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Beyond Academic Freedom: Canadian Neoliberal Universities in the Global Context

ABSTRACT

In April 2010, the University of Toronto announced receipt of a thirty-five million dollar donation from the Peter and Melanie Munk Charitable Foundation to fund a new institute, to be named the Munk School of Global Affairs. This donation is emblematic of the intensifying neoliberalization of university governance in Canada, and critical responses to it have been twofold. Faculty members have suggested that academic freedom—an important principle that protects researchers from censorship, termination and other institutional pressures— is at risk. Students, on the other hand, have drawn attention to the source of Munk's capital, pointing to his role as CEO of Barrick Gold, and to recent accounts of human rights abuses in Barrick's mining practices. In practice, however, we have found that both academic freedom and human rights are arguably less available to people in some specific global and social locations. This article will critically analyze the discourses of academic freedom in Canada in relation to human rights discourses in the global South. Using anti-authoritarian intersectionality theory, we argue that in both instances the systems of oppression and exclusion are part of the same logic of global neoliberalism, inflected by intersectionally hierarchical practices of capitalism, patriarchy and colonialism. To conclude, we look briefly at alternative knowledge-production sites that strive for horizontalism in pedagogies, research and governance, and that attempt to eliminate hierarchies by experimenting with real practices of equality—practices that are fundamental to the accessibility of academic freedom.

RÉSUMÉ

En avril de 2012, l'Université de Toronto annonça avoir reçu un don de 35 millions de dollars de la Peter and Melanie Munk Charitable Foundation pour financer un nouvel institut qui portera le nom de Munk School of Global Affairs. Ce don est emblématique de la néolibéralisation intensifiante de la gouvernance des universités au Canada. Les réactions critiques à ce phénomène comportent deux volets. Certains membres de la faculté ont suggéré que la liberté académique – un

principe important qui protège les chercheurs de la censure, la résiliation entre autres pressions institutionnelles – est en danger. D'autre part, les étudiants ont attiré l'attention sur la source du capital de Peter Munk, soulignant son rôle comme PDG de Barrick Gold, et des histoires récentes de violations des droits de l'homme dans le cadre de ses pratiques d'exploitation minières. En réalité, pourtant, nous avons trouvé que et la liberté académique et les droits de l'homme sont moins accessibles pour les personnes dans certaines situations globales et sociales spécifiques. Cet article analyse de façon critique les discours sur la liberté académique au Canada par rapport aux discours sur les droits de l'homme dans le Sud global. En nous appuyant sur la théorie d'intersectionnalité anti-autoritaire, nous montrons que les systèmes d'oppression et d'exclusion dans les deux instances s'inscrivent dans la même logique du néolibéralisme global, influencé par les pratiques de capitalisme, patriarcat, et colonialisme hiérarchisantes selon l'intersectionnalité. En guise de conclusion, nous allons regarder brièvement les sites alternatives de production de connaissances qui visent l'horizontalisme aux niveaux des pédagogies, de la recherche et de la gouvernance, et tentent d'éliminer les hiérarchies en expérimentant avec de vraies pratiques d'égalité – pratiques qui sont fondamentales à l'accessibilité à la liberté académique.

KEYWORDS: academic freedom; intersectionality; neoliberalism; human rights; horizontalism; anti-authoritarian

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At the University of Toronto (U of T) convocation on June 14, 2012, graduate Michael Vipperman publicly rejected his degree, wearing a red square in solidarity with striking Quebec students, and denouncing U of T's focus on "generating wealth for industry over providing a quality education" (Hauch 2012). Vipperman specifically mentioned Barrick Gold in his speech (Vipperman 2012), alluding to the April 2010 donation of thirty-five million dollars from the Peter and Melanie Munk Charitable Foundation to fund U of T's Munk School of Global Affairs. Questions have been raised about the academic freedom of researchers within the Munk School, and about human rights abuses in the global South by Barrick Gold, of which Peter Munk is CEO. Vipperman's speech points to a neoliberal trend toward private funding of Canadian universities, and a corresponding increase in the influence of corporate interests in academia, which may be putting academic freedom at risk.

The protection of academic freedom in the United States and Canada has been championed over the past century by two associations: the American Association of University Professors (AAUP) and the Canadian Association of University Teachers (CAUT). The basic premise is that in order for societies to thrive, academics

must be accorded the freedom to engage in research, develop pedagogies, govern universities and express ideas publicly.

The concept of academic freedom was first developed in the 18th century, in what is now Germany (Finkin and Post 2009: 11). There, "new attitudes towards knowledge" removed much of the power of the church to censor the work in universities, and led to greater independence for academics (21). In the late 19th century, American academics trained in Germany brought the "German model" of academia to the United States (23–24). Statements from the AAUP in 1915 and 1940 officially asserted the right to academic freedom (1). The 1940 AAUP statement notes that academic freedom also brings responsibilities: the right to research depends on fulfillment of the other typical duties of an academic (such as teaching and service), the right to teach requires disciplinary focus, and the right to free speech demands professional comportment (AAUP 1940). A CAUT policy statement from 2011 defines academic freedom as the "freedom to teach and discuss; freedom to carry out research and disseminate and publish the results thereof; freedom to produce and perform creative works; [and] freedom to engage in service to the institution and the community" (CAUT 2011). In *Academic Freedom in Canada: A History* (1999), Michiel Horn notes the importance of tenure to guaranteeing this freedom: "Academic freedom—and the tenure that secures it…—has created conditions in which scholars and scientists can teach courses, undertake research, and publish findings that challenge conventional wisdom without fear of retaliation by their employers" (354). The common thread is that teaching, researching, governing and speaking out are all academic rights that must be protected, particularly when outcomes—from innovative pedagogies and research methodologies to controversial research findings and governance opinions—contravene conventional wisdom. Academic freedom, in addition to having a concrete purpose, also comes from a place of genuine idealism. For example, the CAUT's Policy Statement on Academic Freedom begins:

> Post-secondary educational institutions serve the common good of society through searching for, and disseminating, knowledge and understanding and through fostering independent thinking and expression in academic staff and students. Robust democracies require no less. These ends cannot be achieved without academic freedom. (CAUT 2011)

Academic freedom is here linked to a concept of the common good of society, which is in turn assumed to include robust democracy made up of independent, empowered and knowledgeable individuals. The AAUP, while more pragmatic, also grounds its principles of academic freedom in providing service to the democratic state, "the interests of the community" and inquiry beyond what is "accepted knowledge" (AAUP 1915). As we will discuss, many factors call into question the ability of any incarnation of the university—both past and present—to implement these

ideals, yet few would deny that increasing equality of social power and knowledge, the development of individual potential, and service to the community are desirable. In the final section of this paper, we explore several institutions of higher learning that are working against the trend of university corporatization and also toward radicalizing not just the ideal but also the practice of academic freedom.

When academic freedom is perceived to have been compromised, CAUT may censure universities, an action it has threatened recently in the case of the Balsillie Institute in Waterloo (CAUT 2012). CAUT has also moved beyond championing professorial freedoms in advocating for accessible student tuition and for the right of academics to contribute to social change (CAUT 2011, CAUT 2012). While freedom within the university is well recognized, however, the right to free speech against one's employer—outside the hallowed walls of the university—is still tenuous in Canadian law (Gillin 2008: 310).

As a concept, academic freedom can be charged with several weaknesses. The first stems from observations that the university has always had ideological underpinnings: all forms of study and research cannot, therefore, be equally welcome and equally rewarded. For instance, there are many definitions of the "public good" the university is meant to serve, from knowledge for knowledge's sake to profitability of research, and from engaged democratic citizenry to radical social transformation. The German tradition of academic freedom, which became so influential in the United States and Canada, allowed universities to produce the knowledge needed to support a new era of exploration, commerce and empire (Finkin and Post: 17). While the Enlightenment freed academics from religious domination, the time, space and freedom they were granted remained beholden to those in power (Finkin and Post: 21). For example, Bill Readings argues that the university has always served power in one form or another. After throwing off the chains of the church, the university "defined itself in terms of the project of the *historical* development, affirmation, and inculcation of national culture"; in other words, it served the interests of the nation-state (Readings 1996: 6). Over the past several decades, and increasingly under neoliberalism, this role has shifted to one that serves corporate interests, producing human resources for transnational capital (12–13). Horn argues that universities in Canada fought to fend off interference from governments in the 1970s and 1980s, but were quick to capitulate to corporate funding models or private-public partnerships in the 1990s, as government funding models changed (Horn 1999: 336). In this way, we can see that the academy's structure, values and aims have always been organized ideologically to serve institutions of power—from church to state to capital. Under these circumstances, academic freedom amounts to an argument for fair play on a fundamentally skewed field.

Academic freedom in practice diverges somewhat from its theory or ideals. According to Horn, academic freedom does not extend to all faculty members, as "the ideas of discipline and competence, which are central to academic freedom, exclude

some people from its protection," particularly those who challenge disciplinary or institutional orthodoxies (317). Other researchers have questioned the ability of academic freedom to protect scholars in marginalized groups, who are making in-roads into the institution: "[t]o some scholars, the traditional view of academic freedom is 'androcentric, eurocentric, and heterocentric'" (328). Janice Drakich, Marilyn Taylor and Jennifer Bankier, for example, have suggested that despite its importance, academic freedom "ignores the historic advantages that white, heterosexual, able-bodied men have enjoyed, fails to acknowledge imbalances of power 'in relations based on gender, race, sexuality, class, and other dimensions of difference,' and 'tends to perpetuate the exclusion of traditionally disadvantaged groups through curriculum, pedagogy, and social behaviour'" (cited in Horn 1999: 328).

It is precisely this presumption of equal access to academic freedom that will be interrogated here. In order to do so, we will address several questions: what are some of the current struggles around academic freedom in Canada in response to the neoliberalization of universities? How do faculty and students resist neoliberalization differently? How does academic freedom in the global North relate to corporate donors' human rights practices in the global South? Are academic freedom and human rights differentially available to people across intersecting hierarchies of race, class and gender? Are there alternative non-hierarchical approaches to research, pedagogy, knowledge production and governance that might better ensure accessibility, equality and equitability?

This article will take the Munk donation at the University of Toronto as a case study in order to respond to these questions. Using an anti-authoritarian approach to intersectionality theory, we will argue that both the hierarchical systems of oppression and exclusion that determine who does and does not have access to academic freedom and those systems that exclude some people from access to human rights are part of the same global neoliberal logic of domination. Taking an anti-authoritarian perspective that strives for the horizontalization of power in pedagogies, governance and research, this article will move beyond demands for more ethical funding models within neoliberal universities to survey alternatives for explicitly emancipatory and radically inclusive knowledge-production practices.

Theoretical Framework: Anti-Authoritarian Intersectionality Theory

Intersectionality theory has emerged out of anti-racist feminist scholarship over the past several decades as an important analytical approach for considering complex networks of social privilege and exclusion (see, for example, hooks 2000, 2007; Bilge and Denis 2010; Sandoval 2000). According to Sirma Bilge and Ann Denis, "[t]he idea of intersectionality can be traced back to as early as 1832, when the African-American writer Maria Stewart pointed to the combined effects of racial and gender based oppression" (2010: 3). Etymologically, Ann Phoenix suggests

that "the term 'intersectionality' was coined in 1989 by Kimberlé Crenshaw" (2006: 187) to denote the interrelatedness of subject positions determined by markers such as race, class, gender, sexuality, age, nation, global location and so on. This was in contradistinction to earlier social and theoretical movements that had considered issues and identities such as race, class and gender to be distinct from one another, and addressed them in different academic disciplines, such as race and ethnicity studies, Marxism and feminism.

Work emerging around the same time that Crenshaw coined the term intersectionality includes bell hooks's seminal book, *Ain't I a Woman?* (1981), which critiqued black women's exclusion from the mainstream women's movement. hooks, among others, identified the movement as predominantly white and middle class, with concerns that did not account for the racialized sexism experienced by women of colour:

> A central tenet of modern feminist thought has been the assertion that "all women are oppressed." This assertion implies that women share a common lot, that factors like class, race, religion, sexual preference, etc. do not create a diversity of experience that determines the extent to which sexism will be an oppressive force in the lives of individual women. (hooks 2000: 5)

Similarly, Judith Butler's *Gender Trouble* (1990) put forward arguments about the interlocking aspects of the "sex/gender system" active in gender performatives, and argued for a coalitional politics among women from all walks of life. Butler's recent work engages anarchist thought (see Heckert 2011; Butler 2011), a field in which intersectionality theory is crucial to coalitions that work within an anti-oppression framework, guiding the implementation of horizontal social relations in their activism and organizing efforts (Breton et al. 2012). Phoenix (2006) suggests that today intersectionality theory is "burgeoning" in importance, offering an approach that "aims to make visible the multiple positioning that constitutes everyday life and the power relations that are central to it" (187). This concept allows theorists to consider the underpinnings of complex, shifting power relations on a local and global scale.

Unequal access to academic freedom and global human rights can be analyzed using intersectionality theory. Darren Lenard Hutchinson has considered gay and lesbian human rights through the lens of intersectionality (2000), while Bilge and Denis have rethought theories of global diaspora using intersectionality theory (2010) and academic freedom itself has been examined through an intersectional lens by Sunera Thobani (2008). In this article, intersectionality theory will reveal the neoliberal logic of domination underlying both academic freedom practices in contemporary Canadian universities and human rights practices in the global South. These two spheres of practice are related, and both are key to understanding the implications of the Munk donation.

Academic Freedom and the Neoliberalization of Canadian Universities

While originally an economic theory, neoliberalism has also produced profound shifts in cultural values within a society. Neoliberal thought was established by the Austrian economist Friedrich von Hayek and his students in opposition to classic economic liberalism. In 1947, they formed the Mont Pelerin Society to work on these ideas, which challenged mainstream Keynesian economics (see, for example, Harvey 2005: 20; Palley 2004: 2). One of these students, Milton Friedman, went on to popularize the "Chicago school" of economics at the University of Chicago. In the 1970s, neoliberalism gained traction as a result of the first major downturn in Western economies since the Second World War (Duménil and Lévy 2004; Palley 2004; Harvey 2005), and governments were convinced to liberalize trade, open borders to capital flows and deregulate domestic industries to stimulate economic growth.

For David Harvey, neoliberalism "proposes that human well-being can best be advanced by liberating individual entrepreneurial freedoms and skills within an institutional framework characterized by strong private property rights, free markets, and free trade" (2005: 2). Resulting domestic policies in Western countries include:

> deregulation of financial markets, privatization, weakening of institutions of social protection, weakening of labor unions and labor market protections, shrinking of government, cutting of top tax rates, opening of international goods and capital markets, and abandonment of full employment goals. (Palley 2004: 6)

In Canada, trade liberalization has resulted in the North American Free Trade Agreement (NAFTA) and the Free Trade Area of the Americas (FTAA). In international trade and economics, the "Washington Consensus," a set of policies defined by "privatization, free trade, export-led growth, financial capital mobility, deregulated labor markets, and policies of macroeconomic austerity" has become the accepted model (6). The Washington Consensus has led to a "race to the bottom" in the global South, which has dismantled institutions of "social inclusiveness" and facilitated exploitation (6). These policies are enforced in part through the International Monetary Fund and the World Bank, which demand neoliberal reforms, especially in the form of structural-adjustment programs that impose economic policies and influence governance models as a condition for aid (Easterly 2005).

Through enacting these economic policies, neoliberalism is arguably a political project to restore power and wealth to the capitalist and financial classes (Harvey 2005: 16; Duménil and Lévy 2004). Palley and Harvey both also argue that neoliberalism has driven and, in turn, benefited from a cultural shift toward individualism and consumerism (Palley 2004: 3; Harvey 2005: 42). Therefore, the neoliberal logic of domination in this context is a shorthand for processes that involve the

intensification of capital accumulation and its global movement, and a resulting intensification of inequalities across intersecting oppressions of race, class, gender, age, geographical and social location, and so on. This is not to imply that such oppressions did not exist before neoliberalism, but that neoliberalism has shifted and intensified them.

Academic freedom, on the other hand, is premised on the view that academic labour and achieving a university education are social goods whose raison d'être is the improvement of society as a whole, with the potential to correct inequities and democratize knowledge and power. By encroaching on academic freedom, neoliberalism has affected Canadian universities in at least two ways, which might be conceived of as structure and content. The first consequence has been the influence of neoliberal practices and values on governance structures of publicly funded institutions. The second consequence has been the propagation of neoliberal economic content: theory, ideology and culture in the classroom and in research. University governance has been restructured to more closely resemble private corporations, teaching is justified with the discourse of consumer service, and research is increasingly produced for the market. Universities are expected to convert publicly funded work into private intellectual property through public-private research partnerships, patenting and other research imperatives that also drive funding restructuring. From the standpoint of neoliberal thought, these measures contribute to the public good and are an appropriate use of public funds, as they are supposed to stimulate economic growth. Since neoliberalism dictates that the state assist in opening up new markets, there is a simultaneous push to make the university itself a market: for education, for intellectual work, for access to a body of student-consumers, and for third-party services purchased by universities (consulting, professional services, food, clothing and security). But this trend has been increasingly critiqued over the last two decades.[1] In *The University in Ruins* (1996), Readings argues that the ubiquitous concept of "excellence" is an essential component of these changes. He suggests that the term is "entirely meaningless" (22), but is nonetheless driving the standardization and quantification of academic work that is necessary to transform it into a commodity (26), linking academic "excellence" to conformity with neoliberal ideologies.

Indeed, universities have played a unique role in the rise of neoliberalism in Western economies. The role of the Chicago school is well documented (Palley 2004: 1). In Harvey's account of how neoliberalism came to be popularized among large sections of the voting public in the United States and the United Kingdom, he notes that academic institutions such as business schools, think tanks, university departments and research institutes have been central (2005: 8, 44, 54, 57). Readings (1996) and others argue, as noted above, that universities have always been called on to develop and reproduce elite ideologies. Rather than simply being neutral spaces in which all forms of knowledge can thrive equally, universities have generally worked toward specific ideological and political goals, which has inevitably influenced who

is admitted, recognized and rewarded within the academy. This is the second effect of neoliberalism on universities—it profoundly informs and restricts research and pedagogical agendas, which, under the aegis of academic freedom, are supposed to admit greater diversity.

Despite an internal logic of competitive excellence and the potentially positive effects of participating in the market economy, neoliberalism in the university can thus be seen to be moving universities away from the ideals of academic freedom and toward a neoliberal logic of domination in institutional forms and the content of research and teaching. For students, neoliberalism leads to an emphasis on competition, an obsession with getting good grades, the utilitarian goal of finding a job, the choice of professions based solely on potential income attainment, and a lifestyle rooted in competitive consumerism. Important values for students that might better flourish under a radical implementation of academic freedom might include: collaborative and engaged knowledge production, achieving fulfillment through education, engaging their imaginations in the process of learning, achieving successes that will benefit the common good, making positive contributions to society, and other community values based on mutual aid, cooperation and compassion. Interestingly, these values are the same anti-authoritarian values put into practice by student activist groups as various as Munk out of U of T and the Quebec student movement (Kruzynski et al. 2012), which have challenged neoliberalism in both content and form—in other words, ideologically through issues and structurally in counter-institutional forms.

This is not to deny the argument, articulated by Readings, that universities have always served ideological interests, but rather to note that the impact of neoliberalism is moving us further than ever from the ideal of academic work that has collective and egalitarian benefits. Those conducting research at all levels—from student projects to multi-institutional faculty research—are faced with a growing trend by which funders support research that can be capitalized into commodities, reproducing neoliberal capitalism ideologically as well as materially. CAUT President Wayne Peters argues that recent cuts to the Social Sciences and Humanities Research Council (SSHRC) are "politics disguised as economics," with the result that "more university-based research in this country will now be set politically to serve commercial interests and not by academic researchers through peer-review and merit evaluations to serve scientific and public interests" (Peters 2012: A3). The neoliberalization of budgets thus can have the effect of limiting academic freedom by indirectly legislating the agendas of researchers through new funding architectures and budgets.

Moreover, within a neoliberal climate, there is pressure on research activity not just to be profitable, but also to contribute to the branding of the university. As Suzy Harris notes, "[i]t is increasingly important that academic activity contributes to the institution's overall strategy to maintain and improve its market position, which

places more pressure on individuals to pursue and construct academic identities in line with corporate identity" (Harris 2005: 426). University branding plays a role in hiring decisions, internal research funding and other research-oriented decision-making in ways that are subtle, indirect and difficult to quantify or document. Branding both empties out the possibility for profound change at a deeper level in its role as propaganda, and simultaneously cordons off the university-corporation from research and pedagogical avenues that do not fit easily into the university's brand personality. In her work drawing on Wernick's concept of "the promotional university" (1991), Alison Hearn enumerates some of the consequences of the post-secondary pursuit of branding (2010). Scoring high in university rankings has become an important goal that drives university policy (212), and the prioritization of reputation makes cooperative research difficult (214), while the incentive for faculty to increase their number of publications contributes to academic ghostwriting, which is most widespread in medical fields (215). Branding will also affect the type of student a university admits, which structures a service-industry relationship between student and instructor that makes innovative teaching and learning difficult to implement (212).

When corporate sponsors are involved, academic integrity is at risk through conflicts of interest, which may be either overt or obscure, as "institutions can experience pressures to attract particular research funding or certain types of research activities that are self-sustaining, which may compromise their independence and public trust" (CAUT 2012: 5). Where does this leave radical researchers, who may be prevented from pursuing research of their own choosing as grad students, may be left jobless or left idling in the "academic parking lot" after graduation (Stanford et al. 2008), or may be subject to dismissal, denial of tenure or promotion, legal threats, or even death threats—all of which have happened in Canada and the United States in recent years?[2] While legal threats, death threats, dismissal and denial of tenure are easily documented, reasons for dismissal or denial of tenure can sometimes be nebulous. It is not often possible to say definitively that political or ideological beliefs were a factor in unsuccessful tenure, promotion or research-funding decisions, despite what some might see as an impressive track record. It is also impossible to know if a research application has been rejected because it relies on unpopular but nonetheless credible theoretical frameworks or methodologies. Academic freedom runs up against its own limits here.

Funders can also interfere in the pursuit of free research and dissemination of findings. There have been several instances of pharmaceutical multinationals that fund medical research attempting to silence research-supported challenges to their drug-efficacy claims (CAUT 2001; Lemmens 2004; Olivieri 2005). Recently, CAUT successfully challenged accountability models of corporate funding that were seen to threaten academic freedom in several cases. For example, as mentioned above, in 2012 CAUT took up a case in which University of Waterloo and Wilfrid Laurier

University jointly accepted a donation from Research in Motion (RIM) co-founder Jim Balsillie to fund the Balsillie School of International Affairs. The agreement modified both universities' governance structures, granting decision-making powers to a corporate think tank, the Centre for International Governance Innovation (CIGI). CAUT notes that "[s]pecific concerns were the universities' agreement that the school is to be governed by a board on which CIGI has not only voice but veto power in academic matters" including curriculum, which transgresses the principle of academic self-governance (CAUT 2012: A1). Furthermore, "the donor agreement specifies that the universities are obligated to consult with CIGI about which individuals they are considering for appointment as CIGI Research Chairs and Balsillie Fellows," interfering with the autonomy of the university in hiring and firing practices (A1). At the Balsillie School of International Affairs, for example, the inaugural director, Ramesh Thakur, was fired due to "pressure from CIGI, 'possibly in the form of a threat to walk away from multiple commitments'" (Valpy 2012). CIGI was also involved in an attempted donation to York University to establish a graduate program in international law, but the Osgoode Hall Law School Faculty Council rejected the proposal, and on April 2, 2012, York University announced it would not be proceeding with the donation (Monahan 2012). In these two high-profile cases, it is clear that academic integrity is at stake in corporate sponsorship of universities, which motivates CAUT in using the concept of academic freedom to challenge this trend.

Another high-profile case where an academic's job was threatened began in 2001 when Sunera Thobani, a professor at the University of British Columbia, became a target of an RCMP investigation and the victim of hate speech and death threats as a result of a speech opposing the war in Afghanistan (Thobani 2001; 2008). Some colleagues supported her, and in the end she was able to maintain her position, through appeals to the principle of academic freedom (Thobani 2008: 4). However, she also argued later in "No Academic Exercise: The Assault on Anti-Racist Feminism in the Age of Terror" (2008) that academic freedom did not address the real problem. Like many institutions that claim to be neutral and open to all, she argued, academic freedom has always supported those who have privilege along the axes of race, class and gender, and has done little for those most vulnerable to attacks on their research and their jobs:

> Cloaked in the language of universalism, academic freedom claims to be non-political, available to all academics. But like the liberal ideology it sustains, the construct of academic freedom is deeply political as it seeks to neutralize politics oppositional to liberal regimes. Defining individuals in the academy in the language of abstraction, removing us from the context of class, gender, race, and other social relations, it claims to be blind to these social relations. In this manner, academic freedom helps to reproduce these very relations of power. (4)

Like liberal thought in general, academic freedom works by "universalizing…the Western subject as the human subject while particularizing all Others in the categories of racial and cultural difference" (6). Both within and outside the university, these differences tend to create hierarchies of power that determine whose speech is heard (5). For Thobani, the concept of academic freedom has produced conceptual equivalencies that do not exist in practice. "Despite all the 'free' speech that is said to exist in Western societies," Thobani asks, "why is there so little speech against the War?" (7). If what we are clamouring for is academic freedom, in other words, then this clamour may risk drowning out the very voices for which we are advocating (4).

Thobani is not the only one to call attention to the racist, gendered and classist hierarchies entrenched in the academy. Henry Giroux, for example, has found that

> programs in many universities that offer remedial courses, affirmative action, and other crucial pedagogical resources are under massive assault, often by conservative trustees who want to eliminate from the university any attempt to address the deep inequities in society, while simultaneously denying a decent education to minorities of color and class. (2009: 453)

These assaults, more recently, are undertaken under the auspices of austerity measures. Disguised as a need to tighten "our" belts, economic hardships are most often downloaded from corporations and governments onto citizens and non-citizens alike, in inequitable ways that have racialized and gendered consequences (see, for example, Giroux 2009; Harris 2005; Byrne 2008).

As Thobani argues, the concept of academic freedom does not address these facts and, indeed, can work to reinforce them. Hierarchies of access, prestige and credibility, budget cuts and institutional research priorities clearly affect the kind of research faculty members are able to undertake, and, in turn, the type of research undertaken may determine their ability to move up the hierarchical academic ranks. These hierarchies are exclusionary, and academic freedom does little to correct this. Harris has found that academic research decisions "will be experienced differently depending on, for example, gender, age, and institutional context" (2005: 426), including appointment status. A study in the U.K. found that "younger female academics (aged between 29 and 34), many of whom were on short term contracts, felt less able to control the type of research and work they did than older female academics (in the late 40s to 50s age group)" (426). Richard Byrne has found similar results: "the divisions in the professoriate are not merely those between disciplines, but between tenured faculty and their contingent colleagues" (Byrne 2008: 2). These studies reveal that we must account for additional intersectional axes of exclusion, such as age and appointment status. Academic freedom, it would seem, is more readily available to those who are older, have established careers and have tenure, whereas graduate students, postdoctoral fellows and part-time or non-tenured faculty, varying intersectionally in relationship to their race, class, gender, sexual orientation and (dis)ability status, have reduced access to academic freedom in practice,

as they are engaged in precarious labour in the "academic parking lot," working as sessional instructors, postdoctoral researchers or limited-term appointees (Stanford et al. 2008). For example, a report on York University, which is "leading the vanguard, at least among public universities in Ontario, towards an academic labour force composed largely of contingent instructors," noted that women, Aboriginal people, people in racialized groups and people with disabilities were employed in much higher proportion in casualized academic labour positions than in tenure-track positions (de la Cour 2009). Marc Bousquet has even compared the survival strategies of the largely female "lumpen professoriate" to those of Walmart's largely female, precarious workforce (2008: 3).

Academic freedom from corporate and institutional pressure is crucial to the pursuit of innovative pedagogies, governance and research, and is a hard-won right that should not be taken for granted. At the same time, we must be cognizant that it is not a cure-all; like democratic rights in our Charter of Rights and Freedoms—such as free speech, freedom from unwarranted searches or freedom from hate speech—it may in practice be disproportionately denied to marginalized group members. Analyzing cases of this denial from an intersectional perspective can reveal structural inequities that must be accounted for in our claims to academic freedom. This is the fraught context in which the Munk donation to the University of Toronto is situated.

Case Study: Academic Freedom and the Munk Donation

The Munk donation provides an illustration of a conflict between private funding to a university, the academic freedom of that university's professoriate, and the human rights record of the corporate source of the funds. The terms of the Munk Foundation's partnership with the University of Toronto are spelled out in a memorandum of agreement (MoA) signed on November 23, 2009, by the president and vice-president on behalf of the governing council (University of Toronto 2009): a twenty-million-dollar donation from the Peter and Melanie Munk Charitable Foundation has been committed to create the Munk School of Global Affairs. A further fifteen million dollars is to be given, based on the school's performance according to the judgment of the donor, either after Peter Munk's death or after the scheduled independent review of the School in 2015–16, whichever comes first (University of Toronto 2009: 3–4). In addition, the provincial government commits twenty-five million dollars to the school, and thirty-nine million dollars of the university's endowments are allocated to the school (1–2). The school will house the "Canadian International Council" (a private think tank) in a new building (1), and permission to deregulate tuition fees for the new Masters of Public Policy degree is also secured (1). The overall mission of the school is to become "one of the world's leading institutions for international studies" (8). Both parties agree to uphold the guarantees of free speech and academic freedom outlined in the

University of Toronto's Statement of Institutional Purpose and in the university's collective agreement with faculty (3), and the curriculum and specific allocations for research are to be determined only by the university (11).

U of T faculty and students alike have mobilized criticisms of the agreement. Like critics of donor influence on the Balsillie School and those at the Osgoode Hall Law School, U of T faculty members Paul Hamel and John Valleau examine the donation's threat to academic freedom, emphasizing two elements: "the scholar should be free from any criticisms except those based on questions of rigor and relevance within her field" and the scholar must be "largely withdrawn from the distractions of daily concerns in order to generate entirely new understandings of the world"—the benefits of which would then accrue to society (Hamel and Valleau 2011). One of the central issues is the additional fifteen million dollars promised to the school at a later date based on performance, to be adjudicated not by academics at U of T, but by the donor's board of directors. Hamel and Valleau charge that this might discourage researchers at the school from making statements or producing findings unfavourable to the donor. They also point to an annual requirement to submit a report and meet with the donor's board of directors "to discuss the programs, activities and initiatives of the School" (University of Toronto 2009: 10). CAUT's *Guiding Principles for University Collaborations* (2012) suggests that subsequent funding should not be contingent on research outcomes to be adjudicated by the donor, as donors lack the academic expertise necessary for adjudicating academic work, and need to remain at arm's length. The guideline stipulates: "[u]niversity academic staff must have effective and clear control of any committee that reviews, selects, and finally approves research conducted as part of the collaboration" (CAUT 2012: 2).

Certainly, it is unusual that a private foundation would serve as a source of adjudication for academic work. As Harris notes, "[t]he university has been characterized by its institutional autonomy and professional self-regulation" (2005: 422). External adjudication of research can have two different results: it might strengthen and extend programs of research in terms of direct profitability of outcomes, and it may also curtail assumed non-profitable avenues of pursuit that might have positive and yet unpredictable outcomes in relation to the public good. In either case, adjudication by external non-academics such as think tanks, private foundations or corporate boards of directors can be seen to undermine the collective self-governance of the university, as criteria would no longer be based on the scholarliness and originality of work, but on whatever the external judge considers good or desirable—Reading's "meaningless" but ideological criteria of excellence.

Further questions arise about the specified structure of these reviews, which are said to involve a "Blue-Ribbon Panel Review of the School" (University of Toronto 2009: 8). The term "blue-ribbon" both reflects and works to construct a capitalist private-ownership for-profit corporate model that derives from elitist, Western,

patriarchal, heterosexual, white-dominated traditions. This panel will be made up of elite adjudicators from "the very best public comparators but also the very best private institutions" who will then be asked to judge whether the school is achieving its objective: "to achieve excellence at a level of national preeminence and international renown" (University of Toronto 2009: Schedule "G"). Excellence, as discussed above, has a specific meaning—it is a code word for a specific type of achievement associated with the neoliberal paradigm. There is nothing explicit in the MoA to say that counter-hegemonic research is unwelcome. In fact, assurances are given that academic freedom will be respected. Yet the ideological system expressed in the school's objectives values the elite, the already recognized and institutions with "endowments and resources much larger than the University's" (University of Toronto 2009: Schedule "G"). Also telling is the assurance on the part of the university that tuition fees for the new Masters program will be deregulated. Given the school's generous funding—not only from the Munk Foundation but in new funds diverted from the university and matching provincial funds—it would seem that the deregulated fees are not a financial necessity but a material marker of the school's elite status, and a barrier to entry for students from lower socioeconomic classes.

The blue-ribbon aspect of the Munk School of Global Affairs betrays its predetermined orientation *not* to address social inequities. Rather, its own website asserts that "to become global leaders, students need not only the core functional disciplines that professional schools offer, but also a deep understanding of the broader architecture of global society and the forces that shape it" (Munk School of Global Affairs 2011). Students who attend the Munk School in the Masters of Global Affairs program are being groomed to be "global leaders" who understand "the forces that shape" society—in other words, they will study the rich and powerful in order to carve out their own position among those ranks. But the question of leadership itself bears interrogation, when there is a general sense that our leaders have failed us and that decision-making takes place too far away from those whom it affects. The concept of leadership also presumes that there are followers; it presumes that we are a priori in non-equal social positions, and thus serves to re-entrench inequities. Researchers at the Munk School studying global governance are protected by academic freedom, but this protection does not assist in equalizing hiring practices or guaranteeing that researchers have the freedom to engage in radical work for the public good rather than for commercial profit. The risk is that it will become an institution that shuts out dissenting voices and is not accessible to faculty in marginalized groups doing research that challenges the status quo, because the criteria used to hire faculty and admit students include not only academic merit but also elite leadership credentials.

These aspirations are related to the rebranding of the Munk Centre as the Munk School for Global Affairs. The Munk donation's MoA specifically notes that "[t]he University covenants and agrees with the Donor to undertake a comprehensive

and sophisticated branding strategy for the School" (University of Toronto 2009: 7), a strategy that includes a new "visual identity," accreditation by an elite group called the Association of Professional Schools in International Affairs, and a "[t]argeted advertising campaign in selected global markets" with the goal of attracting "the highest quality students in a globally competitive marketplace" (University of Toronto 2009: Schedule "F"). This kind of branding strategy is not new, as Harris has pointed out, but it nonetheless reveals the growing corporatization and competitive nature of the university, with a declining emphasis on collaborations, the public good and accessible education. What is new is that the donor will be involved in the rebranding, both by contributing input to the visual image developed (8) and participating in the use of "media tracking" (7) to evaluate the "impact and reputation" of the school.

The school's yearly evaluations and the threat of losing the possible additional donation of fifteen million dollars may in practice mean that its research and curriculum will be aligned with the neoliberal ideologies and preconceptions of the donor, despite its being "under the sole authority" of academics and administrators within the university. The overall structure and stated mission of the Munk School, then, orients it toward research and teaching that reinforce, rather than question, dominant ideologies and methodologies. This is where it gets complicated. Scholars in accord with neoliberalism, like all scholars, are protected by academic freedom, as CAUT's policy notes that neutrality is not a requirement (2011). The deep-seated neoliberal bias obvious in the MoA may well inform hiring decisions, research programs, curriculum development and governance models, also appropriate given the right to academic freedom. This is not to assert that all individual scholars would share in the ideology of the donor, the school, or the think tank housed in their building, but that the MoA gives the school and its activities a structure with specific ideological content. In the end, then, academic freedom does not assure that, for example, all Canadian and international students will have equal access to education at the School, a range of ideologies and research will evolve from a diversity of faculty, or research funding, research chairs, awards and recognition will be allocated equitably across race, class, sexual orientation, (dis)ability and gender lines. As Thobani, Giroux and others have suggested, academic freedom cannot entirely account for, or correct, inequities in these practices.

Academic freedom rests on a perception of the academic as a disengaged and objective person who has ample time to sit and reflect. Feminist, disability, queer and anti-racist scholars have long suggested that it is incumbent upon academics to make research and pedagogical strategies applicable to a diversity of lived realities and to put our work at the service of society—and, specifically, of marginalized communities—rather than claiming an impossibly objective neutrality. This claim to neutrality, like the notion of a blue-ribbon review panel, or the concepts of excellence and leadership, is in fact ideological in itself: it tacitly supports the dominant

ideology, although it hides its ideological position by not explicitly addressing it, thereby reinforcing and concealing the undemocratic hierarchies of the status quo.

The question is not whether faculty and graduate students should be guaranteed the protections offered by academic freedom—of course they should—but, rather, whether the principle of academic freedom protects all faculty, students or research-centre directors equally.

Human Rights and the Munk Donation

In Canada, most of the privileges of academic freedom are not understood to cover students, and so student activists have taken a different approach to contesting the Munk donation, questioning the ethics and accountability of the donation by analyzing the corporate undertakings of Peter Munk's corporation Barrick Gold Corporation, (explicitly recognized in the MoA),[3] including controversial mining practices that have involved documented human rights abuses in the global South. These students are demanding that universities and their researchers take note of where their funding comes from, and, moreover, that funders' unethical practices should be grounds for refusing a donation (Chernos 2011). Similarly, Hearn (2010) notes that the resistance of some students at Trent University to the university's new and costly branding campaign, which included both vocal critiques and billboard modification (216), used a diversity of tactics.

The student group Peter Munk out of U of T organized a protest on April 7, 2011, outside a meeting of the university's governing council (the body responsible for having signed the MoA with the Munk Foundation)—a protest in which Noam Chomsky participated (Chernos 2011). Along with these student-led actions, the global activist group Protest Barrick, a volunteer-run grassroots watchdog organization, hosts a website (protestbarrick.net) that provides a newsfeed on issues related to Barrick Gold mining operations. Another group, Mining Injustice (solidarityresponse.net), is broader in scope, organizing regular conferences on injustices perpetrated by mining companies and bringing activists who campaign against Canadian mining companies in the global South to speak to Canadian audiences.

By shifting focus to the global South and the ethics of university funders, we see that academic freedom does little to address the way Barrick has used prestige, power and privileged claims to knowledge to its advantage. For the past several years, Barrick Gold has been involved as the plaintiff in a lawsuit against the Quebec publisher Éditions Écosociété and the authors Delphine Abadie, Alain Deneault and William Sacher for alleged defamation in the book *Noir Canada: Pillage, corruption et criminalité en Afrique* (Free Speech at Risk nd). As the website *Free Speech at Risk* notes, "[i]n writing their book, the author and his collaborators used UN and government sources, the reports of respected NGOs (such as Human Rights Watch), and the writings of broadly recognized specialists in this area" (Free

Speech at Risk nd). Perhaps Peter Munk does not find such research to be blue-ribbon, but as a non-academic engaged in an anti-academic lawsuit, Munk should not be involved in this determination. The lawsuit also calls into question whether or not this particular donor is able to make a neutral, academic determination of the Munk School's progress.

In 2010, following an out-of-court settlement of the Écosociété strategic lawsuit against public participation (SLAPP), Barrick sent a legal warning to Vancouver publisher Talonbooks, which is working on translating *Noir Canada* into English (CBC News 2010). To date, 480 academics have signed a petition in support of Éditions Écosociété and the authors, calling for tougher anti-SLAPP laws and mobilizing the discourse of academic freedom in their defense (Free Speech at Risk nd). Yet the discourse of academic freedom would only give further protection to academics in SLAPP suits, whereby the essence of a SLAPP suit is that one party has disproportionately greater resources than the other, meaning that they can afford to launch a suit that they know they are unlikely to win on merit. A wholesale legal restructuring might address this issue, but academic freedom alone cannot.

Other global researchers have discovered findings similar to those of the authors of *Noir Canada*. In 2009, researchers at the Norwegian University of Life Sciences and at the University of Dar es Salaam studied Barrick Gold's mine in Tanzania, analyzing the impact of a 2009 spill from a tailing dam containing cyanide and other toxic chemicals, and finding significant contamination (Almas, Kweyunga and Manoko 2009: 1). Barrick Gold's response to the report alleged that people living in the surrounding area had been stealing lining material from the tailing dam to use as roofing material (Barrick Gold Corporation 2009). Barrick also blamed "artisanal mining" and "impure phosphate fertilizers" in the area for the contamination (Barrick Gold Corporation 2009), in many ways blaming its failure to protect the environment on local inhabitants. Moreover, Barrick pointed to the cooperation of local authorities and high-level approval of the mine as indication of support for its work. Although we are not in a position to judge the merits of Barrick's rebuttal to the scientific findings and other complaints of contamination, we can note that, while free to undertake their study, the academics involved were met with a response that rests on a portrait of the region as primitive and backward. In addition to disputing the science of the findings, Barrick drew heavily on its credibility as a successful Western company working in partnership with local authorities.

These kinds of tactics only work in a neoliberal environment that accords the status of rational, credible actors unequally, based on the hierarchically intersecting identities of the various stakeholders along axes of global location, education, political position, race, property/corporate ownership and gender. Here, we see corporate leaders from the global North who work for Barrick Gold invoking the complicity of the political leaders in the global South to justify Barrick's destruction of the environment, by placing blame on local community members in lower

socioeconomic positions in the global South—the very people, in fact, who will be most negatively affected by the environmental contamination. This positions these community members as intersectionally oppressed along two axes—by local leaders through poverty or social class, and by Western mining companies through neocolonialism.

Analyzing a different global location, a report by Amnesty International detailed evidence of forced evictions by local police around Barrick Gold's Porgera Mine in Papua New Guinea. Barrick's subsidiary, PJV, was represented on the Porgera District Law and Order Committee at the time of the evictions (Amnesty International 2010: 13). A major focus of this committee was on the problem of "illegal mining" by people residing within PJV's lease (13). PJV responded to the accusations by countering that the destroyed homes had been "temporary shacks" (9) of "in-migrants" or people who had migrated to the area for work (7). A photograph in the Amnesty International report shows a "solidly constructed traditional dwelling" made of mud and thatch (7). The matter of dispute was not whether homes had been destroyed by PJV, but whether those homes were solidly constructed enough for their destruction to be important, an argument that fails to account for the impact of this destruction on the people who lived in the homes. Again, accusations of human rights violations against local people affected by Barrick's operations were met with a response that drew on Barrick's credibility and recognition by local and national authorities, authorities aligned at the intersection of neoliberal capitalism with Barrick Gold against those in lower socioeconomic conditions—once more revealing the double oppression (neocolonialism, capitalism) experienced by people living in the mine area.

In addition, there have been serious charges that Barrick employees have perpetrated gang rapes in communities near its mines in Papua New Guinea (Human Rights Watch 2011: 46-47). In their defense, Peter Munk has argued that Barrick cannot be responsible for the actions of all its employees. Furthermore, he suggested that this was in an area "where gang rape is a cultural habit" (Posner 2011). One might argue that gang rape is also a "cultural habit" in North America (see, for example, Jhally 1994; 2007), but it is still widely considered both illegal and morally reprehensible. Moreover, Munk's discourse has the effect of blaming the victim whose culture is then held responsible for the gang rapes, rather than the alleged perpetrators. Barrick's and Munk's responses to research by scholars and human rights groups serve to construct local residents as existing outside a "civilized" system, in which their own actions, experiences, jobs, environments, cultures, homes and bodies might have importance and agency. As Thobani argues, this is a typical construction of the universal subject as the Western subject, which Others, disempowers and excludes those from the global South. Moreover, the gang rape incident demonstrates how women in the global South are intersectionally oppressed along three axes—colonialism, capitalism and patriarchy.

This is a racialized, gendered, neocolonial approach by Western corporate leaders in globalized neoliberal, neocolonial relationships that depend on hierarchies of access and exclusion. Human rights presumed to apply to Canadians are systemically denied those in racialized and gendered groups of lower socioeconomic status through Barrick's mining presence. Similarly, academic freedom can be denied individuals in racialized, gendered and lower-class groups in neoliberal university contexts. The threats to Thobani, for example, depended on similarly structured hierarchies of access and exclusion based not just on race, class and gender, but also on global location, institutional status and age. Human rights and academic freedom are crucial rights that are under attack in the neoliberalization of global capital and of Canadian universities. At the same time, as we have shown, these rights have historically been awarded to some and not to others. This systemic, hierarchically and intersectionally determined unequal access to important rights is precisely what is illuminated and what is at stake in the Munk Foundation's donation.

The Future of the University: Anti-Authoritarian Frameworks

Proposing a solution to these issues means taking a stance on what the aim of a university should be. Underlying the discourse of academic freedom is the goal of democratizing society by empowering individuals and communities through the sharing of knowledge. We propose a notion of the university that takes these ideals further, to diminish the hierarchical structures of power that might otherwise undercut academic freedom and human rights, or render them insufficient.

Noam Chomsky (1994) argues, from an anti-authoritarian perspective, that the role of education is to "produce free human beings whose values were not accumulation and domination but rather free association on terms of equality and sharing and cooperation, participating on equal terms to achieve common goals" (2). In the mid-1990s, Chomsky saw the university as one of the last institutional sites not yet owned by corporations or run by capitalist means (7–8). He emphasized not just the freedom of academics, but also the importance of educational values such as non-accumulation and non-domination, equality (rather than hierarchies), cooperation (rather than competition) and mutual aid (rather than resource and knowledge sequestering). These values should be inherent to the collectively imagined university that academic freedom seeks to protect. Moreover, these are values that might emerge if neoliberalism were to be challenged more profoundly by universities, and could move beyond simply protecting academic freedom in Canada to correcting for intersectional inequities inherent in the current system. In Quebec, for example, students took action in a prolonged struggle against tuition hikes and climbing student debt, which they see as a result of austerity measures and the neoliberalization of education. Their struggle has been effective thus far as they are organizing using anti-authoritarian, grassroots, consensus-building models (Kruzynski et al. 2012).

How can hierarchies of exclusion of the working class, women, people of colour, queer people, people with disabilities and people in the global South be challenged? How can knowledge produced in the university be disseminated to make it useful to society, and, conversely, how can grassroots knowledge production by social movements and marginalized groups be accounted for and acknowledged in our academic work? There are several innovations today that address these questions in educational settings whereby either radical practices are being incorporated into existing universities or new experimental forms of universities are emerging, all with the aim of horizontalizing power relations in and through the production of knowledge. The three examples we discuss here reorient higher education toward anti-authoritarian relationships between teachers and students, at least partially because, as we have seen above, students have been a powerful force demanding that universities better embody the ideals upon which they claim to be founded.

Evergreen University in Olympia, Washington, among other American liberal arts colleges, has eliminated two hierarchies: faculty status and student grading. The hierarchical professoriate structure has been replaced by a horizontal one, whereby professors are hired either as visiting or regular professors of equal status whose designations are functional, not hierarchical. Students are not awarded grades; rather, Evergreen uses a qualitative evaluation system based on the co-production of a document by the student in collaboration with the professor, which outlines the student's progress. While this strikes down certain hierarchies, the distinct, hierarchically separate roles of students and faculty are still preserved, as are the administrative hierarchies, funding relationships and so on.

In the U.K., a new non-profit workers' co-operative university has started, called the Social Science Centre, Lincoln. It addresses these hierarchies as well: "[t]he Centre is managed on democratic, non-hierarchical principles with all students and staff having an equal involvement in how the Centre operates.… All classes will be participative and collaborative, so as to include the experience and knowledge of the student as an intrinsic part of the course" (Social Science Centre, Lincoln). Undergraduate and graduate students participate in designing courses in conjunction with professors, as well as working on their own research projects in collaboration with established academics. The centre also houses a project called Student as Producer that emphasizes student co-production of knowledge driven by creativity and desire, and attempts to reconnect research to pedagogical practice. This reflects the notion of the co-production of knowledge among professors and students, which challenges the hierarchies that affect access to academic freedom and overturns assumptions about who has pedagogical power and who creates, owns and is expected to organize and disseminate knowledge. More importantly, the Social Science Centre, Lincoln is financially autonomous and organized as a workers' co-op—a horizontal workplace with no bosses, chairs, deans, or presidents—going beyond the flat professoriate structure of Evergreen. While Lincoln does not yet

officially grant university degrees, it does give students an education certificate and a complex qualitative transcript.

AnarchistU in Toronto is a third example with explicitly anti-authoritarian structures. The anarchist tradition has been a long-standing source of radically autonomous education. The Ferrer School, or the Modern School (Avrich 2005), started in New York City in 1911, emphasizing academic freedom of a different form—the freedom of young students to pursue their interests rather than being structured and disciplined to learn specific subjects such as grammar and math. Pedagogies were based on encouraging self-reliance, free association and curiosity, as well as a desire to abolish authoritarianism and to explore educational alternatives through libratory practices. Following this tradition, Toronto has been the site in recent years of the Toronto Anarchist Free University, or AnarchistU, which started on June 1, 2003 (Anarchist U 2005). One group member explains: "to understand the concept of 'free school' you should think of 'free' as in 'free speech,' not as in 'free beer'" (Anarchist U 2011). Similar to the Lincoln Centre, AnarchistU develops classes collectively, and the classes themselves are participatory, often taking place in someone's living room. Decisions are made through a collective-consensus process, and there are no formal or informal hierarchical structures, buildings or roles.

Despite being embedded in a capitalist economic, political and cultural system, these two initiatives—the Lincoln Centre and AnarchistU—might be considered prefigurative or post-capitalist, as both are run with no need for profit, prefiguring what a degree-granting university might look like in the future if egalitarian ideals could be better integrated into university practices. Both profoundly challenge the hierarchical university structure, the notion of student as product or commodity and many other underlying and interrelated assumptions about knowledge production based on the authoritarian structures of ownership, funding and expertise in neoliberal universities. While they present radical departures from our current understanding of higher education, they also suggest ways that academics can move beyond academic freedom in their defense of the university against neoliberal restructuring, and instead address the power structures that assist this process.

Conclusion

Activists engaged with issues such as mining justice, the Munk donation and the development of radical pedagogical spaces are exercising academic freedom on the topic of global neoliberal systems through the co-production of knowledge outside the sanctioned classroom, both in theory and practice. In other words, through the development of radical sites of learning, knowledge production involves not just content but also the experience of libratory processes of learning, teaching and engaging in research and governance. These anti-authoritarian forms and structures of knowledge production may be taken into account when reconsidering

contemporary structures of academic governance, research and education in Canada. In this light, we can see how questions such as "to whom is the university accountable?" and "how do we protect academic freedom?" must give way to more profound questions. How are hierarchical university structures complicit in denying academic freedom to marginalized groups? How are these oppressive structures mirrored in corporate relationships in the global South that deny human rights to specific races, classes and genders? How can universities be restructured in order to de-link them from their dependence on neoliberal corporate funding and capitalist economies, which are dependent on the replication of intrinsically hierarchical and oppressive social relationships?

An intersectional analysis of the complex of authoritarian (capitalist, colonialist, patriarchal and so on) social relationships at work in donor governance interventions at U of T and mining practices in the global South—both connected to Peter Munk, through his foundation and his position as CEO of Barrick Gold—reveals the limits of discourses of academic freedom and human rights in a neoliberal age; while crucial in protecting some freedoms and rights, the challenge remains to ensure that academic freedom and human rights are accessible to all people, not just on paper or as concepts, but in practice, in our actual lives. Only then can we hope to achieve the real, lived equality that is the goal of so many of our collective struggles.

Acknowledgements

The authors are grateful to Social Sciences and Humanities Research Council, which provided financial support for this project.

Notes

1. See, for example, Aronowitz 2001; Donoghue 2008; Johnson, Kavanagh and Mattson 2003; Newfield 2008; Newson and Buchbinder 1988; Slaughter and Leslie 1999; Tuchman 2009; and Washburn 2006.

2. On denial of tenure and promotion, see, for example, the cases of David Graeber at Yale University (Epstein 2005) and Andrea Smith at the University of Michigan at Ann Arbor (Lai 2008). On legal threats, see Nancy Olivieri at the University of Toronto (Thompson, Baird and Downie 2001). On death threats, see the case of Sunera Thobani at the University of British Columbia (Thobani 2008), and, regarding dismissal, see the case of Denis Rancourt at the University of Ottawa (Bailey 2010; *Charlatan* 2010).

3. The MoA reads: "The University recognizes the past support and continuing leadership of Peter Munk, Melanie Munk, the Donor, Barrick Gold Corporation, and others associated with Peter Munk" (University of Toronto 2009: 2).

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