was guarded. Principal Lewis Douglas had all but surrendered the reins to F. Cyril James, but the latter's tenure had not officially begun. As a result Sir Edward Beatty's attitude was crucial. The president of the Canadian Pacific Railway and the longtime Chancellor of McGill, Beatty was for a decade after Currie's death the most powerful man in the university. And he was sitting tight. Adair's speech was "unwise" and "harmful to the University," he wrote to Dalhousie's President Carleton Stanley, but he did not propose to abrogate his



freedom of speech.<sup>49</sup> Stanley's reply captured the ambivalence of a president concerned both about academic freedom and institutional welfare:

Believe me, I have my troubles too about these things. I try hard to follow your policy and "let them say," but it is hard . . . not to be caught off-balance on some occasions. . . . All I ask, of course, is that the journalists allow the academic folk the same freedom which the journalists ask for themselves.<sup>50</sup>

Stanley missed the point. Most editors accorded academics the freedom to state boldly whatever views the editors, or their employers, found acceptable.

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Not all opinions that today seem controversial brought criticism. In December 1935 E. W. R. Steacie, an assistant professor of chemistry at McGill, and later president of the National Research Council, spoke to the Montreal branch of the Canadian Engineering Institute. Having just returned from a year in Germany, he resented criticism of that country by people who had never been there. "The press might be 'muzzled' in Germany, but he asked if it was any better off in Canada. He preferred the control of Goebbels [the Nazi Minister of Propaganda] to that of the advertising manager of a large store." Steacie conceded that:

. . . the Jews had some cause for complaint. He could not condone the way they had been treated, but politically the discrimination against them was justified. They were the large mortgage-holders and they had gone to extremes in evictions. At the same time, the Jews, only one per cent of the population, had the upper hand in the professions and were in their turn discriminating against non-Jews. Every other country had taken a similar anti-Semitic attitude when it was found suitable. The only reason there was no outward anti-Jewish movement here was because discrimination existed underneath.

. . . Dr. Steacie said that 80 to 90 per cent of the people were persuaded that Hitler's regime was the best thing for the country. The Germans liked being regimented. "If virtually everyone in Germany does not want freedom, why should we worry?" . . .

. . . Good or bad, a stable government was preferable to uncertainty, and Hitler had brought stability. He had restored the national self-respect. . . . Germany's increased army was a point of honour. Furthermore, Hitler had handled unemployment more efficiently than had any other country. He had drafted the men into labor corps, put them into uniform, and their morale was as good as that of the regular troops. . . . Hitler had brought action while other governments had brought nothing but talk.<sup>51</sup>

The *Gazette* printed two letters, one mildly critical and one, by H. M. Caiserman of the Canadian Jewish Congress, strongly critical of Steacie. However, his remarks elicited no comment from the press, politicians or members of McGill's governing board. One is reminded of Sherlock Holmes's observation: the dog did nothing, and "that was the curious incident." The tolerance accorded Steacie's apologia for Nazi Germany offers a contrast to the outrage that greeted Forsey's defence of the Soviet Union three years earlier. In 1935 anti-Semitism was perhaps as widespread in Canada as anti-communism, and often linked to it, while Adolf Hitler still had his admirers. As well, Steacie's remarks reflected an impatience with democracy not uncommon in the western world at the time.

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Did powerful people seek "to control the thinking of the students and the teaching of the professors," as Currie wrote in 1933?<sup>52</sup> Objections to free speech had implications for the classroom. Of those who complained to presidents or board members, some questioned whether persons with unorthodox opinions were fit to teach. Sir Edward Beatty himself wondered whether economists could be socialists. In 1936 he told Principal A. E. Morgan that co-operation between business and the university would not take place "unless confidence in the mental honesty of the professors is established," and *that* would be impossible so long as economics departments were staffed with people who propagandized for ideas not shared by business. "McGill must, it seems to me, take the lead in building up its own Department of men of the calibre, ability and appreciation of business affairs which is so essential."<sup>53</sup> A year later Beatty expressed a fear that academics "holding socialistic or communis-

tic views [would] exercise a most disturbing effect on the minds of their students."<sup>54</sup>

Morgan did not act on Beatty's apprehensions. However, Morgan's successor, L. W. Douglas, shared Beatty's worries and in 1939 proposed a scheme "aimed at minimizing the influence on the student population of certain members of the University staff and at increasing the quality of the scholarship and teaching of its staff members."<sup>55</sup> A new policy on tenure resulted, and Marsh and Forsey lost their jobs. The most prominent socialist at McGill, Frank Scott, already had tenure, which made him much less vulnerable.

Beatty's concern found a counterpart in an opinion George Drew expressed in 1939. Taken to task by an acquaintance for seeking to deny free speech to Frank Underhill, the Leader of the Opposition in Ontario denied the accusation:

. . . Canada is a British country and those of us who believe that Canada should remain British have a right to say that in our great institutions of learning anti-British doctrines shall not be taught. There is no more question . . . of free speech than if a congregation of a church told their minister that if he wished to continue to occupy the pulpit he would [sic] not express opinions outside the church ridiculing the religion upon which the church was founded.

. . . Democracy . . . will be much more likely to survive on a simple acceptance of the fact that we are British than if our youth are instructed by parlour pinks who preach Empire disunity from the cloistered protection of jobs which give them all too much free time.

You obviously feel fairly strongly about the right of our university professors to advocate that Canada should not remain British. I feel equally strongly that it is the duty of those charged with the education of our young people to play their part in making sure that Canada will remain British.<sup>56</sup>

Perhaps this was a 1939 version of "political correctness."

In 1940 the University of Alberta biochemist George Hunter had to explain classroom remarks characterized by an RCMP informer as "anti-Christian and pro-Marxism [sic]."<sup>57</sup> Hunter said it had been his practice

. . . to give a concluding and for many a farewell lecture along philosophical lines. . . . This year, perhaps unwisely, I continued as usual to

exercise the academic freedom which we have hitherto enjoyed. If in your opinion, Mr. President, such lectures should not be given in future, I shall, of course, discontinue them.<sup>58</sup>

The Board of Governors instructed President W. A. R. Kerr to warn Hunter "that any further complaints or criticism would . . . endanger his retention of his post." Kerr drafted a letter (never sent) conveying the warning and reprimanding Hunter for "leaving your field of competence . . . and discussing from your official chair subjects in which you possess no professional authority," a practice "particularly open to censure" because Hunter had dealt "with questions of political theory, sociology and religion, all of them matters of grave difference in the community. . . . One incautious word might put the university in an extremely difficult position. . . ." <sup>59</sup> Even though he never received this letter, Hunter censored himself for years. When he finally ceased to do so he lost his job.

The reasons for Hunter's dismissal were never made clear, but the occasion was his last lecture of the 1948-9 academic year, in which he denounced war, the decision to drop atomic bombs on Japan in 1945, and the recently signed North Atlantic Treaty.<sup>60</sup> A complaint, signed by 17 of 257 students in the course, reached President Robert Newton on 25 April. Not for another month did he notify Hunter of the document, however, and not until 25 June did the latter get a copy. His appearance before the Board four days later was pro forma. Newton had already recommended his dismissal, "the latest incident being simply one in a series which had caused dissatisfactions accumulating over a period of years." No one disagreed.<sup>61</sup> Some thought Hunter was a communist; all thought he was a nuisance. Although he had taught for 27 years, twenty of them at Alberta, he was cashiered with approximately 4 1/2 months' salary in lieu of notice. He never taught again, though he did manage to get a laboratory job in England.

Hunter was a Fellow of the Royal Society of Canada and a scientist of some distinction, so his dismissal attracted attention. Some said his radical views were the reason; one writer charged that the provincial government had brought pressure to bear on the university.<sup>62</sup> The university denied the charges. And it may be true that Hunter was dismissed less because of his opinions than because he was a troublemaker.<sup>63</sup> Of course, had he *defended* NATO, some other pretext

than misuse of class time would have been necessary to dismiss him. There are a few cases on record of professors being investigated, reprimanded or dismissed for what they say in class. At McMaster University in 1909 a Senate committee investigated I. G. Matthews after a clergyman charged that he had incorporated "modernist" notions into his teaching of the Old Testament. Matthews was exonerated, although some Baptists continued to believe him "guilty."<sup>64</sup> An investigation took place at UBC in 1918 after complaints reached the Minister of Education that a history instructor had speculated in heterodox fashion about the causes of the war.<sup>65</sup> At King's College, Halifax, a psychologist resigned in 1929 after he has asked a female student to define "necking," a question deemed to be indecent "according to contemporary middle class mores in Nova Scotia."<sup>66</sup> But to my knowledge no one has ever been investigated, let alone disciplined, for stating widely held or innocuous views, no matter how irrelevant to the subject of instruction.

Scarcely remembered today, in 1949 the Hunter case can only have reinforced the caution of most professors, just as the Underhill and Gordon cases had done. The summary nature of Hunter's dismissal served as a reminder that tenure was a frail reed when it was most needed. Held during the pleasure of a governing board, it could be terminated for cause, such as immorality, incompetence or financial exigency, if a president made a recommendation to that effect.<sup>67</sup> Sir Arthur Currie wrote in 1933 that "appointments to the post of Professor are generally regarded as being for life on good behaviour," but added that it was possible to dismiss a professor ". . . at any time for what are considered good and sufficient reasons," including "immorality, inefficiency or for any administrative or other cause, which in the opinion of [the Board of Governors] affects adversely, or is likely to affect adversely, the general well-being of the University." As well, the Board could ask professors to retire at age 65.<sup>68</sup>

In practice, tenure offered a high degree of security, even during the budget cutbacks of the early 1930s. The economic historian H. A. Innis observed in 1936: "There is sufficient truth in the statement that it is impossible to leave a Canadian university except by death or resignation, to evoke general recognition of its accuracy."<sup>69</sup> All the same, the protection accorded by tenure was by no means absolute, as George Hunter discovered to his dismay.

Neither the Second World War nor the Cold War was conducive to professorial outspokenness. The experience of Glen Shortliffe, professor of French at Queen's University, is instructive. In 1946 he became a commentator on international events for the CBC, and, as he rejected authoritarianism of the right as well as left, he recognized that he might offend. "I feel nervous as a bride," he wrote at the start of the 1948-9 broadcasting season, "mainly, I suppose, because the world situation has just about reached the point where all public discussion of it will be drowned in bugle calls."<sup>70</sup>

Early in 1949 a few listeners complained to Principal R. C. Wallace and to members of the Board of Governors. Wallace might have ignored this except for one thing: Queen's was campaigning for funds. "The problem was," he told Shortliffe on 15 February, "that opinions which Shortliffe had been expressing in his radio broadcasts were decidedly unpopular in the very quarters from which substantial sums would have to be found. It was, the principal said, a serious problem, and one he would like him to think about."<sup>71</sup> Wallace did not ask Shortliffe to cease broadcasting: "professors should be free to speak their minds on public matters." He probably just wanted him to be more careful. Shortliffe saw no choice, however. He apologized to Wallace "for the embarrassment I have unwittingly brought upon the University," adding that his own views on freedom of speech did not justify exposing Queen's to attack. "I am therefore writing to the CBC to inform them that I will undertake no further broadcasts."<sup>72</sup> Taken aback, Wallace urged Shortliffe to reconsider. He would not. He despised people who attacked Queen's because they disagreed with one of its professors, he wrote to Wallace, but "I have no desire . . . to become the centre of a *cause célèbre* which could only harm both myself and the University."<sup>73</sup> Self-censorship triumphed again.

\* \* \*

The picture I have painted needs touching up. The historian Arthur Lower wrote appreciatively of the reaction of Principal J. H. Riddell of Wesley College, Winnipeg, after some people objected to Lower's statement in 1934 that the loyalty of Canadians should be to Canada, not Great Britain. Riddell defended Lower publicly and never even discussed the matter with him.<sup>74</sup> A few years later he wrote to W. H. Alexander that

the college was ". . . a fairly safe haven for free speech. At least the state cannot get at it, and so far the Principal has stood as a rock."<sup>75</sup> (All the same, Lower wrote to Underhill in 1936: "I was sorry not to see you last summer as I wanted to talk things over with you, especially in respect to the limits of free speech on the part of academics. I fancy I have pretty nearly reached them.")<sup>76</sup> Principal W. C. Graham, who succeeded Riddell in 1938, seems to have supported academic freedom, while the Board of Regents kept its hands off. In 1945 Lower wrote to Salem Bland, whose dismissal from Wesley College in 1917 had taken place amidst controversy: "Since coming here I have never heard of any attempt on the part of members of the Board to invade the rights of members of the staff to all just degrees of free speech. . . . We have no hesitation in speaking our minds plainly on political situations."<sup>77</sup> Kenneth McNaught has told me that in 1948, while teaching at United College—the name changed in 1938—"I made some nasty remarks about the Free Press and the [1919] General Strike. A young Sifton was in the class, and the next day Principal Graham asked Stewart Reid [head of the History department] what should be done about it. Of course Stewart said 'nothing!'—and I didn't even hear about this for several more years."<sup>78</sup>

Of McGill University in the 1930s to 1950s Frank Scott wrote:

. . . I never at any time felt my position as teacher and writer was threatened, and while my behaviour was under close scrutiny and doubtless constrained in consequence, I owed the university my freedom from the much more inhibiting restraints imposed by the active practice of law in which I was first engaged. A group of law partners can be even more repressive than a Board of Governors, as I was eventually to learn in the Padlock Act and Roncarelli cases.<sup>79</sup>

Yet it clearly irritated him that he was for years kept out of the deanship because of his political views. Indeed, in 1947 he discussed his grievance against McGill with a representative of the American Association of University Professors before deciding not to proceed.<sup>80</sup>

Perhaps no university granted more latitude to its professors than Dalhousie under Carleton Stanley (1931-44). When he became president, Stanley later recalled, a member of the Board of Governors had urged him to dismiss the political scientist R. A. MacKay for writing an article that had annoyed another board member, Prime Minister R. B. Bennett.

. . . If we did not act we should lose a large amount of money. I answered: "If anyone calls a meeting even to discuss dismissing that professor, the meeting will have my resignation also." . . . We did not dismiss the professor and we did not lose the money.<sup>81</sup>

In 1935 Stanley discussed with MacKay a letter complaining about a speech on international affairs by the latter. MacKay wrote afterwards:

I understand that you intended neither to warn me nor to censure me for the speech in question, but merely to inquire what I had said in view of the letter you had received. . . . I understand that I am free to say or write (within or without the University) what I wish on any subject.

. . . I have no intention of stirring up criticism of myself or of the University. . . . When I do speak or write on controversial subjects I measure my words carefully . . . in order to keep myself and the University out of difficulties. But I do not consider that because I hold a chair in Dalhousie University I must remain silent on questions just because they happen to be controversial, lest the University be indirectly involved, much less that I should resort to intellectual dishonesty in dealing with such questions. And I feel that you agree with me in this respect.

. . . In the matter of academic freedom I feel that Dalhousie will compare most favourably with any [other] university in Canada. On my part, I have tried not to abuse that freedom, and I think you will agree with me that I have not done so.<sup>82</sup>

Stanley seems to have been solicitous of academic freedom to a degree uncommon among university presidents at the time. He appointed Escott Reid to replace MacKay for 1937-38 even though Reid had "something of a reputation in the matter of urging Canadian nationalism, and for radicalism generally. . . . I was well aware of this when I engaged Mr. R., and heard, as I expected to hear, some rumblings about the appointment. . . ." <sup>83</sup> In 1938 Stanley took part in a CBC radio forum to offer a ringing defence of academic freedom,<sup>84</sup> in 1939 he supported E. R. Adair, and in 1941 he wrote to President Cody on Frank Underhill's behalf:

. . . We are now engaged in war to uphold freedom. And we must, above everything else, see that our own skirts are clean. The universities of Canada, large and small, are very much bound up with one another. And certainly, if freedom of speech is in any way curtailed in the University of Toronto, there is no freedom possible for those small universities



whose daily life is very closely watched and very openly commented upon by small, well-organised groups, religious, political, social. . . .

If the University of Toronto continued to harass Underhill, Stanley continued, he would resign his two degrees from the institution, his B. A. and an honorary doctorate of laws, "in the most public way possible.

. . .<sup>85</sup>

For all that, it must be added that at Dalhousie professorial discretion was the rule as it was elsewhere. And perhaps with cause. In an exchange in November 1936 with Arthur Lower on the wisdom of proposing a breach between Canada and Britain, R. A. MacKay surmised: "It might affect the jobs of some of us. I have some reason to expect that I would at least have a fight on my hands here. And I have a wife and four kids to think about."<sup>86</sup> It was time to pull punches.

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When the Canadian Association of University Teachers (CAUT) took shape in 1950-51 it was in response to the desperate financial situation facing universities and their staffs, not to any perceived threat to academic freedom. This was the case even at Alberta, where George Hunter had recently been dismissed.<sup>87</sup> Why was this so? One is reminded of Brecht's cynical quip in *Die Dreigroschenoper*: "Erst kommt das Fressen; dann kommt die Moral." Besides, most academics seem to have taken self-censorship for granted. For most of the 1950s there were none of the incidents surrounding academic free speech that had marked the 1930s. Perhaps too, as the number of professors increased, what they said came to matter less. Whatever the reason, not until 1958 did CAUT begin to draft a statement on academic freedom and tenure, a task that gained impetus from the highly publicized dismissal, reappointment and ultimate resignation of Harry Crowe, an historian at United College, in 1958-9. To what extent that episode centred on academic freedom is still a matter for debate.<sup>88</sup> But it *did* lead CAUT to take academic freedom more seriously.

It is unclear to what extent CAUT's early conception of academic freedom included free speech outside the university. The statement adopted in 1960 was brief and couched in generalities:

. . . The common good depends upon the free search for truth and its free exposition. Academic freedom is essential to these purposes and applies to both teaching and research. Freedom in teaching and in research is fundamental to the advancement and dissemination of truth."<sup>89</sup>

As amended in 1967, CAUT's Policy Statement on Academic Appointments and Tenure stated:

Academic Freedom includes the right within the university to decide who shall teach, who shall be taught, and what shall be studied, taught, or published. . . . It involves the right to teach, investigate, and speculate without deference to prescribed doctrine. It involves the right to criticize the university.

Did this include the right to speak as a citizen without being subject to institutional sanction? The statement was silent. It added, moreover, that "the right to academic freedom carries with it the duty to use that freedom in a responsible way."<sup>90</sup> The word "responsible" allows a range of definitions, some of them hostile to freedom of expression.

Taking advantage of a shortage of qualified academics, faculty associations in the 1960s secured increased protection for tenure and thereby, presumably, for academic freedom. By 1975 many universities had procedures protecting due process and tenure that would have seemed unimaginable thirty years earlier. Nevertheless self-censorship continued to flourish. The reasons had changed, however. I recall A. E. Malloch, Chair of the Academic Freedom and Tenure Committee, saying at the CAUT National Council meeting in 1972 that the main threats to academic freedom had once come from board members and outsiders such as politicians and business leaders. More recently the threat came from professors and academic administrators seeking to introduce "a new age of orthodoxy." Outsiders cared less what academics said; insiders cared more. (One recalls the attempts made by "radical" students around 1970 to prevent the expression of views they held to be offensive.) Malloch quoted a comment made to him by the head of a department: "Yes, but how do I recognize a good radical sociologist when I see one?"<sup>91</sup> Peer pressure has always tended to reinforce the habit of self-censorship. By the 1970s that pressure was the dominant form.

This is still the case. Recent assertions that some research should be regarded as an abuse of academic freedom rather than an exercise of it,

should be restricted because it is sexist or racist, originate within the academy.<sup>92</sup> Sex and ethnicity have become for many academics what capitalism and the Empire once were: topics best avoided unless what one has to say is clearly unobjectionable.

An example emerges from an affair that originated in the "Out of Africa" exhibition at the Royal Ontario Museum in Toronto in 1989-90. Some people regarded it as racist; in the fall of 1990 a few of them disrupted the classes of its curator, the anthropologist Jeanne Cannizzo, at Scarborough College. Whatever one may think of the exhibition—I saw it several times and do not believe it was racist, though its ironic tone left it open to misunderstanding—one thing should be stated plainly: the heckler's veto has no place in the university. Yet some academics were reportedly afraid to say so. In time the University of Toronto Faculty Association and the governing council of the university spoke out on Cannizzo's behalf. But Cannizzo's husband, the historian David Stafford, wrote to me: "When several professors at U of T were asked by CBC radio to comment on Jeanne's harassment in the classroom, *not one* agreed to speak! 'Too sensitive' they said!"<sup>93</sup> The mildew of discretion still lies heavy upon some.

A university is not a repository only of approved ideas and attitudes. Yet some assert that ideas that are "hurtful" or "offensive" should be suppressed in the interests of civility, of not making people feel unwelcome. Although such views seem to be stronger in the U.S. than in Canada, they are not absent here.<sup>94</sup> The objections to it are that universities do not exist to make people feel "at home" and that academics must acknowledge a loyalty to something more important than agreeable manners. They commit themselves to the pursuit of truth as they see it. This may sometimes be unpleasant, but I concur with Benno Schmidt, until recently president of Yale University:

... I don't think the university is first and foremost a community. It's not a place, first and foremost, that is about the inculcation of thought [and] habits of mind that I might agree are correct and constructive.

The university has a fundamental mission which is to search for the truth. And a university is a place where people have to have the right to speak the unspeakable and think the unthinkable and challenge the unchallengeable.<sup>95</sup>

Like others, professors are subject to the laws governing speech and publication. They should not face greater restrictions than are imposed by law.

Universities must protect those who pursue their various truths. Among other things this may mean putting up with research that is ill-conceived, with ideas that seem offensive, foolish and perhaps dead wrong. Those who want to *enforce* civility and to limit research or the expression of ideas, even for what may seem to be the worthiest of motives, are enemies of academic freedom. And those who censor themselves to avoid trouble are not freedom's friends.

#### NOTES

1. The research for this paper was made possible by grants from the Social Sciences and Humanities Research Council of Canada and the research grants committee, Glendon College of York University. I gladly acknowledge the help of archivists from Halifax to Victoria. The following archives are referred to in the text as indicated: University of Alberta (UAA), British Columbia (UBCA), Dalhousie (DUA), McGill (MUA), Manitoba (UMA), the National Archives of Canada (NAC), Queen's (QUA), Saskatchewan (SUA), and Toronto (UTA).
2. Michiel Horn, "'Free Speech Within the Law': the Letter of the Sixty-Eight Toronto Professors, 1931," *Ontario History* 77 (March 1980): 27-48.
3. *Varsity* 21 Jan. 1931.
4. "'The Mute Inglorious,'" *Varsity* 21 Jan. 1931.
5. See Andrew Allan, *A Self-Portrait* (Toronto: Macmillan, 1974) 58-60.
6. W. H. Alexander, "Will Radical Leadership Emerge from Canadian Universities?," *Saskatchewan CCF Research* 1 (July 1934): 15.
7. W. H. Alexander, "'Noli Episcopari': Letter to a Young Man Contemplating an Academic Career," *Canadian Forum* 19 (Oct. 1939): 223.
8. University of Alberta Archives (UAA), Board of Governors (BoG), Minutes (13 Oct. and 30 Nov. 1923; 4 Jan. 1935). President's Papers (PP), RG19, 81-37-9, W. H. Alexander Personal, Alexander to R. C. Wallace (16 Oct. 1928; 31 Dec. 1934).
9. P. B. Waite to the author, 12 May 1993.
10. Robert Falconer, *Academic Freedom* (Toronto: U of Toronto P, 1922) 13. Into the 1940s there were six provincial universities: Toronto, New Brunswick, and the universities of the four western provinces. In referring to professors, people invariably used the masculine pronoun.
11. Ellen W. Schrecker, *No Ivory Tower: McCarthyism and the Universities* (New York: Oxford UP, 1986) 18.

12. P. B. Waite, *The Loner: Three Sketches of the Personal Life and Ideas of R. B. Bennett 1870-1947* (Toronto: U of Toronto P, 1992) 19.
13. Michiel Horn, "Under the Gaze of George Vancouver: The University of British Columbia and the Provincial Government, 1913-1939," *BC Studies* 83 (Autumn 1989) 58-61.
14. University of Toronto Archives (UTA), President's Office (PO), A67-0007/042, James Mavor to Sir Robert Falconer (9 Nov. 1916). See also: v. 43, file: Sir William Hearst. Possibly this incident helped Falconer to frame the views on academic he stated in 1922.
15. "The Higher Politics," *Globe* (16 Feb. 1922).
16. "Professors in Politics," *Globe* (2 July 1931).
17. Peter Oliver, *G. Howard Ferguson: Ontario Tory* (Toronto: U of Toronto P for the Ontario Historical Studies Series, 1977) 243, 327.
18. Quoted in the *Toronto Star* (17 Jan. 1931).
19. Queen's University Archives (QUA), Sir Joseph Flavelle Papers, v. 19, Flavelle to George M. Wrong (20 Jan. 1931, copy).
20. National Archives of Canada (NAC), MG30, D211, F. R. Scott Papers, mfm. M3733, Scrapbooks, 63, undated clipping "Charge J. King Gordon 'Sacrificed' for Stand on Economic Questions"; MG30, C241, King Gordon Papers, v. 7, f. 34, Gregory Vlastos to the *Christian Century* (7 Oct. 1934, copy). The records of United Theological College are in the archives of Bishop's University; its budgetary documents offer persuasive evidence that the college had to cut costs.
21. A member of the board wrote Gordon to "say some words for your comfort. Firstly, the decision of the Governors was not influenced by any hostility to yourself or your work. That was a very minority attitude and was dropped. . . ." Gordon Papers, v. 11, f. 7, W. D. Lighthall to Gordon (18 Apr. 1934).
22. NAC, MG30, D204, Frank H. Underhill Papers, v. 4, Eugene Forsey to Frank Underhill (30 Mar. 1933).
23. McGill University Archives (MUA), RG2, Principal's Office (PO) c. 43/301, Stephen Leacock to Sir Arthur Currie (13 May 1933).
24. "Capitalism Held as Inadequate," *Montreal Star* (18 Oct. 1933).
25. Scott Papers, mfm, M3733, 77, clipping (25 Oct. 1933) quoting an editorial from the *Quebec Chronicle Telegraph*.
26. MUA, PO c. 43/301, Arthur Purvis to Ross McMaster (18 Oct. 1933, copy).
27. PO c. 43/301, Sir Arthur Currie to A. C. Purvis (24 Oct. 1933, copy).
28. PO c. 43/301, A. W. C. "Re Professors Forsey and Scott" (26 Oct. 1933).
29. Stanley Brice Frost, *McGill University 1895-1971* (Kingston: McGill-Queen's UP, 1984) 200-202.
30. "Professor Suggests Empire Is Not Worth Fighting For," *Regina Daily Star* (30 Mar. 1938).
31. University of Saskatchewan Archives (USA), President's Papers (PP) 11, B. 22(1), J. S. Thomson to J. R. Hopkins (11 Apr. 1938, copy). See also: Thomson to P. E. Mackenzie (n.d., copy).
32. PP II, B. 63, J. W. Estey to Thomson (2 and 11 Aug. 1938).

33. PP II, A. 29, Thomson to the editor, *Saskatoon Star-Phoenix* (1 Oct. 1938, copy).
34. Underhill Papers, v. 5, Carlyle King to Underhill (6 Oct. 1938).
35. Interview with Prof. Carlyle King, Regina (Aug. 1986).
36. Underhill Papers, v. 2, George E. Britnell to Underhill (26 Jan. 1941).
37. Underhill Papers, v. 3, Underhill to Steven Cartwright (4 June 1937, copy).
38. QUA, A. R. M. Lower Papers, v. 1, A10, Underhill to Lower (10 Feb. 1938).
39. UTA, PO, A72-0033/01(03), Underhill to H. J. Cody (18 Apr. 1939).
40. Underhill Papers, v. 19, Writings 1940, "A United American Front."
41. See: R. Douglas Francis, *Frank H. Underhill: Intellectual Provocateur* (Toronto: U of Toronto P, 1986) 114-27.
42. UTA, PO A68-0006/046(03), W. P. M. Kennedy to Cody (21 Sept. 1940). Emphasis in the original.
43. UMA, UA20, President's Papers, v. 2, S. E. Smith to Mr. Justice Dysart (11 Jan. 1935, copy); J. W. Dafoe to Smith (2 Feb. 1935). I am grateful to David McQueen for drawing these letters to my attention.
44. The *Ottawa Citizen*, *Toronto Star* and, less consistently, *Winnipeg Free Press* were the chief exceptions to this general rule.
45. MUA, McGill Scrapbooks (MS), IX, 537, "Restoring Poland is Difficult Task," *Gazette* (15 Nov. 1939).
46. MS, IX, 537, "An Ill-Advised Address," *Gazette* (15 Nov. 1939).
47. MS, IX, 539, "A Graceless Exhibition," *Montreal Star* (15 Nov. 1939).
48. MS, IX, 539, "A Misrepresentation of Fact," *Montreal Star* (20 Nov. 1939).
49. Dalhousie University Archives (DUA), MS2-163, B48, Carleton Stanley Papers, Edward Beatty to Stanley (27 Nov. 1939).
50. Stanley Papers, Stanley to Beatty (29 Nov. 1939, copy).
51. MS, VIII, 326, *Gazette* (3 Dec. 1935). The reference to Canadian newspapers may have been prompted by the gingerly fashion in which these reported the evidence before H. H. Stevens's Price Spreads Inquiry concerning the purchasing and employment practices of the major department stores.
52. MUA, PO c. 43/301, A. W. C. "Re Professors Forsey and Scott" (26 Oct. 1933).
53. PO c. 54/729, E. W. Beatty to A. E. Morgan (18 Feb. 1936). See also: MS. VIII, 292, "Beatty Assails Economic Tenets of Younger Men in Universities," *Gazette* (26 May 1935).
54. PO c. 54/729, Beatty to Morgan (5 Jan. 1937).
55. PO c. 54/730, L. W. Douglas to Sir Edward Beatty (23 Nov. 1939, copy).
56. UBCA, Alan Plaunt Papers, v. 2-4, George Drew to Alan Plaunt (18 Apr. 1939).
57. UAA, PP, Personnel files, 73-112 George Hunter Personal (GHP), Re: Professor G. Hunter, University of Alberta (12 Apr. 1940). Michiel Horn, "Academic Freedom and the Dismissal of George Hunter," *Dalhousie Review* 69 (Fall 1989) 418.
58. GHP, George Hunter to W. A. R. Kerr (22 Apr. 1940).
59. BoG, Minutes (14 May 1940); GHP, Kerr to Hunter (18 May 1940).
60. GHP, Walter H. Johns, Memorandum on remarks alleged to have been made by Dr. George Hunter during the final lecture in Biochemistry . . . on 7 Apr. 1949.
61. BoG, Minutes (29 June 1949).

62. L. Freeman, "Dr. Hunter's Dismissal," *Canadian Forum* 29 (Oct. 1949) 151.
63. This assessment was widely shared. Scott Papers, v. 1, Academic Freedom 1938-50, W. F. Bowker to Scott (18 Oct. 1949); Elmer E. Roper to Scott (24 Oct. 1949).
64. Canadian Baptist Archives, McMaster University, Matthews controversy, Senate, Proceedings of Special Committee re: Teaching of Prof. Matthews, May 1909; Elmore Harris, *Concerning the Attacks of Professor Matthews on the Bible: Open Letter to the Baptists of Ontario and Quebec* (Toronto: privately pub., 1910).
65. UBCA, PO, D IV A 7/2, v. 11, S. D. Scott to J. D. MacLean (31 May 1918, copy).
66. Henry Roper and James W. Clark, "Religion and Intellectual Freedom on the Dalhousie Campus in the 1920s: The Case of Norman J. Symons," *Dalhousie Review* 69 (Summer 1989) 183.
67. Bora Laskin, "Some Cases at Law," *A Place of Liberty: Essays on the Government of Canadian Universities*, ed. George Whalley (Toronto: Clarke Irwin, 1964) 177-94.
68. MUA, PO c. 55/779, Sir Arthur Currie to W. J. Spence (27 July 1933).
69. H. A. Innis, "For the People," *University of Toronto Quarterly* 5 (Jan. 1936) 286.
70. QUA, F. W. Gibson Papers, v. 4, Glen Shortliffe to Marjorie McEnaney (7 Oct. 1948, copy).
71. Frederick W. Gibson, *Queen's University 1917-1961 to Serve and Yet Be Free* (Kingston: McGill-Queen's UP, 1983) 289.
72. Gibson Papers, v. 4, Shortliffe to Wallace (15 Feb. 1949, copy).
73. Gibson Papers, v. 4, Shortliffe to Wallace (23 Feb. 1949, copy).
74. Lower Papers, v. 1, A6, Lower to "Howard" (25 Nov. 1934, copy). See: A. R. M. Lower, *My First Seventy-Five Years* (Toronto: Macmillan, 1967) 192-4.
75. Lower Papers, v. 1, A10, Lower to Alexander (6 June 1938, copy).
76. Lower Papers, v. 1, A8, Lower to Underhill (14 Nov. 1936, copy).
77. Lower Papers, v. 10, A232, Lower to Salem Bland (24 July 1945, copy). On Bland's dismissal, see: A. G. Bedford, *The University of Winnipeg: a history of the founding colleges* (Toronto: U of Toronto P for the U of Winnipeg, 1975) 127-39; Richard Allen, *The Social Passion: Religion and Social Reform in Canada, 1914-28* (Toronto: U of Toronto P, 1971) 54-60.
78. K. W. McNaught to the author (19 Apr. 1993).
79. *A New Endeavour: Selected Political Essays, Letters, and Addresses*, ed. Michiel Horn (Toronto: U of Toronto P, 1986) x.
80. Scott Papers, v. 1, AAUP file, esp. Scott to G. P. Shannon (13 Nov. and 11 Dec. 1947, copies).
81. Public Archives of Nova Scotia, MG 17, Dalhousie University, v. 20, Carleton Stanley's Dispute, Board of Governors, Minutes (28 Nov. 1944) 15.
82. DUA, President's Office Correspondence (POC), MS 1-3-A299, R. A. MacKay to Stanley (25 Nov. 1935).
83. POC, Stanley to J. S. Thomson (23 Dec. 1937, copy).
84. Scott Papers, v. 1, Canadian Broadcasting Corporation, National Forum: "Academic Freedom" (18 Dec. 1938). C. O. Knowles, editor of the *Toronto Telegram*, attacked academic freedom.
85. UTA, PO, A72-033/01(01), Stanley to H. J. Cody (26 Feb. 1941).

86. Lower Papers, v. 1, A8, MacKay to Lower (22 Nov. 1936).
87. Frank Abbott, "Founding the Canadian Association of University Teachers 1945-51," *Queen's Quarterly* 93 (Autumn 1986) 508-524.
88. Bedford, *The University of Winnipeg* 296-330; *Academic Freedom: Harry Crowe Memorial Lectures 1986*, ed. Michiel Horn (North York: York U, 1987) 75-116; Frank Abbott, "The Crowe Affair: the Academic Profession and Academic Freedom," *Queen's Quarterly* 98 (Winter 1991) 818-39.
89. NAC, MG28, I208, CAUT Papers, v. 161, Canadian Association of University Teachers, Principles of Academic Freedom and Tenure (as revised and adopted by Council, June 1960).
90. Canadian Association of University Teachers *Handbook* (Ottawa: CAUT, 1971) 19.
91. "Annual Report, Committee on Academic Freedom and Tenure," *C.A.U.T. Bulletin* 21 (Oct. 1972) 7.
92. See Cannie Stark-Adamec, "Sexism in Research: The Limits of Academic Freedom," Gender, Science and Medicine Conference, Toronto (2 Nov. 1990).
93. Stafford to the author (22 July 1992). Underlining in the original.
94. See, for example: Leanne Simpson, "When racism gets swept under the mat of freedom," *Globe and Mail* (16 July 1993) A21.
95. Quoted in: Nat Hentoff, *Free Speech for Me—But Not for Thee* (New York: Harper Collins, 1992) 152.