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Academic freedom as a spectral institution :
a contribution to an institutionalist sociology of professions

par
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Résumé

Au cours des dernières années, au Canada comme ailleurs, les débats à propos de la liberté académique, ses contours et son étendue se sont multipliés. La liberté académique est une idée qui est régulièrement invoquée et débattue dans le contexte des relations entre les universités, les professeurs et la société. En parallèle, des changements majeurs affectent les systèmes d'enseignement supérieur.

En tout et pour tout, la liberté académique apparait comme étant hautement valorisée, mal comprise et potentiellement menacée. La même chose peut être dite des professions. Il apparait donc comme opportun d'explorer le sens que les professeurs accordent à la liberté académique en tant que norme d'autonomie professionnelle qui serait spécifique au contexte universitaire.

La revue de la littérature a souligné le caractère fragmenté et sous-théorisé de la littérature historique, légale, normative et sociologique portant sur la liberté académique.

Conséquemment, inspiré par l'approche des trois piliers de Scott ainsi que des travaux plus récents, nous proposons une approche institutionnaliste de la liberté académique et de la sociologie des professions organisée autour des concepts d'institution cognitive, normative et régulative. Cette approche théorique permet une meilleure théorisation et une intégration des diverses perspectives de recherche sur la liberté académique. Dans le cadre de cette recherche, nos questions principales sont :

- Quelles sont les composantes cognitives, normatives et régulatives de l'institution de la liberté académique ?

- Quelles sont les caractéristiques distinctives associées aux institutions d'autonomie professionnelle ?

Afin de répondre à ces deux questions, nous avons mené de multiples études de cas qualitatives avec des unités d'analyses imbriquées (Yin, 2009 : 60) basées sur 64 entrevues, des données documentaires et des observations. Les études de cas multiples

sont celles de trois universités montréalaises et les unités imbriquées sont les cultures épistémiques, les départements et l'implication des professeurs. Notre objet de recherche est la compréhension de la liberté académique et notre unité d'analyse est l'institution de la liberté académique.

Dans un premier temps, nous présentons les dimensions régulative, normative et cognitive de l'institution de la liberté académique. Nous identifions un niveau d'hétérogénéité et de prise pour acquis des compréhensions de la liberté académique. Dans les chapitres suivants, nous nous concentrons sur les particularités de la liberté académique et proposons le concept de spectralité pour décrire ces caractéristiques de la liberté académique. Une institution spectrale est une institution qui exemplifie l'hétérogénéité liée au concept de *spectrum* et une ambivalence ontologique caractérisée par l'ambiguïté et un état de présence/absence duquel le spectre est une métaphore.

En conclusion, nous discutons ce que ce concept d'institution spectrale signifie pour notre compréhension de la liberté académique et des professions. Notre recommandation principale concernant la liberté académique se trouve à être le maintien de la nature spectrale de l'institution de la liberté académique afin de la préserver.

Mots clés : liberté académique, liberté universitaire, université, institution spectrale, profession, autonomie professionnelle, théorie institutionnelle, agence.

Méthode de recherche : recherche qualitative

Abstract

In recent years, in Canada and abroad, debates about "academic freedom," its contours and its scope have arisen. "Academic freedom" is an idea regularly invoked and debated in the context of relations between universities, university professors and society. In parallel, major changes are affecting the field of higher education.

All in all, academic freedom appears as highly valued, ill understood and potentially threatened. The same is also true for professions. It appears therefore timely to explore the meanings professors give to academic freedom as a norm of professional autonomy specific to the academic context.

The review of literature underlined the fragmented and under-theorized nature of the historical, legal, normative and sociological literature on academic freedom.

Therefore, inspired by Scott's three-pillar approach (1995) and more recent works, we propose an institutional approach to academic freedom and the sociology of professions structured around the concepts of cognitive, normative and regulative institution. This theoretical approach allows for better theorization and the integration of the various research streams on academic freedom. For this research, our guiding questions are:

- What are the cognitive, normative and regulative components of the institution of academic freedom?

- What are the distinctive characteristics associated with institutions of professional autonomy?

To answer these two questions, we conducted a multiple qualitative case study with embedded units of analysis (Yin, 2009: 60) based on 64 interviews along with documentary data and observations. The multiple case studies are three universities located in Montreal and the embedded units are the epistemic cultures, department and involvement of the professors. Our object of research is professors' understandings of academic freedom and the unit of analysis is the institution of academic freedom.

First, we present academic freedom's regulative, normative and cognitive institutional dimensions. We notice some level of heterogeneity and taken-for-granted-ness of the understanding of academic freedom. In the next chapter, we focus on the particularity of academic freedom and construe the concept of spectrality to describe characteristics of academic freedom. A spectral institution is an institution that exemplifies a heterogeneity linked to the notion of spectrum and an ontological ambivalence characterized by ambiguity and a state of presence/absence, for which the specter is a metaphor.

In conclusion, we discuss what this concept of spectral institution means for our understanding of academic freedom and professions, and we discuss potential implication for understanding agency. Our main recommendation concerning academic freedom resides in maintaining the spectral nature of the institution of academic freedom in order to preserve it.

Keywords: academic freedom, university, spectral institution, professions, professional autonomy, institutional theory, agency.

Research methods: qualitative research

Table of contents

List of tables and figures

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Introduction

A specter haunts the university — the specter of academic freedom. In recent years, in Canada and abroad, debates about "academic freedom," its contours and its scope have arisen. They surfaced when the Quebec government attempted to ban the display of religious signs by university professors, when scientists from the Canadian government were prohibited from publicly sharing their expertise, when scholars at the University of Montreal contested the use of a confidential research interview in the Luka Rocco Magnotta murder trial, or in the case of the dean of the University of Saskatchewan's School of Public Health being dismissed after a disagreement with the Principal of the University. In the United States, University of Illinois Professor Steven Salaita was fired over views he expressed about the Palestinian conflict, Dr. James Tracy from Florida Atlantic University over blogging activities, and other cases all raised significant uproar from the academic community and the general public.

"Academic freedom" is an idea regularly invoked and debated in the context of relations between universities, university professors and society. Moreover, within the academic community, it appears to be highly valued. For example, it has been described as being of "unquestioned importance" (Stuller, 1998: 342), "the simple and basic condition for the job" (Turner 1988: 107) and the "key legitimating concept of the entire enterprise" (Menand, 1996: 4 as cited in Karran, 2009a: 165).

Three arguments supporting the importance of academic freedom are regularly invoked in the literature. First, the importance of academic freedom is linked to the type of work professors do: individual autonomy is considered important because it is a condition for the expression of expertise. This expertise, in turn, contributes to societal progress through the development and transfer of knowledge (Haskell 1996; Sharma, 1997). Second, the importance of academic freedom is linked to the role of universities in our societies: universities were founded on the principle of academic freedom and they play an important part in modern societies. Without academic freedom, it is feared, universities could not fulfill their specific functions, however they are defined (see deontological arguments in Barendt, 2010: 61-63). Thirdly, the importance of academic

freedom is linked to the project of liberal democracies: some argue that academic freedom is intrinsically linked to democratic societies because professors embody free individuals who self-govern for the common good. Without academic freedom, democratic societies would lose a model to which they can aspire (Dworkin 1998). For similar arguments and others, see Barendt (2010: 50-72) as well as Fish's (2014) extensive surveys.

Notwithstanding the fact that it is highly valued, academic freedom remains for many an *ambiguous* (Altbach, 2001; Altbach et al., 2009), "slippery and elusive concept" (Ledoux et al., 2010), a contested reality (Gillin, 2002: 316) or even an *essentially contested concept* (Doughty, 2006). Karran (2009a: 7) remarks that "[t]he literature on academic freedom concentrates on extolling its desirability, and not defining its limits or accompanying duties" and quotes Byrne (1989: 257) in stating that the literature "has been far more generous in its praise of academic freedom than in providing a precise analysis of its meaning".

Thus, stating that academic freedom is important does not clarify what academic freedom is. Some believe that it includes two ideas (Rostan, 2010: 71): a positive and a negative understanding of freedom. Others suggest that it is composed of three ideas: institutional autonomy, collegiality and individual freedom (Barendt, 2010). Degefa (2015), for her part, identifies four understandings of academic freedom and Kayrooz and Åkerlind (2003: 332), five. All in all, as noted by Romanowski and Nasser (2010: 482), it appears that "providing a fixed definition of academic freedom is difficult because no single definition can cover all the complexities associated with the concept or adequately account for the many cultural contexts where it is practiced."

Some argue that providing a definition of academic freedom is necessary to preserve academic freedom. Altbach argues that a common understanding of academic freedom is needed to ensure its protection (Altbach, 2001; Altbach et al., 2009). Similar points are made by Karran (2009a: 2): "it is difficult to argue coherently for the importance of academic freedom when it is ill-defined". The central purpose of the current thesis is to

gain a deeper understanding of the meanings given to the notion of academic freedom as an institutionalized form of professional autonomy.

This research seems particularly timely because major pressures are affecting the system of higher education and professions in general. In academia, the democratization of higher education granted access to a wider base of students which led to the growth of the higher education field. It has in turn put a strain on public finances, which resulted in the imposition of economic imperatives on higher education (Gumport, 2008: 4). Similarly, a set of "new practices [...] challeng[ing] the legitimacy and foundations of the professions" (Gumport, 2008: 67) has arisen. These new practices run parallel to the changes affecting academia and they raise similar issues regarding the fate of professionals' traditional autonomy (Scott, 2008: 220).

Concretely, managerial supervision (Evetts, 2011; Muzio & Kirkpatrick, 2011; Noordegraaf, 2011; Singh & Jayanti, 2013), a strong emphasis on markets, the growing importance of customers and pressures toward greater integration and flexibility (f as cited in Malin, 2000) are becoming more and more important. In academia, the imposition of top-journal lists that promote more dominant and more conservative research paradigms (Harley & Lee, 1997; Mingers & Willmott, 2012), the presence of dominant societal logics (Washington & Ventresca, 2004) and quality evaluation processes (Paradeise & Thoenig, 2013) to which academics are particularly vulnerable (van Gestel & Hillebrand, 2011) are reshaping universities. Reactions to these pressures have been mixed as administrators typically try to reinforce quality standards (Sauder & Espeland, 2009), while professors resist (Barry et al., 2001), disengage (Teelken, 2012) or simply comply (Bercovitz & Feldman, 2008). In these contexts, traditional safeguards such as tenure are said to be losing their grip, guaranteeing at best only procedural fairness (Slaughter, 1980) and rarely going beyond paying lip-service to academic freedom (Park et al., 2011). In this context, a strong narrative concerning the disappearance of academic freedom has developed (Jones, 2014; Metcalfe et al., 2011; O'Meara et al., 2009; Ylijoki, 2005).

In other words, academic freedom, it appears, is highly valued, ill understood and potentially threatened. These three facts provide ample reason to consider the nature of academic freedom in greater depth in the current thesis. In the following, we explain briefly how the current literature is fragmented and under-theorized, and how an institutional perspective anchored in the sociology of professions answers the shortcomings of the current literature. Specifically, academic freedom is approached in this thesis as a norm of professional autonomy using an institutional approach.

Literatures on academic freedom: historical, legal, normative and sociological

While scholars claim that the meaning of the concept of academic freedom still remains unclear, paradoxically, one must acknowledge that a great deal has been written on the subject. Karran (2009b), Horn (2002) and Sinder (1990) have offered extensive bibliographies. Broadly understood, four distinct literatures are concerned with issues of academic freedom: historical, legal, normative and sociological literatures. As we will see, altogether, they offer a fragmented and under-theorized perspective on academic freedom.

A first body of research adopts a historical perspective on academic freedom. This literature describes the historical importance of academic freedom in universities and its roots in different cultural traditions (Hofstadter, 1955; Horn, 1999; Hughes, 2011; MacIver, 1967). Scholars variously locate the roots of academic freedom in Socrates drinking hemlock (Horn, 1999: 4), in early 12th and 13th century decrees (Gürüz & Guruz, 2011), in the early theological debates of the 13th century (Russell, 1999), in Oxbridge relations with the state and the Church (Horn, 1999), in the German Humboldtian university (Altbach, 2009; Rangel, 2007) or in the early 20th century American Association of University professors' activism (Scott, 2009; Horn, 1999).

A second research stream focuses on the legal implications of academic freedom and has given rise to a vibrant literature. It explores the laws, rules and regulations specific to different national orders and the contingency of academic freedom's legal boundaries (Barendt, 2010; Karran, 2007). For example, in different countries around the globe,

4

such as Japan, Portugal, Germany, the Philippines and South Africa, academic freedom is protected by the constitution (Barendt, 2010: 2). Some have been arguing that academic freedom should be protected by the American Constitution (Barrow, 2009), a European statute labeled the Magna Charta Libertatis Academicae (Karran, 2009a) and some have argued that, while it currently does not, it could warrant constitutional protection in Canada (Buono, 1996). According to Barendt's (2010) synthesis, academic freedom in the legal literature points toward three ideas: institutional autonomy, collegiality and individual freedom. By "institutional autonomy," academic freedom refers to the absence of interference in the affairs of the university by other actors such as the state, the clergy or corporations. By "collegiality," it refers to the ability of the faculty to governs themselves. Finally, "individual freedom" refers to the ability for professors to choose independently their object and method of research and the contents of their teaching, and to speak freely about issues they deem appropriate.

A third body of literature is normative, as it is engaged in promoting certain types of understandings of academic freedom. Many engaged scholars and commentators have written articles, chapters or books about how we should understand academic freedom. Some argue that it is as a right (Dworkin, 1998), a human right (Rajagopal, 2003), a right and a duty (Dewey, 1902 as cited in Scott, 2009), or even that academic freedom is simply a leftist rattle (Horowitz, 2009). One recent contribution to this literature is Fish's (2014) *Versions of academic freedom* where he presents five conceptions of academic freedom lining up on a sliding scale, from those emphasizing the academic-responsibilities aspects to other focusing on freedom to express contentious political views. Fish (2014) argues for the former, that is a limited understanding of academic freedom as the necessary freedom required by professors to conduct research and to teach. The specificity of these contributions to understandings of academic freedom lies in their normative nature. They are not describing what is, but what should be, according to them. This literature expresses informed opinion and testifies to the importance of the concept of academic freedom, but does not offer empirical data on the meanings accorded to it beyond those offered by the authors.

Finally, the fourth body of literature uses the tools of empirical sociology (e.g., surveys, interviews and secondary data) to either identify threats to academic freedom or to attempt to define it. Threats mentioned include ethics review boards, the imposition of top-journal lists and quality assessments as identified by scholars, etc. Efforts at definition include the work of Rostan (2010), Defega (2015) and Kayrooz and Åkerlind (2003). Takeaways from this literature include the notion that academic freedom "is realized at the department and faculty level" (Aarrevaara, 2010), that it holds multiple meanings (Kayrooz & Åkerlind, 2003) and that its limits are unclear (Balyer, 2011).

Overall, the literature described above has two important shortcomings: it presents a fragmented portrait of academic freedom and it is distinctly under-theorized. While historical research focuses on the past, legal research focuses on rules and regulations, the normative literature expresses the importance of academic freedom for professors and sociological research tells us about the conceptions of academic freedom in the experience of professors. We argue that it is important to provide an understanding of academic freedom that integrates all these aspects in order to do justice to the complexity of the notion. Drawing on institutional theory, our own integrated approach will treat academic freedom as a historical norm, embedded in rules and regulations, and as a highly valued notion held by professors.

The second shortcoming concerns the lack of theoretical grounding. Indeed, the historical, legal and sociological literatures are mostly descriptive. The literatures describe the history of academic freedom, the legal system of academic freedom, what academic freedom should be, and why and what academic freedom appears to be, but it lacks a theoretically grounded explanation. A central question arises: what can the study of academic freedom tell us about broader social realities? We will argue that the institutional structure of academic freedom as a norm of professional autonomy might inform us on similar norms.

6

The lens of the sociology of professions on academic freedom

In order to explore the notion of academic freedom from a theorized standpoint, we approach it as a norm of professional autonomy and mobilize emerging approaches in the sociology of professions.

Our logic is the following: academic freedom is to professors what professional autonomy is to professionals. Academic freedom is a rich norm of autonomy similar to the autonomy enjoyed by other professionals such as physicians, lawyers, accountants and engineers (Scott, 2008). Professionals and faculty evolve in similar organizations characterized by an autonomous professional without a developed bureaucracy and important systems of control, relying instead on the standardization of skills (Mintzberg, 1979; Mintzberg, 1983) and they hold comparable occupations with, among other elements, knowledge-based work and a high level of education (Evetts, 2006), strong professional boundaries (Abbott, 1988), collective identities (Bourdieu & Collier, 1984), participation in management (Noordegraaf, 2007; Noordegraaf, 2011) and relative autonomy (Evetts, 2006). In sum,

> "higher education scholarship and teaching are considered a profession because they are characterized by advanced education and a specialized body of knowledge over which they have a monopoly; a normative structure of codes of ethics and the rule of meritocracy; a level of autonomy embedded in peer review and considerable professional self-regulation; and, in the case of professors, concepts like academic freedom and shared governance" (Gumport, 2008: 121).

On this basis, research on academic freedom can have broader appeal and inform issues related to professional autonomy in general. We will therefore consider academic freedom as an intense norm of professional autonomy.

As a norm of professional autonomy, it might be best explored by approaches developed in the sociology of professions. The main contributions to the sociology of professions have been made by functionalist explanations which construes professionalism through expertise or by political explanations based on self-interest (Abbott, 1988; Freidson,

1986; Parsons, 1939; Scott, 2008; Sharma, 1997). Nonetheless, two recent strands in the literature have been taking a new turn: first, a discourse-based perspective on professions (Evetts, 2006; Fournier, 1999; Thomas & Hewitt, 2011) and, second, an institutionalist perspective on professions (Leicht & Fennell, 2008; Muzio et al., 2013; Muzio & Kirkpatrick, 2011; Scott, 2008).

These four perspectives explain academic freedom and professional autonomy in starkly different terms. In the functionalist literature, autonomy is explained by an asymmetry of expertise (Sharma, 1997). In the political perspective, autonomy is the consequence of the exercise of power by professionals (Freidson, 1986). In the discourse-based perspective, professional autonomy is a discourse that enables a different mode of control over workers (Fournier, 1999). However, it is the institutionalist perspective that we shall adopt in this thesis. We explain why in the following section.

An institutional perspective on professional autonomy

As we have argued, the first problem with the existing literature is that it is fragmented between historical, legal, normative and sociological literatures and the second problem is that it is under-theorized. An institutional perspective on academic freedom enables us to address these two shortcomings. First, the institutionalist literature is a theoretically laden perspective on social reality. Second, an institutional approach enables us to, at least partially, integrate the fragmented aspects of the current literature as it treats academic freedom as a historical norm, embedded in rules and regulations, and as a highly valued and taken-for-granted notion held by professors.

In doing this, we follow Scott's (2008) suggestion to develop an institutional approach on professions that could recognize both the value-laden framework and the political elements that lie behind the work of professionals. To Scott, an institutional perspective on professions provides two concurrent understandings. First, professions and professionals can be approached as important institutional agents in our societies. Second, professions are a type of institution in and of themselves. They are "an institutional model specifying the characteristics of the social structures of those actors performing knowledge work in our society" (233). While the former is true for

professionals in general and certainly for professors as well, in this thesis we explore a key component of the institutionalized model of professionalism – the notion of professional autonomy as manifested empirically in academia as "academic freedom."

Fundamentally, an institutional perspective on professions consists in the idea that higher order factors can explain lower order phenomena (Schneiberg & Clemens, 2006). In its simplest form, institutions explain actions. More specifically, we are interested in the relations between the institution of professional autonomy and the lived experience of professional autonomy. Our theoretical groundings on institutions are greatly inspired by Scott's (1995) work on cognitive, normative and regulative institutions and his later developments on the sociology of professions (2008). Our emphasis on lived experiences comes from Berger & Luckmann's (1966: 15) call that research should "concern['s] itself with what people 'know' as 'reality' in their everyday, non or pre-theoretical lives," the arguments by Hallett & Ventresca (2006: 225) that "[i]nstitutions are not inert cultural logics or representations; they are populated by people whose social interactions suffuse institutions with force and local meaning" as well as more recent developments in microinstitutional theory (Powell & Colyvas, 2008). We will develop these ideas further in chapter 3.

Research questions

This thesis is not intended as a simple descriptive assessment of academic freedom in a particular sample of universities, nor as an argument about whether there should be more or less freedom for professors and professionals. While we initiated this research with a very broad intent to make available an empirically informed, situated understanding of the nature and meaning of academic freedom, our central contribution lies in answering two fundamental theoretically informed questions linked to academic freedom and professional autonomy.

First, we seek to describe academic freedom as an institution. Second, we explore the characteristics of the institution of academic freedom that enables agency. Consequently, our research questions are:

- What are the cognitive, normative and regulative components of the institution of academic freedom?

- What are the distinctive characteristics associated with institutions of professional autonomy?

Taken broadly, the topics addressed by this thesis are academic freedom and professional autonomy. We contribute to a better understanding of these subjects by answering calls for the inauguration of academic freedom studies (Fish, 2014), and the adoption of an institutional view on professions (Scott, 2008).

Empirically, our research focuses on academic freedom as a rich case of professional autonomy. As such, we want to contribute to the growing institutionalist literature on professionals and more specifically to the understanding of their autonomy. As a related discussion, in our conclusion, we explore and lay the foundation of an understanding of what our findings mean for agency in institutional theory.

Thesis overview

This thesis consists of eight chapters. Following traditional structures, the first three are devoted to the review of literature, the conceptual framework and the methodological framework. In the review of literature, we present the main contributions of the historical, legal, normative and sociological literature. We conclude that the literature is fragmented and under-theorized. In the following chapter, which concerns the conceptual framework, we offer an overview of the three classical approaches in the sociology of professions and focus on the fourth, emerging, proposition to understand the sociology of professions in an institutionalist perspective. The methodological framework chapter outlines our qualitative research design as a multiple case study with embedded units of analysis.

The next four chapters constitute the core of the thesis. Chapter four presents academic freedom as a regulative, normative and cognitive institution. In this descriptive chapter, we present our data in the context of an institutional approach. Chapter five is a small chapter that outlines our theoretical understanding of academic freedom as a spectral

institution and illustrates it with an ethnographical vignette. The following two data-informed chapters present the two aspects of the spectral institution: heterogeneity and ontological ambivalence.

The eighth and final chapter concludes this thesis by summing up and discussing the implication of our findings on the understanding of academic freedom, the sociology of professions and social reality in general.

Chapter 1 Review of literature on academic freedom

"Modern organization theory is built upon the study of colleges and universities."

(Bastedo, 2012: 3 as cited in W. Richard Scott, 2013: 6)

This thesis in organization and management theory is about academic freedom and professional autonomy. As Scott (2013: 6) stresses in an essay on the links between organization theory and higher education, major social scientists such as Blau, Lazarsfeld, March, Parsons, Meyer have found inspiration in the studies of higher education organizations. We can add to this list important contributions from the resource dependence perspective (Salancik & Pfeffer, 1974), sense making research (Sutcliffe et al., 2005), power and institutional approaches (Covaleski et al., 1998), strategy formation in organizations (Hardy et al., 1983), institutional plasticity (Lok & de Rond, 2012), change in organizations (Meyerson & Scully, 1995), identities (Humphreys & Brown, 2002), habitus (Bourdieu, 1973), and we could go on. While in itself, the topic of academic freedom is interesting, it is apparent that higher education organizations are a fertile ground to improve our understandings of organizational phenomena. In this thesis, we specifically focus on academic freedom in universities. The richness of this empirical setting, we hope, will help shed light on concepts of professional autonomy and agency in institutional theory more generally. We will discuss these two topics in the next chapter (Chapter 2: conceptual framework).

This review does not present an exhaustive repertoire of everything that has been written on academic freedom, but provides a broad overview of the most important literatures. This literature review is the product of two processes: first, a deep academic involvement in the subject for the past several years and, second, a more structured survey of the literature relying on the exploration of several databases. More specifically, we queried search engines (JSTOR, Web of sciences and EBSCO) and extracted every article including "academic freedom" in its title, abstract or keywords. This initial query produced over 1,000 references. To gain an understanding of the

literature, we explored the references by looking at journal titles, article titles, and abstracts when they were available. Most relevant articles were read. Through these explorations, an emergent classification based on broad disciplines emerged. Once these categories appeared sound, we reviewed the references on academic freedom in order to find counterexamples to the categories. We did not find any.

The review of the relevant literature on academic freedom is therefore structured into four categories: historical literature on academic freedom, legal literature on academic freedom, normative literature on academic freedom and sociological literature on academic freedom. As foreshadowed in our introduction, we conclude that the current literature has two important weaknesses: it is fragmented and mainly descriptive. In response, in the next chapter, we develop an institutional perspective based in the sociology of professions to focus on academic freedom as an institution of professional autonomy. This conceptual framework will make it easier to produce an integrated and theorized perspective on academic freedom.

1.1 Historical literature on academic freedom

An important body of literature on academic freedom is concerned with its historical roots. This is only natural as what is called academic freedom today is an old idea (Hofstadter, 1955) that some even tie back to Socrates' eloquent defense against charges of corrupting the youth (Horn, 1999) and that might be linked to the notion of judgement itself (Fuller, 2009).

Doughty (2006) argues that our current understanding of academic freedom was built on three founding moments: 1) the emergence of the university and the theologico-political debate (Russell, 1999); 2) the early English institutions (Horn, 1999) and 3) the Humboldtian university (Altbach, 2009; Rangel, 2007). While we believe with others that academic freedom is indeed the product of many different historical norms that came together in the beginning of the 20th century with the birth of the modern university (Doughty, 2006), the review of the historical literature actually identifies five historical sources of academic freedom. We present them in the following pages.

First, for some, academic freedom entertains links with the birth of the university. Academic freedom is a form of autonomy enjoyed by a specific class of people. In this sense, it is a privilege. The historical roots of this privilege that we now call academic freedom, conferred to a set of people linked to the university emerged, according to Gürüz and Guruz (2011), out of two decrees. The first one is an imperial decree called *Authentica Habita* (1158) which provided Bologna's students an exemption from different tolls and taxes and protected them from injustice. The second, the *Parens scientiarum* (1231), a papal decree that applied to Paris University, habilitated the university to grant degrees. As exceptional privileges granted to members of the university (*Authentica Habita*) and the first steps toward institutional autonomy (*Parens scientiarum)*, according to Gürüz and Guruz, these treaties are the historical foundations of our modern understanding of academic freedom.

Second, according to Russell (1999), academic freedom emerged as a notion closely linked with the university in the early 11th century, notably present in institutional autonomy incarnated in a distance from temporal and spiritual authority as demonstrated in the Paris University 1210 controversy. The emergence of universities is linked to the churches in the beginning of the 13th century. Russell (1999) argues there is a parallel to be drawn between the claims of academic freedom and the debate between the temporal power of the state and the spiritual power of the church. To sum up this complex theologico-political debate, the Church claiming to be the ultimate guide in matters of spirituality always opposed the incursion of political powers (kings, emperor, etc.) into spiritual matters. Reciprocally, the sovereign always challenged the claims of the church to hold any political or temporal power. Similarly, the university demanded autonomy in teaching and research in universities. According to Russell (1999) it was only natural for universities, as an offshoot of the Church —the first classes were given under the arches of the cathedral after all—, to call for a similar autonomy against the state. This autonomy against the state, argues Russell (1999), mutated in a claim for autonomy by the university against both Church and state (and today corporations) or, in modern terms, a claim for institutional autonomy.

Horn (1999) identifies a third historical source for academic freedom. These historical forces at play inside universities are rooted in the English tradition of Oxford, where teaching first started in the 11th century, and Cambridge, which was founded at the dawn of the 13th century. These universities have always claimed a strong independence from external interferences. Yet, contrary to the theologico-political debate, this claim was not rooted in some privilege bestowed because of a specific activity such as teaching, research or spirituality, but in a specific practice: a collegial mode of decision-making (Horn, 1999). This form of organization, it was argued, constituted the university as a *politeia*, that is a legitimate political system, that warranted autonomy from external bodies. In some sense, this is what is referred to today as collegial governance.

The fourth source is identified notably by Rangel (2007) as well as Altbach (2009) and others. This major influence is found in the German model of theearly 19th century Humboldtian university in which the university promotes knowledge anchored in the spirit of modernity. Such a model rests on a strong foundation of freedom, both for the professor (*Lehrerfreiheit*) and for the student (*Lernfreiheit*). This freedom and the early emphasis on the independence of the professor paved the way to individual academic freedom, which would become a central tenant of the modern North American research intensive universities.

Finally, from the early 20th century onward, academic freedom has been a tradition upheld by the American Association of University Professors (AAUP) and its offshoots, notably, for our purpose, the Canadian Association of University Teachers (Horn, 1999; Scott, 2009). Borrowing heavily from the German sources of academic freedom, the first milestone of this contemporary understanding might be the 1915 statement by the AAUP: "Academic freedom (…) comprises three elements: freedom of inquiry and research; freedom of teaching within the university or college; and freedom of extramural utterance and action". This statement was later reworked and adapted. The Canadian Association of University Teachers, the northern sister of the AAUP, was founded in the early fifties but only addressed issues related to academic freedom about a decade later. We will return to these foundational texts of academic freedom and proceed to an in-depth analysis in chapter 4.

Academic freedom is present today, but this presence is the product of a long tradition. Indeed, these historical movements have coalesced in the early 20th century in a specific context around contemporary understandings of academic freedom.

In Canada, according to historian of academic freedom in Canada Michiel Horn (1999), the history of academic freedom might be best understood as a history of attacks on academic freedom from the ideological orthodoxy (the Catholic Church and Protestant clergy), political powers, and moneyed interest. Although the lack of attention to the history of academic freedom in Quebec is a limitation of Horn's account, it presents the progress of academic freedom in Canada in three stages. In the first stage, early in the 20th century, professors claimed the right to teach and research controversial subjects without institutional censorship. In the second stage, professors extended the notion of academic freedom to cover the right to free speech and to participate in public life. Finally, in the third stage, the claim of academic freedom extended to the freedom to critique higher education institutions and the system within which professors work.

Recent research by Corbo (2013) testifies to the complexities of the system of higher education throughout Quebec's history, from the first Jesuit institution founded in 1663 (Harris, 1976 as cited in Jones, 2014) to the *Révolution tranquille* (Quiet revolution) of the 1960s and 1970s. In fact, in his introductory essay to the anthology of major texts on higher education in the province, Corbo identifies five specific traditions in higher education in Quebec, spanning from the 18th century to the *Révolution tranquille*: theological, humanist, functionalist, utopian and revolutionary. These five intellectual traditions developed by Corbo are ideal types that preside over the development of the system of higher education in Quebec. These five currents highlight some complexities of higher education in Quebec.

First, in the theological idea of the university, it exists to support the biblical revelation, and the limits of academic freedom are religion as an undisputable truth. This idea is often linked to the idea of the survival of the French Catholic people (Corbo & Ouellon, 2013: 15). Second, the humanist tradition of higher education, championed by the likes of Frère Marie-Victorin, Édouard Montpetit and Pierre Dansereau (17), focuses on

culture and research since "[l]'université constitue le lieu par excellence du développement de la connaissance, de la recherche scientifique libre et désintéressée, du soin de la culture" (15). Third, in the functional idea of the university, its primary objective is to work toward societal goals, be they political or economic. The missions of the universities are subjugated to the ends of governments (18). Fourth, the utopian university embodies a rejection of the traditional systems of higher education to create a "New Man." This idea takes many forms, from the rejection of bureaucracy to create a community of scholars to the introduction of progressive pedagogy (19). Finally, the revolutionary idea of the university is fundamentally radical. The university's purpose in this case is to foment the revolution against capitalism and imperialism (19). Attentive observers of Quebec's higher education can recognize, at various moments, these conceptions of the university at play.

An important body of literature appears to focus on the history of academic freedom, yet with little consensus. Some appeal to political factors (Gürüz & Guruz, 2011; Russell, 1999), others to the emergence of scientific thought (Altbach et al., 2009; Rangel, 2007). Some points toward ancient Greece (Hofstadter, 1955; Horn, 1999;), to medieval times (Gürüz & Guruz, 2011; Russell, 1999), German modernity (Altbach et al., 2009; Rangel, 2007) or soon after the Second World War as the point at which it emerged. Most identify single sources, some multiple sources (Corbo & Ouellon, 2013; Doughty, 2006). These different sources probably played different roles in different places and at different times. More localized and finely grained research such as Corbo and Ouellon's (2013) uncovers considerable complexity, confirming that academic freedom is a complex idea.

1.2 Legal literature on academic freedom

The legal literature on academic freedom constitutes a second important portion of the debate. We must start by pointing out that legal literature on academic freedom can lead to two different types of corpuses. The first is composed by the laws, rules and regulations in effect in any particular jurisdiction. For our empirical setting, it includes the United Nations Educational, Scientific and Cultural Organization (UNESCO)'s *Recommendation concerning the Status of Higher-Education Teaching*, the *Tri-Council*

Policy Statement: Ethical Conduct for Research Involving Humans (TCPS), the *Règles générales communes* of the Fonds de recherche du Québec, important case law such as *McKinney v. University of Guelph,* as well as different collective agreements, institutional regulations and statements. While it is a legal literature, we treat it as data rather than as literature per se. We explore this legal framework of academic freedom in Quebec in the presentation of academic freedom as an institution (see chapter 4).

The second body of legal literature, into which we shall delve in this chapter, is the scientific literature of legal nature on academic freedom. This literature analyses laws, identifies them as potential threats to academic freedom, argues for new legislations, etc.

One specificity of this literature is that its relevance is contingent on specific legal orders. In Germany, for example, academic freedom is a constitutionally protected right of research and is not necessary linked with the status of professors (Barendt, 2010). It is a wholly different right, universally accessible, to contrast with the specific rights of academic freedom based on the special status of professors. The scientific literature on academic freedom in Germany is relevant to German scholars, and the literature in United States of America is relevant to American scholars, etc. Unfortunately, there is very little literature on academic freedom in Canada from a legal perspective.

Karran's (2007) study is fundamental in offering an overview of academic freedom in the European context. She compares 23 European Union member states over "constitutional protections for, and specific legislation relating to, freedom of speech, academic freedom, institutional governance, the appointment of the Rector and academic tenure" (292). She concludes that the understandings of academic freedom are consistent between national contexts, but that the level of protection varies between countries. Amongst other elements, the author concludes that qualitative research on academic freedom should be pursued to uncover scholars' interpretations, if any, of the legal framework (311). This is partly what this thesis attempts.

A second major comparative work on the legal aspects of academic freedom is Barendt's (2010) *Academic freedom and the law: a comparative study*. The author first presents major understandings and then typical arguments for academic freedom before

moving to the presentation of debates over academic freedom in the United Kingdom, Germany and the United States of America. He concludes with the discussion of three topical subjects: restrictions on research, terrorism and political speech. The explicit focus of the author is to contribute to the meagre literature on academic freedom in the United Kingdom (1).

As we presented in the introduction, Barendt (2010: 50-72) understands academic freedom either as individual freedom, as institutional autonomy or as collegiality. More interesting is his review of arguments for academic freedom. Indeed, as a right conferred to a specific population, academic freedom is a privilege and, as such, it needs to be justified. The author identifies various broad arguments in favour of individual freedom, collegiality or institutional autonomy. We will discuss these in the next section on normative literature on academic freedom.

There have been many debates invoking academic freedom and the law in the United States. We will name a few here. Important debates occurred in the early 20th century over the red-scare censorship and McCarthyism (Schrecker, 1986). Also, a strong debate related to the issue of academic freedom emerged in the beginning of the 1960s when professors from a public university were allowed to unionize. Fears that such a right might hinder the individual liberty of professors and therefore their academic freedom were commonly expressed (Ehrenberg et al., 2004; Metchick & Singh, 2004; Quinn, 2011; Wickens, 2008). Debates related to the extension of the constitutionally guaranteed right to the freedom of speech in relation to professors' academic freedom emerged. "Is academic freedom founded on freedom of speech?", "Is it another right based on other principles?" or "What are their respective extent?" are all questions related to the issue (Barendt, 2010; Barrow, 2009; Eichmanns et al., 2009; Rabban, 1990). Finally, a more recent campaign for a constitutional amendment to protect academic freedom was brought forward and hotly contested because it was said to possibly limit it by focusing on the supposed liberal bias of professors (Fish, 2014; Horowitz, 2009). This amendment was restricting professors' political speech. This debate is also linked to discussions over speech codes and political correctness.

In Canada, there are no implicit or explicit constitutional provisions protecting academic freedom and, contrary to the United States, no constitutional interpretations currently guarantee academic freedom. While Buono (1996) argues that the Canadian constitution mightt implies the protection of academic freedom, current cases such as McKinney v. University of Guelph have ruled the opposite. In addition, some sociologically leaning articles discuss the strength of legal provisions to guarantee academic freedom, such as Gillin's (2002) work on the construction of academic freedom through arbitration mechanisms. We will discuss these in the section dedicated to the sociological literature on academic freedom.

1.3 Normative literature on academic freedom

The normative literature on academic freedom consists (mostly) of scholars arguing for a certain understanding of academic freedom or identifying real or potential constraints on academic freedom. The distinction from the sociological literature is the absence of a clear methodological orientation, its empirical groundings and the argumentative tone of the reflection. The normative literature answers a "should" question: "How should we understanding academic freedom?", "What should be put in place to protect it?", etc.

In innumerable instances, scholars published an opinion piece in an academic journal about an issue related to academic freedom. Fortunately, some scholars have reviewed and proposed typologies of the different meanings of and justifications for academic freedom. For example, Barendt (2010) put forward a typology of the arguments involved in justifying understandings of academic freedom, and Fish (2014) reviewed the major contributions to the American debate on academic freedom. In this section, we will present both their typologies and the broad structure of the arguments presented.

Barendt (2010) identified three different notions of academic freedom in the legal literature: collegiality, institutional autonomy and individual freedom. We present them in the following paragraphs. A legal scholar, he identifies three arguments in favour of collegiality. The first two arguments for collegiality are rooted in the professional aspects of the work of professors. The first stipulated that only professors, because of the atypical nature of their work, know the work of professors and, therefore, only they

should regulate their own practices. The second, similarly linked to the notion of professions, argues that only professors, because of their expertise, can determine who can join the profession. Only an expert can evaluate the soundness of another expert's case. The third argument is different in nature and argues that collegiality is the best form of organization in order to protect academic freedom. This last argument, to be effective, requires an argument assessing the importance of academic freedom.

Barendt (2010) identifies two arguments for institutional autonomy. The first argues that academic freedom as institutional autonomy is important because it contributes to a lively pluralist society by putting in check the state and moneyed interests. The second argument posits that institutional autonomy acts in support of individual freedom. In short, it argues that individual freedom would not be complete in the absence of institutional autonomy. This last argument also requires a defense of the value of individual academic freedom.

Finally, the author of *Academic freedom and the law* identifies two broad types of arguments used to defend individual academic freedom: deontological and consequentialist arguments. Deontological arguments point to inconsistencies or contradictions to illustrate the importance of academic freedom. Barendt (2010) invokes three arguments of this nature. First, the absence of academic freedom would be inconsistent with the conduct of research. Without academic freedom, universities cannot fulfill their function to conduct research because research requires freedom. Second, at the professors' level, it would be inconsistent to expect professors to conduct and disseminate research while, at the same time, denying them academic freedom. It would be the equivalent of telling them to speak freely and, at the same, not to speak freely. Finally, Ronald Dworkin (1998), a well-regarded, often cited legal scholar and philosopher whose work on rights helped redefine modern American political philosophy, argues that academic freedom is crucial because it embodies the goal of ethical individualism, the centre of modern liberal democracies. If we value democracies, we need to value its paragon.

The second type of argument used to defend individual academic freedom is consequentialist. These arguments promote the importance of academic freedom based on its positive consequences. Some, in this sense, argue that academic freedom is important for professors in order to research and to teach, and that these are worthy goals. In other words, academic freedom is important because it enables professors to accomplish their tasks, and their tasks are important. Bearing close resemblance to this consequentialist argument, and worth pointing out, is John Stuart Mills' general argument for freedom of speech. Mills (as cited in Barendt, 2010: 59) argued that the capacity to challenge opinion is a condition to discover truth. If we did not have that freedom, errors could persist. Academic freedom serves the same purpose in academia.

A second noteworthy typology comes from Stanley Fish's *Versions of academic freedom* (2014) in which the literary and legal scholar explores several American debates.[1] As a result, he presents five schools situated on a sliding scale going from one side that emphasizes the *academic* side of academic freedom to the other end with an emphasis on *freedom*.

Fish starts off the presentation of his five schools of academic freedom by outlining his own thesis: academic freedom is just a job, which should solely provide the protection required by professors' tasks. In other words, what a professor should do, that is to fulfill his or her function, should match what a professor can do, that is the resources available to accomplish this function. For Fish, the core function of a professor is what distinguishes him or her from other occupations: not politics, not self-rule, but his or her competence earned through practice and socialization in the professional field. In short, academic freedom should protect only what is necessary for professors to successfully approach topics with an analytical lens.

In the other four schools, Fish addresses other conceptions of academic freedom, all based on a claim of academic exceptionalism, according to which academic freedom entitles professors to extensive and exclusive rights based on their professional status. In presenting the "It's for the common good" school, that argues that academic freedom is

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[1] For the sake of transparency, we have published a review of Fish's *Versions of academic freedom* (Brodeur, 2015) from which much of the following discussion is borrowed.

important for the common good (a consequentialist argument), Fish argues that there is no necessary link between either collegiality on the one hand and good teaching and good scholarship on the other, or between academic work and flourishing democracies. Academics do not have a specific mission outside of their scholarly activities. Therefore, the function of the academic workforce does not require either collegiality or an extended provision of free speech for academics.

The last three schools —"academic exceptionalism or uncommon being," "academic freedom as critique" and "academic freedom as revolution"— are interested in protecting political activities under the guise of academic freedom. Regarding these schools of thought, Fish argues that exceptional rights can be granted either in virtue of the exceptional nature of the professors or because of the idiosyncratic nature of universities. Fish dismisses the first claim, saying professors are not entitled to more rights because of who they are, and argues for the latter. Professors are integrated into a community of practices that ensures their academic freedom. Consequently, their academic freedom is bounded by the activities deemed appropriate by the community. Fish argues that this community's standard does not include political rights. This argument goes against a defense of extended free speech rights that would allow professors to engage in and criticize the administration more easily, or to take on an active role in political matters as part of their professorship. Finally, academic freedom as critique and academic freedom as revolution both rest on the assertion that academic freedom derives from the exceptional character of the professor and his or her special role in democratic societies and the advancement of liberty. Fish dismisses both. The interest of this contribution, apart from the close reading of the extensive literature on academic freedom, resides in the recognition of the spectrum of views expressed on academic freedom.

The importance of these two contributions lies in their recognition of a plurality of justifications for academic freedom. While Barendt (2010) mostly describes the different arguments commonly invoked, Fish (2013) uses his description to argue for a limited understanding of academic freedom. From a normative standpoint, the former has an inclusive perspective on arguments for academic freedom while the later has a

reductive one. These two contributions illustrate the diversity of perspectives behind the value awarded to academic freedom.

1.4 Sociological literature on academic freedom

The final body of literature we explore is sociological, that is empirical research focused on professors' academic freedom. This literature is concerned with two main projects: identifying challenges to academic freedom and defining academic freedom.

1.4.1 Challenges to academic freedom

The literature on higher education identifies important challenges worldwide. In some countries, these threats and challenges are existential. Altbach (2001: 211-213) identifies threats in what he then judged to be frail governments facing contestation, such as Burma, Iran, Syria, Iraq and North Korea, that shut down universities; in the communist countries of Cuba, Vietnam and China as well as in Islamic countries, that impose a tighter rule on higher education organizations; and countries without a strong higher education tradition that occasionally infringe upon universities' academic freedom.

As recent research suggests, such is not the case in Canada or in most Western democracies. The 2007 Canadian data from the *Changing Academic Profession* survey assesses that, while things might be different across colleges (Hogan & Trotter, 2013), "[m]ost respondents agreed (…) that their administration 'supports academic freedom' (60.9%)" (Metcalfe et al., 2011: 165). Yet, even if they do not appear to face important direct political pressures, Canadian professors are said to worry about the future of universities and academic freedom. According to Jones (2014: 14), the fears of Canadian professors coalesce around "increasing pressures for external research funding, declining working conditions, and concerns about the quality of university faculty."

These concerns might be the product of many big and small changes currently occurring in the field of higher education. We shall present a few important ones noted in the literature. On the macro level, according to Gumport (2008: 4), the democratization of higher education has granted access to a wider base of students, leading to the growth of

the higher education field. It has in turn put a strain on public finances, which resulted in the imposition of economic imperatives on higher education.

The OECD (2003: 61-62) identified a list of six (linked) drivers of changes in higher education: 1) the introduction of markets to deliver services in the field of higher education, 2) reforms linked to new public management, 3) the preservation of institutional autonomy, 4) the cost related to the increasing participation of the population in higher education, 5) the introduction of market regulation such as quality assessment in the field of higher education and 6) the internationalization of higher education with increasing numbers of international students, new forms of supply (on-line) and satellite campuses. Similarly, a few years later, a report to UNESCO on global higher education trends stressed how these different drivers of change in higher education are interrelated:

> "Mass enrolment has created a demand for expanded facilities for higher education. Larger enrolments result in more diverse student expectations and needs. Expansion and diversification create a need for new providers. System growth requires additional revenue and new channels for obtaining it. All of this (expansion, diversity, and funding shortages) generates concern for quality. This knotted ball of string will roll forward, with each trend adjusting to the endless tugs at higher education as a global system." (Altbach et al., 2009: 171)

Jones et al. (2014) argue that the Canadian system of higher education faces pressures toward horizontal and vertical fragmentation. Horizontal fragmentation means the increased specialisation of professors as well as the introduction of functional experts in the organizations while vertical fragmentation means the creation of a precarious class of contingent faculty. Slaughter (1980) had already suggested that tenured faculty might also face greater precarity that usually assumed, demonstrating how AAUP's document appeared to trade substantive guarantees for procedural ones, meaning that instead of guaranteeing inalienable rights to keep their employment, professors are guaranteed a process that may lead to their dismissal. A second study goes in the same direction, illustrating how tenure engagements by colleges and universities rarely go beyond

paying lip-service to academic freedom and do not translate into institutional provisions guaranteeing formally professors' rights (Park et al., 2011).

Regarding administrative practices in universities, Rostan (2010: 71), in his focus on European universities, identifies the increasing importance of administrative personnel in universities, which he labels "managerialism," as a consequence of stronger institutional autonomy, increased accountability from the state through "assessment devices" and "growing expectations of relevance." In Canada, some attest that managerialism, as identified by Rhoades (1998), is also creeping into Canadian universities (Metcalfe et al., 2011: 152), creating tensions between a managerial class and a professional class because it runs contrary to the pluralist mode of organization of universities (Hardy, 1991; Hardy, 1996).

We also know from recent research that such managerialist trends are often met with resistance (Barry, Chandler & Clark, 2001) or disengagement from scholars for pragmatic or principled reasons (Teelken, 2012). Bercovitz and Feldman (2008), for their part, conclude from their study on the adoption of norms of commercialization that professors who do not share these norms will nevertheless comply with them to reduce cognitive dissonance. Finally, some argue that managerialism in universities is the product of very important macro social trends habilitated by the state and senior professors that encourage the "concentration of intellectual planning functions in the hands of managers and their removal from the control of the practitioners" (Miller as cited in Smyth, 1995: 54). Similarly, Gibbons et al. argue that universities are facing a shift in their mode of production of knowledge, moving from an inward looking, self-managed, discipline-based and insulated organization (mode 1) to an open, inter- and transdisciplinary, and socially oriented organization (mode 2) (Gibbons et al., 1994 as cited in Kayrooz & Preston, 2002: 344).

Reports from European countries (Finland, Germany, Italy, Norway and the United Kingdom) highlight the pressure for "increasing relevance" of universities (Aarrevaara, 2010: 67). A number of mechanisms at play in these changes are meant to enhance relevance. Indeed, "teaching evaluation, research funding and links with the economic

sector connect academics to external actors" (Rostan, 2010: 85). These transformations, in turn, increases pressure for relevance with potential effects "on academic freedom and academics' professional autonomy" (85).

Turkish professors, according to Balyer (2011), identify the rise of neoliberal discourses and financial constraints as impediments to academic freedom. The latter is said to have been declining in recent years. According to Kayrooz and Preston (2002: 350-356), social scientists in Australia experience increased limitations on their academic freedom because of heavier workloads, a pull toward applied research, an emphasis on market-oriented research, the importance of fee-paying students, increased attention toward intellectual property to generate revenues and decreasing collegial control. Many researchers, and most notably critical and qualitative researchers, have identified the implementation of "Guides of Ethical Conduct in Research" and various "Institutional Review Boards" to evaluate research ethics as another incarnation of tighter control on academic activities (see, for example, Haggerty, 2004; Hoonaard, 2012; Macfarlane, Desjardins & Lowry, 2004; Taylor & Patterson, 2010).

The stage of massification also presents new challenges to universities. Indeed, increased participation means a diversification of students attending universities. Today students from traditionally under-represented communities attend universities. The presence of these first-generation students is a challenge for universities (Jones, 2014). This diversification also raises important issues of political correctness (Metcalfe et al., 2011).

Globalization also encourages Canadian universities, experiencing acute financial pressures because of low tuition fees and governmental restrictions, to compete for international students in an increasingly competitive international market (Jones, 2014: 14). Such competitive pressures are said to increase the use of quality assessment practices, threatening institutional autonomy (Paradeise & Thoenig, 2013) and acting as constraints to academic freedom (Ledoux et al., 2010). In addition, several writers argue that journal ranking lists have a tendency to promote more dominant, more conservative

28

research paradigms for evaluative purposes, again restricting academic freedom (Harley & Lee, 1997; Mingers & Willmott, 2012).

This broad "narrative of constraints" underlines the increasing pressure professors experience and how they see themselves as surviving in academia (Metcalfe et al., 2011; O'Meara et al., 2009). A similar conclusion is reached in Ylijoki's (2005) study of the narratives of senior professors in Finland, where academic freedom is draped in nostalgia and described as a golden age.

One counterpoint to this narrative might be found in Brew's (2007) account of autonomy in the social sciences. The author argues that the exercise of academic freedom is "complex and multifaceted" and lies, in the end, in the individual choice of the researcher, in which one evaluates whether one wants to pay the price based on one's expectations and beliefs regarding the nature of research (48). In the face of these newly identified constraints, one question seems left unanswered according to the author: "Is the liberty truly lost, or do academics consciously choose not to exercise it?" (61). If professors willingly choose to observe these limits, are they free?

The sociological literature presents a vivid picture of academic freedom as threatened by important changes affecting the system of higher education. However, to evaluate the threat, we need to know what lies beneath it. Yet, these studies seldom provide clear definitions of academic freedom. We therefore turn to another body of work that attempts to do so.

1.4.2 Understandings of academic freedom

> "Providing a fixed definition of academic freedom is difficult
> because no single definition can cover all the complexities
> associated with the concept or adequately account for the many
> cultural contexts where it is practiced"
> (Romanowski & Nasser, 2010: 482)

Surprisingly, while it appears that a lot of research has focused on threats to academic freedom and major changes in higher education, little empirical research has been conducted to illuminate how professors understand academic freedom. Romanowski and Nasser (2010) conducted a study on the perception of academic freedom amongst

professors working at universities in Gulf Cooperation Council (GCC) countries. As part of their findings, the authors concluded that a variety of understandings of academic freedom coexisted, that professors stressed the importance of self-censorship and that no professor recalled any experience of infringement of their academic freedom.

Similarly, Rostan (2010: 71) suggests that there are two different understandings of academic freedom:

> (a) freedom from external constraints in choosing topics, concepts, methods and sources, which in western democracies generally enjoys a certain level of protection by law; (b) freedom to act in the pursuit of goals and values, with academic staff being in control of the relevant means to do so, which is generally strictly related to the overall organisation of universities and the higher education system at large.

These are, broadly speaking, positive and negative understandings of freedom (see Berlin, 1969; Pettit, 1997 for details).

Academic freedom, it appears, is also an ambiguous notion. Kayrooz and Åkerlind (2003) distributed a questionnaire to Australian social scientists asking them what it meant to professors. Five categories of academic freedom emerged from the open-ended question. Indeed, academic freedom meant:

> (1) an absence of constraints on academics' activities; (2) an absence of constraints, within certain self-regulated limits; (3) an absence of constraints, within certain externally-regulated limits; (4) an absence of constraints, combined with active institutional support; and (5) an absence of constraints, combined with responsibilities on the part of academics. (Kayrooz & Åkerlind, 2003: 332)

A reinterpretation of this research argued Australian social scientists shared a "'soft' version of academic freedom, taken to mean the right to teach, research and publish on contentious issues; to choose one's research colleagues; and to receive institutional support when speaking or writing on social or policy issues in areas of expertise"

(Kayrooz & Preston, 2002: 349). In this research, most professors understood academic freedom as individual, with collegiality and institutional autonomy as supporting it. Moreover, three quarters of the surveyed sample of Australian scientists understood academic freedom as a freedom from constraints; most accepted some self- or organization-imposed constraints; and the rest understood academic freedom as the freedom to do unspecified academic activities.

Tight (2007), a late career British professor of higher education, offers an auto-ethnographical reflection on autonomy in the social sciences in which he describes how he changed his opinion on the meaning of academic freedom over the course of his career. Borrowing Kayrooz and Åkerlind's typology, he asserts that he initiated his career as a rather constrained academic believing that academic freedom resided in "1) an absence of constraints on academic activities" to a rather free professor believing that academic freedom resided in "(5) an absence of constraints, combined with responsibilities on the part of academics". What is interesting in his case is the change in understanding over career phases. Robin's (2008) doctoral thesis in contrast found that Great Lakes region professors' understanding was quasi unanimous and coalesced around the idea that professors were free in teaching, but had to exercise professional responsibility. More interestingly, her doctoral research did not identify a discrepancy between the construct of academic freedom and academic freedom in practice as it related to teaching in the classroom (Robin, 2008). While this only concerns the teaching portion of the task of professors, this contradicts most of the literature arguing that a disconnect exists between understandings of academic freedom and experiences, between what should be and what is.

Why such a wide variety of understandings? A first hypothesis would point toward the lack of socialization on academic freedom. It can be explained by the fact that broadly, both in Canada and elsewhere, the Changing Academic Profession (CAP) survey demonstrates that the power of professors diminishes the further away the decision is made (Aarrevaara, 2010; Jones, 2014; Jones et al. 2012). As Aarrevaara (2010: 68) writes, academic freedom "is realized at the department and faculty level." This could

explain part of the variations. Indeed, the fact that academic freedom is a local norm might explain its different understandings in different situations.

Doughty, for his part, argues that academic freedom is an *essentially contested concept*, which means that, in specific situations, it is the definition of academic freedom that is the object of discussions and not the fact that academic freedom is present or not: "Like art, democracy and justice, academic freedom is an essentially contested concept" (Doughty, 2006: 1). Similarly, Gillin (2002: 316) recognized that academic freedom, as a socially constructed norm, is a contested reality. Exploring academic freedom as a norm socially constructed through the process of arbitration in universities, he argues that the "applied meaning of academic freedom" (302) is muddled by "inadequate analysis" and "confusing definitions" (317). Altbach believes that there is a lot of ambiguity surrounding the concept of academic freedom and he calls for a common definition to protect it (Altbach 2001; Altbach et al. 2009). Marginson (2012), for her part, argues that understandings of academic freedom are culturally specific. Hearn (2008) stresses the links between departmental affiliations and understandings of academic freedom.

Blanton (2005) contradicts these propositions. While she acknowledges that the literature recognizes variations in understanding of academic freedom amongst faculty, she reports that "[v]ariables such as faculty or administrative status, academic discipline, source of knowledge, gender, and faculty senate participation seem to have no appreciable effect on knowledge of academic freedom. Regardless of background or experiences, there does not appear to be a common understanding of academic freedom" (113). Her assessment suggests that further research is required.

1.5 Strengths and shortcomings of the literature

In the previous pages, we presented the bulk of the social sciences and humanities literature on academic freedom. We presented the different historical accounts of academic freedom and underlined how fine-grained research unearths complexities linked with this idea. We identified the absence of a constitutional and legal framework constituting academic freedom in Canada and the scarcity of legal research in the

Canadian setting. Borrowing from the normative literature, we presented a panorama of the different arguments invoked in favour of or against academic freedom and remarked on the diversity and munificence of existing arguments. Finally, the sociological literature presented the threats academic freedom faces from pressures on the system of higher education as well as the research on how professors understand academic freedom.

The historical, legal, normative and sociological research provides a road map to navigate different conceptions of academic freedom.

However, this literature faces shortcomings. Our conclusions are simple and clear: the current literature is fragmented and descriptive. The literature is fragmented in the sense that each of these different literatures adopts a specific angle on academic freedom to the detriment of other perspectives. The historical perspective sheds light on the history of academic freedom. Academic freedom has a long and complex history linked to the institution of the university. Unfortunately, this literature does not look at current laws and regulations that structure and limit academic freedom in specific institutional contexts. Similarly, neither the historical literature nor the legal literature focus on the importance of academic freedom emphasized by the normative literature. Finally, none of these literatures explicitly focus on the lived experiences of professors with academic freedom, as does the sociological literature, and there are still few empirical studies on the subject (Braxton & Bayer, 1999; Karran, 2007; Karran, 2009b; Kayrooz & Åkerlind, 2003).

Moreover, this literature is mainly descriptive. Researchers explain in detail the constraints that exist, list the understandings that professors hold, identify the macro level changes that the academic world faces, but they do not explain how academic freedom works. This should be a focus of our efforts, as academic freedom is a heterogeneous, ambiguous, essentially contested concept.

There is a need for a perspective that integrates and theorizes academic freedom. There is a need to integrate historical, legal and normative literature and to provide

theoretically sound explanations for the diversity, ambiguity and the situated nature of academic freedom.

How can we provide a perspective that includes the historical and situated nature of academic freedom, its understandings, how it is valued and the relevant rules and regulations that construct it? We suggest it is by adopting an institutionalist perspective in the sociology of professions and by treating it is as a norm of professional autonomy. This perspective, we argue, identifies academic freedom as a norm of professional autonomy (incorporating the historical and sociological literature) constituted by cognitive (understandings of sociological literature), normative (normative literature) and regulative (legal literature) institutions. The next chapter is dedicated to proposing the conceptual frameworks necessary to conduct such research.

Chapter 2 Academic freedom as professional autonomy: An institutional perspective on professions

As we saw, the current literature presents a valuable yet fragmented and under-theorized view of academic freedom. It is therefore relevant to seek ways to integrate these strands of research and to contribute to its theoretical foundations. In this thesis, we turn toward an emerging branch in the sociology of professions to rise to the challenge. Indeed, one way is to study professors as professionals and to understand academic freedom as a norm of professional autonomy equipped with an institutional approach.

This was not the conceptual approach with which we set out at the commencement of this research project. In the process of making sense of our data, we had to abandon certain ideas, modify others and reconstruct our conceptual framework. In our thesis proposal, we outlined three central ideas: 1) construction as constructionism and constructivism, 2) formal and informal institutions, and 3) inhabited institutions. We drifted away from these ideas and moved to other related themes. In doing so, we explored other theoretical groundings such as the sociology of valuation and evaluation (Lamont, 2012), the sociology of knowledge (Cetina & Knorr-Cetina, 1991; Krohn et al., 1981; Shapin, 1995), the sociology of intellectuals (Kurzman & Owens, 2002; Mannheim, 1993), identity theory (Brown, 2015; Humphreys & Brown, 2002) as well as critical perspectives grounded in Foucault (1980). We chose to adopt a broad grounding in institutional theory.

In order to make sense of the data, instead of distinguishing between formal and informal institutions, we adopted Scott's three pillars approach. We also broaden our understanding of construction and we kept the general impulse of inhabited institutions, but have foregone the precise ethnographic and interactionist lens. We framed our approach under the institutional perspective in the sociology of professions developed by Scott (2008) and others (Muzio et al., 2013; Muzio & Kirkpatrick 2011; Suddaby & Muzio, 2013; Suddaby & Viale, 2011). In sum, it was when we came in contact with the data that we modified our approach. In this sense, the following conceptual framework

is data-informed. It respects the empirical material and does not try to force a conceptual framework upon it.

Apart from the empirical fit, we chose this framework for a number of reasons. First, we will try to show in the rest of this chapter how such a framework can better theorize and integrate the different research strands on academic freedom. But also, this project is in line with important scholarly contributions in organization and management theory as well as in the sociology of professions. This is manifest in three ways. First, there has been a sustained and growing interest in the relations between professionals and organizations in the sociology of professions. Second, there has been increasing focus on professionals in organizational settings in organization and management scholarship. Third, research on academic freedom and on professional autonomy displays striking thematic similarities. These are the three *prima facie* reasons that we develop in the next few paragraphs to explore the linkage between sociology of professions and academic freedom.

First, regarding the sociology of professions, the relations between professionals and organizations has been an important topic for discussion ever since Max Weber (Nina & Toren, 1976; Waters, 1989). In fact, according to Hinings (2011: 405), three waves of study have succeeded one another over the past 50 years: the first one, inspired by Weber, explored the conflicts between bureaucratic and professional logics; the second explored power relations and how professional groups affected the markets; and the third and current phase focuses on professionals in organizations.

Second, in organizational and management theory circles, the fate of professions seems to be an important topic. The links between professionals and organizations has been an emerging theme of recent research as well as in organization and management theory. As such, it has been the subject of special editions in *Current Sociology* (2011) to which important organizational scholars have contributed as well as in the *Journal of Managements Studies* (2013). The research community furthermore saw the birth in 2014 of a journal entirely dedicated to this question: the *Journal of Professionals and Organizations*.

A third reason to treat academic freedom as professional autonomy is the strong thematic linkage between the two discussions. Not only is academic freedom a case of professional autonomy, but just as in the case of academic freedom, important research in organization and management theory has underlined the pressures on organizations with professionals and how these affect professional autonomy. In recent years, some have argued that a growing discussion over professionalism, autonomy and its relation to organizations has been spurred on by the erosion of the professional organization by bureaucracy or by management (Brock, 2006; Hinings, 2006; Park et al., 2011; Suddaby & Viale, 2011), the introduction of continental practices in Anglo-American professionalism (Ackroyd, 1996; Evetts, 2011; Hinings, 2006) and neo-liberalism (Noordegraaf, 2011). For Evetts (2011: 145), "[p]rofessional service work organizations are converting into enterprise in terms of identity, hierarchy and rationality," restraining the autonomy that resides in professionalism. Others identify both globalization, new informational technology, changes in the administration of state professionals (Ackroyd, 1996; Muzio & Kirkpatrick, 2011: 393), changing markets (a shift toward a service economy, increased competition in the professional sphere, globalization or services), institutional changes (deregulation and boundaries blurring between professions) and new management structures leaning toward corporatisation and managerialism (Hinings, 2011: 410-417) as having led to the rise of the importance of organizations in professionals' lives. The composition of the professional workforce has also changed with increasing diversity and rising inequalities in revenues (Leicht & Fennell, 2008). Note the common threads in these arguments and the discussion of threats to academic freedom noted in the previous chapter.

These phenomena that epitomize the loss of professional autonomy have been described as a major shift from "occupational professionalism" to "organizational professionalism": a "shift from notions of partnership, collegiality, discretion and trust to increasing levels of managerialism, bureaucracy, standardization, assessment and performance review" in the professions (Evetts, 2011: 407). Similarly, Muzio and Kirkpatrick (2011), in their introduction to their special issue, review the important shifts that are occurring: the emergence of an expertise mindset with commercial aims to replace the social trust as the basis of the professional ideology; the increasing

37

importance of managerial influence on professional work, also labeled *proletarianization*, as well as the growing role of organizations in defining and regulating the professional project.

Today, scholars note that "most professional activity now takes place in organizational settings, whether this be in the context of publicly run services or large, private sector firms" (Muzio & Kirkpatrick, 2011: 390). According to Scott (1992), professionals integrate organizations in three ways: 1) in autonomous organizations that represent the traditional organization of autonomous professionals, 2) in heteronomous organizations composed of professionals and non-professionals, in which the organization of the work is managed by non-professionals, and 3) in conjoint organizations where professionals work side by side, but autonomously (as cited in Leicht & Fennell, 2008: 432). The integration of professionals in organizations raises specific concerns for some scholars.

In most cases, these threats to professional autonomy are understood as threats to "double closure" (Ackroyd, 1996). The idea of double closure directs our attention to the insulation of the professionals from external and internal threats. Indeed, professionals "maintain considerable control by combining a closure in the labour market outside employing organizations through their associations and the practice of licensing practitioners, but they also maintain control inside employing organizations as well, through informal organization" (Ackroyd, 1996: 600). "External closure" (the first form of closure) is a form of differentiation between professionals and the general workforce. In the traditional narrative, it insulates professionals from market and state pressures. In contrast to other workers, professionals have control over their profession. "Internal closure" (the second form) is a differentiation between professionals and other members of the organization such as white-collar workers. In the absence of interference from external or internal sources, professionals are autonomous. These notions of internal and external closure can be linked to the notions of academic freedom as individual freedom, collegiality and institutional autonomy that we explored earlier.

In sum, strong parallels can be drawn between what is affecting academic freedom and, more generally, what is affecting professional autonomy. Both professors' academic

freedom and professionals' professional autonomy in general have been experiencing important pressures. This similarity illustrates the close ties between academic freedom and the sociology of professions, and highlights how threats to autonomy faced by professionals embedded in organizations are understood in the literature. Also, just as organization and management theory has been interested in professional organizations, the sociology of professions has been interested in organizational issues.

For all these reasons, it appears worth bridging the gap between organization theory and the sociology of professions to explore the issue of academic freedom. More specifically, we will mobilize the concept of institution. In the following pages, we systematically unpack these ideas. First, we explore the sociology of professions and the recent proposals to develop an institutionalist perspective. Then, we move to the elements of our conceptual framework: we develop a concept of institution, problematize agency in the context of this research and discuss the constructions of actor and agency.

2.1 The sociology of professions to better integrate and theorize academic freedom

In this section, we first present research in organization and management theory from a broadly understood institutional approach that focuses on professional settings. We then present the three traditional perspectives in the sociology of professions. Finally, we go over notable proposals for an institutional perspective in the sociology of professions.

2.1.1 Institutionalist research on professions

In recent years, numerous explorations of professionalism from an institutionalist perspective have emerged. They provide rich theoretical insights into the phenomenon. Indeed, institutional theory is a heterogeneous theoretical perspective. As it is composed of different strands, each with their specific focus, the institutional literature is very diverse. This richness exemplifies how it can help theorize complex phenomenon. In this section, we will review part of this literature. Yet, after contact with our data, it became apparent that none of these proposals appeared to capture the empirical nature of professional autonomy.

The most recent intellectual movements in the institutionalist literature on professionals include a discursive perspective (Lefsrud & Meyer, 2012), a practice perspective (Gherardi, 2012; Zilber, 2002), structuration theory (Chreim et al., 2007), institutional work (Currie et al., 2012; Empson et al., 2013; Singh & Jayanti, 2013), institutional logics (van Gestel & Hillebrand, 2011; Goodrick & Reay, 2011; McPherson & Sauder, 2013; Thornton et al., 2005) and the continuation of more traditional sociology of professions (McMurray, 2010; Robertson et al., 2003). These contributions in institutional theory of professional settings mostly highlight departures from the mainstream institutional top-down, stable narratives.

Among the recent developments, there has been a noteworthy focus on meaning. Lefsrud and Meyer (2012) concentrate on the construction of professional engineer and geoscientist identities in the midst of the debate over climate change and reiterate the value of framing activities related to contestation and the construction of expertise, therefore acknowledging the centrality of actors and their agency. Gherardi (2012) draws attention to telemedicine discursive practices and identifies *docta ignorantia* as the mode of knowledge-in-practices in which the professional is unaware of the principle of his or her own practices. In distinguishing core from marginal cardiological teleconsultations activity, she shows how "the former [...] are oriented towards the formation of the object of practice, [and] the latter are oriented to the reproduction of the practice itself" (34). Zilber (2002), in her study of rape-crisis centers, directs her attention to the relations between meaning and institutions, and demonstrates how different meanings can support identical formal institutions. Chreim et al. (2007) showed how the reconstruction of role identities among physicians was enabled by the presence of multiple discourses, the presence of meanings to serve as building blocks and the interaction between micro and macro levels.

A second branch of innovative empirical studies finds inspiration in the notion of institutional work. This perspective, inspired by the sociology of practice and by renewed interest in agency in institutional approaches, aims to uncover how actors create, maintain and disrupt institutions (Suddaby et al., 2002). This strand of research was widely mobilized by scholars. Currie et al.'s (2012) work on medical

professionalism emphasizes the political dimensions of maintenance work and how different mechanisms can accomplish multiple objectives of construction, maintenance and disruption. For example, theorizing can be both a mechanism of institutional maintenance and of institutional creation. Empson, Cleaver and Allen (2013), for their part, mobilize the relation between two different professionals to socialize institutional work, that is to explore how relations and not only actions are relevant to institutional work.

Similarly, some borrowed from the notion of institutional logics to explore professional settings, providing them with an illuminating theoretical grounding. Contrary to institutional work, institutional logics (Thornton & Ocasio, 2005: 101) focus on the meanings and content of institutions understood as "socially constructed, historical pattern of material practices, assumptions, values, beliefs, and rules by which individuals produce and reproduce their material subsistence, organize time and space, and provide meaning to their social reality (Jackall, 1988: 112; Friedland & Alford, 1991: 243)" (Thornton & Ocasio, 1999: 804). Singh and Jayanti (2013) bridge the gap between institutional logics, institutional work and role theory, and contribute to a multilevel understanding of change by showing how institutional work is organizationally constructed. Through the use of a historical study on the work of pharmacists, Goodrick and Reay (2011: 403) demonstrate the presence of a plurality of logics in the professional world (professional, market, state and corporate logics) and how they draw from broader social logics: "(a) a constellation where one logic is dominant over the others, (b) a constellation where two logics exercise relatively equal and significant influence on behavior, and (c) a constellation where one logic exercises moderate influence and others show some, but less influence." Similarly, van Gestel and Hillebrand's (2011) research on stability and change in institutional logics identifies, in the absence of a dominant actor, co-existence of logics or instability as a modus vivendi. Compromise strategy and deliberate ambiguity appear central to achieving stability in the field. Accommodating institutional logics to historical sequencing, Thornton et al. (2005) study how the different cultures affect governance in professional industries and how patterns emerge diachronically. They find how different logics imply different patterns of change. Research in institutional logics also draws on the metaphor of

41

sedimentation from the literature on archetypes and invokes the accommodation of multiple logics (Cooper et al., 1996).

Finally, the sociology of professions still contributes greatly to the institutional literature. Montgomery and Oliver (1996) evaluate how organizations and professionals respond to institutional pressure. More precisely, they study how professionals react to the presence or absence of policy regarding divulgation of an AIDS condition in medical practice. They propose that ambiguity and internal organizational characteristics dampen the traditional neo-institutional narrative of isomorphic process. Regarding professional dominance, they demonstrate that the autonomy of the professional is evident in the divergence between rules and practices in organizational settings. McMurray (2010) challenges the doxa-like status of the threat of managerialism and entrepreneurship to professionals by finding that it was a prime factor in the recognition of a group of advanced nurse practitioners by physicians. Finally, Robertson, Scarbrought and Swan (2003) explore how the institutional context affects the autonomy, the identity and the mode of legitimation of knowledge in professional consultant firms, and they stress the heterogeneous nature of similar knowledge-intensive firms.

In a sense, professional settings appear conducive of theoretical innovation for institutional theory. This realization is one of the elements that led us to frame our data using an institutional perspective on professions. While none of these propositions apply neatly to our research, we have nonetheless retained a certain number of elements relevant to the professional setting, such as the complex process surrounding the social construction of identities (Chreim et al., 2007; Lefsrud & Meyer; 2012), the role of organizations in their construction (Singh & Jayanti, 2013), the complexity of organizational life (McMurray, 2010; Montgomery & Oliver, 1996; Robertson et al., 2003) and social settings (Cooper et al., 1996; van Gestel & Hillebrand, 2011; Goodrick & Reay, 2011; Thornton et al., 2005), the plasticity of formal institutions (Zilber, 2002), as well as some specific modes of knowing such as *docta ignorantia* (Gherardi, 2012).

While this literature explores professional settings using the tools of institutional theory, it does not accurately depict the phenomenon of professional autonomy. It is true that

much of these understandings is implicitly linked to agency. Indeed, the construction process of professionals' identities in the midst of a controversy is one way of construing the social construction of agency (Lefsrud & Meyer, 2012). Gherardi (2012: 34) describes how *docta ignorantia*, a special mode of knowledge, fuels professionals practice. *Docta ignorantia* could therefore be understood as a way to foster agency. This is also true of many other propositions. The multiplicity of logics in Chreim et al. (2007) and the plurality of logics in Goorick and Rey (2011) enable agency. In Empson and Allen (2013), the dyadic relationship enables institutional work, or in other words, agency. Finally, the description of professionals responding to institutions' pressures in Montgomery and Oliver (1996) is yet another way to approach agency. Regardless, none of these studies explicitly focus on professional autonomy. This is why we believe it is a promising avenue.

2.1.2 Three perspectives in the sociology of professions

In the previous sections, we outlined how an important institutionalist stream of research focused on professionals in organizations. While theoretically rich, it did not focus on professional autonomy explicitly. Furthermore, the elegant ideas developed did not help us make sense of the empirical reality explored. In this section, we present the major perspectives in the sociology of professions and how they understand professional autonomy. A perspective in the sociology of professions will help us focus on professional autonomy explicitly.

First, we might ask "What is a profession?". An important literature attempts to properly define professions as a category. For example, Larson (1977), identifies occupational closure, i.e. the power to decide who is a professional and how services are rendered, as crucial aspect of the professional project. Paradeise (1988: 13), in a similar line of thought, simply describes professions as closed markets, that is a market where professionals define, construct and support the qualification of a specific workforce. According to Von Nordenflycht (2010: 163) there is a consensus on the characteristics of professions: 1) an expertise, 2) the capacity to regulate access and control exercise, and 3) an informal and formal normative framework composed of expectations and professional codes. Freidson (1999: 118), for the sake of parsimony and to build a

common inclusive ground to foster research, defines professionalism "as the occupational control of work." Professions have other characteristics according to Freidson, such as the specificity that the product is contingent upon clients, and that it is based on abstract knowledge. As a "theoretically based discretionary specialization" (119), the profession controls the division of labour and the market, yet its schooling is regulated by the state and integrates ideologies and values, notably to serve the public interest. Hughes identified professions as an occupation with a specific legal status that provides privileges and legitimacy (Hughes, 1958; Paradeise, 1988). It is time to untangle these many propositions.

For some scholars, such as Evetts (2006: 134), a strict understanding of professions is no longer useful: "definitional precision is now regarded more as a time-wasting diversion in that it did nothing to assist understanding of the power of particular occupational groups (such as law and medicine, historically) or of the contemporary appeal of the discourse of professionalism in all occupations." We will follow in his footsteps.

For the sake of this research, we treat professors as professionals and autonomy as a central tenet of professionalism. Under the guise of expertise, power or discourse, autonomy is central to the understanding of professions. Indeed, according to the literature on professionalism, autonomy is its central feature. While a few argue professionals do not seek autonomy (see Mastekaasa, 2011 for exemplar), Faulconbridge and Muzio (2007: 255) note that major "work by Johnson (1972), Mintzberg (1983), Montagna (1968) and Raelin (1991) consistently suggests that professionals tend to resent supervisory arrangements and regard managerial decisions as 'arbitrary and inconsistent'." Similarly, Von Nordenflycht (2010: 163) argues that "one of the central professional norms is a strong preference for autonomy (Alvesson & Karreman, 2006; Bailyn, 1985; Briscoe, 2007; Friedson, 1970; Hall, 1968; Lipartito & Miranti, 1998; Scott, 1965)." We expressed it in the introduction and reiterate here, the centrality of autonomy for professions is not contentious.

In fact, the answer to "What is a profession?" is really contingent upon the perspective one takes on professionalism. Scott (2008) identified three main research traditions on professionals: functionalist, political and institutionalist. From our readings, we add to this typology a fourth critical discourse perspective on professional autonomy put forward notably by Fournier (1999) as well as Evetts (2006). We present the functionalist, political and critical perspectives in this section and devote the next to the institutional perspective in the sociology of professions, which is at the centre of this research project.

The functionalist heritage of professional studies concerns itself with the definition of professions and the function they fulfill in society. If one adopts a functionalist perspective, one is likely to define professionals as "socialized into occupations where the key values are autonomy, peer control, and vocation" (Hinings, 2006: 405). Functionalists have a specific understanding of professional autonomy. According to the functionalist understanding of professions, an asymmetry of expertise is at the core of the professional project. Because of the asymmetry, clients are not in position to evaluate the quality of the service rendered (Sharma, 1997), only peers possessing similar expertise can evaluate the services. Therefore, there is a need for the professionals to regulate themselves by deciding who is allowed to practice and the "how" follows from this expertise. Autonomy is required to express expertise. It is both a safeguard and a requirement.

The second perspective, a political perspective championed by many organizational scholars (Hinings, 2011; Muzio et al., 2013; Paradeise, 1988; Scott, 2008) represents a profound shift in analysis away from the structural-functionalist sociology of professions which primarily focused on describing how society identified professions. As Paradeise (1988: 11) explains, this shift consisted in considering professionalism as an object of analysis to be explained rather than as a fact to be described. The political perspective defines, on the one hand, professions as a special type of occupation with a large area of auto-regulation and, on the other hand, professionalism as a struggle for power between the profession and the state, between the profession and the public or between professions (Scott, 2008). The political perspective adopts a less normative

stance and focuses on the notion of power as a central device to explain the emergence of professions. Mostly through historical explanations, it recounts how the professions emerged by the closure of a specific practice and how a group was designated as gatekeepers of this practice (Abbott, 1986; Freidson, 1986). The political explanation of autonomy sees this characteristic of professionalism as a consequence of power rooted in the asymmetry of knowledge as well as in the legal structure. This is a steep departure from the structural-functionalist perspective.

Finally, a critical perspective portrays professionalism as a discourse. According to critical scholars, professionalization is a discourse designed to hide subtle forms of control through the inculcation of an ideology of professional competence (Evetts, 2011; Fournier, 1999) . To support this stance, Fournier mobilizes the Foucaldian concept of *governmentality* and explains how discourses of professional autonomy actually constrain professionals. The author of "The appeal to 'professionalism' as a disciplinary mechanism" argues that the autonomy provided by professionalism is actually inscribed in a narrow provision of acceptable conduct (Fournier, 1999). By adopting professionalism and professional autonomy as a norm of conduct, professionals do not gain freedom, but actually internalize specific rules. Professionalism in fact creates a specific subject position and, through the notion of expertise, "the governed are constituted as autonomous subjects and are encouraged to exercise their freedom in appropriate ways" (283). Other scholars have built on the critical perspective mobilizing a different framework (Thomas & Hewitt 2011; Wicks, 2004). The question of autonomy is not the focus of the authors working in critical perspective: they see professionalism as a discourse that heightens control by other means (Fournier, 1999).

We believe these perspectives only provide an incomplete picture of the phenomenon of professionalism. Functionalism focuses on expertise, political perspective on power and the critical perspective on modes of control. We need a broader perspective that can integrate elements from these three perspectives. We believe it can be found in the institutional approach of the sociology of professions.

2.1.3 Current propositions for an institutional perspective on professions

In recent years, the institutional perspective in organization and management theory has inspired theoretical developments in the sociology of professions. Such an institutional perspective offers two major advantages for the study of academic freedom. The first, as we have already seen, is that the institutional literature comes with an important and complex body of literature that provides resources to better theorize academic freedom. The second advantage is that this body of literature enables us to integrate the different historical, cognitive, normative and legal literatures discussed in the previous chapter as well as some insights from the functionalist, political and critical perspectives.

Indeed, an institutional perspective would assert, as functionalists argue, "that professional jurisdictions can be contested and changing without being a simple matter of political clout [as the political perspective argues] and that in many circumstances the advancement of professional interests is not inconsistent with attention to client welfare" (Scott, 2008: 219). According to the institutional model, professionalism is therefore equally a value-laden activity, as portrayed by the functionalists, as it is the product of a political game (Scott, 2008: 221). We would also argue that it enables the exploration of the notion of constraints and control prized by critical scholars. Moreover, and we will outline this claim in the next section, the institutional perspective brings back the historical, cognitive, normative and legal literatures into the fold.

Recent contributions have indicated the need for an institutional perspective on professions (Muzio & Kirkpatrick, 2011; Scott, 2008; Suddaby & Muzio, 2013; Suddaby & Viale, 2011). These emerging institutional perspectives in the sociology of professions, when applied to academic freedom, can respond to shortcomings of the academic freedom literature. In what follows, we present three propositions from an institutional perspective on professions developed recently: the first approach centers on the notion of institutional pillar (Scott, 2008); the second approach mobilizes recent developments in institutional work (Muzio et al., 2013; Suddaby & Viale, 2011) and the third is located at the field level and is reminiscent of classical neo-institutionalist accounts (Suddaby & Muzio, 2013). Afterwards, we build on these three approaches to propose a conceptual framework.

The first proposition comes from Scott (2008) and focuses on his classical three pillars approach to institutions. In the next section, we will explore his proposition in greater details. For now, suffice it to say that that Scott identifies professionals as key agents of institutionalization and therefore examines professionals under the institutionalist umbrella. Doing so implies departing in crucial ways from previously conceptualized political, functionalist and critical models. Scott (2008: 219) proposes a "social constructionist conception of the role of professions." In this theoretical perspective, institutions are of cognitive, normative and regulative nature (we define and discuss those in the next section), and professionals are important agents who mobilize and exercise agency with, within and through these pillars. Professionals create institutional projects, amongst which their profession, and are in turn shaped by the institutions they create.

The second proposition frames itself as an ecological-institutional lens on professions (Suddaby & Muzio, 2013). As an institutional perspective, it sees professionalism as a constant process of institutionalization instead of a reified structure, as in the functionalist perspective, or the expression of power, in the political perspective. This approach was inspired by Abbott (1988)'s systemic view of the profession in which professions compete amongst themselves for jurisdiction. It inches it a step further by building on Hannan and Freeman (1984)'s ecological perspective. Societies are ecosystems of "dynamic interaction between professions and other social institutions and our interest is in understanding how they mutually inform, reinforce and complement each other" (Suddaby & Muzio, 2013). The authors identify a series of debates in the ecological perspective that are relevant to the study of professions: "Are actors mobilizing strategies of competition or cooperation?", "Are the mechanisms of human development more salient than those of natural selection?", "Is the society in a state of stability or of constant disequilibrium?" Suddaby and Muzio believe these questions are relevant to the sociology of professions and can be brought to the fore by adopting an ecological-institutional theory of professions. An important contribution from this perspective is to situate professions in a wider institutional context. Norms of professional autonomy are institutions that depend on the broader social context.

A third proposal, focused more explicitly on bringing agency back into institutional approaches, puts forward an institutional theory of professions based on the concept of institutional work. Just as Scott (2008) lays out in his proposal, the authors (Suddaby & Viale, 2011; Muzio et al., 2013) recognize the important contribution of professions, as institutional agents, to societies. The authors examine professions as an important subset of institutions: "an institutionalist perspective should focus on the interrelation between professionalization and institutionalization as not only concomitant but also as intimately related and inseparable concepts" (Muzio et al., 2013: 706). All in all, the professional project is one of institutionalization. Moreover, agents, and professions in particular, play an important role in institutionalization. Therefore, we should focus on how to create, maintain and disrupt institutions (Suddaby et al., 2002).

The propositions focusing on institutional work (Muzio et al., 2013; Suddaby & Viale, 2011) as well as Scott's (2008) belong to a broader shift in institutional approaches focusing on the micro elements. Indeed, where institutional work calls for "focusing attention on the mundane and everyday activities through which institutional reproduction and change occurs" (Muzio et al., 2013: 708), Scott refers to Hallett and Ventresca's (2006) inhabited institution proposition. Indeed, Scott takes seriously what Hallett and Ventresca call "the people problem" in institutional theory. According to these authors, "[i]nstitutions are not inert cultural logics or representations; they are populated by people whose social interactions suffuse institutions with force and local meaning" (2006: 225). Similarly, Powell and Colyvas (2008: 2) direct us toward the micro level for explanatory mechanisms of institutional creation, disruption and, in general, change: "In our view these macro lines of analysis could also profit from a micro motor. Such a motor would involve theories that attend to enaction, interpretation, translation, and meaning. Institutions are sustained, altered, and extinguished as they are enacted by individuals in concrete social situations." As we shall see in the next section, in which we develop our conceptual framework, we take these propositions very seriously.

One last point should be covered before moving on to the conceptual framework. These institutional approaches all focus on professions, but do not conceptualize professional

autonomy, and yet that is our main point of interest. Are professionalism and professional autonomy equivalent? Can we apply the same theoretical approach? Is professional autonomy an institution? We believe we can treat professional autonomy (and not only professions) as an institution because the characteristics of institutions are transitive, i.e. they apply to part of the institution. If a wall is white, then a part of this wall is also white; if professions are institutions, then professional autonomy, which is central to professions, is also an institution. Both professions in general and professional autonomy in particular share institutional characteristics. More specifically, we will see that both professions and professional autonomy embody institutional characteristics understood as regulative, normative and cognitive aspects.

We build on these three contributions to propose a framework situated within Scott's three pillars framework, keeping in mind that the institution of academic freedom is situated in a broader societal context and with a strong interest in the question of agency, central to institutional work.

2.2 Conceptual framework

For heuristic and pragmatic reasons, we believe it makes sense to approach academic freedom as an institution of professional autonomy. For heuristic reasons, it makes it possible to approach it with a more theorized perspective that was lacking in previous research. For pragmatic reasons, it makes it possible to integrate a variety of perspectives. In sum, because it integrates the different strands of research and offers theoretical grounding for a puzzling and endangered phenomenon, an institutional perspective on academic freedom and professional autonomy is a worthy endeavour.

According to authors of the institutional perspective on professions, professionals are uniquely positioned in the institutional realms since professions are institutions and professionals are important institutional agents (Muzio et al., 2013; Scott, 2008; Suddaby & Viale, 2011). In the following, we detail the theoretical framework presented in Figure 1 Institutionalist conceptual framework. As institutions, professions can be described under Scott's (1995) three pillars approach of institutional theory. As important institutional agents, professionals construct their profession through these

institutions. This framework therefore takes into account two main ideas: 1) a concept of institutions, 2) the construction of actorhood. We discuss these in turn.

Figure 1 Institutionalist conceptual framework

INSTITUTIONS

Cognitive   Normative   Regulative

Taken for granted

Valued beyond the task at hand

Embedded in rules and coercive

CONSTRUCTION
Definitions, understandings, rules, regulations, laws and policies, etc.

ACTORS
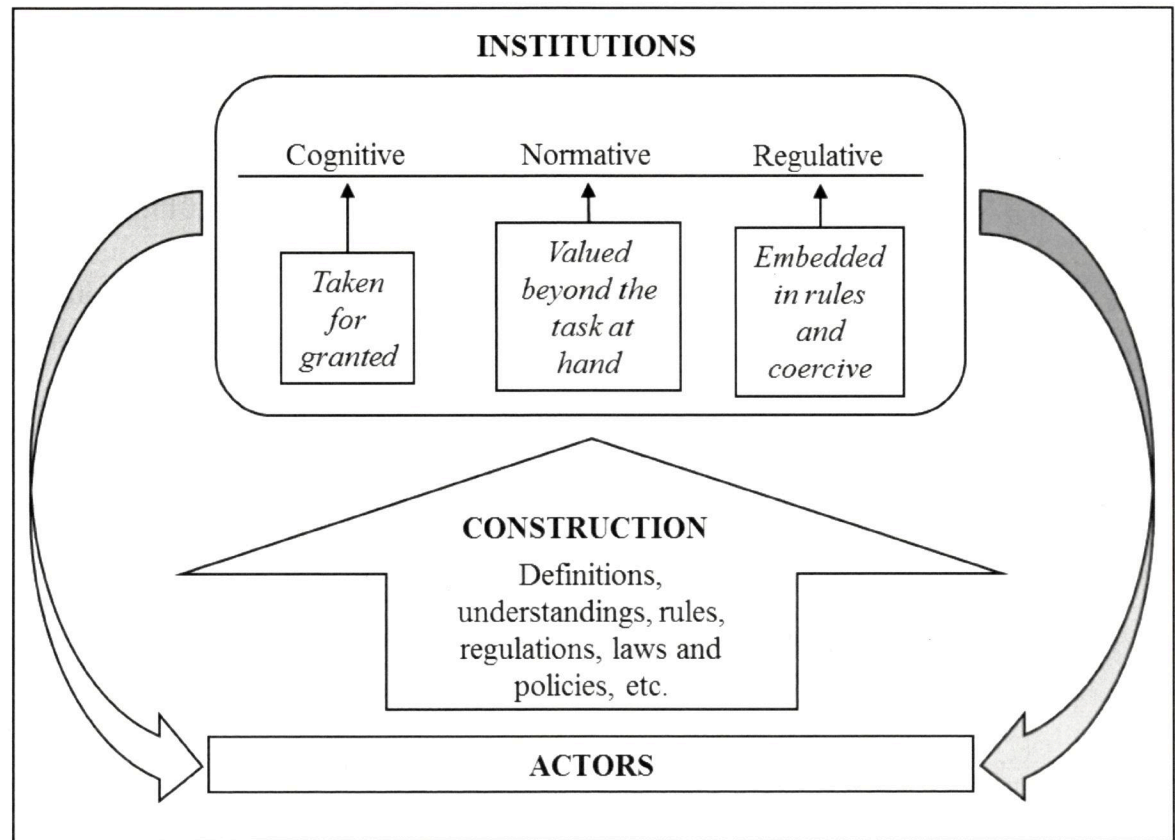
2.2.1 Institutions: the three pillars approach

Scott (2008), Muzio et al. (2013), Suddaby and Muzio (2013), and Suddaby and Viale (2011) all consider professions to be institutions. Unsurprisingly, institutions are central to an institutional approach to professional autonomy. Our first task is therefore to explore the concept. We examine institutions using the three pillars framework because it is in tune with our empirical grounding and because it provides an oecumenical conception of institutions. Moreover, the three pillars approach enables the integration of the disparate strands of research on academic freedom that we presented in the literature review. We will discuss this bringing together shortly. The empirical fit will be made apparent as we present academic freedom as an institution in chapters 4 and 5.

Scott (2008) looks at professions through institutionalist lenses in order to eschew rigid functionalist or self-interested political explanations of professionalism. According to the author, an institutional perspective on professions entails understanding them as socially constructed institutions. The author mobilizes the notions of pillars, carriers and related institutional notions to provide a better understanding of professions. According to the institutional model, professionalism is equally a value-laden activity, as portrayed by the functionalists, as it is the product of a political game (Scott, 2008: 221). Summarizing the institutionalist position, Suddaby and Muzio (2013: 10) confirm that:

> "while it assumes that the rhetoric of professionalism is influential and persuasive, it does not adopt the essentialist view of structural functionalists that professionalism exists in practice or that it is unique to professional service firms. (…) while it accepts the premise of power theorists that professions are interested in perpetuating their social and economic privilege, it does not take this to be the defining characteristic of professional service firms."

In such a perspective, academic freedom is neither a reified structure nor a function of power.

Scott's proposition is based on a framework developed in his previous research. It provides a unifying perspective to approach institutional phenomena. As a first step, he recognizes the variety of definitions of institutions. Indeed, some scholars understand institutions as taken-for-granted cognitive schemas, some as norms and values, and others as rules and regulations. Scott's (1995) theoretical move is to describe each of these not as competing definitions of institutions but as complementary facets of the institutional system. Hence, he proposes the following oecumenical definition (33):

> Institutions consist of cognitive, normative, and regulative structures and activities that provide stability and meaning to social behavior. Institutions are transported by various carriers —cultures, structures, and routines— and they operate at multiple levels of jurisdiction.

The first facet of institutions is the regulative pillar. Regulative aspects of institutions refer to coercive formal and informal rules linked to applicable sanctions. Concretely, they include international conventions, laws, judgements, government agencies' regulations, organizational policies, etc. The regulative pillar refers to social sanctions embedded in experiences to inform us of the regulative aspect of academic freedom. As crafters of rules and regulations, professionals are important actors of this field.

The second aspect is the normative dimension of institutions. The normative pillar rests on values and norms that determine what goals can be legitimately pursued. One way to approach these is to focus on the accounts and the values expressed by informants in interviews. The normative facet of institutions can be derived from the arguments put forward and experiences evoked by faculty members as testimonies of the normative aspects of the institution of academic freedom. Typically, they take the form of rules valued beyond the requirement of the tasks at hand (Selznick, 1957). As normative institutions, institutions include values and norms that acquire taboo-like societal standing. The normative aspects of institutions enable the integration of the normative literature on academic freedom.

Finally, the cognitive pillar refers to taken-for-granted worldviews. It is made up of the typified categories and understandings held by individuals (Berger & Luckmann, 1977). In other words, cognitive institutions consist of our understandings, our definitions and the limits of objects that constitute the social world.

In sum, we focus on cognitive institutions as understandings of academic freedom that are taken for granted, normative institutions as the normative aspects of academic freedom that are valued beyond the requirements of the tasks at hand and the regulative institutions as formal and informal rules with coercive power. While highly formalized here, we chose this framework after the data was collected because it appeared to be a good tool to better understand it in all its broad scope.

2.2.2 Professional autonomy as the construction of agency

The question of agency is of particular importance in institutional theory. It is even truer when the institution we are exploring, professional autonomy by the proxy of academic

freedom, is linked to agency. Professional autonomy is a form of agency specific to professionals. Yet, this question is largely left un-problematized in the literature on the institutionalist perspective on professions.

According to Scott (2008: 223), "[p]rofessionals are not the only, but are (...) the most influential, contemporary crafters of institutions. In assuming this role, they have displaced earlier claimants to wisdom and moral authority —prophets, sages, intellectuals— and currently exercise supremacy in today's secularized and rationalized world." This dominant position is based on a societal shift toward a theoretic culture marked by the great use of symbols, of technology to store knowledge and of rationality (Donald, 1991 as cited in Scott, 2008: 224; a similar point is made by Meyer & Jepperson, 2000). Building on his institutional typology, that we have already described, Scott (2008) identifies three ways professionals exercise their agency:

1) as cultural cognitive agents, they construct worldviews and "select, combine, enhance, reconstitute and organize our ideas about it" (224);

2) as normative agents, they develop, propose, defend and create standards most often linked to their areas of expertise;

3) as regulative agents, they craft and enforce formal rules and regulations.

But this framework seems insufficient when we turn it around to explore the institution that enables this institutional agency, which is professional autonomy. At least, it would be warranted to thematize and explore the relations and tensions between professionals as institutional agents and professionals as institutional patients, that is as subjected to institutional agency. We will unpack these ideas.

First, we present the knot of tension between institutions and agency. The fundamental idea behind institutional theory is that higher order factors explain lower order phenomena (Schneiberg & Clemens, 2006). Indeed, for traditional institutional theory, actions are not the sole —or not at all– the product of free will. Caricature depictions of institutional approaches represents individuals as institutional and cultural dopes (Garfinkel, 1967). Institutional perspectives, because of their focus on higher order

54

elements to explain lower order ones inherently problematize agency (Scott, 1995). Indeed, if "by the very fact of their existence, institutions control human conduct" (Berger & Luckmann, 1966: 52), how can individuals act freely?

This question is particularly relevant in the context of an institutional perspective on academic freedom and professional autonomy. As one might ask: "If professional autonomy and academic freedom are institutions, and that by virtue of being institutions they control human conduct, how could professors and professionals be free?" What we mean is that the question of agency is inherently problematized in institutional theory and that the case of academic freedom as an institution of professional autonomy is a particularly salient case that warrants exploration.

Indeed, while propositions for an institutional approach in the sociology of professions recognize professionals as important institutional agents, they seldom investigate the source of this agency. In the case of Scott's (2008) proposition for an institutional perspective on professions, this tension between agency and institution, between professional autonomy and control, is not discussed. The same is true of other authors of the institutional perspective in the sociology of professions previously explored (see Muzio et al., 2013; Muzio & Kirkpatrick, 2011; Suddaby & Viale, 2011).

This confirms Meyer and Jepperson's (2000: 101) conclusion that, most generally, "[a]ssumptions about actorhood are now so taken for granted that social scientists use the term 'actor' with little reflexivity to denote people or organized groups, as if such entities are by definition actors." The authors argue that these institutionalist propositions often posit humans as endowed with a natural agentic ability that is constrained by social forces. Some actors, because of their skills or resources, are able to break free of the iron cage and exert agency on social life. Battilana and D'aunno (2009: 45) describe this particular concept of agency, prevalent in some institutionalist perspectives: "The concept of agency is associated with terms such as motivation, will, intentionality, interest, choice, autonomy, and freedom. Agency is often referred to as actors' ability to operate somewhat independently of the determining constraints of social structure (Calhoun, 2002)."

In tune with an institutional perspective, we propose to explicitly consider the agency of professional autonomy and academic freedom as constructed. Figure 2 Construction of actors and agency in institutional theory explains this double process of actors creating the institution of agency and agency creating the actors. This is the argument put forth by Meyer and Jepperson (2000): actors construct agency and, conversely, agency construct actors. The authors argue that (117):

> Modern social participants wear masks, too, now carrying the devolved authority of a high god. The modern mask is actorhood itself, and in wearing it modern participants acquire their agentic authority for themselves, each other, and the moral (and natural) universe (Berger, Berger, and Kellner, 1973). They become agents for themselves, true, but under the condition that they are also agents for and under constructed rationalized and universalistic standards.

Agency is not a natural capability of the individual that turns him or her into an actor, it is a constructed social fact, and the effect of an institution. In a sense, we move away from an essentialist conception of agency, that is agency as an essential part of persons, to a constructed conception of agency in which agency is socially constructed.

Figure 2 Construction of actors and the institution of agency in institutional theory
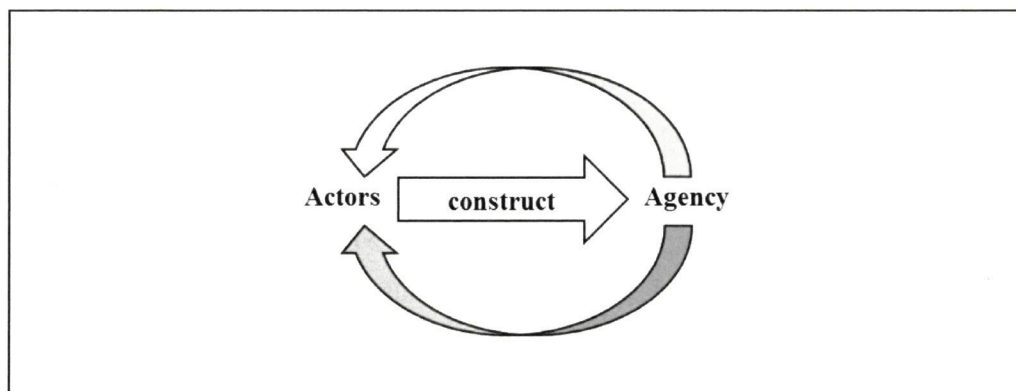
These are very abstract ideas, and it is a challenge to link them back to data. Hence, we want to push aside this abstract question and propose a perspective that places individuals and groups at the centre of this analysis. It is in this sense that we stay true to an inhabited perspective on institutions that "focuses on (1) local and extra-local embeddedness, (2) local

and extra-local meaning, and (3) a skeptical, inquiring attitude" (Hallett, 2010: 214), to a micro-institutional perspective (Powell & Colyvas, 2008) and to Suddaby and Muzio's (2013: 13) call to take into consideration the "dynamic interaction between professions and other social institutions." Figure 3 Construction of academic freedom as agency in the field of higher education describes this relation between the professors, the field of higher education and the institution of academic freedom.

Figure 3 Construction of academic freedom as agency in the field of higher education
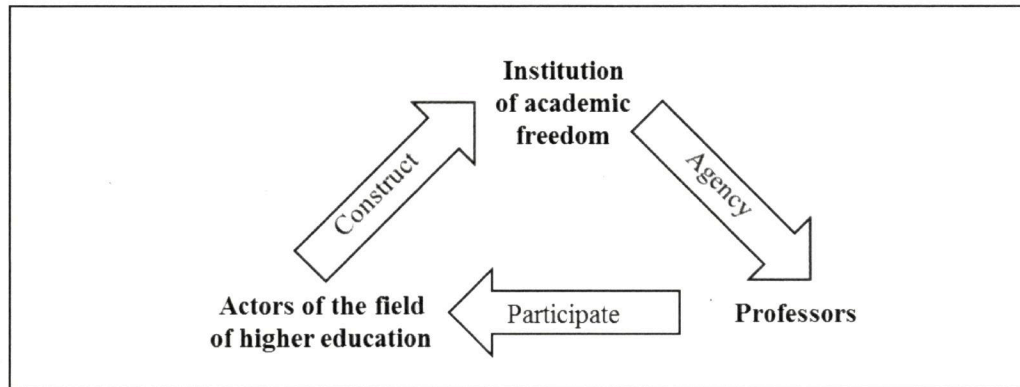
Figure 3 describes the continuous and circular construction of academic freedom as professors who participate in the field of higher education construct the institution of academic freedom which confers agency to professors which enables them to participate in the field of higher education, and so forth. In this context, the construction implies that professors who participate in the field of higher education with other actors who define the institution of academic freedom thought rules and regulations, normative expectations and taken-for-granted understandings, in turn, construct their own agency. We present the empirical detailsof this circular motion in the section on methods. It is through this data that we will be able to understand the construction of agency with an inhabited perspective.

Conclusion

From the outset, we posited that an institutional perspective on professions would enable us to do two things. First, we could integrate a fragmented literature and, second, it would provide a theoretical basis to understand how professional autonomy and academic freedom function as institutions.

Indeed, the first shortcoming identified was that the historical, legal, normative and descriptive sociological literatures presented each a partial view of academic freedom. An institutional perspective makes it possible to integrate the disparate literature we presented in the review of literature. Indeed, the notion of pillars enables the integration of these different literatures within the concept of institutions. The regulative pillar integrates the legal literature. The normative pillar integrates the normative literature. The cognitive pillar integrates the descriptive sociological literature. Finally, the historical literature is a testimony to the socially constructed nature of agency and of academic freedom.

Table 1 Summary of institutional pillars with corresponding empirical grounding and related literature

Pillar	Definition	Empirical grounding	Related literature
Cognitive	Typified categories, and taken-for-granted understandings held by individuals	Understanding embedded in definitions	Sociological
Normative	Values and norms that determine which goals can be legitimately pursued	Arguments and experiences	Normative literature
Regulative	Coercive formal and informal rules related to applicable sanctions	Laws and regulations	Legal literature

The second shortcoming identified was the under-theorized nature of the literature on academic freedom. In this chapter, we illustrated the strength of the institutional perspective in theorizing professional settings in general, but more specifically the issue of professional autonomy and its relation to agency. In the rest of this thesis, after we

present our methodological framework, we will present academic freedom as an institution.

Chapter 3 Methodological framework

In this chapter, we provide details on our methodological orientations. Before moving on to the traditional sections of the research strategy and design, units of analysis, sampling data and validity, we would like to briefly describe our journey.

3.1 Research process

While this thesis was far from improvised, the writing up of the methods section might cover up the actual practices of research with an unwarranted veneer of planning. Given the objective of transparency, which is central to qualitative modes of research, we want to provide details about the various steps that we took over the course of this thesis to arrive to the point at which we are now.

First, while our interest has always lied within universities and our objective was always to understand these organizations, we started our doctoral studies with a project focusing on a conflict within a single university. We were interested in the fact that the solution to this conflict was replicated in other universities and later adopted by the government. In sum, it centered on the diffusion and institutionalization of a rule. We had put together a case study of the initial event, led interviews with key actors from both sides of the conflict and collected documents. While promising, we abandoned this project soon after the comprehensive exams.

The new project was brought about by a mixture of personal interest, topical relevance and intellectual curiosity. We had been interested in the notion of freedom in our previous research in political philosophy (Brodeur, 2007). We also felt like it was relevant to renew with this interest as Quebec was in the midst of its largest student strike and that a special law was voted to limit the demonstrations and strikes led by the student movement. Soon after, the provisions of a proposed bill banning display of religious signs by university professors also raised issues of liberty. In both cases, professors appealed to academic freedom. Finally, our curiosity was aroused by the lack of consensus regarding this particular notion, and we were puzzled by how various individuals could understand academic freedom so differently.

We identified academic freedom as a central idea in universities and initiated our research by reading important elements from the literature on academic freedom. After an initial familiarization with the subject, we embarked in a first wave of interviews based on the richness of the data informants' experiences. We therefore focused on professors with administrative experience or experience in unions and professors' associations, on professors involved in public debates and on a group of professors involved in a process to define academic freedom. We also collected secondary data linked to the process to propose a university-wide definition of academic freedom.

After the initial assessment of this data, we presented our research project focused on academic freedom as an intense norm of professional autonomy. We realigned our data collection strategy to focus on comparing understandings between two universities and different epistemic cultures. We initially focused on Université de Montréal and McGill University as the two universities to compare, but the limited response rate to interview requests at McGill forced us to shift to UQAM as a comparative university. Our intuition was that understandings of academic freedom must vary between epistemic cultures and organizational cultures. We were wrong. Our intuition was not borne out by the data, and we discuss this conclusion further in later stages.

We therefore constructed our data under two sampling logics. A first comparative data set was constituted by interviews with professors from Université de Montréal and UQAM, as well as documentary data from the two universities and from the field of higher education. A second contrasting data set comprised the rest of the data collected, including McGill organizational documentary data, data from our ethnography as well as a set of rich interviews.

3.2 Epistemological stance concerning the object of research

In this research, we approach academic freedom as a socially constructed object. This is not overly contentious. Academic freedom is a norm guiding activities in specific settings. It is a product of socialization. The primary aim of this research project is to describe a phenomenon, academic freedom, as it is understood and experienced in specific settings. In doing so, we answer the question "How is academic freedom

61

understood?" and not "How should academic freedom be best understood for the sake of the university, science or society?". This piece of research is not prima facie normative. We do not assert what academic freedom should be or what the optimal amount of freedom is or whether there is too much freedom. All along, we made conscious efforts not to use this thesis as an excuse to argue for a specific state of affairs in universities or a specific understanding of academic freedom; it is our hope that our readers will do the same.

In the course of this research project, we had the opportunity to discuss this thesis with a great number of academics. Many had very interesting things to say and very sincerely wanted to help out a PhD student. We were comforted to find out that our topic seemed very relevant, as it appeared academic freedom was a subject regarding which everyone in academia has an opinion.

In many cases, professors got intellectually and emotionally involved very rapidly in the project, providing advice, telling stories, but also, sometimes, adopting very normative stances. This interest sometimes translated into a deeper involvement by professors in the contents of the reflection. As academic freedom has profound normative implications, "How is academic freedom understood?" can quickly become "How should academic freedom be understood?".

Consequently, it is to be expected that some might consider our work as an attack on academic freedom while others might see it as a complacent piece of research. For us, and this objective is what guided the project, it is a sincere presentation and interpretation of the data collected. The data collected has limitations, and we discuss these later on. But it is nonetheless a contribution to better understand academic freedom. Is academic freedom disappearing because of political correctness, new public management or underfunding? Is higher education an inefficient, left-leaning system because of too much academic freedom? We are not joining ranks with any side because our data is not meant to answer these questions.

We deemed it necessary to express this position as readers might be disappointed not to find in this thesis strong support for academic freedom or an echo of their concerns.

While we believe in the importance of academic freedom in universities, here is not the place to argue on this subject as this thesis is not an essay.

3.3 Research strategy and design

This research is a multiple case study with embedded units of analysis (Yin, 2009: 60). It is composed of a comparative sample and a contrasting sample. It is led by the lack of empirical knowledge on academic freedom, a fragmented body of literature and a lack of research about professional autonomy in the institutionalist literature on professions. In this context, we ask two questions:

- What are the cognitive, normative and regulative components of the institution of academic freedom?

- What are the distinctive characteristics associated with institutions of professional autonomy?

In accordance with our research questions, this research project has two main goals: to empirically gain a better understanding of academic freedom and to obtain a better understanding of the phenomenon of professional autonomy. We mobilize an institutionalist perspective and use a qualitative research method to gain rich insights on a phenomenon previously neglected by sociological research (Yin, 2009). Such empirical focus on academic freedom provides an intense (Patton, 2002: 232) example of professional autonomy.

A qualitative research approach appeared most appropriate for this research project. From a general point of view, qualitative research holds many advantages: it recognizes the complexity of the social world, it focuses on meanings, it understands the influence and the value of the tools used in any inquiry (Lincoln et al. 1985), and it "enable informants to express themselves in their own words" (Graebner et al., 2012: 278). Our general focus on meaning maximizes theory building opportunities (Eisenhardt, 2007).

But our perspective is also linked to our theoretical perspectives. Indeed, it is equipped with an inhabited perspective (Hallett & Ventresca, 2006) that our research is guided by

the desire to shed light on academic freedom from the point of view of professors. In doing so, we explore "(1) local and extra-local embeddedness" through interviews, ethnography and documentary data, and "(2) local and extra-local meaning" by using data sets that draws on interviews with informants as well as documentary data from organization and the field of higher education (Hallett, 2010: 214). We also follow Suddaby and Muzio's (2013: 13) call to take into consideration the "dynamic interaction between professions and other social institutions," echoed by the micro-institutional perspective (Powell & Colyvas, 2008), because we not only focus on universities, but include relevant actors linked to the field of higher education.

The central cases are two Montreal universities and the units of analysis are understandings of academic freedom. The selection of these cases sought to maximize the opportunity for theory building (Eisenhardt, 2007). For analytical purposes, the cases are subdivided by university, epistemic culture and department. The objective is to focus on the similarities and differences in the understandings of academic freedom of these different sublevels.

All in all, the logic of the comparative sample is to maximize similarities between two samples to enable comparison while the contrasting sample logic is to maximize differences and richness to make differences more salient (Eisenhardt, 1989; Pettigrew, 1988). In the next section, concerned with sampling, we provide greater detail regarding these two samples.

3.4 Sampling

The research project is structured around two samples: the comparative sample and the contrasting sample. Each has a different logic. Before addressing each, a few contextual elements about the field of higher education in Quebec seem worth presenting.

3.4.1 Field of higher education in Quebec

In the Canadian federal system, education is a provincial jurisdiction. The vast majority of Canadian universities are publicly funded, private, secular institutions as the majority of their revenues come from provincial governments' grants. They are constituted by

law as independent organizations with an independent governing body. Following the recommendation of the 1806 Flavelle Commission on governmental interference in Ontarian universities, most Canadian universities have adopted a bi-cameral system with a senate to represent internal stakeholders and an independent board of governors (Jones et al., 2004; Metcalfe et al., 2011).

Today, in the province of Quebec, 250,000 students attend 18 universities and quasi autonomous university components (Brodeur, 2013). Historically, higher education in Quebec is characterized by a dual tradition rooted in language and religion: a French Catholic tradition and an English Protestant one, each with its own educational institutions. According to Corbo (2013: 11), these traditions were inspired by divergent models of university: "*Au cours de leur évolution, les universités anglophones du Québec ont été particulièrement sensibles aux modèles britanniques et américains, et les francophones, aux modèles catholiques, d'inspiration française ou belge.*" English-language institutions looked toward British and American institutions while French-language institutions looked toward French and Belgian Catholic institutions (this is also discussed in Gillin, 2002). The division is less salient today as McGill offers some programs such as law in both languages, and universities are not organized according to their religious affiliation.

The university system is composed of three types of organizations: professional schools, chartered universities and public universities. Professional schools such as HEC Montréal (business school), Polytechnic (engineering school) or École de technologie supérieure (another engineering school) are dedicated to specific, often practical, teaching. Chartered universities are the major generalist universities. These include Université de Montréal, McGill, Concordia, Université Laval, Université de Sherbrooke and Bishop's. Finally, the *Réseau des universités du Québec* is a network of universities created to promote accessibility of higher education. Our research focuses on three Montreal-based universities: McGill, Université de Montréal and Université du Québec à Montréal (UQAM). We present their organizational similarities and differences further.

Recent surveys on Canadian faculty "present a picture of a hard-working professoriate with reasonable working conditions and levels of remuneration, and relatively high levels of reported job satisfaction (Weinrib, Jones, Metcalfe, Fisher, Gingras, Rubenson & Snee, 2013" (Jones, 2014: 14). In 2007 in Canada, 32.7% of the faculty were women; 15.8% were visible minorities; 86.8% were Canadian citizens; 28% were assistant professors; 32%, associate professors; and 34%, full professors (only 6% had other titles) (Metcalfe et al., 2011: 160). All across Canada and since the 1970s, the vast majority of full-time faculty has been organized in unions and, when it is not, it is organized in an association of professors (Metcalfe et al., 2011: 154). When researchers take into account purchasing power, Canadian professors at both junior and senior levels command the highest salaries in the 19 countries part of the study (Jones, 2014: 14). And while the tenure system is well in place according to researchers, professors are worried about "the academic profession, including increasing pressures for external research funding, declining working conditions, and concerns about the quality of university faculty" (Jones, 2014: 14).

Apart from the universities and professors, the higher education system of Quebec includes other organizations linked to the universities' missions. These include governments, mostly provincial but also federal. Universities, as organizations, are created by a law and, as such, sections of the legal system are part of the higher education system. Labour relations are also organized through a set of rules that structure labour relations throughout the province. These rules are therefore also involved in the higher education system. But more specifically, federal and provincial governments both have granting agencies whose mission is to finance research led in universities by professors. They are the Canadian research councils and the *Fonds de recherche du Québec* (both have specific councils for social sciences and humanities, for engineering and natural sciences, and for health). Within these granting bodies, we should note the presence of rules and regulations concerning ethical conduct in research with human subjects.

Alongside governmental legal and financial structures, a set of national organizations represent actors of the system of higher education: the Canadian Association of

University Teachers and the American Association of University Professors (CAUT and AAUP) as well as local unions and, in Quebec, the *Fédération québécoise des professeures et professeurs d'université* (FQPPU) represent professors; the Association of University and Colleges of Canada (AUCC) and the *Bureau de coopération interuniversitaire* formerly known as the *Conseil des recteurs et principaux du Québec* (CREPUQ) represents universities and colleges. The later was disbanded. Student organizations such as the *Association pour une solidarité syndicale étudiante* (ASSÉ), the now defunct *Fedération étudiante universitaire du Québec* (FEUQ) and the newly formed *Union étudiante du Québec* (UEQ) represent student interests in Quebec. Other organizations such as the Canadian Federation of Students (CFS) and the Canadian Alliance of Student Associations (CASA) exist in the rest of Canada. At the international level, we note the presence of the United Nations Educational, Scientific and Cultural Organization (UNESCO), which is concerned, amongst other things, with the teaching profession. Finally, the media as it discusses issues of higher education is linked to the Canadian system of higher education.

3.4.2 Overview of the sampling

The sampling is constituted by two different samples covering the individual, organizational and field levels. The logics which govern them have been presented above, and the details will be presented in the next sections.

Figure 4 Overview of the sampling
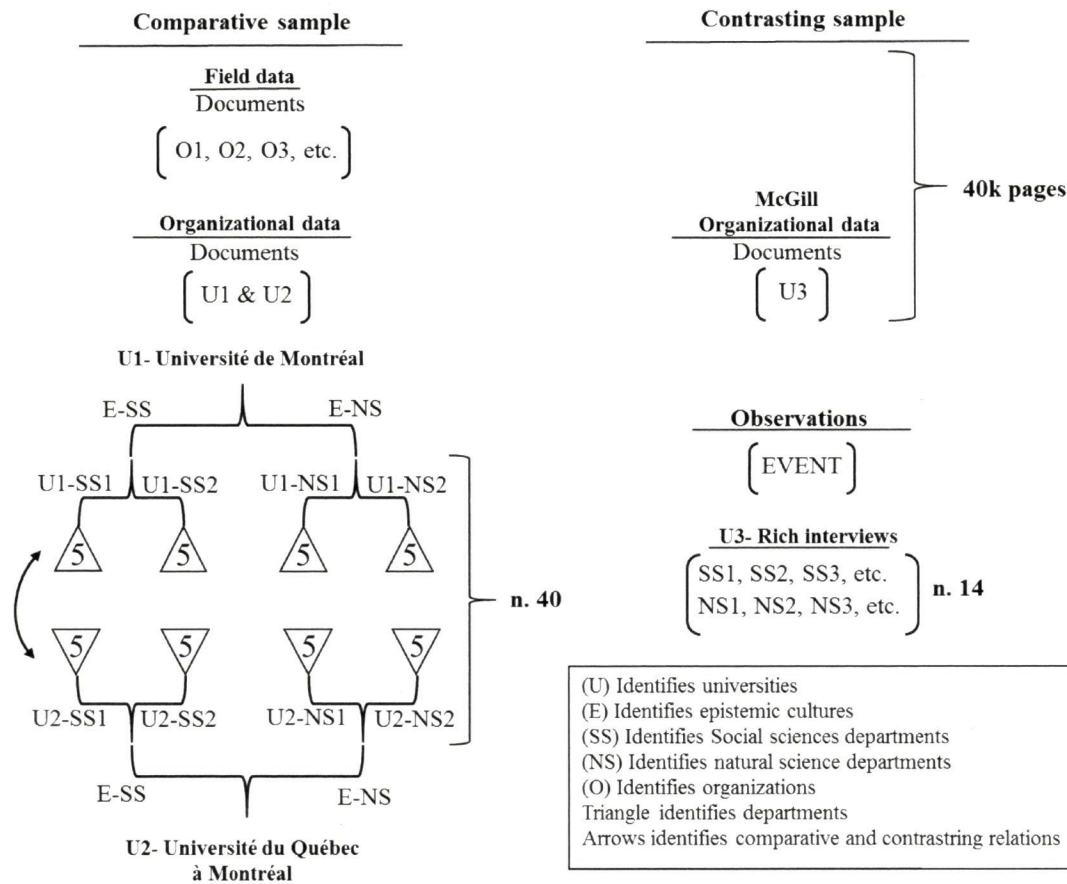
3.4.3 Organizational sampling

We selected three different universities. Organizational sampling was guided by access and convenience, but bearing in mind theoretical building reasons. The study of academic freedom is convenient in Montreal as it is home to four different universities. Cases were selected for "theoretical reasons such as replication, extension of theory, contrary replication, and elimination of alternative explanations (Yin, 1994)" (Eisenhardt, 2007: 27). As we saw, multiple historical traditions and a plurality of axiological perspectives stand alongside one another with the absence of a central institution in the higher education field in Quebec. It enables the differentiation of higher education organizations. We illustrate the similarities and differences between universities in Figure 8: Similarities and differences in organizational sampling. The elements inside the triangle are shared between the two universities while the elements

outside are what differentiates the two universities. They all evolved in the same regulative context. We provide further details of these field and organizations' documentary data, ethnography and individual interviews in the next few pages.

Figure 5 Similarities and differences in organizational sampling
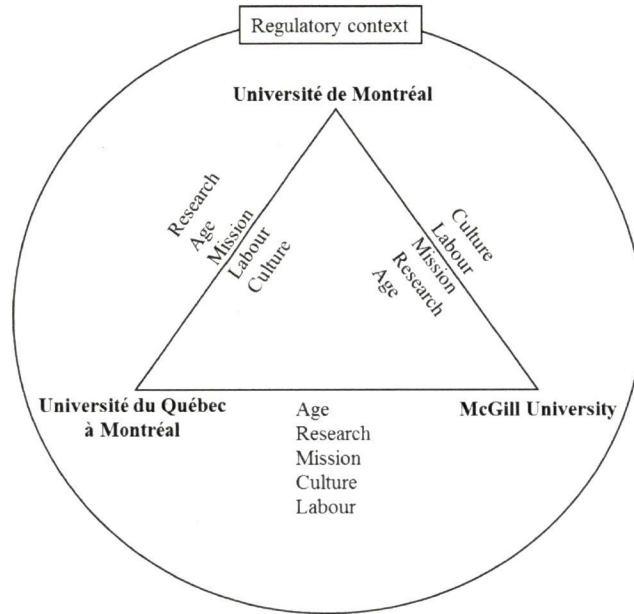
Université de Montréal was founded in the late 19th century and is a large research-intensive university (65,000 students; 2,600 professors) with a faculty of medicine and doctoral programs in most fields. It is regularly ranked in the top 100 universities. UQAM was founded in the 1960s and is a large university covering most disciplines, but with neither a medical school nor a faculty of engineering (43,000 students; 1,200 professors). The university boasts a mission of accessibility, democratization of higher education and contributions to the community. McGill was founded in 1821. With some 1,700 professors and almost 40,000 students, McGill is one of the best ranked universities worldwide. Montreal's first university is similar to Université de Montréal and UQAM as it evolves in the same regulatory context, but different relative to the large size of its private endowment, the absence of a union, and its culture. It therefore forms the contrasting sample, to which we added the organizational ethnography because of the different nature of the data collected.

3.4.4 Comparative sample

The comparative sample is a matched sample organized with the specific intent of allowing effective comparison and replication at the individual, epistemic and organizational levels (Patton, 2002). It is complemented by organizational and field level documents.

At the field and organizational level, in order to answer the inhabited institution perspective's call to focus on "(1) local and extra-local embeddedness [and] (2) local and extra-local meaning" (Hallett, 2010: 214), we collected documentary data from two organizations (Université de Montréal and UQAM) as well as from field-level organizations. At the organizational level, the two universities selected are similar when it comes to regulatory contexts, sources of funding (public), and labour management arrangements (professors are unionized), but have interesting differences in terms of culture, mission and age. At the field level, we collected documents from organizations such as UNESCO, CAUT, *Fonds de recherche du Québec* and many others, totalizing more than 40,000 pages through snowball sampling. In this case, the snowball sampling technique implied gathering documents that either informants of other documents refer to.

The second type of elements are interviews with professors from Université de Montréal and UQAM. This purposeful sampling was aimed at interviewing neutral professors. At the epistemic level, we focused on four different departments or specialty areas – two in the social sciences (SS1 and SS2) and two in the natural sciences (NS1 and NS2), selecting five (5) professors from the same four (4) departments across the two sampled universities for a total of 40 interviews. The departments are comparable with regards to their size and the nature of their scientific activities. We identified neutral professors within these departments as professors who are not involved in the administration or in their union, nor are spokespersons for causes. At the individual level, we sought random tenured professors. In order to select informants randomly, we extracted the name, title and contact information of every tenured professors from selected departments' websites, we assigned each of them a number and, within an Excel spreadsheet,

generated a set of random numbers to determine order of contact. The sample of 40 includes 25 men and 15 women.

Table 2 Number of tenured professors in department and size of the sample

	Université de Montréal	Sample	UQAM	Sample	Total	Sample
SS-1	35	5	35	5	70	10
SS-2	28	5	31	5	59	10
NS-1	41	5	24	5	65	10
NS-2	40	5	27	5	67	10
TOTAL	144	20	117	20	261	40

3.4.5 Contrasting sample

The contrasting sample obeys an contradictory logic. The purposeful contrasting sample was organized with the intent of capturing intense, rich and divergent experiences of academic freedom. This approach maximizes the opportunity for analytical generalization by selecting "specific study [sampling] units [...] to have those that will yield the most relevant and plentiful data" (Yin, 2011: 88). The objective is "to include as much information as possible" (Lincoln & Guba, 1985: 201). The purposeful sampling aims to identify informants and cases with rich experiences regarding academic freedom.

Table 3 Characteristics of the contrasting sample

Code of professors	University		Gender		Involvement				Epistemic		
	McGill	UdM	Male	Female	Involve	Admin	Neutral	Union	SNT	SSH	Health
P2	1	0	1	0	0	1	0	0	1	0	0
P3	1	0	0	1	0	0	1	0	1	0	0
P6	1	0	0	1	0	0	1	0	0	0	1

P 8	0	1	1	0	1	0	0	0	0	1	0
P 10	0	1	1	0	0	0	0	1	0	1	0
P11	0	1	1	0	0	1	0	0	0	1	0
P 13	0	1	0	1	0	1	0	0	0	0	1
P 14	0	1	0	1	0	0	0	1	0	1	0
P 15	0	1	0	1	1	0	0	0	1	0	0
P 16	0	1	0	1	0	1	0	0	1	0	0
TOT.	3	9	5	7	2	4	4	2	5	5	2

We first identified potential informants from documents found on McGill and Université de Montréal websites addressing issues of academic freedom, as these were the two universities originally sampled. This process led to informants who participated in forums on academic freedom (McGill in 2013), wrote or were interviewed in articles published in university journals; to professors involved in collegial governance; and to professors who have specific expertise on academic freedom. We then identified informants who played specific roles in relation to their professional occupation, either as public figures, by being involved in their union or faculty association, or in the administration of their university. We also identified other potential factors such as pretenured faculty, and male and female. Pretenured faculty were later removed from the sample to increase comparability. The informants came from both Université de Montréal and McGill. The contrasting sample is therefore composed of professors from McGill, to contrast organizations, as well as professors from both McGill and Université de Montréal who are involved in activities (labour, public expression or the administration). Finally, to complete the contrasting sample, we collected documents from McGill university to contrast its characteristics with those of the Université de Montréal and UQAM.

The social characteristics of this sampling are university affiliation, gender, involvement and epistemic cultures. Under university, we find the affiliation of the professor to either Université de Montréal (9) or McGill University (3). Gender differentiates between male (5) and female (7). The "involvement" factor situates professors' involvement in

their university in one of four categories: 1) "administration" includes professors holding administrative positions in the university, that is any responsibility higher than, and including, faculty chair (4); 2) "union" includes professors involved with their union or their faculty association (2); 3) "involve" refers to professors involved as public figures in social debates mostly outside of the university (2); 4) "neutral" is a category that includes professors primary involved in research (4). Finally, the criteria for epistemic cultures used in the initial sampling (see the last sections for later changes) refers to federal research councils, that is Science, Nature and Technology; Social Sciences and Humanities; and Health research councils.

3.5 Units of analysis

The unit of analysis of any study is the focus of the research project. In short, it is the focal point of the research project (Hitt & Beamish, 2007) or "what it is [the researcher] want[s] to be able to say something about at the end of the study" (Patton, 2002: 229). Units of analysis must maintain coherence with the research project and must logically link the level of inquiry and the data units (Patton, 2002: 228). In the case of this research project, the unit of analysis is the institution of academic freedom. As we discussed in the conceptual framework, this institution is multifaceted. In this research, we explore the regulative, normative and cognitive aspects of the institution of academic freedom.

In Chapter 4, we will describe academic freedom as an institution. We outline the central elements of the institution of academic freedom as manifested in the field-, organizational- and individual-level data through the notions of cognitive, normative and regulative institution. In Chapter 6, on academic freedom as a spectral institution, we will underline the specificities of the institution of academic freedom with the help of the contrasting sample.

3.6 Sources of data

The data sets composed of the comparative sample and the contrasting sample was collected through two data collection phases: an original exploratory study looking for

richness and texture, and a second more structured data collection. The data consists of interviews, ethnography and documentary data.

3.6.1 Exploratory interviews and ethnography

The initial exploratory research was carried out during the autumn of 2013 and the winter of 2014. We conducted a series of interviews with professors from Université de Montréal and McGill University as well as a brief ethnography.

Regarding the interviews, we used the following procedure to sample individuals. At first, we used search engines (Google) to extract every instance of the word "academic freedom", "liberté académique" or "liberté universitaire" in university documents.[2] From these results, a preliminary list of "people of interest" in every university was compiled. They were the first to be contacted for an interview. The documents were later incorporated into the contrasting sample.

Contacts were made via email. Once this first round of informants had been contacted, we completed the sampling in order to have a more diversified selection of informants. The response rate was 42% (14/33) at Université de Montréal and 17% (8/43) at McGill University. The difference is mainly related to the personal ties we have at Université de Montréal, which facilitate interviews. Furthermore, the initial sampling from organizational documents included many non-professor members of the university community. Once these had been excluded, the initial response rate at McGill was of 32% (8/25).

We conducted a total of 22 interviews of which six (6) were lost because of technical difficulties and four (4) others were removed from the sample: two because they did not fit in the sampling (one assistant professor and one from a business school) and two because the interviews were more about specific events then about the notion of academic freedom.

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[2] In the case of Google, advanced parameters enable us to limit the search to domains such as "umontreal.ca"; moreover, we selected files in pdf format when too many results came up.

As for the exploratory ethnography, we had the opportunity, in the early stage of this research project, to embark on ethnography in one of Montreal's four university. In order to maintain some level of confidentiality, we remain secretive about the type of data collected.

3.6.2 Main interview collection

The main data collection was conducted to acquire a matched sample between two universities evolving in the same regulative context. We initially set out to compare Université de Montréal with McGill University, but it appeared impossible to garner the participation required at McGill to constitute a matched sample. We therefore stopped after nine (9) professors had taken part and it became impossible to schedule any other interviews. We therefore collected the matched sample from UQAM. The sample of nine (9) professors interviewed at McGill is used in the contrasting sample.

Professors were contacted by email, and we sent up to two reminders per informant. The professors were identified through the websites of their department. We compiled lists of tenured professors and their emails. We ordered the list of contacts randomly to limit potential biases.

To complete a matched sample of 40 informants from Université de Montréal and UQAM, we contacted 249 professors and wrote about 1,000 individualized email messages for a total response rate of 16.06%. Some exchanges implied numerus emails to answer questions of identified an appropriate time to conduct the interview. The emails contained general information about the research project. The subject line of the email identified "the work of professors" as the topic of the research project, and we mentioned academic freedom in the text because a certain level of transparency is required to conduct ethical research.

The semi-structured interviews with tenured professors lasted between 45 minutes and 1 hour 30 minutes were done in person, by phone or by videoconferencing (Skype), at the convenience of the informant. The interviews were broadly structured into five moments: 1) how and why the person became a professor; 2) constraints on the work of professors; 3) probing (research, teaching, collegial governance, public expression);

75

4) definitions of academic freedom; 5) experiences or events relative to academic freedom. Appendix A presents the entire interview guide, but we summarize in the next paragraph how interviews were generally conducted.

In order to facilitate discussions, to instill trust and to prevent certain biases during the interview procedure, we initiated discussions with informants on topics related to their profession. We asked them how and why they became professors. Most often, the answers would revolve around research, teaching or autonomy. We then continued in this line of thought and asked why they liked what they were doing. Regularly, the answer would be their autonomy or their academic freedom. Naturally, the discussion would shift toward issues of constraints on the task identified as the most important. We proceeded to identify constraints to what they identified as what they enjoyed in their work. We then moved on to constraints in other tasks. By that moment in the interview, the issues of academic freedom and autonomy were usually front and centre. It was therefore only after 30 to 40 minutes of discussions, when professors had acknowledged the notion of academic freedom and discussions had been circling around it, i.e. once the plane had been surveyed and trust gained, that we asked whether it would be possible to provide a definition of academic freedom. We provided ample time to answer. In closing, we asked if the informant had ever invoked academic freedom in discussions or had ever experienced issues concerning academic freedom. We then asked if colleagues had ever invoked academic freedom or experienced situations involving issues of academic freedom. We concluded by asking if there was anything else they wanted to say and if they had questions for the researcher.

3.6.3 Documentary data

All through the process, we collected documents about academic freedom. Regarding organizational documents, we proceeded systematically by extracting every pdf documents containing references to academic freedom (in French and English) through a Google search restricted to the universities websites. In these documents contain various rules and regulations alluding to academic freedom, minutes from meetings in which academic freedom was discussed, policy documents, articles and other university documents.

We also collected documents from the wider organizational field. To that effect, we proceeded using a snowball technique to assemble documents alluded to in the literature review, the interviews and organizational documents. These documents include an exhaustive analysis of Canadian and Quebec case law on academic freedom and documents from organizations such as the CAUT, the Canadian Association of Universities and Colleges, UNESCO, various granting agencies and other documents addressing academic freedom in other organizations of the field of higher education.

Finally, we collected a large selection of news articles invoking academic freedom. The initial search was conducted using Eureka.cc, a database which brings together over 12,000 sources from the main news outlets and newspapers. We restricted the search to Quebec content in French and in English as well as to major main news outlets. We conducted a search for any occurrences of the keywords "academic freedom", "*liberté académique*" and "*liberté universitaire*" in the full text of selected sources. We did a preliminary sorting to select relevant news articles: 300 articles dated from September 1998 to April 2014 were downloaded and coded. Duplicates were identified during the coding phase.

3.7 Use of data

With two samples following different logics, it is important to specify when which sample is mobilized. As a rule of thumb, chapter 4 on academic freedom as a norm of professional autonomy is based on the comparative sample (apart from some organizational documents from McGill) and the chapter 6 on academic freedom as a spectral institution includes data from both the contrasting sample and the comparative sample. Chapter 5 is an exploration of the meaning of the spectral institutions and its illustration in the ethnographic vignette. In the course of the thesis, we will specify when we mobilize the contrasting sample in the beginning of sections.

3.8 Analytical strategy

Coding is "the process of categorizing and sorting data [where c]odes [...] serve as shorthand devices to label, separate, compile, and organize data" (Charmaz, 1983: 111).

Coding links the data and the meanings, enabling abstraction from empirical realities and the possibility of theoretical contribution. In practice, we took four steps required to code the data, and we employed two different strategies: one for the interview data and a second for the documentary data.

The four steps are as follow. The first step is familiarization with the data and the object of research. At this stage, we got acquainted with the literature on academic freedom, the interview data and the documents, and initiated the ethnography. The later provided rich contextual elements to inform our research.

The second and third steps were the core of our coding strategy. In devising our coding strategy, we identified a two-step process: analytical coding and thematic coding. Analytical coding refers to the exercise of coding from broad conceptual categories. One of the most important danger in qualitative research is to be submerged with data. In order to prevent this overload, we identified in the data the definitions of academic freedom, the arguments for academic freedom, the constraints identified and the experiences shared. These categories formed the baseline of the research. Analytical coding enabled us to group similar elements from the data together and then proceed to thematic coding.

The semi-directed nature of the interviews and the diversity of our informants led to an important variety of subjects being broached. After an initial familiarization with the interview transcripts, we identified three broad analytical codes, reflecting parts of our interview guide: arguments, constraints and definitions. First, the codes under *definition* are moments informants propose a definition of academic freedom. The category *arguments* refers to the arguments informant refers to when asked "Why is academic freedom important?" or when suggesting reasons for its importance. Finally, the category of *constraints* refers to instances when informants identify an actual or potential constraint to academic freedom.

The analytical coding for the documentary data diverged from the interview data. Because of the abundance of information, we proceeded to identify through auto-coding the instances when academic freedom was invoked in the data. We then coded the

paragraphs which mentioned academic freedom. Our intention was to identify the different understandings of academic freedom in the documentary data. For specific subsets of the documentary data, such as news articles and case law, we proceeded to more in-depth analysis.

The third step is thematic coding. Thematic coding identifies themes present in the interviews. Thematic coding builds upon analytical coding. The thematic codes consist of the themes that emerge from the quotations. These codes are informed by a first reading and coding of the interviews, but the coding process is iterative. It is during thematic coding that we create categories of arguments expressed by professors, group different types of definitions together and organize constraints to academic freedom into categories. Once first order thematic codes have stabilized, we identified families of primary codes to constitute secondary codes. This process is one of reflexive equilibrium.

We repeat this reflexive equilibrium in the fourth step: we organize the themes that emerge in the definitions, arguments, constraints and experiences into secondary codes through a process of back and forth until they have stabilized and provide analytical acuity. We provide details of the in-depth analysis as well as data structures in the core of the text, when necessary.

3.9 Quality and limits of proposed methodology

In order to establish the quality of this qualitative research project, we evaluated Lincoln and Guba (1985)'s four criteria: credibility, transferability, dependability and confirmability.

Credibility refers to the ability for research to represent accurately the reality depicted. In our case, we strived to achieve intimate familiarity with the setting, to collect enough data to sustain our knowledge claims, to look for alternative explanations and to provide enough data for the readers to analyze it on their own (Charmaz, 2006; Lincoln & Guba, 1985). Moreover, we gathered different types of data (interviews, organizational documents, field documents, ethnography) from different sources (individuals hailing

from different departments, epistemic cultures and universities) (Patton, 1990). Finally, our personal experience in the world of higher education contributes to the credibility of the findings.[3]

Second, how transferable is this research, i.e. to what extent can it be used in other settings? For Katz (1983), the possibility for a data set to be representative of other situations (in other words transferable) rests on its internal variety. Our sampling builds on a comparative sample with important internal diversity regarding universities, epistemic cultures and departments combined with a contrasting sample based on the richness of informants. The variety of experiences and diversity of types of data contribute a lot to the internal diversity of the samples. On an empirical basis, our research findings are transferable to other institutions of higher education. From a disciplinary point of view, academic freedom is an intense form of professional autonomy and will contribute to the broader phenomenon of professional in organizations.

Dependability is largely guaranteed by the use of qualitative data analysis software (Atlas TI) which enables to trace back the different steps linking the brute data to the theoretical findings. Similarly, it is by providing such detailed information on the research process, a quality required to ground theory, that confirmability is strengthened.

This research project nonetheless has certain limitations. Some such as the limited transferability and generalization are linked to the nature of qualitative inquiries. Others are related to mistakes made by a novice qualitative researcher. At the top of the list of mistakes come the losses of interview data in the exploratory phase of research. While they were not to be included in the final analysis, they still represent an ethical loss in regard to the informants who committed their time to this research project.

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[3] The author has been deeply involved in higher education organizations, 1) as a student leader in college (1998-1999) and at Université de Montréal (2006-2009), 2) at field-level organizations (2008-2009 at the *Association francophone pour l'avancement des sciences* or Acfas and 2012-2015 at the *Fonds de recherche du Québec - Société et culture*), 3) as a consultant in the field of higher education for research and events, and 4) as a published author on the subject of higher education in various general-public and scientific outlets.

3.10 Ethical issues

Ethics in research is a crucial aspect of research led in Canada. Our understanding of ethics in research is much wider than just protecting informants. Ethics in research cover all ethical aspects of research. In the course of this research, three important issues related to ethics in research have arisen: data management, confidentiality and research dissemination.

While seldom discussed, the management and proper use of data is crucial and represents an important aspect of the research apprenticeship. In this research project, two issues arose which we want to discuss. The first concerns the collection and storage of data and mishaps that occurred. During preliminary interviews and ethnographic research that came to constitute the contrasting sample, we used a tablet to record and store interviews. Unfortunately, this method of recording and transfer proved to be unreliable, and we lost part of the data. In the same vein, we collected important and diversified data. We were greatly concerned during the analysis and writing-up phases of this thesis to use all the data collected and not leave out some important part of it. First, most evidently, to prevent giving the impression that we were cherry-picking data to confirm our thesis but, second, and most important to us, because not using data collected seemed unfair to the people who had participated in this research.

The other aspect that led to important discussions and consideration concerned a more traditional aspect of ethics in research: confidentiality. Confidentiality in research is important to ensure and to incite participation on behalf of informants, to make sure they speak truthfully and to protect informants in precarious situations who could be negatively affected by the results of the research. While we guaranteed confidentiality and anonymity, we nonetheless thought long and hard about it because professors, protected by academic freedom, are less susceptible to the effect of retaliation. In discussions with colleagues, we realized how many appeared weary of the decision of ethical committees that tended to inflate ethical risks regarding confidentiality. To counter this tendency, we decided to divulge the real names of universities involved in the research as well as the sector of departments (social sciences and humanities or natural sciences). This approach enabled us to protect professors while providing

sufficient information to explore the links between organizations, epistemic cultures and understandings of academic freedom.

Finally, the consequences of disseminating the research also raises ethical issues. Researchers cannot distance themselves from the consequences of their research, particularly in contexts in which one's research might have an impact on the object of research. In the case of this research on academic freedom, it will contribute to the understanding of academic freedom. As such, it might be mobilized by actors of the debate to further their goals. This concern was raised by professors during discussions and in conferences. While we believe these concerns are justified, we maintain that contributing to the debate on academic freedom is better than withdrawing information or toning down the debate. Moreover, professors are not in precarious situations that would warrant special protection.

These three elements represent important ethical issues that we faced in the course of producing this thesis. This research project was sanctioned by HEC's ethics committee

Chapter 4 Academic freedom as an institution

The literature stresses how important pressures affect academic freedom. Yet, we know very little about academic freedom. The literature on academic freedom is fragmented and under-theorized. To provide a more theorized perspective, we turned to the sociology of professions. To provide an integrated perspective, we employed an institutional perspective on professions.

In this chapter, we focus on academic freedom as an institution and provide a description of academic freedom as an institution of professional autonomy. We describe academic freedom using Scotts's (1995) three pillars approach. To do so, we mostly mobilize our comparative sample.

While the result is presented analytically in this chapter, a long process led us to adopt an institutional perspective on professional autonomy. It should not be mistaken for a perspective forced upon our data or the product of a narrow analysis. We discussed these ideas in the previous chapter, dedicated to methods, but we want to emphasize once more that, faced with over 60 interviews, 40,000 pages of documentary data and ethnographic data, we found that the three pillars approach provided the most useful framework to make sense of this large data set.

Scott's (1995: 33) argued that "[i]nstitutions consist of cognitive, normative, and regulative structures and activities that provide stability and meaning to social behavior". This definition includes four analytical elements: a description of what an institution is, i.e. something that provides stability and meaning, and three types of institutions (regulative, normative and cognitive).

Building on these ideas, we first present academic freedom as an institution. We expose the regulative, normative and cognitive aspects of the institution of academic freedom. In the section on the regulative institution of academic freedom, we present the rules and regulations at the social and organizational levels in which academic freedom is embedded as well as how coercive they are. In this section, while the majority of the data comes from the comparative sample, i.e. from Université de Montréal and UQAM and from field-level organizations, we also invoke interesting elements from the rules and regulations of McGill University. In the section on

academic freedom as a normative institution, we present data on the importance of academic freedom for professors taken entirely from the comparative sample. We demonstrate how academic freedom is infused with value beyond what is necessary. In the section on academic freedom as a cognitive institution, we present indications that academic freedom is mostly taken for granted by professors. Like the previous one, this section is based on the interviews from our comparative sample. We close by presenting the institution as a widely shared norm which provides stability and meaning to the social world.

At the end of this chapter, we will have gained a better understanding of academic freedom through an institutional lens. More specifically, we will understand how academic freedom is constructed through a heterogeneous regulative context, how the normative institution is constructed by infusing value through assessments and arguments beyond the requirements of the tasks at hand and how it is socially taken-for-granted. These are the first steps toward something like academic freedom studies and the initiation of an empirically based research in the institutionalist sociology of professions on professional autonomy. At the end of this chapter, we will have a preliminary understanding of what academic freedom is from an institutional pillars perspective. In the next chapter, we will present some particularities of the institution of academic freedom.

4.1 Academic freedom as a regulative institution

In this research, we understand academic freedom as an institution. Our broad understanding of institution includes four criteria: it is embedded in rules and regulations, it is valued beyond the task at hand, it is taken for granted and it provides meaning and stability to the social world. The first piece of the puzzle therefore concerns the regulative aspects of institutions. Academic freedom is not a standalone idea, as an institution: it is embedded in rules that, in a social sense, exist.

As its name makes clear, regulative institutions assume the form of rules. A regulative institution possesses three characteristicS: it entails a high degree of obligation, it has a high degree of precision and it implies the existence of a mechanism of delegation that can be applied (Scott, 1995). Regulative institutions

are linked to sanctions, which can be formal (such as monetary bonuses or imprisonment) or informal (such as praise or shame).

In this section, we identify the meaning of academic freedom in documents of a regulative nature in which it was invoked. As detailed in the previous chapter, we classified documents in relation to their level and conducted automated coding to identify every instance of the use of "academic freedom" and its French equivalents. We cleaned the results to remove duplicates and focused on the meanings of academic freedom proposed. Table 4 Comparative table of definitions of academic freedom in regulative institutions in the Canadian and Quebec context presents the definitions according to levels of inquiry.

Table 4 Comparative table of definitions of academic freedom in regulative institutions in the Canadian and Quebec context

Recommendation concerning the Status of Higher-Education Teaching Personnel (P56)	"the right, without constriction by prescribed doctrine, to freedom of teaching and discussion, freedom in carrying out <u>research</u> and <u>disseminating</u> and publishing the results thereof, <u>freedom to express freely their opinion about the institution or system in which they work, freedom from institutional censorship</u> and freedom to participate in professional or representative academic bodies."					
Task protected by academic freedom	Teaching	Research	Expression inside	Expression outside	Prof activities	Collegial governance
	X	X	X	X	X	X
Tri-Council Policy Statement: Ethical Conduct for Research Involving Humans (P623)	Academic freedom – The collective freedom of faculty and students to conduct <u>research, and to disseminate</u> ideas or facts without religious, political, or institutional restrictions. It includes freedom of inquiry, freedom to challenge conventional thought, <u>freedom to express one's opinion about the institution, its administration, or the system in which one works,</u> and freedom from <u>institutional censorship</u>. (P623)					
Task protected by academic freedom	Teaching	Research	Expression inside	Expression outside	Prof activities	Collegial governance
		X	X	X		

Règles générales communes (P675)	La liberté académique « englobe la liberté d'enseignement et de discussion en dehors de toute contrainte doctrinale, la liberté d'effectuer des recherches, d'en diffuser et de publier les résultats, le droit d'exprimer librement leur opinion sur l'établissement ou le système au sein duquel ils travaillent, le droit de ne pas être soumis à la censure institutionnelle et celui de participer librement aux activités d'organisations professionnelles ou d'organisations académiques représentatives ». (P675)					
Task protected by academic freedom	Teaching	Research	Expression inside	Expression outside	Prof activities	Collegial governance
	X	X	X	X	X	X

In the context of the universities studied in this research, the regulative embeddedness of the institution of academic freedom takes place in different settings: 1) at the international level in the *Recommendation concerning the Status of Higher-Education Teaching Personnel* of the UNESCO (P56), 2) at the federal state level in the *Tri-Council Policy Statement: Ethical Conduct for Research Involving Humans* (TCPS, P623) and at the provincial state level in the *Règles générales communes* (P675) of the *Fonds de recherche du Québec*, 3) at the organizational field level in statements from political organizations such as the Canadian Association of University Teachers (CAUT), the *Fédération québécoise des professeures et professeurs d'université* (FQPPU), the Association of University and Colleges of Canada (AUCC), the *Bureau de coopération interuniversitaire* (formerly the *Conférence des recteurs et des principaux des universités du Québec* or CREPUQ), and 4) at the organizational level in rules, regulations and policies adopted by the universities or bargained in collective agreements. In the following subsections, we first go over the definitions of academic freedom present at each level in detail and describe how sanctions are applied in the system. By doing so, we provide for the first time a definition of academic freedom as mobilized in the social sphere.

4.1.1 Policy and statements about academic freedom at the international level

Many organizations involved in the defence of academic freedom argue that a clear definition is the first step toward protecting it (P673, P23). For example, this idea is

instantiated most famously in the preamble of the 1915 American Association of University Professors' *Declaration of Principles on Academic Freedom and Academic Tenure* (P23):

> The safeguarding of a proper measure of academic freedom in American universities requires both a clear understanding of the principles which bear upon the matter, and the adoption by the universities of such arrangements and regulations as may effectually prevent any infringement of that freedom and deprive of plausibility all charges of such infringement promotion.

In keeping with this spirit, different organizations with some form of regulatory function have adopted a similar strategy. The goal is to define academic freedom in order protect it. With the goal of promoting the advancement of societies through well functioning higher education systems, the United Nations Educational, Scientific and Cultural Organization (UNESCO) adopted unanimously the *Recommendation concerning the Status of Higher-Education Teaching*. This recommendation represents "an important enunciation of ethical and professional principles and norms for the management of higher education" (Page, 2007: 98).

Articles 17 through 21 of Section V on "Institutional rights, duties and responsibilities" and Section VI on "Rights and freedoms of higher-education teaching personnel" of the *Recommendation* stipulate the definitions of academic freedom, collegial governance and institutional autonomy.

Institutional autonomy is defined as the:

> degree of self-governance necessary for effective decision making by institutions of higher education regarding their academic work, standards, management and related activities consistent with systems of public accountability, especially in respect of funding provided by the state, and respect for academic freedom and human rights (P56).

Institutional autonomy, in UNESCO's understanding, is closely connected to academic freedom: academic freedom imposes limits on institutional autonomy (institutional autonomy ought to respect academic freedom), and institutional

autonomy is a condition possibility of academic freedom (without institutional autonomy, academic freedom would be a lure).

Academic freedom is linked to a series of rights. These rights include open access to the profession (art. 24), respect of fundamental human rights (art. 25), the right to teach (art. 28), to conduct research (art. 29) and to pursue professional activities (art. 30). More interestingly for this research project, the article 27 defines academic freedom as:

> the right, without constriction by prescribed doctrine, to freedom of teaching and discussion, freedom in carrying out research and disseminating and publishing the results thereof, freedom to express freely their opinion about the institution or system in which they work, freedom from institutional censorship and freedom to participate in professional or representative academic bodies (P56).

In the context of the UNESCO declaration, academic freedom comprises the right for teachers in higher education institutions to carry out a number of tasks (teaching, discussion, research, disseminating and publishing research) alongside freedom of expression. It is a negative right in the sense that it is defined in opposition to possible interferences such as the "constriction by prescribed doctrine", "institutional censorship" as well as the general clauses precluding interference on teaching, research and professional activities in articles 28 to 30.

Yet, as a negative right, academic freedom is linked to a number of duties:

> the individual duties of higher education teaching personnel inherent in their academic freedom are: (a) to teach students (…) (b) to conduct scholarly research and to disseminate the results (…); (c) to base their research and scholarship on an honest search for knowledge (…); (d) to observe the ethics of research (…); (e) to respect and to acknowledge the scholarly work of academic colleagues and students (…); (f) to refrain from (…) confidential manuscripts (…); (g) to ensure that research is conducted according to the laws and regulations of the state (…); (h) to avoid conflicts of interest (…); (i) to handle honestly all (…); (j) to be fair and impartial when presenting a professional appraisal (…); (k) (…), to avoid misleading the public on the

nature of their professional expertise; (l) (…) collegial governance (…). (P56)

Finally, strong links also exists between self-governance, collegiality (art. 31 and 32) and academic freedom as "[t]he principles of collegiality include academic freedom, shared responsibility, the policy of participation of all concerned in internal decision making structures and practices, and the development of consultative mechanisms" (P680). Collegiality, for its part, also includes requirements for non-discrimination and the need to respect colleagues' academic freedom. In this sense, by transitive virtue, collegiality implies non-discrimination and respect of others' academic freedom, therefore academic freedom implies non-discrimination and mutualism or reciprocity.

The *Recommendation*, while adopted unanimously by UNESCO's assembly and embedded in the UNESCO regulatory system, is not a constraining set of rules. It is soft law. As Page (2007: 98) explains, "[t]he effectiveness of soft law can be summarized in that the person or organization complying with principles or norms is doing so because of a desire to do so, rather than any actual compulsion". Yet, the regulative and coercive aspect of the *Recommendation* acts as an ethical constraint. Countries are enticed into conformity, voluntarily, but within an economy of esteem in which non-compliant countries are admonished into conformity by organizations such as, in Canada, the CAUT and the Association of Universities and Colleges of Canada. Conformity to a set of shared principles is a condition to the participation in the concert of nations. Academic freedom is one of these.

Even if the *Recommendation* is non-constraining, a report compiled in 2001 by the Council of Ministers of Education of Canada stipulated that norms, definitions and understandings of academic freedom currently in place in Canada generally comply with UNESCO's definition: *"Ces déclarations sont généralement conformes à la définition de la liberté académique telle qu'énoncée dans l'article 27 de la* Recommandation *de l'UNESCO"* (P673). This finding is an indication that, although the *Recommandation* is soft law, it does hold some regulative effectiveness.

4.1.2 Field rules and policy about academic freedom at the state and provincial level

UNESCO's understanding of academic freedom, or parts of it, are most importantly present in other Canadian regulative statements. In Canada, federal and provincial research funding agencies enunciate a definition of academic freedom in their rules and regulations. These definitions build on UNESCO's definition. This transfer is an example of the institutional dissemination of soft law into hard law, from the *Recommendation* to policies that have a stronger regulative thrust, from an economy of esteem to coercive systems of rules.

First and most obviously, the *Règles générales communes* of the *Fonds de recherche du Québec* (FRQ), Quebec's provincial research funding agency, makes explicit reference to the UNESCO statement. In this context, FRQ adopted the rules and made them constraining.

The federal funding agencies adopted and enforce a policy on ethics concerning research involving humans, the *Tri-Council Policy Statement: Ethical Conduct for Research Involving Humans* (TCPS, P623). In it, they provide a definition of academic freedom:

> The collective freedom of faculty and students to conduct research, and to disseminate ideas or facts without religious, political, or institutional restrictions. It includes freedom of inquiry, freedom to challenge conventional thought, freedom to express one's opinion about the institution, its administration, or the system in which one works, and freedom from institutional censorship.

The UNESCO and TCPS definitions are different, but they invoke similar constructions and vocabularies. The most striking difference between the TCPS and the UNESCO definition is the tasks protected by academic freedom. While UNESCO includes teaching, research, freedom of expression inside and outside higher education institutions, professional activities and collegial governance in its definition of academic freedom, the TCPS definition only accounts for research and expression inside and outside of institutions of higher education. Perhaps because of its scope of activities, yet in contrast with FRQ's and UNESCO's wordings,

mentions of collegial governance, professional activities and teaching are absent from the TCPS.

Yet, the similarities in the language used leads us to believe that the UNESCO declaration influenced the TCPS. The similarities between the definitions are underlined in Table 4. All definitions use similar expression.

4.1.3 Legal cases invoking academic freedom

On the more formal side, no Canadian law defines academic freedom (P72). Yet, in the rulings rendered by judges, the Canadian legal system proposes definitions and understandings of academic freedom. Because of *stare decisis*, the principle according to which judgements must rest on precedents when available, the definitions tend to acquire a rule-like nature: they serve as interpretative mechanism and provide stability and meaning in the legal sphere. In our research, a few legal cases addressed the notion of academic freedom. We will present the definitions of academic freedom invoked in the most important cases.

In the case of McKinney v. University of Guelph, the appellants were contesting the constitutionality of a discriminatory measure forcing professors to retire at the age of 65 under section 15 protecting against discrimination based on age.[4] The central part of the judgement stipulated that universities are not under the jurisdiction of the *Canadian Charter of Rights and Freedoms*. Amongst the arguments heard by the Supreme Court, the University of Guelph argued that the absence of mandatory retirement affected academic freedom because, otherwise, evaluations of performance for professors over 65 would need to be implemented. This managerial oversight and evaluation procedure would be a breach of academic freedom. This argument was dismissed by the judge who argued that:

> While I believe that the principle of academic freedom serves an absolutely vital role in the life of the university, I think its focus is quite narrow. It protects only against the censorship of ideas. It is not incompatible with administrative control being exercised by government in other areas (P77).

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[4] Equality before and under law and equal protection and benefit of law: 15. (1) Every individual is equal before and under the law and has the right to the equal protection and equal benefit of the law without discrimination and, in particular, without discrimination based on race, national or ethnic origin, colour, religion, sex, age or mental or physical disability.

In this decision, academic freedom is no more than a protection against the censorship of ideas, and can easily accommodate administrative interferences. In this sense, contrary to UNESCO's definition, it does not include professional activities, collegial governance, and its protections on teaching, research and public expression also appear thin in comparison. In a positive sense, according to the same judge, academic freedom's function "is the protection and encouragement of the free flow of ideas" (P77). This understanding of academic freedom is mobilized in subsequent cases such as *Parent contre la Reine*, in which police officers requested that Université de Montréal professors provide confidential data they gathered during their research to assist inquiries leading to charges against Luka Rocco Magnotta. In it, the definition used by the judge combines the pursuit of knowledge and the free flow of ideas: "academic freedom (…) includes the pursuit of knowledge, and the free flow of ideas in our society" (P98).

There is a second source of definitions of academic freedom in legal cases. In the context of hearings, third party information might become relevant to a judgement at hand. In this context, definitions of academic freedom are referenced. These definitions are established definitions used to make legal arguments.

For example, a refugee candidate appealed to breach of human rights and international conventions to obtain refugee status in Canada. Such arguments were made in the context of China (P85), Tamil human right workers in Sri Lanka and in relations to the Liberation Tigers of Tamil (P87, P88, P89) as well as in the case of Syrian asylum seekers (P94, P95) that refugees' governments were infringing upon their academic freedom rights protected under the UNESCO *Recommendation and therefore should be provided refugee status*. Consequently, the argument goes, Canada should accept the refugees' demands. These cases all argued that academic freedom is a human right protected under the UNESCO *Recommandation* signed by Canada and, therefore, that breach of academic freedom in a foreign country should be grounds for asylum in Canada. In other cases, including one about fair treatment in the case of a product evaluated by a governmental agency and another about the protection of researchers' confidential data in a criminal case, the appeal is made to the TCPS (P93, P98).

A second example where a definition of academic freedom in legal cases is found in the case between the British Columbia College of Teachers (BCCT) and Trinity Western University (TWU), in which courts invoked organizational documents. TWU is one of the few religious Canadian higher education institutions. In this case, the BCCT turned down TWU's request to be allowed to provide the curriculum for teachers in its entirety because "it was contrary to the public interest for the BCCT to approve a teacher education program offered by a private institution which appears to follow discriminatory practices," i.e. that condemns homosexuality (P90). In its defence, TWU presented its *Statement of Academic Freedom* as proof of an open university. The *Statement* present in the court's judgement on academic freedom reads as follow:

TWU Statement of Academic Freedom

Accordingly, Trinity Western University maintains that arbitrary indoctrination and simplistic, prefabricated answers to all questions are incompatible with a Christian respect for truth, a Christian understanding of human dignity and freedom, and quality Christian educational techniques and objectives.

On the other hand, Trinity Western University rejects as incompatible with human nature and revelational theism a definition of academic freedom which arbitrarily and exclusively requires pluralism without commitment, denies the existence of any fixed points of reference, maximizes the quest for truth to the extent of assuming it is never knowable, and implies an absolute freedom from moral and religious responsibility to its community.

Rather, for itself, Trinity Western University is committed to academic freedom in teaching and investigation from a stated perspective, i.e., within parameters consistent with the confessional basis of the constituency to which the University is responsible, but practised in an environment of free inquiry and discussion and of encouragement to integrity in research. Students also have freedom to inquire, right of access to the broad spectrum of representative information in each discipline, and assurance of a

reasonable attempt at a fair and balanced presentation and evaluation of all material by their instructors. Truth does not fear honest investigation (P90)

The statement presents a Christian perspective that, while it refuses indoctrination and aims at fostering an environment conducive to free research and expression nonetheless imposes strong limitations on teaching to cater to the Christian paradigm and fiercely rejects relativism. The appeal by TWU was rejected and the University was not permitted to provide the entirety of teacher training from a Catholic perspective as it implied infringing upon individual rights of non-discrimination. Such reference to a university policy, contract or collective agreement also occurred in multiple cases of labour disputes. We discuss such institutional regulations in the next section.

A third and final case is worth exploring. In *Parent c. la Reine*, to which we already alluded, police officers requested access to interview data from an informant called Jimmy, identified as Luka Rocco Magnotta and later convicted of murder. It had been collected during an inquiry on sex-workers. In this context, both the McKinney case defining academic freedom as well as the TCPS were invoked to guarantee researchers academic freedom, understood as "the pursuit of knowledge, and the free flow of ideas in our society" (P98), which rest on the special relationship between researchers and informants. The Wigmore fourth criterion evaluates if the measures outweigh public interest. In this case, the "Court concludes the Petitioners have met their burden on Wigmore fourth criterion and that the Confidential Interview is covered by the researcher-participant confidentiality privilege and that it should not be disclosed to the Respondent and return to the Petitioners" (P98). In other words, the judgement stated that the public interest in respecting promises of confidentiality outweighs the public interest in the suppression of the crime. Academic freedom is not a straightjacket, and can be infringed upon so long as it is done for the common good.

4.1.4 University regulations mentioning academic freedom

Though many institutional regulations invoke academic freedom, they surprisingly seldom define it. In the data collected from universities, we found two sources for definitions of academic freedom: policies and collective agreements. While McGill, in the absence of a union and collective bargaining, only proposes understandings of

academic freedom in institutional policies, and UQAM only provides definitions in its collective agreement, the Université de Montréal has definitions in both collective agreements and policies.

Article 5.02 of the *Syndicat des professeurs et professeures de l'Université du Québec à Montréal* (SPUQ)'s collective agreement, which has remained identical in the last three collective agreements, defines academic freedom as what makes possible the accomplishment of the functions of the professors (teaching, research, dissemination, and freedom of expression):

> 5.02 *Liberté universitaire*
>
> *La liberté universitaire est le droit qui garantit l'accomplissement des fonctions professorales. Elle comprend :*
>
> *a) le droit d'enseigner, de faire de la recherche ou de la création sans être obligé d'adhérer à une doctrine prescrite;*
>
> *b) le droit de diffuser les résultats de la recherche ou de la création;*
>
> *c) le droit d'expression, incluant la critique de la société, des institutions, des doctrines, dogmes et opinions, et notamment des règles et politiques universitaires, scientifiques ou gouvernementales.*
>
> *La liberté universitaire est un droit fondamental des professeures, professeurs d'université parce qu'elle est nécessaire à la réalisation des finalités de l'institution universitaire. La liberté universitaire doit être exercée de façon responsable; elle comporte le respect des opinions d'autrui.* (P678)

The *Syndicat général des professeurs de l'Université de Montréal* (SPGUM) gives a different definition of academic freedom:

> 6.01 *Tout professeur bénéficie des libertés de conscience, d'enseignement et de recherche inhérentes à une institution universitaire de caractère public telle l'Université; ses droits ne peuvent être affectés par l'Université en*

autant que ces libertés sont exercées dans le respect de ses obligations vis-à-vis celle-ci. (P184)

A few interesting differences stand out in these two collective agreement statements. While both protect tasks related to academic freedom (teaching and research), Université de Montréal distinguishes between "academic freedom" and "political freedom," protected separately in article 6.02.[5] UQAM does not distinguish between the two concepts. Moreover, the Université de Montréal definition of academic freedom appears much more ambiguous than UQAM's, the wording of which is more bureaucratic. Regarding the constraints, it is interesting to note that respect for others is the only criterion limiting academic freedom at UQAM while academic freedom must be exercised in the context of professors' duties toward the university at Université de Montréal.

At McGill, we found three different definitions of academic freedom. First, we found one in a set of policies concerning ethical guidelines of research. Similar language systematically comes up in them: "academic freedom, including freedom of inquiry and the right to disseminate the results thereof, freedom to challenge conventional thought, freedom from institutional censorship, and the privilege of conducting research on human and animal subjects" (P261, P306). While explicitly non-exhaustive, the definition includes neither teaching nor political freedom.

Second, a 2012 report entitled *Administrative Response to the Recommendations of the Principal's Task Force on Diversity, Excellence and Community Engagement* fills this gap by positioning academic freedom as central to McGill's mission. In this context, academic freedom adopts an inclusive aspect. Academic freedom protects faculties' research, teaching, and service to society, students' educational experience and "staff and other community members" who "must be at liberty to engage in free and fair exchanges in support of the academic mission" (P249).[6]

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[5] RC 6.02 *Le droit d'exercer ses libertés politiques dans le respect de ses obligations vis-à-vis de l'Université est reconnu à tout professeur.*

[6] "A cornerstone of McGill's emphasis on excellence and diversity of ideas is academic freedom—the right to think and express ideas that reflect diverse of points of view. In order to guarantee that activity in the scholarly pursuit of knowledge, in teaching, and in service to society can be achieved, universities must have autonomy that allows professors to have the right to conduct their teaching and research on topics of their choosing, without fear of reprisal. Similarly, students must have the freedom to pursue individually-determined educational experiences, and staff and other community

Finally, one unusual definition that was later retracted from the policy is worth mentioning. An early 2003 version of McGill policy on *Regulations Concerning Complaints of Sexual Harassment* defined academic freedom in the context of sexual harassment. We can read that "1.1. Sexual harassment means (…) any conduct (…) b) that exceeds the bounds of freedom of expression or academic freedom" (P442). In the subsequent article 1.2, the policy provided a definition of academic freedom:

> academic freedom is understood to be a reciprocal freedom between parties in any academic relationship, and the exercise of one person's rights may not infringe upon another's. The right of academic freedom is conferred equally upon all members of the McGill community, including faculty, students, and administrative and support staff. (P296, P442)

This definition was retracted in a subsequent version. In the most recent version, it is simply stipulated that academic freedom is not a defence against accusations of harassment.

Conclusion

The rules, regulations and policies embedding understandings of academic freedom at the field, state and organizational level are, in their proper sense, regulative institutions. They all possess, in their own respect and at varying degrees, three dimensions attributed to regulative institutions: obligations, delegation and precision.

The obligation and delegation aspects require a few words. The formal definitions of academic freedom adopt an obligatory status in two ways. First, we saw how UNESCO's *Recommendation*, research ethics policy (TCPS and FRQ) and institutional rules, regulations and policies found their way into law courts. Courts based their judgements on these understandings of academic freedom. The latter become, in this sense, enforceable as they are embedded in the legal system. Second, we saw how certain understandings of academic freedom inspired others, most notably how the UNESCO *Recommendation* definition was upheld in FRQ's *Règles générales communes*. In this context, soft law became hard rules. Finally,

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members must be at liberty to engage in free and fair exchanges in support of the academic mission." (P249)

universities possess their own administrative processes, and courts tend to defer to their judgements on cases concerning academic matters. The administrative processes are based upon the rules, policies and regulations coined, debated and adopted by the universities. In this third sense, the understandings we have presented constrain obligation and have delegation.

As we saw, regulative elements are important components of the institution of academic freedom. There however seems to be some heterogeneity within the regulative institution. We will discuss further four facets of this heterogeneity: vertical, horizontal, organizational and diachronic.

Vertical heterogeneity, in this context, refers to the differences in the regulative institutions at various levels. In referring to Table 5 Comparative table of definitions within the regulative institution of academic freedom, important differences emerge between international, laws, governmental policies and university policies. At the international level, academic freedom is defined in UNESCO's *Recommendation* as the right to conduct specific actions such as teaching, discussion, research, and collegial governance. While Canada is a signatory of this treaty and the report on UNESCO's *Recommendation* states that Canada has been respecting academic freedom, the legal interpretation of academic freedom vastly differs. Indeed, judges limit the nature of academic freedom to a protection *against the censorship of ideas*. This stance explicitly excludes the participation in the affairs of the university and calls into question freedom regarding specific activities such as dissemination, free speech, teaching, etc. Censorship of ideas is a fairly narrow protection compared to UNESCO's *Recommendation*.

What is more puzzling is how government interpretations of academic freedom, both federal in the TCPS and provincial in the FRQ's *Règles communes*, differ from the legal interpretation as well. While the FRQ's understanding borrows heavily from the *Recommendation*, leaving out the many limits and conditions exposed in articles 28 to 30, the TCPS proposes a much wider understanding of academic freedom then the FRQ's or Unesco's: "*Pour être entière, la liberté académique requiert que la recherche effectuée se fasse dans le respect des responsabilités professionnelles, de la collégialité ainsi que des principes de rigueur intellectuelle,*

scientifique et éthique qui s'appliquent." (P675).[7] Finally, while university policies are not consistent with the legal interpretation of academic freedom, they cannot either be assimilated either to the understandings presented by the international *Recommendation* or by national government policies. In sum, there is important vertical heterogeneity.

But there is also horizontal heterogeneity. Indeed, at the levels of both governmental policies and university policy, different policies exist but differ. We can list a few. At the governmental policy level, the TCPS declaration on academic freedom is addressed to teachers and students while FRQ's is addressed to researchers. Also, while FRQ's definition mentions teaching and collegial governance, TCPS's solely focuses on research and freedom of expression. Important differences also exist between universities' policies. First, the definitions appear under many different headings. Indeed, at McGill, we found definitions of academic freedom in policies on sexual harassment, research ethics and diversity. In contrast, definitions of academic freedom at both Université de Montréal and UQAM are located under labour issues, meaning it is understood under the guise of labour relations, which excludes other members of the community. Consequently, McGill's definitions are more inclusive. From a horizontal perspective, there appears to be significant heterogeneity as well.

We also wanted to underline two other types of heterogeneity that exists in the regulative institution. First, there is organizational heterogeneity at McGill University. Indeed, at least two different definitions of academic freedom embedded in rules explicitly define academic freedom. The first one, the *Regulation on the Conduct of Research*, explicitly focuses on research activities while the second, the *Administrative Response to the Recommendations of the Principal's Task Force on Diversity, Excellence and Community Engagement*, focuses on freedom of expression. Finally, the last heterogeneity we wanted to make explicit is diachronic, that is, understandings of academic freedom changing over time. This is apparent in McGill's reformulation of the definition of academic freedom in the *Regulations Concerning Complaints of Sexual Harassment*. Where they proposed a positive and principled definition of academic freedom based on equality in the 2003 version of

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99

the policy, the 2005 policy instead presented academic freedom as a limit to harassment claims, stating that prevention of harassment cannot infringe upon academic freedom.

Finally, we wanted to comment on the level of precision of the definitions of academic freedom found in rules and regulations. Academic freedom has been defined as an essentially contested concept (Doughty, 2006) and many have commented on its ambiguity (Eisenberg, 1984; Tavory, 2009). One can therefore reflect on the actual possibility to attain ideal precision. How precise can you be when your definition of academic freedom includes clauses such as no "constriction by prescribed doctrine" (UNESCO, 1997 & FRQ 2014), "collective freedom" or the absence of "religious, political, or institutional restrictions" (TCPS, 2014), the "right to think and express ideas that reflect diverse of points of view" (McGill, 2012), etc.? Maybe the activity, an academic activity, upon which academic freedom is presiding is reluctant to precision by its own nature.

In summary, we exposed the definitions of academic freedom embedded in regulative institutions. As academic freedom is defined with varying degrees of precision, it entails obligations on the part of parties and implies a system of delegation to enforce it, it can be properly labelled as a regulative institution. Yet, we find an important amount of heterogeneity.

Table 5 Comparative table of definitions within the regulative institution of academic freedom

Level	Definition(s)
International	*Recommendation concerning the Status of Higher-Education Teaching Personnel*, UNESCO (1997): "the right, without constriction by prescribed doctrine, to freedom of teaching and discussion, freedom in carrying out research and disseminating and publishing the results thereof, freedom to express freely their opinion about the institution or system in which they work, freedom from institutional censorship and freedom to participate in professional or representative academic bodies." P56
Laws	*McKinney v. University of Guelph*, Supreme court of Canada (1990): "While I believe that the principle of academic freedom serves an absolutely vital role in the life of the university, I think its focus is quite narrow. It protects only against the censorship of ideas. It is not incompatible with administrative control being exercised by government in other areas." P77
	Parent c. la Reine, Superior Court (2014): academic freedom is understood as necessary for "the pursuit of knowledge, and the free flow of ideas in our society" P98
	Trinity Western University v. British Columbia College of Teachers, Supreme Court of Canada (2001) "TWU Statement of Academic Freedom. Accordingly, Trinity Western University maintains that arbitrary indoctrination and simplistic, prefabricated answers to all questions are incompatible with a Christian respect for truth, a Christian understanding of human dignity and freedom, and quality Christian educational techniques and objectives. On the other hand, Trinity Western University rejects as incompatible with human nature and revelational theism a definition of academic freedom which arbitrarily and exclusively requires pluralism without commitment, denies the existence of any fixed points of reference, maximizes the quest for truth to the extent of assuming it is never knowable, and implies an absolute freedom from moral and religious responsibility to its community. Rather, for itself, Trinity Western University is committed to academic freedom in teaching and investigation from a stated perspective, i.e., within parameters consistent with the confessional basis of the constituency to which the University is responsible, but practised in an environment of free inquiry and discussion and of encouragement to integrity in research. Students also have freedom to inquire, right of access to the broad spectrum of

101

	representative information in each discipline, and assurance of a reasonable attempt at a fair and balanced presentation and evaluation of all material by their instructors. Truth does not fear honest investigation" P90	
Governmental policies	TCPS: "Academic freedom – The collective freedom of faculty and students to conduct research, and to disseminate ideas or facts without religious, political, or institutional restrictions. It includes freedom of inquiry, freedom to challenge conventional thought, freedom to express one's opinion about the institution, its administration, or the system in which one works, and freedom from institutional censorship." P623	FRQ: *La liberté académique "englobe la liberté d'enseignement et de discussion en dehors de toute contrainte doctrinale, la liberté d'effectuer des recherches, d'en diffuser et de publier les résultats, le droit d'exprimer librement leur opinion sur l'établissement ou le système au sein duquel ils travaillent, le droit de ne pas être soumis à la censure institutionnelle et celui de participer librement aux activités d'organisations professionnelles ou d'organisations académiques représentatives"* P675
University policies	*Administrative Response to the Recommendations of the Principal's Task Force on Diversity, Excellence and Community Engagement*, McGill: "A cornerstone of McGill's emphasis on excellence and diversity of ideas is academic freedom—the right to think and express ideas that reflect diverse of points of view. In order to guarantee that activity in the scholarly pursuit of knowledge, in teaching, and in service to society can be achieved, universities must have autonomy that allows professors to have the right to conduct their teaching and research on topics of their choosing, without fear of reprisal.	Université de Montréal collective agreement: *"6.01 Tout professeur bénéficie des libertés de conscience, d'enseignement et de recherche inhérentes à une institution universitaire de caractère public telle l'Université; ses droits ne peuvent être affectés par l'Université en autant que ces libertés sont exercées dans le respect de ses obligations vis-à-vis celle-ci."* P184	UQAM collective agreement: *"5.02 Liberté universitaire* *La liberté universitaire est le droit qui garantit l'accomplissement des fonctions professorales. Elle comprend :* *a) le droit d'enseigner, de faire de la recherche ou de la création sans être obligé d'adhérer à une doctrine prescrite;* *b) le droit de diffuser les résultats de la recherche ou de la création;* *c) le droit d'expression, incluant la critique de la société, des institutions,*

Similarly, students must have the freedom to pursue individually-determined educational experiences, and staff and other community members must be at liberty to engage in free and fair exchanges in support of the academic mission." P249

Regulations Concerning Complaints of Sexual Harassment, McGill (2003): "1.1. Sexual harassment means (...) any conduct (...) b) that exceeds the bounds of freedom of expression or academic freedom (...) 1.2. "academic freedom is understood to be a reciprocal freedom between parties in any academic relationship, and the exercise of one person's rights may not infringe upon another's. The right of academic freedom is conferred equally upon all members of the McGill community, including faculty, students, and administrative and support staff." P296

Regulation on the Conduct of Research, McGill (2009): "academic freedom, including freedom of inquiry and the right to disseminate the results thereof, freedom to challenge conventional

des doctrines, dogmes et opinions, et notamment des règles et politiques universitaires, scientifiques ou gouvernementales.

La liberté universitaire est un droit fondamental des professeures, professeurs d'université parce qu'elle est nécessaire à la réalisation des finalités de l'institution universitaire. La liberté universitaire doit être exercée de façon responsable; elle comporte le respect des opinions d'autrui." P678

103

		thought, freedom from institutional censorship, and the privilege of conducting research on human and animal subjects." P261, P306

4.2 Academic freedom as a normative institution

In this section, we illustrate the normative aspects of the institution of academic freedom using the interviews from the comparative sample. As Schneiberg and Clemens (2006: 213) underscore, "[m]easuring normative content is a tricky endeavor." In a sense, the formal nature of regulative institutions as well as the taken-for-granted aspects of cognitive institutions that we explore next are easier to identify.

Professors' relations with the institution of academic freedom are diverse, complex and sometimes paradoxical. In the following, we present our assessment of academic freedom as a normative institution based on our interviews with professors. We show that for most, the importance of academic freedom exceeds an instrumental assessment and that they therefore infuse the norm of academic freedom with value beyond the requirements of the task at hands. We detail how academic freedom is valued by professors. We start by demonstrating how professors value academic freedom, that is how they give value or construct academic freedom as a valued social fact. We then move on to how they argue, account for and justify it by presenting instrumental and normative arguments. These last arguments are testimonies to how academic freedom is a normative institution and illuminate processes of institutionalization.

Scholars who favour the exploration of normative institutions emphasize the "normative rules that introduce a prescriptive, evaluative, and obligatory dimension into social life" (Scott, 1995: 64). As Scott (1995: 64) stresses in relation to normative institution, "[t]hese beliefs are not simply anticipations or predictions, but prescriptions –normative expectations–regarding how specified actors are supposed to behave." Academic freedom can be approached as a normative institution. Academic freedom is not an institution that stipulates how things will be, but how things should be.

One way to explore normative institutions is to look at the normative pressures put on individuals. This approach represents an external perspective on the normative institution. The institution of academic freedom, in this sense, acts as a moral pressure. As an institution, it functions as a form of taboo. Professors will not limit

academic freedom because there is a moral boundary that prevents it. A second way to explore normative institutions is to take an internal perspective and explore them from the view point of the people who experience them. In our case, it would be to explore academic freedom as a normative institution from the perspective of professors. By adopting this perspective, we take Hallett and Ventresca's (2006) people's problem of institutional approaches seriously. As institutions are populated by individuals and groups, we approach the normative institution of academic freedom from an emic perspective.

Scott (1995) as well as Schneiberg and Clemens (2006) both point toward the work of Selznick on institution as an exemplar of normative institutions. Selznick "suggested that 'perhaps the most significant' aspect of institutionalization is infusion with value beyond the technical requirements of the task at hand." (1996: 271). What would that mean in the context of this research? At its roots, academic freedom as a norm of professional autonomy is a rule that specifies how work should be organized, that is the area of autonomy a professional ought to possess in order to exercise his or her profession. This norm is an institution, according to Selznick, when it becomes *infused with value beyond the requirements of the task at hands*.

To infuse with value beyond the task at hand means something very specific. Indeed, "scholars associated with the normative pillar stress the importance of a logic of "appropriateness" vs. a logic of "instrumentality" (Scott, 1995: 65). Fortunately, while some of our respondents in interviews had no knowledge (P605) or did not provide reasons or arguments for the importance of academic freedom (P587; P603), when asked, most professors provided reasons and arguments stressing the importance of academic freedom. They provided arguments explaining the value of academic freedom. A perspective focusing on the individuals populating normative institutions therefore focuses on how professors give, explain or justify the value of academic freedom. As they assess and explain the value of academic freedom, they typically invoke either arguments following an instrumental logic or arguments following an appropriateness logic. The use of the latter is the mark of a normative institution.

As described in the methodological framework chapter, arguments were coded in a four-step structured process: familiarization with data, analytical coding, thematic

coding, and construction of categories to reach a reflexive equilibrium. We followed the same process here. Once familiarized with our data, we read through our interviews and identified every instance of arguments put forward by professors in the comparative sample. We identified 142 such instances (see figure 6). We then tried different groupings of the arguments and finally identified three types of arguments: activity-based, identity-based and socially based arguments. These types were in turn combined in two wider categories: instrumental arguments, that refer to arguments that stress the need of academic freedom to execute academic tasks, and institutional arguments, that appealed to something much wider than the academic tasks. These two categories are linked to understandings of institutions as rules valued beyond the requirement of the tasks at hand. Arguments defending academic freedom in order to protect the tasks are instrumental arguments and do not infuse academic freedom with value beyond the task at hand while arguments that refer to broader themes, we identify them as institutional arguments, do. In the following pages, we will discuss in greater detail all these elements.

Figure 6 Arguments: structure of codes
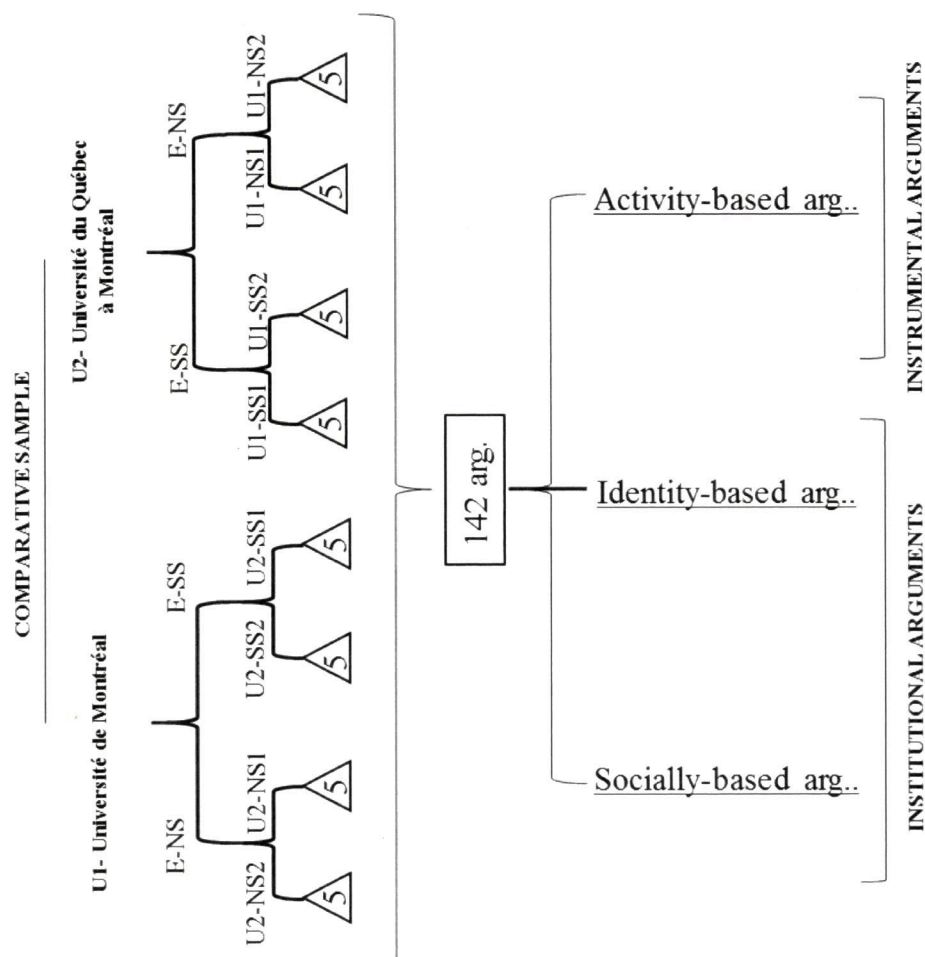
4.2.1 How professors assess academic freedom

In the following, we illustrate how professors assess academic freedom in three different ways. First, they assert the importance of academic freedom. Second, they compare and contrast their academic freedom with other occupations. Third, they provide nuance to the academic freedom they enjoy. These are all different ways to give value to academic freedom. The main point of this subsection is to illustrate that professors give value to the norm of academic freedom. By giving value to academic freedom, they bring the institution to life: they construct academic freedom. In the next two subsections, we will explore the arguments professors provide to show how academic freedom is valued instrumentally and as an institution, that is beyond the requirement of the task at hand.

108

The first way informants value academic freedom is by asserting its existence. Professors say academic freedom is essential, important and crucial. To paraphrase one informant: "It is very precious to me; our free will is extraordinary" (P602).[8] Informants insist that this freedom is one of the great benefits of being a professor (P582; P589; P600). One informant recalled that during a discussion with colleagues, the evaluation of academic freedom was always positive : *"Ce dont je me rappelle, c'est que en général, on vit des contraintes les uns et les autres et ... ceux qui sont professeurs se félicitent toujours de leur liberté académique. Disons que je crois que ... la liberté académique est perçue comme quelque chose d'extrêmement positif dans le métier de professeur"* (P602). This is confirmed by most professors who sometimes point towards more precise aspects of their task such as research or teaching. In relation to the former: *"En tous les cas, moi, c'est sûr que je ressens beaucoup de liberté, et c'est une des principales qualités de mon travail, à mes yeux, liberté par rapport à mes sujets de recherche, évidemment, c'est moi qui les oriente"* (P582). In relation to teaching: *"Donc il y a une liberté, alors, que j'ai découverte en partie, mais une liberté par rapport aux enseignements aussi qui est peut-être moins grande, on va dire, mais qui est forte aussi, puisqu'on peut choisir des enseignements, on peut proposer des nouveaux enseignements"* (P582). In our interviews, professors largely affirm that academic freedom was important and that they enjoyed it.

A second way they gave existence and value to academic freedom is by comparing it to other careers (P581, P613), or other geographical locations (P582). They compared their career most often with those in the private sector: *"On fait ce qu'on veut parce que, à l'université, on a cet avantage, comme je disais tantôt... on a beaucoup de liberté par rapport au privé, par exemple"* (P613). Their assessment was also contrasted with other systems of higher education: *"Alors là, il y a aussi toute la découverte que j'ai faite du système universitaire au Québec, que je ne connaissais pas du tout avant de venir et puis que j'apprécie les marges de liberté qu'on nous donne dans ce système-là par rapport à l'enseignement"* (P582). In this case, academic freedom in teaching was greater as compared to the experience in France. In these comparisons, the freedom professors enjoy was always superior to the example to which it was compared. Academic freedom in universities is greater

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[8] *"elle m'est très très précieuse. Le libre arbitre est quelque chose d'extraordinaire"* (P602)

than the autonomy provided in the private sector, and the academic freedom enjoyed in one's university is greater than the academic freedom in universities in other countries. Comparing is a tool to value academic freedom in relative terms.

Finally, a third way academic freedom was discussed and valued is by providing nuances. These cases are particularly interesting as they illustrate how professors value academic freedom, that is how they give value and, in doing so, bring the institution of academic freedom into existence in the face of acknowledged constraints.

A first example comes from discussing teaching with one informant. The quote starts with the acknowledgement of constraints, but ends by asserting academic freedom: "*En matière d'enseignement, on a des cours, comment dire, on a des descriptions de cours, on a un cours qui doit s'inscrire dans un cheminement, mais la façon dont on conçoit notre cours, et puis même le choix des, comment dire, on a une assez grande liberté. Moi je ne me sens pas du tout prise dans des cadres rigides*" (P582). There is an affirmation that there exist constraints but that, somehow, these constraints (course descriptive, curriculum to follow) are not actually constraints as they do not affect academic freedom. In this case, the importance of the freedom is even greater as the informants follows with the reiteration of freedom in research: "in matter of research, there was total autonomy" (P582).

A second example comes from an extract already partially quoted: "*On fait ce qu'on veut parce que à, l'université, on a cet avantage comme je disais tantôt... (...) mais... évidemment, ça suppose que on... satisfait ces obligations... c'est-à-dire qu'on donne des cours, on donne des cours, c'est tout. Seulement justement parce que y a beaucoup de flexibilité*" (P613). The informant in this case asserts that professors can do whatever they want, but listing teaching as a constraint, and then reasserting the freedom professors enjoy, reframed as flexibility rather than the absence of constraints. There appears to be a need to assert academic freedom despite the acknowledgement that there are constraints.

Another instance of assertion of academic freedom occurs when discussing research. In this case, there is the acknowledgement that the funding of research does have an impact on academic freedom, as it favours some perspectives to the detriment of

others, but that there is a lot of leeway (*marge de manoeuvre*) nonetheless: "*c'est sûr qu'on a parlé des contraintes de financement qui font qu'on laisse tomber peut-être certains angles et on en privilégie d'autres, mais il y a quand même, malgré ça, encore beaucoup beaucoup de marge de manœuvre*" (P9). Here again, it is as if professors need to assert their academic freedom in the face of evident limitations.

A similar instance occurred regarding political pressures made on a professor. Indeed, one case stood out as a professor specialized on a very polemical subject was blackballed by organizations opposed to his point of view. He relates a discussion with a journalist:

> *Alors, à un moment donné, un journaliste m'a dit, mais là ce n'est plus vraiment, comme je vous dis, la liberté académique, c'est ma liberté à l'extérieur, mais un journaliste de Radio-Canada m'a dit : « écoutez, à chaque fois qu'on annonce que vous allez être notre invité, on a quinze téléphones qui nous gardent quinze, vingt minutes chaque fois au téléphone, puis des lettres puis il faut se justifier, puis on n'a juste pas le temps ». Et donc, on préfère ne pas vous inviter* (P615)

Following the campaign against the professor, public media stopped inviting him to speak about the topic. Paradoxically, this professor does not characterize these events and the sanction he experienced as constraints on academic freedom:

> *Comme je vous dis, ce n'est pas... ça ne m'empêche pas de faire ce que je veux, ça ne m'empêche pas de dire ou d'écrire ce que je veux écrire, donc je ne sens pas que ma liberté académique est menacée. Mais je sens que ma capacité d'exprimer mes opinions dans l'espace public, elle, elle est non seulement menacée, mais elle a été restreinte par des influences politiques* (P614).

In this case, the professor acknowledges that he is limited in his public expression by political pressures, but he refuses to recognize that this could affect his academic freedom in any way.

These four examples of instances where academic freedom is said to be present in the face of evident and apparent constraints are testimonies to the need for professors

to extoll the existence of academic freedom even in the face of constraints. By doing so, they create and construct academic freedom. Academic freedom exists because professors give value to it. And they value it by asserting, comparing and nuancing it. Specifically in this nuancing exercise, there appears to be indication of an institution as academic freedom is given value beyond the actual autonomy professors experience. Indeed, academic freedom is valued beyond the actual exercise of autonomy.

To follow this last point, one informant recognized the freedom he enjoyed, but expressed reservations about it. For him, the consequences of this freedom are not necessarily positive: *"Bien en termes de liberté académique, c'est peut-être l'université probablement la plus libre mais, malheureusement, c'est une liberté qui s'exprime dans une formule d'auberge espagnole. Donc, finalement, on est libre, mais pas nécessairement pour que ça se traduise par des résultats positifs"* (P619). In this instance, the university is compared to a hotchpotch (the idiomatic expression *"auberge espagnole"*), a place where everyone only finds what they bring. In this context, even if there is academic freedom, its consequences are not necessarily positive.

The case of this professor who said academic freedom might not be serving the university's interests or, in other words, that professional autonomy might no longer be serving the profession's interests is paradoxical. It complements our earlier analysis on the valuation of academic freedom beyond the requirements of the task at hand. Indeed, academic freedom as a norm is justified instrumentally. In other words, academic freedom is supposed to serve professors's interests and make it possible accomplish their tasks just as autonomy is supposed to serve professionals. When the informant argues that the hotchpotch formula of academic freedom does not benefit all, he is saying that this rule is not serving its purpose. This stance hints toward the fact that academic freedom has acquired an institutional existence. Indeed, the only reason why the freedom enjoyed by a professional would not serve the accomplishment of his or her professional activities is that it has acquired an institution-like existence.

Similarly, for one professor, the importance of academic freedom goes far beyond the need for academic freedom to fulfil a task: it can trump epistemological beliefs

and acquire a quasi-religious standing. It is the case of one informant who adopts a post-positivist epistemology focusing on the social-construction of reality and the co-construction of the research activity. Because of his epistemological positioning, this informant should assume the existence of constraints as part of the lived experience of the socially constructed research project. Yet, this professor still believes that sciences must go unimpeded: "There is a part of me that is still a bit positivistic, that says: 'well if I'm to do science, I need to be able to think not objectively, there is a limit to chimera, but with as little constraints as possible'" (P599). The absence of constraints, a very materialistic and positivistic idea imported from a naturalist research paradigm, is co-opted, to a certain extent, to protect the idea of academic freedom. To offer one last example, according to one professor, academic freedom possesses a quasi-religious status: it is the "sacrosanct freedom that the professor has in the context of his or her practice"[9] (P596). The value awarded to academic freedom appears to exceeds what is necessary.

From these examples, there appears to be a need for professors to claim, to invoke and to discuss academic freedom in different ways, by asserting the importance, by comparing and contrasting academic freedom, or by providing nuances to their experience of academic freedom. Amongst the nuances provided, some appear to extoll academic freedom greatly. This stance might be linked to the construction of the institution of academic freedom. Indeed, in those cases, the value of academic freedom appears to overstep the requirements to fulfil the task at hand. We will discuss this characteristic in more detail in the conclusion of the chapter.

4.2.2 How academic freedom is argued by professors

Academic freedom is valued in different ways by professors in universities. As we saw, one way was by affirming, comparing and nuancing academic freedom. A second, more reflexive way is by justifying academic freedom. In interviews, professors provide arguments to justify the importance of academic freedom. In this section, we distinguish instrumental arguments (that justify academic freedom according to the task at hand) from institutional arguments (that justify academic freedom beyond the requirements of the task at hand, i.e., in more moral terms). We

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[9] "Je considère que la liberté académique relève de la liberté sacro-sainte qu'a le professeur-chercheur dans le contexte de sa pratique, d'enseignement ou de recherche." (P596)

present illustrative examples of those definitions in Table 6. Instrumental arguments refer to arguments that stress the importance of academic freedom to do research and to teach. Institutional arguments link academic freedom to broader concept such as identity, motivation or social goods. In the first category of arguments (the instrumental ones), we find those invoking activities led by professors. In the second category (institutional), we find arguments based on the benefits that academic freedom provides to the whole society and arguments linked to the identity of professors.

Table 6 Arguments in favour of academic freedom

Citation	Code
INSTRUMENTAL ARGUMENTS	
"Donc, je pense que il y a, aujourd'hui… le plus grand problème dans les sciences naturelles, c'est [que] les fonds de recherche sont trop contraints à travers des agences financières avec des programmes dédiés. Et le problème dans ça, c'est exactement ça. Si on savait comment solutionner, disons, le cancer ou faire disparaître le cancer, ce serait facile, mais il n'y a pas des idées claires et gagnantes. Donc… si on met trop de contraintes financières, on risque la liberté académique… mais on risque aussi de complètement manquer le bateau." P609	
"D'une certaine manière, c'est deux des motivations qui sont nécessaires quand on souhaite faire de la recherche, c'est-à-dire avoir la conviction que ce que l'on a trouvé est mieux que ce qui existait avant – c'est le principe de base de toute découverte scientifique. Et puis l'autre aspect, bien, c'est qu'il faut se battre pour convaincre les autres qu'on a raison. Et ces deux aspects-là sont vraiment deux aspects fondamentaux pour tout chercheur" P8	
"On a quand même une certaine responsabilité mais je pense qu'on a perdu de vue le fait que cette liberté-là est essentielle pour vraiment avancer, faire des percées majeures. Parce que on sait pas où on s'en va. Encore une fois, si on savait où on allait, ce serait simple, la vie" P581	Activity-based arguments
"C'est fondamental parce que… les brisures se font par… les gens qui sont non orthodoxes. On peut remonter à Kuhn… c'est… y a beaucoup à prendre et à laisser de sa Structure des révolutions scientifiques. Mais cet aspect-là de dire – On doit casser quelque chose… pour avancer. Si tout le monde est bien gentil… bien mou dans son moule, bien… c'est plus difficile de casser." P581	
"Moi, c'est ça qui me passionne dans la recherche, c'est l'idée de monter des projets, développer des projets, partir d'une idée, ou quelquefois partir d'une collaboration qui fonctionne pour faire émerger un nouveau projet de recherche. Je travaille beaucoup en collaboration, donc dans certains cas, la qualité de la collaboration va nourrir, va me nourrir	

115

davantage que le sujet, à la limite, que le projet de recherche. Non pour moi c'est essentiel et en fait c'est, comment dire, c'est indissociable de l'activité, la nature de l'activité est complètement liée à cette idée de liberté académique" P598

"C'est important qu'ils aient cette liberté et même moi, en tant que professeur, parce qu'on va s'attaquer à des problèmes difficiles puis si on n'est pas libre de résoudre un problème qui nous intéresse, on ne va pas forcément le faire comme il se doit, on ne va pas se donner le temps, les moyens pour solutionner ce problème. Puis c'est des problèmes assez difficiles et qui prennent du temps. Donc, c'est très important d'avoir cette liberté afin de susciter la motivation et l'intérêt, en fait, de l'étudiant et du professeur." P600

INSTITUTIONAL ARGUMENTS

"Je suis né comme ça. Je veux pouvoir faire ce que je veux et je n'aime pas... Je n'ai jamais triché sur les examens, je veux faire les choses moi-même. Parfois je travaille trop parce que je veux le faire moi-même, (inaudible) les machines, que ça ne m'amuse pas beaucoup mais je veux savoir que... Ça fait partie de la liberté. Je ne veux pas dépendre des gens. Ils n'ont pas mon salaire. Mais ce n'est pas réfléchi. Je disais déjà, quand j'étais petit, je veux le faire tout seul." P616

"Ma liberté est importante parce que je pense que quand on est enchaîné d'une manière ou d'une autre on ressent un malaise et, moi, je suis assez rebelle comme personne, je veux dire, je ne pourrais pas me sentir enchaînée et produire quelque chose qui ait de l'allure." P615

"Bon, si je comprends bien votre question, bien, pour moi, en tout cas, c'est très important qu'il y ait de la liberté sinon je pense que je serais malheureux" P594

"Et moi, je suis une personne qui a besoin de sécurité. Je pense que peut-être c'est une autre des caractéristiques : j'aime ça la liberté, mais j'aime ça aussi l'aspect sécurité. Tu as un salaire. C'est pas un salaire mirobolant, mais c'est un salaire qui est correct pour ce qu'on fait." P590

"Évidemment, je vais aussi trouver à ça il me semble une responsabilité, c'est-à-dire que vient avec ça aussi la possibilité de jouer un rôle dans la société qui est difficilement jouable par d'autres personnes. Qui est de dire – Moi, je peux m'impliquer

Identity-based arguments

Socially based

116

arguments
et utiliser mes compétences, mes connaissances pour le bien de la société. Et ça, ça implique de sortir un peu de… ça dépend des domaines de recherche, mais de sortir un peu de son domaine de recherche étroit pour être capable de faire le lien avec la société. Pas la seule façon de contribuer. Pour moi, c'est une façon que je trouve importante et intéressante" P581
"Dans mon livre à moi, j'ai vraiment la conviction qu'à l'université je dois former des libres penseurs, et ce, même si ils sont dans un domaine bien technique comme ▉▉▉▉." P622
"Ne pas être prisonnier d'une seule vérité. Il y a eu des époques, au moment de l'Inquisition ou autrement, même dans notre univers culturel à nous, on nous imposait une seule vérité. Il n'y en avait qu'une. Là, l'avantage aujourd'hui c'est que vous mettez une trentaine de profs ensemble experts sur le même sujet puis il va y avoir toutes sortes de points de vue. Il n'y aurait pas juste une vérité. Et pour former des jeunes générations, surtout pour les étudiants gradués, d'être exposé ainsi à différentes perspectives me semble très précieux. Ils ont une perspective en profondeur avec le cheminement, avec une tutrice ou un tuteur, mais c'est très bon d'entendre les différents points de vue." P 610
"Bien, moi je pense que la liberté académique est importante parce qu'on devrait pas être dans un système où on nous oblige de penser juste d'une certaine façon ou d'enseigner juste d'une certaine façon." P585

4.2.3 Instrumental arguments in favour of academic freedom

"Academic freedom is necessary to accomplish academic tasks" is the archetypal instrumental form of the argument in favour of academic freedom presented by professors. It is directly linked to what professors do: science, expertise and creativity. We will present the various forms it takes.

A first form of the argument professors invoke in favour of academic freedom is linked to the way science, and to a lesser extent teaching, functions. The argument is that professors provide specialized services relying on expertise. In order to be able to use this expertise, professionals need autonomy. Academic freedom is the form of autonomy professors enjoy. Academic freedom is valuable because it is linked to their tasks, mainly research and teaching. Regarding teaching, professors need to adapt and to personalize the contents of the course for their students (P593) and require the freedom to incorporate new contents to keep pace with the progress of science. Academic freedom enables them to do so.

But academic freedom is believed to be particularly relevant to research because it is a very special activity that requires a high level of autonomy. This autonomy is warranted because the work is highly unpredictable. For one professor, to describe research as an exploratory activity would be an understatement:

> qu'on doit formuler d'abord une hypothèse et, après, tester. Ça, c'est un peu, selon moi, ça, c'est un peu une caricature. Parce que normalement, on a un globe et on a un bâton et on frappe, avec le bâton sur le globe, parce qu'on s'est entraînés pendant plusieurs années, on est peut-être capable de discerner une réponse du globe (P609)

According to this natural science professor, science is not the neat and tidy endeavour it is sometimes caricatured as. He uses the image of someone hitting a globe with a stick and trying to record effects as an analogy for science. For this professor, research is an exploratory, highly random activity that would be threatened if he was told how and what to do. It is only because he was trained for numerous years that he is able to discern results. The nature of the activity requires autonomy.

A second form is more tightly linked with the notion of expertise, already alluded to in the previous example. In this context, professors provide expertise. They affirm that they require academic freedom to fully express this expertise (P604). Indeed, constraints exercised on experts would be detrimental to the object pursued because it would be made from the standpoint of a non-expert (P609). As one informant spells out:

> *Faut faire... faut faire confiance aux chercheurs... et à leur curiosité... scientifique et à leur talent pur. Que ce soit dans n'importe quel domaine, pas seulement dans le mien mais dans n'importe quel domaine. C'est... Définitivement oui. L'orientation de la recherche a pas à être dictée par... en tout cas, pas dans les universités. A pas à être dictée par des gestionnaires. C'est... pour moi, c'est pas naturel. Faut que ce soit... faut que ça provienne des chercheurs eux-mêmes* (P607).

Academic freedom is important in this context because you never know how a research project will go (P618). In order to discover new things, you need to go where you are not going, to do things differently. Professors, as experts, are the most competent people to make those choices (P599).

Professors put their unconstrained expertise to the task of discovering new things. Academic freedom is important because it enables professors to conduct the type of research they want (P601; P613). Limiting academic freedom, professors argue, limits the development of science:

> *on le sait que quand on écrit une demande de subvention, comme j'ai dit, même si on écrit un projet pour cinq ans, on le sait qu'on pourra pas le suivre... à la lettre. Il y a d'autres domaines où ils doivent suivre à la lettre, mais nous on le sait que c'est... les grandes lignes, le sujet va rester à peu près dans ce... dans ces grandes lignes-là, mais ça se peut que... quelque chose qui va arriver, un chercheur qu'on va rencontrer par hasard, bien, nous amène dans une autre direction* (P15).

Such flexibility, it is argued, is required by the natural progress of science.

A third form of the argument emphasizes creativity. Professors invoke discovery as the basis for autonomy. For some, science is the discovery of new things. Creativity is necessary to discover new things. Freedom is necessary for creativity, and academic freedom is necessary for scientific discoveries. Science cannot be limited or guided because otherwise it constrains creativity (P602). To move forward in science, to brake the casing of normal science, to make major advances, one needs to do things differently (P581; P597). Academic freedom is necessary because it enables different ways of working (P616) and fosters original thoughts (P607). Mobilizing these arguments, academic freedom, science and creativity are tightly intertwined in the minds of professors.

4.2.4 Institutional arguments in favour of academic freedom

The second type of argument links academic freedom to something broader than the work of academics. While in the first case, academic freedom was directly tied to professors' immediate tasks, in this second set of arguments, it seems as though informants provide justifications that go beyond what is necessary and invoke larger goals. In these cases, the goals are linked to their identity or to benefits for society. It is worth noting that these are mostly consequential arguments, that is the arguments take the form of "academic freedom is good because it enables the accomplishment of x goal", yet, we do not place them with the instrumental arguments because the goals identified go beyond the simple academic tasks and reach toward loftier goals.

A first set of arguments are linked to the identity of the informants. When asked "Why is academic freedom important?", they would typically answer with something along the lines of "Because this is who I am." In this sense, academic freedom is linked to the identity of the professor and not to the task they are meant to accomplish. This relation of fit makes it possible for professor to say that academic freedom is important because "I was born this way" (P616)[10]. Being the way they are, feeling bound (P615)[11] would

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[10] "Je suis né comme ça. Je veux pouvoir faire ce que je veux et je n'aime pas… Je n'ai jamais triché sur les examens, je veux faire les choses moi-même. Parfois je travaille trop parce que je veux le faire moi-même, (inaudible) les machines, que ça ne m'amuse pas beaucoup mais je veux savoir que… Ça fait partie de la liberté. Je ne veux pas dépendre des gens. Ils n'ont pas mon salaire. Mais ce n'est pas réfléchi. Je disais déjà, quand j'étais petit, je veux le faire tout seul." P616

make professors unhappy (P594)[12] because it would restrict their natural curiosity (P581), limit an activity that provides them great pleasure (P617) or take away a sense of security (P590) that academic freedom provides and that professors need. Academic freedom's importance is inward-looking since academic freedom reflects part of what the informant is and answers a need he or she has separate from the task at hand.

The second institutional argument professors invoke links academic freedom to social contribution. Academic freedom is an important privilege and, in return, professors contribute to society (P596). Academic freedom is said to be important because it provides society with a diversity of research (P611). Moreover, because professors are shielded from public pressure, they can conduct research on controversial topics for the good of the society (P612). In this sense, their contribution to the society lies in the discoveries they make.

Another argument in favour of academic freedom runs along similar lines. It linked academic freedom and the work of professors to the betterment of societies itself. The societal outcome of professors' work is not discoveries, in this case, but better citizens and better democratic debates, all thanks to academic freedom. Academic freedom is important because it allows people to think for themselves and to be confronted with different explanations (P585). Even in more technical disciplines, "*Dans mon livre à moi, j'ai vraiment la conviction qu'à l'université je dois former des libres penseurs, et ce, même si ils sont dans un domaine bien technique comme ▮▮▮▮▮▮* " (P622). Academic freedom, according to professors, plays a key role in fostering free thinkers. More generally, it also enables professors to take political stances (P9) and to contribute to societal debates and progress (P581). Academic freedom is important because it enable a plurality of ideas to emerge and exist, which is good for liberal societies (P610). Academic freedom is important, professors argue, because of the benefits it provides societies.

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[11] "*Ma liberté est importante parce que je pense que quand on est enchaîné d'une manière ou d'une autre on ressent un malaise et moi je suis assez rebelle comme personne, je veux dire, je ne pourrais pas me sentir enchaînée et produire quelque chose qui ait de l'allure.*" P615

[12] "*Bon, si je comprends bien votre question, bien, pour moi, en tout cas, c'est très important qu'il y ait de la liberté sinon je pense que je serais malheureux*" P594

These identity-based and socially based arguments infuse academic freedom with value beyond the requirements of the task at hand, which are in this case research and teaching, and maybe collegiality.

We presented instrumental and institutional arguments as mutually exclusive but, of course, they are not entirely distinct. In fact, many are tied to another, and often the same professor will invoke arguments from both categories. For example, there can be links between the social and the scientific arguments in favour of academic freedom. Indeed, a scientific contribution can also be a societal contribution, both in the natural sciences (e.g. vaccines) and in the social sciences (e.g. micro-finances). In this case, according to informants, academic freedom is important in the pursuit of research as well as to contribute to a better society. The same informant has invoked both instrumental arguments (academic freedom enables science) and institutional (it makes a better society). In sum, in interviews, the line between each argument was much more blurred.

Conclusion

The various arguments presented by professors to explain the importance of academic freedom are interesting in and of themselves, but they also illustrate the complex relationships professors entertain with the idea of academic freedom. It is important for professors, it is highly valued, and the assessment, as well as the arguments invoked, appears to infuse the norm of academic freedom with value beyond the task at hand.

In the interviews, professors share how their work is difficult. Many argue that professors could not simply be motivated by instrumental reasons such as a paycheck. If that was the case, universities would be very different. Indeed, high levels of motivation are required in a setting with very little supervision. "Professors are not public servants", said one informant (P588), buttressing the fact that universities are not cumbersome bureaucracies. In this context, academic freedom is said to be an important source of motivation.

For some, academic freedom is why they chose a professorial career (P589). Professors are largely autonomous, and academic freedom plays a key role: it motivates them to go beyond a 9 to 5 job:

> *Donc, moi je pense qu'il faut vraiment aller vers... ce qui nous passionne. Parce que sinon, bien, c'est parce que comme ça, bien, le soir, tard, on va être dans la maison en train de faire ça, alors que dans l'autre sens, bien, si ça nous tente moins, bien, ça, ça va être un travail qu'on va considérer de 9 à 5, où on va se forcer à finir... la recherche qu'on avait débutée* (P15).

If professors' motivation came from monetary incentives, they would likely work less (P594), stated one professor. The autonomy professors enjoy comes in to justify working 70 hours a week: they know they have control over their work (P595). According to informants, one aspect that motivates professors to put in all these hours is to choose their subject of research (P598; P600). In this sense, academic freedom is linked to motivation and good research. If one is not free to approach research the way one wants to, one will not put the efforts required into it (P620).

In other words, according to professors, instrumental reasons are not sufficient to explain their behaviour in universities. Academic freedom, because it is valued beyond the requirements of the task at hand, because it is an institution, comes to justify the efforts put in.

We will pursue this analysis further in section 6.2.3, discussing heterogeneity as spectrality. Following the exploration of the potential explanations for heterogeneity in understandings of academic freedom, we will explore the variations in arguments used to justify academic freedom in Université de Montréal, UQAM and McGill as well as compare the arguments invoked by Université de Montréal professors and Université de Montréal professors involved in other activities (either unions, community outreach or administration) to identify potential differences.

4.3 Academic freedom as a cognitive institution

> *"OK. Moi, je me suis jamais posé la question, en fait, si ça avait un sens normatif, s'il y avait des textes. De toute ma carrière. Ça fait maintenant 22 ans que je suis ici. Je suis jamais allé voir aucun texte qui qualifierait ou normerait cette chose-là, ma liberté. Probablement parce que j'ai jamais eu de problèmes, en fait, j'ai toujours vécu ma carrière universitaire en Amérique du Nord sous le signe de cette liberté, en fait, qui, à mon sens, a jamais été remise en question d'une quelconque manière, donc j'ai jamais eu non plus à la défendre ni même à l'affirmer de manière manifeste, la revendiquer ou quoi que ce soit."* (P588)

Our data suggests that in the daily lives of professors, academic freedom is taken for granted. We opened this chapter with a presentation of academic freedom as a regulative institution made up of rules and regulations with a certain amount of coercive power. We then illustrated the normative nature of academic freedom, i.e. how it is infused with value beyond the requirements of the task at hand. We showed how this was infused both in the professors' assessment of academic freedom and in the justifications they provide for academic freedom. We concluded that academic freedom is constructed by professors thought valuation.

But academic freedom is also a cognitive institution, present in professors' everyday experiences. Professors assess their academic freedom mostly positively, but do they invoke their academic freedom in their daily lives? Do colleagues? What types of events trigger the evocation of academic freedom in the daily lives of professors? When asked, what stories do they tell? In what follow, we illustrate how academic freedom is very seldom present in professors' everyday lives and, when it is, how it concerns them only indirectly. In other words, academic freedom is taken for granted.

This section is based on the interview data from the comparative sample. Following our four-step coding process, we familiarized ourselves with the data, initiated analytical coding, then thematic coding and finished with a reflexive equilibrium. During the analytical coding phase, we systematically coded portions of interviews in which professors related experiences during which they had invoked academic freedom.

4.3.1 The taken-for-granted-ness of academic freedom

According to our interviews, in their daily lives, professors do not talk much about academic freedom. Indeed, most informants assert that they have never themselves invoked academic freedom, rarely seen colleagues invoke it and, even then, if it was alluded to, it was often implicitly. They have enjoyed it, they have made good use of it, but they rarely discuss it.

In fact, when asked and probed about whether they had ever invoked academic freedom or if their colleagues ever did, five reactions where characteristic: 1) they never needed to express academic freedom because it was never threatened, 2) they have only invoked academic freedom implicitly or positively, 3) they do not talk about those things and 4) few recall situations where they invoked academic freedom and 5) when invoked, it was sometimes deemed an unwarranted use of the concept.

First, professors said they or their colleagues have never invoked academic freedom because they never needed to invoke it. A typical answer to questions regarding them or their colleagues calling upon academic freedom was to simply say "no": "*Mais je dirais plutôt non, pour répondre objectivement. J'ai jamais vécu une situation où quelqu'un a affirmé ça*" (P501). In fact, a negative response was initially provided by about three quarters of informants. It was only once probed that they sometimes would remember some experiences.

One key aspect is that professors only invoke academic freedom when it is under threat. Academic freedom comes as a tool to protect professors. But most of them never needed to invoke it.[13] The fact that they never called upon academic freedom supports the

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[13]"*Je n'ai pas eu besoin, dans la culture organisationnelle où je suis, d'avoir à l'évoquer*" P611. "*Disons que j'ai jamais eu à me défendre ... encore. J'ai peur que cela vienne vis-à-vis l'université qui est de plus en plus ... disons qui vérifie de plus en plus nos faits et gestes à travers les administrations mais pour le moment, non.*" P603
"*Et ici, dans ce département, j'ai pas le souvenir, jamais, de quelqu'un qui a eu besoin de se rendre à cette extrémité- là, si tu veux, parce qu'il y a toujours d'autres manières de parler des conflits qu'il peut y avoir entre nous, des accords et de les régler sans évoquer un principe aussi général que celui-là et aux contours aussi peu définis, à mon sens.*" P588.
"*Enfin, assez furtivement, parce que je pense que c'est quand même un acquis. C'est relativement un acquis.*" P583

positive assessments professors make of their academic freedom. Academic freedom is not something professors discuss or invoke. As one informant describes, academic freedom is something one does:

> Je pense pas que j'aie eu à le faire. Je pense pas que j'aie eu à dire à quelqu'un: « Là, tu m'obliges à faire de quoi que je veux pas faire ». Ça m'est arrivé de choisir de pas travailler dans un domaine à cause…, par exemple, avec un industriel qui vient pour telle et telle chose, de dire : « Ça, je veux pas y toucher ». Mais j'ai jamais dit : « C'est par liberté académique ». C'est juste, en gros, ça reste mon choix pareil. Mais j'avais pas cette idée-là d'obligation. (P596)

When professors enjoy academic freedom, they exercise it by making decisions in key areas of their work such as research, teaching, collegial governance and public expression. These choices express the autonomy of professors without them needing to claim it.

The second relevant aspect is that, when they did invoke it, it was often implicitly. As one informant reflected:

> It's interesting because I never feel like people are invoking that freedom at least in our department in a very explicit way. It's almost like they forget that they're supposed to have that freedom. So, it's not (…) used as an argument for like: "OK, I should have this freedom" or "I don't want to do this because I'm an academic" or things like that. (P587)

For example, professors would talk with colleagues about incidents, such as strategies to decrease funding for fundamental research implemented by the Harper government, that could affect academic freedom. One informant would recall hearing these types of discussion, but never discussing it himself (P606). In discussions, "nobody would say 'Hey, you're breaching my academic freedom.' But in the end, these choices, implicitly,

are tainted and I think the only discussions are of that sort"[14] (P686). Most of the time, the use of academic freedom would remain implicit: "Not in those terms, maybe. Maybe in an indirect way, but not in terms of academic freedom"[15] (P601).

Third, informants sometimes admit that they simply do not talk about these things: "academic life is very individualistic even though we collaborate with people and are constantly part of communities, a lot of the work we do ends up being something that we do by ourselves. And we don't necessarily communicate too much about our careers as such or about our actual practices" (P587). In short, one professor said "we don't talk a lot between colleagues"[16] (P605) and, when they do, they talk about science. As one informant said, "let's not forget I'm a theoretical scientist. Among theorists, we talk math" (P617)[17]. Professors have well defined subjects of inquiry. They are motivated by doing research in those fields. And "*ils vivent leur liberté académique dans leur sphère, dans leur domaine à eux. Ils pataugent là-dedans, puis ils sont heureux dans ça*" (P622). Professors prefer discussing about their activities rather than aspects related to their academic freedom.

According to some informants, it also appears to be linked to epistemic factors since some areas are more prone to controversy than others and, without controversies, the need for academic freedom appears to be less salient, admitted one professor (P15).[18] More specifically, fields in certain natural sciences or "hard science," according to one professor, are immune to academic freedom discussions because of the uncontroversial nature of the research led: "*On n'a pas eu, dans les sciences dures, comme informatique, mathématiques, ça ne revient pas très souvent sur le tapis parce que, tout ce qu'on fait, ce n'est pas controversé, vraiment*" (P617). It is not like philosophy, politics or

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[14] "*je veux dire il y a personne qui va dire : « Ah, vous brimez ma liberté ». Mais dans le fond, ces choix-là, implicitement, ont une coloration et je pense que les seules discussions de ce côté-là c'est ça.*" P686

[15] "*Non, pas réellement, non. Pas en ces termes-là, peut-être. Peut-être de manière indirecte mais pas en termes de liberté académique*" P601

[16] "*On se parle pas beaucoup entre collègues.*" P605

[17] "*Pas vraiment. Il ne faut pas oublier que je suis théoricien. En théorie on parle, quand on parle, on parle de maths*" 617

[18] "*Mais dans le domaine où je suis, c'est, c'est pas comme ça, il y a pas de grosses controverses, il y a pas euh..., il y a des questions d'éthique ou... Donc,... je pense pas que la liberté académique ait créé des conflits ou des problèmes, jamais, dans... le domaine où je suis...*" P15

sociology, in which topics of research are much more controversial according to the same professor.

While we might think academic freedom is less relevant in natural sciences because of the structure of scientific knowledge in those fields or because the topics are not linked to social controversies, one professor argued professors in natural sciences do not invoke academic freedom because of the acknowledged need for flexibility which is linked to expertise in research.

> *Je pense que... en* ▮▮▮▮▮▮▮, *dans la nature même de cette discipline, les gens par définition, savent qu'y faut être flexibles. Et ils savent que, par exemple, en* ▮▮▮▮ *la plupart des professeurs... même je dirais presque tous, les professeurs de* ▮▮ *... sont des... ... ... des gens qui font de la recherche beaucoup. Et donc finalement... ... ... l'esprit est que bon... automatiquement, tout le monde a besoin de cette flexibilité donc y a personne qui...* (P614)

Finally, when academic freedom was called upon in actual situations, professors considered it sometimes to be an abuse of the concept. Indeed, when invoked, academic freedom was often judged to be an unwarranted, unjustified or abusive claim by colleagues. This condemnation took many forms, from the more general to more specific instances.

One informant recalled how, in the social sciences, an apocalyptic tone on the future of the university and academic freedom seemed fashionable (P607). She would recall how discussions with colleagues would focus around how "everything is going from bad to worse." According to this professor of social sciences, such a narrative appeared important to some in her field, but she wanted to adjust this perception:

> *Oui, il y a des choses qui sont plus bureaucratisées, mais en même temps ça fait partie du discours normal de la sociologie de dire que ça va de mal en pis. Il y a toujours la crise qui..., et mes collègues sont vraiment là-dedans, axés sur la crise. La crise, la crise, on en sort jamais, c'est un peu fatiguant!* (P589)

Such invocations of academic freedom were called into question by many: "That's why, I hear those discourses, they're there, they're present, that's for sure. Those are debates, but in my opinion, I am not convinced, precisely on the way we portray the current state of affairs"[19] (P607). Part of the tone of desperation present mostly in the social sciences was attributed to ideological positioning:"*Non, mais ce que je veux dire, les confrontations parce que, quand il y a beaucoup d'idéologie, donc d'idéologie, ça a pour effet souvent de rétrécir l'esprit critique. C'est comme l'amour. Qui disait ça? L'amour rend aveugle, mais l'idéologie rend aveugle aussi un peu, un peu comme l'amour*" (P618). Hence, things might not be as bad as the dominant narrative portrays it.

Furthermore, some appeals to academic freedom might have been abusive, as one informant recalls: "*Et là, on est rapide à évoquer la liberté académique. J'ai cru entendre ou cru voir, dans ma carrière, des moments où certains collègues évoquaient la liberté académique pour peut-être revendiquer le droit de « faire n'importe quoi », entre guillemets*" (P588). Academic freedom is portrayed as a tool used by professors to do whatever they want or even to justify working less or refusing to comply with constraints because they do not suit them (P599).[20]

Additionally, a few informants made reference to precise cases that they had encountered throughout their careers. In this subsample, two cases in particular have been explicitly identified as abusive uses of academic freedom. The first one relates to the actions of a professor seeking tenure. The professor in the social sciences was said to behave misogynistically towards female colleagues and students and was not granted tenure by the committee. In this context, he appealed to academic freedom. It was recognized as an unjustified use of the notion of academic freedom, tenure was still not granted, and the professor had to leave the university (P586).

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[19] "*Ils sont là, ils sont présents, c'est sûr. C'est des débats, mais à mon avis, je ne suis pas convaincu, justement de la manière dont on dresse le portrait actuellement de ça.*" P607
[20] "*Certains collègues justement qui vont revendiquer une liberté académique pour en fait, quand ils doivent justifier ou soit moins travailler ou, comment dire, refuser des choses. Refuser de se plier à des contraintes parce que c'est ça, ça ne fait pas leur affaire. C'est un petit peu facile.*" P599

The second case was reported by two professors from the same unit in natural sciences (P604; P608). One tenured professor wanted his teaching load to be transferred to one semester so he could leave for a few months to work abroad. An important point is that the location where he wanted to work was not related to any research project: it was a traditional holiday destination, and there were no research centres, conferences or fieldwork opportunities that could justify his presence there. As colleagues were discussing the yearly work plan proposed by professors in the departmental meeting, some raised the issue of the legitimacy of this planned absence. It was argued that a prolonged absence would affect students and the distribution of the administrative workload between professors. One professor recalled that "*Et à ce moment-là, je me souviens, il évoquait la liberté académique et tout ça. Je trouvais qu'y avait... qu'y atteignait les limites du concept*" (P608). The professor requesting the leave invoked academic freedom, but his yearly work plan was rejected by the assembly.

While things might have been different a generation earlier —one informant commented on how older colleagues used the norm (P9)[21] this appears to be the current state of affairs regarding academic freedom: rarely invoked and, when it is, welcomed with skepticism. All in all, we should take away one thing: more often than not, academic freedom is not invoked, invoked implicitly or invoked abusively. In sum, academic freedom is taken for granted.

Some might perceive this state of affair as illustrating the absence of academic freedom. We believe such a conclusion would be hasty both in regards to the cognitive aspect of the institution and to the broader institutional understanding of academic freedom. We just presented the first of these two elements and, in the next section, we will go over the second. As discussed in our conceptual framework chapter, cognitive institutions are taken-for-granted worldviews. Since they are taken for granted, it is only natural that they are not the object of constant discussions or they are only evoked implicitly. However, there is a common understanding of what is academic freedom. Indeed, when

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[21] "*Et je me demande s'il y a pas un fossé générationnel entre... les plus anciens, peut-être une thématique qui était plus... importante un concept plus important et existant il y a... 30 ans versus maintenant.*" P9

academic freedom is subjected to unwarranted use, as in the two cases narrated above, professors correct the illegitimate understanding to uphold the proper one. In short, they share an idea of what academic freedom is not. If academic freedom certainly appears to be taken for granted by professors in their social lives, it is the mark of a cognitive institution and not the indication of an emaciated institution.

4.4 Academic freedom as an institution

Some characteristics of the institution explored above could cast doubt on the existence of academic freedom as an institution. Indeed, we described the regulative aspects of the institution of academic freedom as heterogeneous, the normative aspects of academic freedom as constructed, and the cognitive aspects of academic freedom as implicit. Nevertheless, by combining all three aspects, academic freedom appears to display all the characteristics of an institution. Moreover, it provides stability and meaning to the social world, as institutions do. According to our research, academic freedom is an idea that has acquired a real-like existence and, as such, it provides stability and meaning to the social world. This last characteristic is what we want to explore in the final section of Chapter 4.

As we discussed in the first chapter on the review of literature, academic freedom is embedded in history, rules and regulations, used and valued by professors and present in many social spheres. In describing academic freedom as an institution, we want to build on these ideas. More specifically, we want to detail this presence in different spheres: professors recognize the norm of academic freedom individually and collectively, organizational documents appeal to it, and academic freedom has a legal existence, is a matter dealt with in governmental policies as well as being invoked in public debates. The presence of academic freedom in numerous spheres demonstrates the existence of something like an institution which provides meaning and stability to the social world. In the following, we illustrate the presence of academic freedom at the individual, organizational and field levels.

This section is based on the comparative and the contrasting samples collected. The details of the gathering procedures have been discussed in the methodological section.

As a reminder, we mobilized purposeful, random, snowball and exhaustive methods at different times in the collection of our data sets. As the main goal is to demonstrate the presence of academic freedom in many social spheres, we did not undertake any systematized content analysis for this section. We will instead describe the data sets we have collected.

4.4.1 Social level: legal

While there are no explicit constitutional provisions or laws protecting academic freedom in Canada, academic freedom is nonetheless present in legal sphere. By mobilizing different legal search engines (CanLII, LexisNexis and Quebec Court Records) and searching for occurrence of "academic freedom", "*liberté académique*" and "*liberté universitaire*" in the documents, we found 29 judgements mentioning academic freedom. Academic freedom comes to the fore in five types of legal circumstances. First, since UNESCO considers academic freedom to be a human right, it is sometimes invoked in appeals to gain refugee status. Second, it is invoked in criminal cases when the prosecution wishes to use evidence collected by researchers in the context of a criminal trial. Third, academic freedom is invoked in labour disputes and, fourth, in constitutional case of jurisdiction of the *Canadian Charter of Rights and Freedoms* over universities. Finally, the bill constituting UQAM invokes academic freedom.

Even though no law defines academic freedom, it can be found in legal practice. It is present in two ways. First, it is an element of common law and second, it is mobilized by parties through the invocation of the rules and regulations that applies to a case, such as UNESCO's policy on academic freedom, collective agreements with academic freedom clauses or institutional policies. Academic freedom has a presence in the legal realm. Academic freedom provides meaning and stability in the legal sphere.

4.4.2 Social level: the media

Academic freedom is also present in a more public way in the press. To explore this presence, we conducted a search using Eureka.cc, a database bringing together over 12,000 sources, including the main news outlet and newspapers. We restricted the

search to Quebec content in French and in English, and to major Canadian news outlets. We conducted a search for any occurrences of the keywords "academic freedom", "*liberté académique*" and "*liberté universitaire*" in the full text of the selected sources. We started by sorting through to select the relevant news articles: 300 articles were downloaded and coded (the articles range from September 1998 to April 2014). Academic freedom is an idea that occurs in the media and that therefore provides meaning and stability to the social life.

4.4.3 Social level: political sphere

Finally, academic freedom is also present in many ways in the political sphere. For this subsection, we collected 118 documents through snowball sampling. The documents were either referred to by informants, alluded to in organizational documents, or in other settings (press, legal, etc.). They offer a good picture of issues surrounding academic freedom in the political sphere.

These documents include

- different versions of the *Tri-Council Policy Statement: Ethical Conduct for Research Involving Humans* (TCPS) as well as documents by individuals and organizations submitted to the Tri-Council Agencies in the context of consultations in preparation for updated versions,

- statements of various organizations such as the *Fédération québécoise des professeures et professeurs d'université* (FQPPU), the Canadian Association of University Teachers (CAUT), the Association of University and Colleges of Canada (AUCC), and the American Association of University Professors (AAUP) on academic freedom,

- 1997 UNESCO *Recommendation concerning the Status of Higher-Education Teaching* as well as Canada's latest report on compliance to the *Recommendation*

- the documents related to the parliamentary auditions on the Bill commonly called the "Charter of Values" in Quebec, which raised issues of academic freedom.

These numerous documents represent the most common occurrences and understandings of academic freedom present in the political sphere. It is a testimony to the fact that academic freedom occupies a place in political debates in Quebec and in Canada. As such, academic freedom plays a role as it provides meaning and stability to the social life.

The triangulation of data provides a high degree of certainty regarding the existence of an institution of academic freedom that provides meaning and stability in different social spheres. Individually and collectively, professors know about academic freedom. In collegial processes, professors knew about academic freedom. The literature in scientific journals is replete with scientific and normative pieces on academic freedom. University policy documents contain references to academic freedom. Legal documents discuss issues of academic freedom. The government enacts policies that take academic freedom into account. The press, both in news and in opinion pieces, writes about academic freedom. We have a very strong case for the existence of something like a pervasive institution of academic freedom that provides meaning and stability to social life.

4.4.4 Organizational level

Academic freedom is also present at the level of organizations, in documents produced by universities. To explore this aspect, as explained in subsection 3.6.3, we collected documents presented on the websites of the three Montreal universities included in this research project. We used a search engine (Google) and limited the search to their websites and to pdf documents containing "academic freedom" or its French equivalents. This produced an exhaustive collection of 290 documents mentioning academic freedom and hosted by the university websites. The documents range from news articles, rules, policies to report of minutes from meetings. Academic freedom is present in documents produced by the universities; it has an existence at this level. In many circumstances, it provides meaning and stability to the organizational life.

4.4.5 Individual and group level

A final indication of a prevalent awareness of academic freedom amongst professors comes from the 63 semi-directed interviews with professors from three Montreal universities, with rich experiences, from different disciplinary backgrounds, affiliated with different departments, about the work of professors, their autonomy and academic freedom. The complete sample, combining the comparative and the contrasting samples, represents a diverse set of informants: men and women; locals and internationals; tenured and pre-tenured; from 15 different departments; some with administrative, union or advocacy experiences, others without in three universities with different institutional profiles. Most of them discussed academic freedom without being asked explicitly, all of them knew about academic freedom and were largely able to discuss intricate aspects of this notion.[22]

The second indication that academic freedom exists for professors can be found in the scientific literature, which presents it as an important component of the life of professors. Important bibliographies and research guides on academic freedom exist. Karran (2009b) has made hers available after having published a series of papers on academic freedom within the particular scope of Europe. Similarly, Horn (2002) has made available in *History and Intellectual Culture* a bibliography as a supplement to his own *Academic freedom in Canada: a history* . Finally, a book which serves as a guide to the literature on academic freedom was published (Aby & Kuhn, 2000). Academic freedom is the subject of an important literature.

Scientific journals are an important means through which professors communicate. These periodicals often accommodate both scientific literature and editorial pieces. In the context of the early stages of this research, we led an exploratory review of the literature on academic freedom. To do so, we mobilized several search engines (JSTOR, Web of sciences and EBSCO) and proceeded to extract every article that included "academic freedom" in its title, abstract or keywords. This request produced over

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[22] While we could not, for ethical reasons, entirely disguise our research topic, it was not the main point of the request we sent by email and we did not force it upon informants during interviews. Only in very few cases did we introduce the notion of academic freedom after the email and in the introduction. Most of the time it was introduced by the professors themselves.

1,000 references. There appeared to be four main categories of literature: legal, historical, normative and sociological. As presented in the review of literature, the historical literature on academic freedom focuses on the historical sources of academic freedom. The legal literature on academic freedom focuses on the relations between academic freedom and the law. It explores questions such as legal provisions protecting or impeding academic freedom, comparative law, etc. The normative literature includes the more scholarly discussions in philosophy as well as editorials in scientific journals about the state of academia or particular measures affecting academic freedom. Finally, the last and the least abundant, sociological literature explores academic freedom as an object of research and mobilizes data to illuminate the inquiry.

The third and final indication that academic freedom provides meaning and stability to professors' social life is an early ethnographical exploration of a process initiated by an association of professors to propose a definition of academic freedom. Following a statement made by the Association of Universities and Colleges of Canada conflating academic freedom with institutional autonomy, a group of professors affiliated with their institutional association of professors took it upon themselves to meet, to consult and to propose a statement on academic freedom with the objective that it be adopted by their academic institution. In the course of this ethnographic exploration, we attended three public meetings and four committee meetings for a total of over 20 hours of discussions, we collected documents, emails, and iterations of the statements, and we conducted interviews with professors who were active members of the committee. While there appeared to be little consensus on the precise understanding of academic freedom, there was an important discussion on academic freedom taking place. It involved a sizeable number of professors whom all had an understanding of academic freedom. In a collegial process, professors' participation testified to the existence of something like academic freedom being an idea that exists collectively.

Individually in interviews, collectively in organizational and collegial processes or in scientific activities, academic freedom appears to be part of the fabric of universities and of the academic profession. Whenever discussed, in the context of interviews, in meetings or in consultations, professors involved knew about academic freedom.

136

Academic freedom is something that exists and one sphere of its existence is the scientific journals. Academic freedom, in this context, is a shared norm in the profession. In all these situations, in meetings, interviews and in scientific journals, academic freedom occupies an important place. It provided meaning and stability to professors.

Professors, either on their own or in groups, know about academic freedom. This is evident from the interviews we led, the scientific literature surveyed and the ethnographical data collected. Together, these three sources of information provide us with sufficient certainty that academic freedom is something professors know.

Conclusion

In this section, we detailed how academic freedom can be approached as an institution. Mostly, it conforms to the definition of institution provided by Scott: it is embedded in rules and regulations, valued beyond the task at hand, taken for granted and provides stability to the social world. We exposed various definitions of academic freedom. We listed the reasons why professors believe academic freedom to be important. And we exposed the experiences professors had with academic freedom. In doing so, we have started to appreciate the multiple facets and complexities of academic freedom.

Table 7 Summary of findings of institutional characteristics of the institution of academic freedom

	Empirical	Characteristics	Findings
Regulative	Rules and regulation	Coercive: obligations, delegation and precision	Vertical, horizontal, organizational and diachronic heterogeneity
Normative	Assessments and arguments	Valued beyond the requirement of the task at hand	Constructed through assessment (assert, contrast and nuance) and arguments (instrumental

			and institutional)
Cognitive	Experiences	Taken for granted	Not discussed, implicitly alluded to and contested when discussed

We have also illustrated how academic freedom is constructed. Formal rules and regulations provide real-like existence to the institution of academic freedom. Assessments and arguments provide value. Finally, cognitive aspects of the institution of academic freedom provide understandings.

We argued that the literature on academic freedom provided a fragmented perspective on academic freedom and that it would therefore benefit from a more theoretically oriented approach. We had identified four streams of research: historical, legal, normative and sociological. In order to provide a more theoretically laden account of academic freedom, we proposed an institutional perspective inspired by the sociology of professions. In doing so, we started to integrate the different perspective. Indeed, equipped with an institutional framework, we acknowledged the historical and socially constructed, legal and regulative, normative and social nature of academic freedom by accounting for the regulative aspects of institutions with coercive capacity, the normative aspects as infused with value, the cognitive aspects as taken for granted and the institution's presence at different levels within society.

We also argued that an institutionalist understanding in the sociology of professions requires an account of norms of professional autonomy. This chapter provides the first elements of such an understanding of professional autonomy. According to political explanations, autonomy is an effect of power. For functionalists, it is the consequence and requirement of an expertise. For critical thinkers, it is a tool of domination. What becomes clearer in this chapter is that for an institutional perspective on professions, professional autonomy is socially constructed and does not simply derive from power games, expertise or modes of control. Moreover, in the next chapters, we describe a

characteristic of the institution of academic freedom that we label spectrality. We believe spectrality plays a key role in explaining academic freedom and professional autonomy.

Chapter 5 Academic freedom as a spectral institution

As we saw in the last chapter, academic freedom as an institution is embodied in rules and regulations, is highly valued, is taken for granted in the day-to-day lives of professors and is present within society. Yet, the institution of academic freedom also exemplifies specific characteristics uncommon in the literature. In the previous chapter, we discussed how it featured some form of heterogeneity, how it was assessed and valued in different ways and how it was most often implicit and caused adverse reactions when invoked. These were the first set of findings that led us to develop an understanding of academic freedom as a spectral institution.

However, we should be clear. It is through the exploration of academic freedom, in trying to make sense of the data, in the iterative processes of thematic coding, in reflecting upon the initial findings and in the search of a reflexive equilibrium that we came to develop the concept of spectrality. This concept captured what appeared to be an innate subtlety of the institution of academic freedom. This special quality of the institution of academic freedom is made apparent by two joint ideas: academic freedom takes many forms and is somehow always elusive. We coined the concept of "spectrality" to refer to these characteristics. In sum, we came to believe this institution has specific characteristics: it comes with a variety of understandings, it is ambiguous and it has an ambivalent relation to presence. We labelled these characteristics *spectrality*.

In this chapter, we will present the notion of spectral institutions, institutions that exemplify heterogeneity, linked to the notion of spectrum, and demonstrate an ontological ambivalence characterized by ambiguity and a state of presence/absence, for which the specter is a metaphor. These two characteristics are not accidental, we believe, but constitutive. In this sense, academic freedom is a spectral institution. We discuss the consequences of such an approach for our understanding of academic freedom, for the sociology of professions and for institutional approaches in the discussion.

We open this chapter by explaining our understanding of spectrality around notions of heterogeneity and existential ambivalence. We then move on in subsequent sections to

provide initial empirical support for the heterogeneity and the ontological ambivalence of academic freedom by describing a case of implementation of a common understanding of academic freedom in a university. By the end of this chapter, we should possess a better understanding of academic freedom and how it materializes.

5.1 What is a spectral institution?

In order to understand the specificities of academic freedom as an institution, we describe it as what we call a *spectral* institution.

At first glance, the use of *spectral* to qualify an institution might appear incongruous or facetious. Yet, both as a metaphor and as a subject of research "spectral," "spectrality," spirits and ghosts have been present in literature, social science and humanities scholarship. Often rooted in French philosophy (Abbinnett, 2008) and in psychoanalysis research (Bennett & Royle, 2004), spectrality is the subject of ongoing discussions notably amongst queer theorists (Pascoe, 2005). But more recently in organizational and management theory, Di Domenico and Flemings (2014) have mobilized the concept of "specters" in the *Journal of Management Inquiry* to explore the imagery related to early 1990s English labour disputes and Marxist ideology, and spectrality was also alluded to in the work of Benoit-Barné and Cooren (2009) on the presentification of authority. At the origins of these inquiries lies the work of Jacques Derrida in *Specters of Marx* (2002), who explored the concept at great lengths.

Derrida uses the concept of specter to explore Marxism, Marx's legacy and, with it, the larger question of justice. The exploration of the meaning of specters in the work of Derrida would, most probably, take up an entire thesis. We will not take that direction as we have our own thesis to write. Suffice it to say that the spectral idea invoked by Derrida includes many of our own notions, and most notably that of the interplay between presence and absence that is at the core of the deconstructionist's reading: the specter is the apparition of the unapparent (Derrida, 2002). We will label this feature *ontological ambivalence* and discuss it in the next pages.

While these developments have inspired our understanding of spectrality and of spectral institutions, we will not be entirely faithful to Derrida's words. Indeed, being

faithful to the Derrida's thought could quickly become a theoretical problem in and of itself as his metaphysical positioning on deconstruction, *différance*, and alterity makes it difficult to conduct the types of inquiry we are leading.

We must also note that the label "spectral institution" was previously used by an artistic project presented in Romania in 2010, an occurrence we discovered after having chosen this label for our own concept. In relation to the Romanian project, Veda Popovici (2011) writes: "A Spectral Institution is an institution in the course of being authorized. It is the weaker double of a strong, authentic institution. Its (apparent) weakness, however, always disturbs in some way the authoritative structures." This notion of weaker double that represents something that is absent, yet that disturbs by its presence appeals also to a certain understanding of academic freedom.

In the following, we develop a related yet distinct understanding of spectrality. While our understanding is deeply rooted in the comprehension of academic freedom, the notion of spectral institution is likely transferable to other similar institutions.

5.1.1 Definition of spectrality

By saying "academic freedom is a spectral institution," we allude to two meanings of spectral. First, the term "spectral" is related to spectrum, which denotes a variety of elements. In this sense, we suggest that academic freedom is a spectral institution as it is formed from a plurality of views on what constitutes academic freedom, on its boundaries and on its constraints. To allude to this plurality, variety and diversity, we use the term heterogeneity. This heterogeneity, we believe, is not accidental. It does not represent a transitional phase or the dawn of a new era: it is rather embedded in the fabric of the institution itself. We will discuss this notion further in relation to our empirical findings later in this chapter. Spectrality, as derived from spectrum, refers in our thesis to heterogeneity as a constitutive property of the institution. In the next chapter, we will argue that heterogeneity (spectrum) is a condition of possibility for academic freedom. Ultimately, our aim is to show how heterogeneity is instrumental to the performativity of academic freedom. In other words, it is because academic freedom is heterogeneous that academic freedom can exist.

Second, spectral is related to spectre, which points toward revenants, spirits, ghosts and the likes. Spectral, in this second sense, is of course taken as a metaphor. Ghosts do not exist neither in this thesis, nor in any literal sense. But this metaphor enables us to think about the specificities of the institution. We further build on the metaphor of the spectre to underscore two features of the institution of academic freedom: its ambiguity and its existential ambivalence, that is its presence as a weaker double. In this sense, spectres have a specific mode of being.

First, and most apparently, this mode of being is manifest in the difficulty encountered when attempting to trace the contours of academic freedom. Just as the spectral figure is ambiguous, blurred, and uncertain, it is unclear what academic freedom is. Ambiguity is the first marker of spectrality. Ambiguity has been discussed and defined in the literature. Eisenberg (1984: 9), for one, defined ambiguity as a strategic tool used "to foster agreement on abstractions without limiting specific interpretations" only to exemplify it with the example of academic freedom in university settings: "university faculty on any campus may take as their rallying point 'academic freedom,' while at the same time maintaining markedly different interpretations of the concept." Similarly, Giroux (2006: 1229) coined the term "pragmatic ambiguity" to denote "the condition of admitting more than one course of action." In the next chapter, we will attempt to argue that this ambiguity is not solely strategic or pragmatic, but constitutive of academic freedom.

Second, and more fundamentally, academic freedom has an existential ambivalence. Merton (1976) defines sociological ambivalence as the "incompatible normative expectations incorporated in a single social status." If sociological ambivalence is the incompatibility of normative expectations in one role, ontological ambivalence is the incompatibility of ontological status in one being or, one might say, the fact that something might at the same time be and/or not be. Ontological ambivalence is therefore paradoxical, as it "denotes contradictory yet interrelated elements –elements that seem logical in isolation but absurd and irrational when appearing simultaneously" (Lewis, 2000: 760). Academic freedom as a specter both is and is not, or more specifically, its presence is made apparent by its absence, and academic freedom is absent when present. In other words, when academic freedom is invoked in social situations, it is because it is absent. When there is no discussion or mention

143

of academic freedom, it is because it is enjoyed. Claims to academic freedom appear when tenure, autonomy or collegiality disappear.

These ideas are linked to the notion of spectre. Indeed, the presence of a spectre always predicates a more fundamental absence: "There is something disappeared, departed in the apparition itself as reapparition of the departed" (Derrida, 2002: 5). The ghost appears in lieu and place of a deceased person. And the spectre's presence, its apparition, highlights the fact that the person is, at present, absent. The spectre is always the weaker double of something absent. In what follows, we will try to show how academic freedom stands in place of tenure, autonomy, collegiality, etc. just as the spectre stands in the place of the deceased family member. In this sense, "[t]he spectre conjures a present absence. Its presence (…) is predicated on the very fact of the absence of what it presents" (Peim, 2005: 74-75). Similarly, as we will see, when academic freedom becomes present, it is most often under the guise of its absence: it is because it is no longer present or preserved that academic freedom is invoked. In other words, academic freedom becomes a topic of discussion when it is no longer enjoyed by professors.

When a spectre appears, it presents itself under the mode of interrogation as the spectre is always an open question: "spirits and spectres, almost paradigmatically, must be interpreted; one could almost say that they are presented to us, when they come to presence, as nothing but hermeneutical challenges, as to-be-interpreted" (Hyland, 2012: 4). In other terms, the spectre haunts. Indeed, because of its fundamental incompleted-ness (or as a contested concept) academic freedom presents itself as an open question, examined, challenged and disputed in the public sphere. And the mode upon which we know the spectre is not accidental. It also a mode of knowledge of a specific type, linked to the idea of spectrum: "This not-knowing is not a lacuna. No progress of knowledge could saturate an opening that must have nothing to do with knowing. Nor therefore with ignorance. The opening must preserve this heterogeneity as the only chance of an affirmed or rather reaffirmed future. It is the future itself, it comes from there" (Derrida, 2002: 45). Linked to the notion of spectrum, the spectre, as a non-object, must preserve the heterogeneity inherent to its being to maintain its effectiveness, that is to perform the promise of freedom for professors.

Academic freedom might be best describe as "spectral to the extent that it is neither completely present nor entirely absent in a given situation. It can be mobilized and made present—or presentified—explicitly in a discussion (...) or acknowledged a priori by the interlocutors, but this presence is always an effect" (Benoit-Barné & Cooren, 2009). In this sense, it is performative by being always present or present-able.

Linked to this fundamental incompleteness, the spectre appears in the present to convey a message about a past injustice that must be restored. In this sense, academic freedom as a spectre haunting the university. In the Shakespearian tragedy, the ghost of King Hamlet, assassinated by his brother, invokes pleas for vengeance to his son. The ghost typically comes back to restore a past wrong, just as academic freedom is a claim regarding a past wrong for future justice. It is because an apparent infringement on professional autonomy has occurred that academic freedom is invoked, precisely in order to reclaim professional autonomy in the future. According to Derrida discussed by Di Domenico and Fleming, the spectre has a messianic mission: "The zero point for the spectral image, atheological messianicism, is ultimately an injunction to put things right" (Di Domenico & Fleming, 2014). Academic freedom, like the spectre, is always incomplete, torn between a past and a future: "The spectre returns to remind us that the past is incomplete and therefore to come. In a number of ways, we are haunted by the past, but specifically haunted by its incompletion, its unresolved aura" (Peim, 2005: 76). It is the past ideals of academic freedom, as Yliyoki (2005) would claim, today necessarily incomplete and unresolved, that emerge as a promise to the future. Academic freedom, like spectres, is a claim to restore justice.

This normative orientation is an integral part of spectrality. Indeed, the spectre haunts a place (a castle, a house, memories, etc.) as academic freedom haunts the university. This haunting means two things. First, academic freedom is linked to a certain type of organization, the university, just as the spectre is linked to a place. Second, the invocation of academic freedom, like a spectre, creates an effect in its surroundings, i.e. the institution of academic freedom is performative. As Derrida (2002: 20) puts it: "Whether evil or not, a genius operates, it always resists and defies after the fashion of a spectral thing. The animated work becomes that thing, the Thing that, like an elusive specter, engineers [s'ingénie] a habitation without proper inhabiting, call it a

haunting, of both memory and translation." For Derrida, the spectre that haunts builds, as engineers do, the haunted place. In this sense, as academic freedom is the spectre of the university, as it haunts the university, it constructs the university as well.

Discussing haunting, Di Domenico and Flemming (2014) quote Jameson (1999): "Spectrality is not difficult to circumscribe, as what makes the present waver: like the vibrations of a heat waves through which the massiveness of the object world –indeed of matter itself– now shimmers like a mirage." Academic freedom haunts the university and when its presence is enacted, it creates a commotion. And this haunting can be burdensome. Indeed, academic freedom is not always a force that lifts constraints, that fosters academic freedom; it can also be a force that weights down on professors. We can borrow Hyland's words, and apply them to academic freedom: it "can become [a burden], (…) we can become weighed down, even oppressed by such a spirit, perhaps longing at one time or another to free ourselves from that spirit while yet recognizing our debt to and affirmation of it. At such times, we might speak of being 'haunted by' '" (2012: 4) academic freedom.

5.2 The resiliency of the spectral institution: an introductory vignette

Between 2011 and 2015, we had the opportunity to attend a debate about academic freedom unfolding at McGill University. Over this period, we collected many forms of data ranging from documentary data, video of consultations, interviews with professors, committee notes, etc. This event exemplified the different characteristics of the spectral institution, i.e. both its spectrum-like and spectre-like qualities.

These were tense times. Students had led a massive strike against higher tuition, and Quebec had experienced its most intense months of social unrest since the 1970s. Also, a recent staff strike had created tensions at McGill. But the element that ignited the discussion was a declaration by the university's president about the nature of academic freedom. As John Galaty, the Past-President of the McGill Association of University Teachers (MAUT), put it in the association's newsletter back in March 2013: "The initiative MAUT has taken to consider the desirability of having a McGill statement on Academic Freedom rose out of uncertainties expressed during the MUNACA [McGill University Non-Academic Certified Association] strike regarding rights of academic freedom and a controversy that occurred between AUCC

and CAUT over their respective views on academic freedom" (7). We are mainly interested in the last point.

To make a simple matter complicated, it was alleged that the president conflated academic freedom with institutional autonomy, putting academic freedom in peril. As the Canadian Association of University Teachers' (CAUT) President Wayne D. Peters and Executive Director James L. Turk wrote in a letter to the Association of University and Colleges of Canada (AUCC):

> Equally of concern is your statement's conflation of academic freedom with institutional autonomy. It is absolutely true that academic institutions must not restrict the freedom of academic staff because of outside pressure –be it political, special interest group, religious– and institutions need to be autonomous in that sense. But to pretend that building a moat around the university protects academic freedom is disingenuous and ignores the reality of internal threats to academic freedom. The 1915 AAUP statement arose partially in recognition of internal threats –from boards, administration, colleagues and students. As the CAUT policy statement on academic freedom says, "Academic freedom must not be confused with institutional autonomy. Post-secondary institutions are autonomous to the extent that they can set policies independent of outside influence. That very autonomy can protect academic freedom from a hostile external environment, but it can also facilitate an internal assault on academic freedom. To undermine or suppress academic freedom is a serious abuse of institutional autonomy." (2)

In this context, two processes were launched at McGill: one by the administration and one by the professors' association. The administration organized an event with distinguished guests that prompted a questions-and-answers period as well as smaller focus groups that reported to the administration to serve as a consultation to collect feedback from university staff. In parallel, a group of faculty members initiated a reflection on the nature of academic freedom. Under the professors' association, a committee was created "to develop an MAUT position on what it believes should be in the formal statement on academic freedom which McGill is thinking of developing" (Aitkens, 2012: 1). The university agreed to halt its discussion on what

147

academic freedom meant in the university's context to leave room for the professors' association process.

The committee met numerous times. Its initial goal was to gather information on academic freedom and, in the process, read other declarations, scholarly work and attended a conference on academic freedom. The committee consulted widely "with members of the McGill community including MUNACA, MUNASA [McGill University Non-Academic Staff Association], SEIU [Service Employees International Union], SSMU [Students' Society of McGill University], and PGSS [Post-Graduate Students' Society]" in order "to develop a university statement on academic freedom" (McGill University Board of Governors, 2016: 1). Only after that did they proceeded to draft and to work on a statement on academic freedom.

After multiple versions, discussions and presentations to the MAUT General Assembly, the MAUT statement on academic freedom was put to a referendum. At the Spring General Meeting, held on April 24, 2015, the results were presented: 87.7% of members supported the statement. The next step outlined was the integration of the statement into university regulations, which happened about a year later. On March 23rd, 2016, the "Senate reviewed the Academic Policy Committee's proposal for a Statement of Academic Freedom and recommended that it be approved by the Board of Governors" (McGill University Board of Governors, 2016: 1). Yet, the statements varied slightly.

We will come to these variations and how they represent the spectre-like aspect of spectrality, but first, we will comment on the heterogeneity linked to the spectrum quality of the institution of academic freedom. Table 8 Comparative table of statements of academic freedom at McGill presents the two statements side-by-side.

Table 8 Comparative table of statements of academic freedom at McGill

MAUT Statement on academic freedom	McGill Statement on academic freedom	Differences
Academic freedom is central to McGill University's mission of advancing learning through teaching, scholarship and service to society.	Academic freedom is central to McGill University's mission of advancing learning through teaching, scholarship and service to society.	1. No difference
The scholarly members of the university have the freedom to conduct research and disseminate its results, through teaching, publication, exhibition and performance, without being constrained by political or disciplinary orthodoxies, monetary incentives or punitive measures as a result of their academic pursuits. They may exercise this freedom in the service of both the university and the wider society by promoting and informing debate, encouraging independent thinking and critical reflection, preserving and disseminating knowledge and fostering innovation and creativity.	The scholarly members of the university have the freedom to **pursue research and artistic creation and to disseminate their results**, without being constrained by political or disciplinary orthodoxies, monetary incentives or punitive measures as a result of their academic pursuits. They may exercise this freedom in the service of both the university and the wider society. **When scholarly members of the university participate in public forums and debates, they should represent their views as their own.**	2. McGill's uses "to pursue" instead of "to conduct." 3. McGill's includes "artistic creation." 4. McGill's does not specify how professors can disseminate research. 5. McGill's does not specify how professors can exercise their freedom. 6. The last paragraph of MAUT's statement is added to this paragraph in McGill's.
The exercise of academic freedom requires collegial governance with the full participation of scholarly members. They retain the right of free expression, including the freedom to criticize one another, the university, its policies and its administration.	The exercise of academic freedom requires collegial governance with the full participation of scholarly members. They retain the right of free expression, including the freedom to criticize one another, university policies and administration.	1. Slight difference in wording
The university and its officers have a duty to protect the academic freedom of its scholarly community, both individually and collectively,	The university and its officers have a duty to protect the academic freedom of its scholarly community, both individually and collectively,	2. McGill's statement presents a condensed version of external threats to academic freedom.

149

from infringement and undue external influence as well as to maintain the university's institutional autonomy.	3. McGill's statement does not include the possibility of the university infringing upon the academic freedom of its own members.
from infringement by other members of the community as well as agents or agencies external to it. An essential element of academic freedom is the obligation of the university, its officers and its members to defend the community from the undue influence of governments, granting agencies, accreditation bodies, business partners, corporate and individual donors and societal pressures. The practice of academic freedom, personal and collective, asserts and demands the institutional autonomy of the University within society; respect for the institutional autonomy of the University does not, however, justify violation of academic freedom within the University itself. **(When scholarly members of the university participate in public forums and debates, they should represent their views as their own.)** Finally, the scholarly members of the university are entitled to participate in public forums and debates. In doing so, they should represent their views as their own and not as those of the university.	1. This idea, rephrased, is added to the second paragraph in McGill's statement. 2. McGill only presents the need for professors to express their views as their own and does not specify that they should be presented as explicitly not McGill's.

Indeed, these statements embed heterogeneity in two ways. First, the statements embody a plurality of elements. Indeed, MAUT's statement presents academic freedom as protecting the "conduct" of research and the dissemination of its results "through teaching, publication, exhibition and performance." In doing so, professors can "promot[e] and infor[m] debate, encourag[e] independent thinking and critical reflection, preserv[e] and disseminat[e] knowledge and foste[r] innovation and creativity." Finally, academic freedom can be both collective and individual. McGill's statement, while more succinct, still embeds heterogeneity in listing multiple tasks as being protected by academic freedom.

Second, heterogeneity is more apparent in the plurality of statements cohabitating in the same university. As Table 8 demonstrates, these statements are similar, but diverge in very important ways.[23] Some of these changes were somehow minimized by members of the committee. On March 23rd 2016, in the minutes from the meetings, Senator Galaty explained that the changes made between MAUT's version and McGill's version are mostly to be parsimonious by preventing enumerations: "He explained that one of the principles of drafting the statement was that it be succinct and therefore detailed enumerations similar to the ones found in regulations were avoided" (McGill University Senate, 2016: 9). Yet, these discrepancies are symptoms of the spectral nature of the institution of academic freedom.

The most consequential change between these two statements is the omission in McGill's statement of the following text from MAUT's statement:

> infringement by other members of the community as well as agents or agencies external to it. An essential element of academic freedom is the obligation of the university, its officers and its members to defend the community from the undue influence of governments, granting agencies, accreditation bodies, business partners, corporate and individual donors and societal pressures. The practice of academic freedom, personal and collective, asserts and demands the institutional autonomy of the University within society; respect for the institutional autonomy of the University does not, however, justify violation of academic freedom within the University itself.

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[23] We discuss broader heterogeneity of understandings of academic freedom at McGill in the next chapter.

It appears that the logic to integrate a statement of academic freedom at McGill was thoroughly dissociated with the initial impulsion, linking it instead to the need to clarify the use of academic freedom contained in the new Mission Statement for McGill. Indeed, MAUT (2013: 8) stated clearly the reasons that led to the establishment of the committee at its assembly:

> Upon the release of the AUCC and subsequent CAUT statements, MAUT realized that McGill did not have its own Statement on Academic Freedom. The purpose was to develop one particular to McGill. Concerning institutional autonomy, the committee wanted a statement that would bind the University in specific ways to defend members from threats to academic freedom from within and from outside.[24]

As is apparent, the fear that initially led MAUT to institute a committee to explore and to propose a statement of academic freedom was the conflation of academic freedom and institutional autonomy. The conflation could mean that under the pretense of institutional autonomy, one could endanger academic freedom. In the end, MAUT's committee drafted a statement. The statement was brought to the Senate and was adopted by McGill University. Yet, to this day, we can find two versions of the statement online: MAUT's and McGill's versions.

The crucial difference lies in the first one protecting intrusion of the university on professor's academic freedom while the second does not make explicit the protection from university's encroachment on academic freedom. In remarking upon this distinction, we are not using a normative undertone. We believe this is perhaps, as we will argue later, for the good of academic freedom that the statements embodies the spectral qualities of the institution of academic freedom. McGill's version of the statement on academic freedom exemplifies the quality of the spectre as it is the

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[24] See also "Motion from December 14, 2011 Council
Given the controversy that has arisen over the recently approved AUCC Statement on Academic Freedom and its implications for the exercise of academic freedom by McGill academics,
Given the absence of an explicit McGill policy to inform and provide guidance on academic freedom to the public and to the McGill academic community, and
Given the importance of having a clearly enunciated statement on academic freedom at the University, Be it resolved that MAUT strike a committee charged with examining statements and policies on academic freedom at other Canadian universities (and if appropriate in other countries such as the US and the UK), reviewing recent exchanges over the AUCC statement on academic freedom, formulating a statement on academic freedom that will be presented to the University for consultation and eventual adoption at Senate." (MAUT, 2013: 6)

weaker double of what it is, and could perhaps be construed as the ghost of academic freedom. We will discuss this further in chapter 7, in which we address the ontological ambivalence of the institution of academic freedom.

All in all, this vignette presents the idea that academic freedom is of spectral quality as it 1) presents the properties of the spectrum, being heterogeneous both in the sense that there is more than one statement within the same university and that the statements themselves embody a plurality of activities, and 2) presents the quality of the spectre, the statements being the weaker doubles of academic freedom.

Conclusion

To sum up, spectrality refers to both the qualities of spectrums (heterogeneity) and spectres (ontological ambivalence). While similar to the notions of plasticity (Lok & de Rond, 2012), or that of pragmatic (Giroux, 2006) and strategic ambiguity (Jarzabkowski et al., 2009; Eisenberg, 1984), the spectrality of academic freedom goes beyond the strategic effects of ambiguity. The institution is not simply able to adapt to new scripts (Lok & de Rond, 2012) or present sufficient ambiguity to garner support from a broad constituency (Jarzabkowski et al., 2009; Eisenberg, 1984). Spectrality is constitutive of academic freedom.

We presented a vignette to illustrate how spectrality was present in the events we experienced involving the definition of academic freedom at McGill. In the next two chapters, we unpack the spectral idea in much more detail with empirical data from the comparative interview data set, and from other sources. In Chapter 6, we present spectrality as the heterogeneity of academic freedom and, in Chapter 7, its ontological ambivalence.

Chapter 6 Heterogeneity as spectrality

In the previous section, we presented the two characteristics of academic freedom as a spectral institution. First, we declared that spectrality refers to the notion of spectrum, the idea that something presents itself under many different guises. As a spectrum, academic freedom displays heterogeneity. The notion of institutional heterogeneity points toward the fact that the institution is not singular, but plural. In this chapter, we first present this heterogeneity, and then the explanations professors provide to explain it. We then explore these proposed explanations of heterogeneity in light of our data. In this section, we mobilize our comparative sample for the first and second sections and a subsection of our contrasting sample for the third section.

6.1 Heterogeneity in definitions of academic freedom

Late in each of our interviews with professors, we inquired about how they understood academic freedom by asking if they could provide a definition. By that moment in the interview, we had explored the professional life and motivations of the informant, the constraints to academic freedom as well as arguments in favour of academic freedom. Trust had been built, so we could inquire in a non-threatening way and we left ample time to reflect on the question. While definitions were often similar in their form, insofar as the informants provided a definition centered on the notion of tasks protected by academic freedom from interferences, there were important variations with regards to the task protected (see table 3).

Table 9 Definitions of academic freedom

	UDM	UQAM
SS1	**P9: INTRW UdeM- SS1** 1. It is not clear what academic freedom is really. 2. Academic freedom is the ability to choose one's objects of research and to change them at will. 3. Academic freedom is the freedom of the researcher or the teacher to determine his or her object of research and the contents of his or her teaching. **P24: INTRW UdeM- SS1** 4. Academic freedom is the freedom to teach what I judge to be important the way I think it should be taught. 5. Academic freedom is the freedom to do the research I think is important in an openness with others. Academic freedom takes place in a context of discussion (and critique). reference to weber important questions are dogmatique, questions de culture, question de civilisation. **P25: INTRW UdeM- SS1** 6. Academic freedom is the freedom to choose your research topics, your research questions and the way to treat them. 7. "La liberté académique, c'est la liberté de choisir ses sujets de recherche, ses questions de recherche et la manière de les traiter" **P26: INTRW UdeM- SS1** 8. Academic freedom is a conscient act of expression (freedom of speech) that has to be protected with the resources available to enable the expression and the innovation in a protected context (the university) **P636: INTRW- UdeM SS1** 9. Academic freedom is freedom of expression.	**P606: INTRW UQAM- SS1** 10. Academic freedom is the capacity to work on anything that pleases me whenever I want, certainly in research and teaching, and a more minimalist notion in the institutional service side. **P607: INTRW UQAM- SS1** 11. Academic freedom is the freedom of choice in order to create in the university context which includes students, prof as well as the professor (its function) and its environment **P612: INTRW UQAM- SS1** 12. Academic freedom is the possibility to lead a reflection in your area of expertise with outcomes on the side of research and teaching. 13. "la liberté académique pour moi, elle est plus fondamentale que ça. C'est-à-dire que la liberté académique, si on la voit comme étant dépendante, en fait, justement, des contraintes qui sont liées à la tâche professorale, bien là, elle ne veut plus dire grand-chose. C'est plutôt l'inverse. La tâche professorale est liée, en fait, aux contraintes et privilèges de l'autonomie et de la liberté académique" **P617: INTRW UQAM- SS1** 14. Academic freedom is a personal opinion that varies between colleagues and domains that come into play when it is attacked **P620: INTRW UQAM- SS1** 15. Academic freedom is the capacity to lead research on subjects of my own choosing without explicit external constraints from the administration, students, or colleagues. 16. Academic freedom is knowing you have it, so it implies signals and a protection. 17. "Je pense que ça passe d'individu en individu. Pour moi, la liberté académique... c'est finalement... je fais ce que je veux. Mais tout en respectant évidemment mes obligations à l'université."
SS2	**P585: INTRW UdeM- SS2** 18. Academic freedom is to recognize there is a plurality of discourses and that we must listen to them and share them. 19. Academic freedom is the respect of other peoples and their point of	**P602: INTRW UQAM- SS2** 32. freedom is the ethical practices of values (equity, justice, truth directed toward bliss) of the the sacro-saint freedom of the prof-researcher in his practice (teaching or research)

151

view.

20. Academic freedom is a qualified form of a freedom of speech requiring more structure and more responsibility.

21. "Je veux dire le principe même, au départ, c'est de pas empêcher quelqu'un de s'exprimer, liberté d'expression, en fait. Mais on met le mot académique à ça, donc ça veut dire il faut être encore plus rigoureux. Je pense que c'est une responsabilité encore plus élevée que simplement la liberté d'expression"

22. Academic freedom can have many faces. "Quand vous m'avez demandé la définition, j'y ai pensé beaucoup parce que ça peut avoir beaucoup de visages.".

P586: INTRW UdeM- SS2

23. Academic freedom is an illusion. "this autonomy, I think, in some sense is also somewhat of an illusion.

24. Academic freedom is a dialogue So, it's always in dialogue with other people that I define my own autonomy, in some sense.

25. Academic freedom is " the illusion of being able to do exactly what you want to do in your career. In terms of writing, in terms of teaching, in terms of administration and service"

26. reference to bourdieu and the field/ind relation

P23: INTRW UdeM- SS2

27. Academic freedom is an ethical concept/an ethical stance of reflexive actions in all sphere of actions of the professors (research, teaching, admin, etc.); an action to which you can be held accountable.

28. "Foucault, il dit : « L'éthique, c'est la pratique réfléchie de la liberté et la liberté c'est la condition de possibilité de l'éthique ». Moi, je vis ma liberté académique comme ça, en fait"

29. Academic freedom is very ambiguous/paradoxical because it is an individual imperative (I am free) based on a collective work (being part of academia); invoking academic freedom is either selfish or denotes the breaking down of the collective.

P599: INTRW UdeM- SS2

30. Academic freedom is the expertise linked of a subject that provides

P603: INTRW UQAM- SS2

33. Academic freedom is the intellectual capacity to choose your research themes, the epistemological, ontological and methodological positioning and to have a free and informed choice.

34. Academic freedom is the the possibility to make choices in research and teaching. "Pour moi c'est quoi la liberté, c'est d'être en mesure… c'est en fin de compte la possibilité de faire un choix. Quand je n'ai plus de choix je ne suis plus libre."

35. Academic freedom in collegiality is respect and openness (respect the possibility for others to make choices).

P604: INTRW UQAM- SS2

36. Academic freedom is the capacity to feel autonomous in certain sphere of activity, linked to intellectual work.

37. Academic freedom is a way to see intellectual work in a university setting,

38. Academic freedom is a norm. "Je ne sais pas si c'est un idéal ou un peu une norme au sens de Merton, norme éthique qui est là mais qui… qui fait partie de notre ethos mais l'ethos universitaire mais qui agit un peu comme un repère, non pas d'idéal, sans que vraiment, on performe, je ne sais pas trop."

P605: INTRW UQAM- SS2

39. Academic freedom is the possibility to do something that is not planned else, to say no in the activity of research and teaching and to have the time to think.

40. "Je dirais que c'est la possibilité, dans le cadre de son travail, d'aller dans une direction qui n'est pas prévue officiellement au contrat de travail, donc c'est une nonnormativité, si on veut, du travail de recherche et d'enseignement."

P616: INTRW UQAM- SS2

41. Academic freedom is the possibility to do debate.

42. Academic freedom at the micro level is the individual freedom in the role of the professors, at the organizational its the assembly and collegiality, at the macro level, it is the institution's freedom from interference.

43. Academic freedom it he possibility to explore different perspective without being imposed any.

44. The freedom is to negotiate between different perspectives.

	the freedom to teach and to research.
	31. Academic freedom is the freedom o define yourself as a professor, as researcher to define our objects of research and the path we take and this can change through the career. "Moi, je trouve que c'est la liberté de se définir comme professeur, de définir, comme chercheur, nos objets, de définir les chemins qu'on prend."
NST1	**P 1: INTRW UdeM- NS1**
	45. the freedom to do what you want after you have done what you have to to.: "pour moi, la liberté… on… ça s'acquiert aussi en… faut être productif. Tant qu'on fait tout ce qu'on nous demande, on a la paix pour faire si on peut en faire plus"
	46. a broader freedom of speech that professors enjoy as professionals in terms of the research question and, in terms of research conclusions (they have to be scientific) and in terms of diffusion of results.
	47. a permanent position that enables you to take position in the public sphere without fear of reprisal.
	P611: INTRW UdeM- NS1
	48. Academic freedom is the possibility for a researcher to choose his subjects of research without constraints.
	P615: INTRW UdeM- NS1 -
	49. Academic freedom is the necessary luxury in research to have the freedom to do and say what we believe is the best thing to do.
	P619: INTRW UdeM- NS1
	50. Academic freedom is to have flexibility in your tasks.
	51. Academic freedom is to do what you want research wise while respeocting our oligations toward the university and teaching. "Je pense que ça passe d'individu en individu. Pour moi, la liberté académique… c'est
	52. finalement… je fais ce que je veux. Mais tout en respectant évidemment mes obligations à l'université."
	P608: INTRW UQAM- NS1
	53. Academic freedom is the freedom of expression, to travel and to manage ones time.
	P609: INTRW UQAM- NS1
	54. Academic freedom is the freedom to propose things in research and to have the means to accomplish them
	P610: INTRW UQAM- NS1
	55. Academic freedom is the opportnity lead novel research inside certain established norms of peer review without constraints, without fear.
	56. Academic freedom is the possibility to do what you love..
	P613: INTRW UQAM- NS1
	57. Academic freedom is the freedom to do research without constraints from university administration.
	P614: INTRW UQAM- NS1
	58. Academic freedom is the freedom to research and teach with competence to insure quality whatever l want.
	59. Academic freedom is the freedom to research and teach without interference from the institutions. "On peut le prendre de manière négative. En disant que c'est par définition, de pas être entravé par les institutions … en mettant un l très général à institution… dans les travaux de recherche et d'enseignement. "
	60. Academic freedom is the freedom to choose its interests of research however risky they might be.
	P618: INTRW UQAM- NS1
	61. Academic freedom is the possibility to lead research with your students in the direction you want (ideally without financial constraints)
	62. Academic freedom is to have the support necessary and without the

153

		constraints to conduct research to solve important social problems.
NST2	**P600: INTRW UdeM-NS2** 63. Academic freedom means doing high quality research in our area of expertise in the direction we want and to teach in the constraints that exist. **P601: INTRW UdeM-NS2** 64. Academic freedom is the freedom to work on what I want (topic), how I want (rythm, publication, how many student work on it). **P634: INTRW UdeM-NS2** 65. Academic freedom is the right to do research freely, to teach in non-traditional ways, to be creative both in research and in teaching and to manage your time. **P635: INTRW UdeM-NS2** 66. academic freedom is to do the research you want and to say what you want and to evaluate students.	**P637: INTRW UQAM-NS2** 67. Academic freedom is freedom in research and to tolerate mistake and abuse of it. **P638: INTRW UQAM-NS2** 68. Academic freedom stops when academic freedom of others starts. **P639: INTRW UQAM-NS2** 69. Academic freedom is freedom of constraints in teaching research and collective activity and to facilitate the work of the professor in these areas. **P640: INTRW UQAM-NS2** 70. Academic freedom is the freedom to decide in our teaching and in your research. **P641: INTRW UQAM-NS2** 71. Academic freedom is the freedom of expression on the subject I want, the right to choose the classes that interest me. 72. Academic freedom is the right to work on topics that interest me and motivate me in research, teaching and service to collectivity.

According to some, at its root, academic freedom is the ability to make choices: "*Pour moi, c'est quoi la liberté, c'est d'être en mesure… c'est en fin de compte la possibilité de faire un choix. Quand je n'ai plus de choix je ne suis plus libre*" (P603). To have a choice means to be able to have flexibility in in one's tasks (P619), to feel a certain autonomy in one's intellectual work (P604) or, put even more simply, it is the freedom to do what one loves (P610).

While it sometimes remains, as above, defined very broadly, academic freedom is generally related to a more precise set of activities. It includes the main aspects of work widely recognized to be that of professors: research, teaching, creation, collegial governance and freedom of expression. We will present them each in turn.

It is important to note that not all informants mentioned the same activities or agreed on which were covered by academic freedom. If research appears to be the central activity protected by academic freedom, often tied to teaching as the two are often invoked jointly, collegial governance is seldom mentioned and, when it is, always alongside other activities (research and teaching). Apart from research, the only activity included in academic freedom without mention of other activities is freedom of expression. Freedom in expression therefore holds a special place in these definitions. In the pages that follow, we present elements of the definition of academic freedom that aims to represent the concept as broadly as possible.

First, for our informants, academic freedom is specifically, fundamentally and in its most general sense the freedom from constraints in activities related to research: "*C'est la liberté… fondamentalement, c'est la liberté de la recherche*" (P613). There seems to be little limits to this freedom, according to informants. One assesses that academic freedom is freedom in research and intrinsically seems to tolerate both mistakes and abuse:

> *il faut qu'il y ait une erreur, il faut que ça tolère le fait que quelqu'un peut s'en servir… Si on… C'est un "package deal" de la liberté. Tu as la liberté aussi d'en abuser. Généralement, on détecte les cas d'abus, tout ça, ça se contrôle. Mais… ça va aussi avec, pas un acharnement… pour dire qu'est-ce que tu as fait dans ta dernière semaine comme recherche. Est-ce qu'on peut… Il y a un de mes amis qui a toujours travaillé sur la plage en Californie. C'est*

un ▮▮, un bon ▮▮▮▮▮. Puis là, si on veut le voir, discuter de quelque chose, il a son parasol, puis là les gens, ses étudiants... c'est (inaudible) ... vont, puis ils s'assoient, mais il y en a qui arrivent, qui ne sont pas en maillot de bain parce qu'ils veulent lui parler, il y en a qui arrivent, ils ont emmené évidemment leur maillot de bain, puis là, bien il parle, puis tout à coup : ah, il y a des belles vagues, on s'en va jouer dans les vagues. Ils reviennent, puis ils continuent... Alors, ça c'est... oui, c'est correct de travailler sur la plage, c'est correct de travailler... surtout que c'est très intellectuel, il faut qu'on réfléchisse beaucoup. Alors si je suis apparemment en train de regarder l'herbe pousser de mon balcon, ce n'est pas que je ne fais rien. Mais là, ça c'est bien difficile... Donc c'est pour ça qu'ils comptent nos articles (P618)

According to the informant, freedom is a package deal and even when one makes a mistake, one needs to be free. The informant goes on to argue that one must also be able to abuse one's freedom in order to be free because, if there is the possibility of abuse, it means the constraints are loose enough to enable freedom. As an example, the informant invokes a professor who works on the beach in California, where he receives his colleagues, his students and works. Some come in bathing suits, others not, and when the waves are beautiful, they go for a swim and then come back to work. The main point is, according to the informant, that the work gets done and that intellectual work cannot be constrained. It is not always apparent when someone is working, and there is no right way to work.

That being said, research can encompass a broad set of activities. It is the freedom to choose and change one's research themes at will (P9), and the way one tackles them: "*La liberté académique, c'est la liberté de choisir ses sujets de recherche, ses questions de recherche et la manière de les traiter*" (P25). Another informant reflected on the consequences of this liberty:

Pour moi, ça serait d'avoir le choix de travailler sur ce que je veux, au rythme que je veux. En gros. Donc, de pouvoir choisir mon sujet, de pouvoir choisir où est-ce que je veux publier et quand, de pouvoir choisir combien d'étudiants je vais mettre là-dessus, etc. Donc ça, c'est ma liberté académique. Il y a des conséquences à tout, donc si j'en prends trop, c'est dangereux, si j'en prends

160

pas assez, bien, ça veut dire que j'ai cette liberté-là, mais je n'aurai plus la reconnaissance que j'avais avant si je ne travaille plus autant. (P595)

Academic freedom does not only involve choosing one's subject and methods, according to this informant, it also entails consequences, and a fine line must be threaded between abusing one's liberty and exhaustion. And because one can choose one's research topic, it means one can focus on topics that one considers important (P24). Academics testify that academic freedom is necessary to create (P607) and to foster innovation (P26).

According to the informants, different aspects of research are subject to the choice of the researcher: epistemological, ontological and methodological positions (P603). Academic freedom implies a freedom to choose in all those spheres. For some respondents, choice has to be free, which means without constraints from administration, students, or colleagues (P620) and informed. In order for the choice to be informed, openness and discussion must be present (P24).

Informants recognize the relationship between academic freedom and the means to realizing it, as one needs the means, most notably the financial means, to accomplish one's research (P609; P618). But for some, academic freedom is also a necessary luxury in research, a luxury to have the freedom to do and say what one believes is the best thing to do: "*je pense que... ce qu'on a besoin, c'est... un peu... ... on doit comprendre que c'est un luxe, mais c'est un luxe nécessaire. Donc... avoir la liberté de faire et dire ce qu'on pense est la meilleure chose, je pense on sent c'est très difficile de faire fonctionner les universités [autrement]*" (P615). This stance underscores the privileged nature of academic work but also recognizes the necessity of freedom in order to conduct research.

Finally, academic freedom sometimes takes more ethereal forms, such as this call for an absence of normativity: "*Je dirais que c'est la possibilité, dans le cadre de son travail, d'aller dans une direction qui n'est pas prévue officiellement au contrat de travail, donc c'est une non-normativité, si on veut, du travail de recherche et d'enseignement*" (P605). Academic freedom, for this professor, is not only an absence of formal constraints, it is an absence of social and informal constraints. Or this call for the possibility to define one's self in relation to what one does in research: "*Moi,*

je trouve que c'est la liberté de se définir comme professeur, de définir, comme chercheur, nos objets, de définir les chemins qu'on prend" (P599).

In all these cases, academic freedom was primarily, and sometimes solely, about research. Yet, even when academic freedom is about research without interference, the precise understanding of which aspect of research is protected comes into play. In fact, even within this category, we can find heterogeneity in the institution of academic freedom.

Teaching is the second element invoked as a part of academic freedom. When it is, it is as a close relative to research: "*la liberté académique (...) a des échos du côté de la recherche et des échos du côté de l'enseignement*" (P606). For a few professors, just as it applies to research, academic freedom also applies to teaching. In a sense commonly encountered, it applies to teaching as an extension of the freedom of research. It is described as the ability to do what the informants want, both in teaching and in research.

Similarly, it is the possibility to reflect on one's area of expertise with outcomes for both research and teaching (P599; P612; P614). In these examples, the freedom enjoyed in teaching has the same foundation as the freedom enjoyed in research expertise. This is how a professor described her autonomy based on expertise:

> *Tu sais, par exemple, quand moi j'enseigne mon cours pratique, un séminaire* ▮▮▮▮▮▮▮▮▮▮▮▮▮▮▮▮▮▮▮▮▮▮. *Bien, c'est moi qui connais la thématique, c'est moi la spécialiste au département, donc je verrais mal comment mes collègues pourraient s'immiscer dans qu'est-ce qui devrait être dans ce cours-là. Ça fait que, pour moi, la liberté, à ce moment-là, dépasse la logique, la gestion académique du cours (...) il y a personne d'autre ici qui connaît ça. Et s'il y avait quelqu'un d'autre, tu sais, moi ça me dérange pas d'en parler avec quelqu'un d'autre et de faire des compromis, mais ici personne connaît ça.* (P593)

It is the freedom from any constraints, the freedom to think or the freedom to exercise an expertise in both domains. For professors, freedom in teaching that is grounded in expertise is more tightly linked to freedom regarding the contents of the teaching (P9; P24). It rests on the ability for the professor to determine what should be taught and

what is important. But it is also a freedom regarding the modes of teaching, making it possible to teach in non-traditional ways, and to be creative (P634).

The third aspect of academic freedom is collegial governance. Professors sometimes invoke this notion when discussing academic freedom, but certainly not as often as research or teaching. It is understood by some in a negative way, as freedom being the absence of something. This is the case of one professor who shared that: "*Donc en l'occurrence, qu'un professeur ne soit pas contraint de faire... de prendre en charge des activités collectives, ce qui est rarement le cas, mais du moins, on le sollicite tout de même à ce qu'il participe, ce qui est normal, en fait, pour que l'université puisse fonctionner, ça prend que les professeurs s'impliquent*" (P582). Collegiality, according to this professor, is part of academic freedom in the sense that one needs to be free not to take up any administrative duties in order to enjoy academic freedom. Such an instance occurred when one professor was offered the possibility to participate as a union representative but, since she was not too keen on working for the professors' union, rather opted to contribute on an academic committee (P621).

A second way academic freedom in collegial governance is argued for is through a notion of reciprocal liberty. One professor made the argument that one can only be free if others around one's self are free, and that this mutual respect forms the basis of collegiality:

> *il y a ma propre liberté, ma possibilité de faire des choix, mais aussi celle des autres et donc pour moi aussi, encore une fois, c'est très important de préserver ces espaces de respect où il va y avoir des choix complètement différents aux miens, mais il y a comme ce devoir de les respecter au nom de la liberté académique, tu vois. Mais c'est encore une fois ce même respect qui permet l'ouverture et donc qui multiplie les choix. Si je restais seule dans mes textes et dans mes livres, c'est sûr qu'on est toujours en lien avec d'autres lorsqu'on lit, mais c'est très différent d'un esprit de collégialité qui se bâtit dans des collaborations, dans le « faire ensemble », dans les pratiques, dans des colloques, dans des rencontres, dans des discussions, bien ça multiplie, en fait, les choix* (P597)

163

But this sense of academic freedom is not often invoked. As it comes up less often than other elements of academic freedom, it is also regarded as being academic freedom in a narrower sense, as if collegiality implies less freedom, in part because it is linked to notions of service and collective work. As argued one professor:

> *Ce que j'entends par service à la collectivité, c'est vraiment tous les comités où on siège pour faciliter, je dirais, la gouvernance universitaire. Donc moi, je dirais qu'il y a une certaine liberté dans le sens où on est libre de s'exprimer, on est libre de donner nos idées, on est libre de ne pas être d'accord, mais en même temps, c'est peut-être une interprétation plus minimaliste de la notion de liberté, je dirais* (P600).

Academic freedom in collegiality is a freedom to share and to participate, not to make decisions.

The fourth and final aspect of academic freedom exposed by professors is related to the freedom of expression. It is presented in different ways by professors. Academic freedom, for some, is simply freedom of expression (P26; P636); it is a supreme form of freedom of expression: "*Je veux dire le principe même, au départ, c'est de pas empêcher quelqu'un de s'exprimer, liberté d'expression, en fait. Mais on met le mot académique à ça, donc ça veut dire il faut être encore plus rigoureux. Je pense que c'est une responsabilité encore plus élevée que simplement la liberté d'expression*" (P585). In this sense, academic freedom as freedom of expression is linked to scientific knowledge but does not necessarily take place in an academic context. Freedom of expression is also linked to innovation: "*Puis une liberté d'expression, mais au-delà de ça, c'est une liberté d'action et une liberté d'aller chercher relativement, à l'extérieur, des ressources pour alimenter cette capacité d'expression, cette capacité aussi d'innovation*" (P590).

In tune with the last informant, some professors also believe that academic freedom should be limited to one's area of expertise. For example, when someone makes unfounded claims, he or she is sanctioned by the community: "*On lui fait savoir que, il dit des sornettes. Donc, il peut dire des sornettes une fois, il ne peut pas dire des sornettes vingt fois. Vous comprenez?*" (P617). This restriction is enforced by the community of peers.

164

Others claim a much broader freedom of expression. This professor asserts that he does not have to restrict himself to his original area of expertise: *"Moi, comme* ███████*, je ne suis pas obligé de m'en tenir à ma formation initiale. Mais j'ai la capacité de sortir. J'ai la possibilité de sortir. Et j'ai la liberté de dire ce que je pense. Et ça, c'est aussi un aspect important"* (P580). The extent of freedom entailed by academic freedom as freedom of speech is a contentious issue.

Yet the expression remains an individual choice. One professor testifies that he prefers not to exercise his right to public expression because he was traumatised in the past:

> *J'ai toujours assumé mes prises de position. Des fois j'ai choisi de ne pas prendre position pour des raisons, je dirais, diplomatiques. Peut-être que j'avais tort. Puis l'autre truc aussi, c'est que ma mère m'a beaucoup traumatisé, de sorte que j'ai horreur des médias en général, donc, je me tiens habituellement généralement assez loin des médias. Des fois, j'accepte de parler aux journalistes, mais c'est vraiment... J'ai été vraiment traumatisé.* (P617)

Another, quite at the opposite end of the spectrum, asserts that he has no constraints, that nothing is stopping him from exercising his right to free speech and, as such, because of his privileged position, he has to exercise it:

> *C'est lié. Parce que premièrement, j'ai un poste permanent. À moins de faire une faute majeure, on ne peut pas me mettre à la porte. Y a pas d'autres d'endroits que ça où on a ça. Donc... moi, j'assume aucun risque. Faut comprendre que tout ça se fait à risque nul. Donc, y a pas grand mérite à faire ces trucs-là d'une certaine façon parce que, à la fin, au pis aller, j'emmerde quelqu'un qui va me dire « Okay, tu vas donner ce cours-là à la place de ce cours-là ou tu pourrais... » Mais y a rien qui peut m'arriver.* (P580).s

Professors face no risks in exercising their free expression, therefore they should participate in public debates, this informant argues.

In conclusion, professors express a varied set of ideas about academic freedom. While it is partly related to research, teaching and sometimes collegiality, it also sometimes

stands alone since some professors believe academic freedom is mainly freedom of expression. Some choose to exercise it while others prefer not to. What we want to take away from this section is that how academic freedom is understood by professors represents a spectrum of ideas, and that it is the first characteristic specific to the institution of academic freedom.

6.2 Expected sources of variations according to informants

In the interviews, some professors recognized that variations in understanding of academic freedom exist and reflected on the sources of these variations. Heterogeneity can have multiple causes.

One informant simply suggested that notions of academic freedom must vary from individual to individual (P613). For this informant, academic freedom was simply the ability to do whatever he wanted to do:

> *Je pense que ça passe d'individu en individu. Pour moi, la liberté académique... c'est finalement... je fais ce que je veux. Mais tout en respectant évidemment mes obligations à l'université. Mais si je veux aller travailler à Prague, si je veux aller travailler au* ▮▮▮, *pour ma recherche dans* ▮▮▮, *pour d'autres recherches... ou à Moscou? Bon, qu'on me met pas des bâtons dans les roues, c'est parfait pour moi.* (P613)

According to this professor, if we follow his logic, as the practices of professors vary, their understandings of academic freedom must vary as well.

Another source of variation acknowledged by informants is between tenured and non-tenured professors (P593). For many professors reflecting on their early years, tenure appeared as a turning point, a moment when they had gained freedom (P9; P593):

> *Pour moi, c'est chez les profs adjoints que possiblement les contraintes se font le plus sentir et, entre autres, parce qu'ils ont cette perception qu'on va pas nécessairement les évaluer à leur production, mais à leur capacité... Je suis à chaque fois absolument étonnée de voir jusqu'à quel point les profs adjoints pensent que leur carrière dépend de leur soumission.* (P590)

According to tenured professors, there is in their careers a before and an after with regards to tenure. In consequence, understandings of academic freedom differ greatly since tenured professors believe academic freedom protects them, but pre-tenured professors assume it does not.

A third and important source of variation pointed out by informants relates to discipline, epistemic cultures, epistemological orientations or the types of research conducted. This was candidly admitted: "*Et moi je vous dirais qu'effectivement, pour travailler avec des collègues de différents domaines, la notion même de liberté académique n'est pas la même. Donc il y a, je dirais, des critères flous pour définir la liberté académique*" (P611). According to one informant, academic freedom varies depending on the type of research preferred, fundamental or applied (P605), or the field in which it is pursued according to another: "*C'est vraiment difficile à dire parce que c'est vraiment par domaine*" (P590).

Intuitively, for others as well, the epistemic nature of a discipline seemed to play an important role in these variations:

> *Et ce qui est intéressant, je serais intéressée à savoir, parce qu'il me semble que selon les disciplines, justement, (inaudible), la façon dont on définit ou dont on envisage ce qu'est la liberté académique va beaucoup varier. Parce que chez les collègues qui sont, je ne sais pas, en droit par exemple, il me semble que c'est très différent de la façon dont on conçoit la liberté académique, ou bien en administration. Il me semble que ça doit être assez différent* (P598).

While this informant does not explain why epistemic cultures appear to influence notions of academic freedom, another informant does. This informant asserts that the nature of the truth claims differs fundamentally between epistemic cultures. Validity, explained the informant with a double specialization in natural sciences and social sciences, is qualitatively different:

> *Ayant fait les deux, j'ai presque fini mon doctorat en* ▮▮▮▮ *donc, j'ai travaillé dix ans comme* ▮▮▮▮*, je sais de quoi je parle, et je peux très facilement argumenter qu'il y a une différence qualitative majeure entre la validité du savoir et les processus de validation du savoir dans les sciences*

sociales et les processus de validation du savoir dans les sciences physiques. (P614)

Because truth registry and validity claims are different between epistemic cultures, academic freedom is also different. Gravity, equations, facts are not the subject of the same types of disputes according to the informant. While discussions of the distinction between facts, political preferences and moral issues might be understood as more fluid in some disciplines of the social sciences, it is not the case in the natural sciences. Facts are not subject to interpretation in the natural sciences:

> *Il n'est pas question de... Ce n'est pas une chose... ce n'est pas un cours de sociologie. On ne va pas passer les théorèmes au vote. Alors c'est une... c'est des sciences très rigoureuses, quand on veut former des ▮▮▮▮, on ne veut pas que les choses qu'ils ▮▮▮▮ fassent tomber des avions puis des choses comme ça, alors on ne prend pas de liberté* (P618).

In the natural sciences, a thing is or is not, one can or one cannot do it, planes fly or crash.

Organizational affiliation was also identified as a key potential factor in the variations observed in understandings of academic freedom (P583)[25]. Organizational factors such as labour relations (P611), governance and organizational culture (P610) were identified as playing a potential role in understandings of academic freedom. In the case of labour relations, contrasting UQAM (strong union) and McGill (no union), one informant asserted that academic freedom issues were reduced to labour issues at UQAM while, one might guess, were of a more academic nature at McGill: "*Surtout si vous faites une comparaison entre plusieurs universités, je veux dire, un des éléments clés, c'est la syndicalisation. Entre les gens de McGill et l'UQAM, par exemple, là, il y a une différence clé. À McGill, tout est lié aux types de négociations que vous avez avec votre direction, et donc, ça, c'est un enjeu majeur*" (P611).

Finally, national contexts emerged as an element that might also trigger different conceptions of academic freedom, most evidently between European countries and Quebec (P582), but also between Quebec and the rest of the world. An informant with

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[25] "*Puis je pense que ça doit peut-être dépendre des institutions. Peut-être qu'à McGill, les professeurs ils ont plus de pression, je ne sais pas*" P583

vast international experience recalled the fundamental differences between the individualistic cultures of North America and more collective cultures such as those of China and Japan:

> *Ayant travaillé (...) sur des cultures qui sont moins centrées sur l'individu, je serais fasciné par une future étape de votre recherche, si vous regardiez dans des cultures où ce n'est pas le je-me-moi qui domine, comment effectivement on aborde cette même problématique de liberté académique. Qu'on soit en Chine, qu'on soit au Japon, qu'on soit, même dans certains pays latino-américains, là où nous, notre valeur est centrée d'abord sur l'individu, d'autres sont peut-être plus centrés sur la personne dans son milieu, dans son groupe d'appartenance. Et il y a des choses intéressantes à regarder de ce côté.* (P610)

These differences between individualistic and collective cultures will most likely have an influence on the way academic freedom is understood.

These testimonies from professors are not proof of these explanations for variations, simply their assessments of what they believe could explain variations in understandings of academic freedom. In other words, in the interviews, they attempted to explain heterogeneity and invoked individual characteristics, tenure, disciplines, epistemic cultures, organizational and national contexts. In the next section, we will explore through our comparative and contrasting samples these hypotheses.

6.3 Exploring sources of heterogeneity

The ultimate question regarding heterogeneity is the relationship between different understandings of academic freedom and specific social characteristics such as departmental affiliation, epistemic culture, university and career profile (union, administrative or public involvement). In this section, we will explore these possible explanations of heterogeneity, some of which were suggested by the respondents themselves, but not all of which are confirmed by the respondents' own views.

Of course, the samples we use are not representative. Therefore, we cannot affirm that this portrait is representative of all or even some professors. We can nonetheless look

at the definitions and try to find theoretically informed patterns. In this section, we mobilize both our comparative and contrasting samples. For the departmental and university affiliation as well as for epistemic cultures, we will mobilize the comparative sample. For individual factors related to the types of careers professors choose, we mobilize our contrasting sample.

6.3.1 Organizational affiliation: University, departmental and epistemic sources of variation

We started off this research believing that some variations in the understanding of academic freedom could be attributed to professors' epistemic cultures and/or to their department or university affiliation. Indeed, the way we see the world is informed by our academic speciality, which could therefore impact our understanding of academic freedom. The various types of research and how it is organized at the departmental level, our relations with colleagues and socialization could certainly have an impact on the way professors understand academic freedom. Finally, organizational characteristics such as organized labour, research intensity, organizational culture or the mission of the university could influence how professors understand their academic freedom.

In order to explore this question, we constructed Tables 10 and 11 presenting the aspects of the professorial task included in definitions of academic freedom at each university. As we saw in the previous section, the way professors defined academic freedom was very heterogeneous. Can we attribute patterns in either epistemic culture, university or departmental affiliation? Our table suggests possible ties.

Table 10 Aspects of the professorial task included in definitions of academic freedom at Université de Montréal

	SS1					SS2					N1					N2				
	P9	P24	P25	P26	P636	P585	P22	P23	P599	P11	P1	P611	P615	P619	P10	P600	P601	P634	P635	P17
Research	X	X	X				X	X	X	X	X	X	X	X	X	X	X	X	X	X
Teaching		X					X	X	X	X						X		X	X	X
Collegial						X	X	X		X										

170

gov.																				
Expression			X	X	X					X										

Table 11 Aspects of the professorial task included in definitions of academic freedom at Université du Québec à Montréal

	SS1					SS2					N1					N2				
	P606	P607	P612	P617	P620	P602	P603	P604	P605	P616	P608	P609	P610	P613	P618	P637	P638	P639	P640	P641
Research	X	X	X		X	X	X	X	X			X	X	X	X	X	X	X	X	X
Teaching	X		X			X	X	X									X	X	X	X
Collegial gov.	X					X	X		X									X		X
Expression											X									X

These tables illuminate a number of interesting elements. The first is, as pointed out previously in the chapter, that academic freedom is mostly about research: 34 out of the 40 professors in the comparative sample identified research as an activity protected by academic freedom. This points toward some commonality, even if the way professors understand research and the elements protected vary greatly. The second element that pops out is that many aspects can be included in a single definition. For many professors, academic freedom is not simply one thing but it is multifaceted and includes elements of research, but also aspects regarding teaching, collegial governance and expression. The third element upon which we wanted to comment is how there appears to be different levels of complexity in the definitions, as some departments had a lot of elements in their definitions of academic freedom while others offered fewer elements. However, this appears to be a department-based variation as it cannot be neatly mapped over either an epistemic culture or university-affiliation divide.

To this effect, we can comment on two interesting departments, SS2 and N1 that in both Université de Montréal and UQAM had similar definitions of academic freedom. Indeed, in SS2, in both universities, most professors included a lot of elements in their definition of academic freedom, and the opposite is true for N1, where professors,

with the exception of two, included only research as the element linked to academic freedom. We might point to epistemic culture to explain these two variations as they are both what we would think of as traditional and core disciplines in the social sciences and in the natural sciences. Yet, not true every department fits into this epistemically based explanation. If we compare N2 at Université de Montréal and at UQAM, two different pictures emerge concerning the tasks included in their definitions of academic freedom. Yet, these departments are both newer disciplines in in the natural sciences. This is also true of SS1. The age of the discipline might therefore have an effect, not on the richness, but on the heterogeneity of the definitions given within it.

Finally, we wanted to bring to the fore an element that might tie the definition of academic freedom to organizational affiliation. Collegiality was rarely invoked. It came up at UQAM in three out of the four departments surveyed, in both social sciences and natural sciences, but only in one department in the social sciences at Université de Montréal. This finding might be an indication that organizational culture has some impact on the tasks included in the definitions of academic freedom, namely on understandings of academic freedom in relation to collegiality.

While our research design makes it impossible to draw causal links between potential causes of variation identified by professors and the variation itself, we can nonetheless illustrate the existing heterogeneity in understandings of academic freedom by suggesting theoretically informed explanations for some variations. We tackle this task next.

We found that professors commonly understood academic freedom to include research but also added other tasks in their definitions. We also found that the level of complexity of the definitions appears to vary from one department to the other. We suggested that this variation in complexity could be based neither on departmental nor on broad epistemic cultures, but on the specific disciplines. Indeed, greater complexity was found mostly in core and traditional disciplines, in both social and natural sciences. Research mobilizing a survey methodology using a representative sample could confirm this hypothesis.

6.3.2 Involvement and understandings of academic freedom

The last element we might tie to heterogeneity is the different ways professors get involved in their community. Indeed, it would come as no surprise if a professor involved in unions had a different understanding of academic freedom from that of a professor involved in the administration of the university or in issues pertaining to the wider community. In fact, during informal discussions with many professors over the years, many expected that those involved in the administration would have a more restrictive understanding of academic freedom. In order to explore this hypothesis, we turn to the contrasting sample because of the richness of the experiences of the professors in different contexts.

Table 12 presents the characteristics of the contrasting sample. The sample is well balanced regarding gender and epistemic cultures, but comes mainly from Université de Montréal. It was built during the first phase of our research. During this initial sampling, we interviewed four professors involved in the administration, two professors involved in unions and two professors involved in public affairs. This sample is very small, and the richness of the interviews does not compensate for this scarce number. We sampled professors involved in the administration, unions or associations and in public causes because they represent rich experiences.

	University		Gender		Involvement			Epistemic	
	McGill	UdM	Male	Female	Involve	Admin	Union	SNT	SSH
P2	1	0	1	0	0	1	0	1	0
P8	0	1	1	0	1	0	0	0	1
P10	0	1	1	0	0	0	1	0	1
P11	0	1	1	0	0	1	0	0	1
P13	0	1	0	1	0	1	0	1	0
P14	0	1	0	1	0	0	1	0	1
P15	0	1	0	1	1	0	0	1	0
P16	0	1	0	1	0	1	0	1	0
	1	7	4	4	2	4	2	4	4

Table 12 Sample of professors with involvement in contrasting sample

In the comparative sample, academic freedom was centrally concerned with research. The same is true in the contrasting sample. Moreover, as with the comparative

sample, there was some degree of ambiguity related to academic freedom. Some acknowledged that they had "never heard the word uttered" (P2) while others said that it was everywhere without offering any specifics, e.g. "*La liberté académique est partout, elle est à peu près partout*" (P14), yet others could not think of any example on the spot (P15)[26]. Some expressed skepticism and portrayed academic freedom as a rhetorical device to demonstrate that it was (sometimes) a hollow concept. For example, an informant invoked the impossibility to use it in public because "[b]ecause then they'd say: 'What do you mean by that?'. And then, they won't be able (…) or they[?] articulate and now you see that (…) really doing is to make their own nest" (P2) or when "people (…) invoke academic freedom to say all sorts of things" (P13).[27] Or that it is much more limited than what people might normally assume (P16). All in all, it seems that a lot of ambiguity is stored in the concept. As one informant expressed:

> *Bon, euh… disons, si la liberté académique… s'étend au fait de pouvoir définir politiquement où s'en va l'institution, oui, alors dans ce cas-là (…). Si, par contre, elle ne se limite qu'à… la définition de ce sur quoi je peux m'intéresser en tant qu'enseignant, et donc en tant que chercheur, bien, à ce moment-là on n'est pas en… elle est pas en danger.* (P11)

Academic freedom is defined in different ways, and some expressed skepticism.

Within our limited number of interviews, administrators appeared to adopt a restrictive understanding of academic freedom, mostly oriented toward research. As one informant with important administrative experience said: "*Moi, c'est ça, je veux dire, la liberté académique, c'est, voilà, je suis en train de faire un travail sérieux d'études… scientifiques… je suis financé, j'ai le respect de mes collègues… j'arrive à publier, voilà*"[28] (P11). Academic freedom is linked to the serious work of research. A similar idea was expressed by our second informant with administrative experience, who argued that true academic freedom was located in research activities: "*Je pense qu'en recherche, c'est là qu'on a la plus grande liberté, quoiqu'elle est de plus en*

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[26] "*Euh je le sais pas, euh… la liberté euh… [longue hésitation] J'essaie de réfléchir à ça là… [Hésitation] J'ai rien qui me vient à l'esprit là…*" (P15)

[27] "*Les gens vont évoquer la liberté académique pour dire toutes sortes de choses.*" (P13)

[28] "I, that's it, I mean, academic freedom it's, there, I am doing serious work of research…scientific…. I am financed, I have the respect of my colleagues… I manage to publish, there" (P11).

plus encadrée par les contraintes liées au financement de la recherche. Mais je pense que c'est beaucoup..., c'est là qu'on retrouve..., la vraie liberté académique. Pour moi, elle est là" (P13). In other words, research for our informants with administrative experience is serious and is where the real academic freedom lies, in contrast to other activities which, we suppose, are not serious or have no real claims to academic freedom.

Academic freedom is not an excuse to do just about anything, it is not anarchy, as expressed one informant: "It can't be anarchy, you can't do do whatever you want. So, there's a balance between the responsibility of the individual to the overall objective of the community (…). And then some freedom to choose what you do within that" (P2). In this sense, professors have a responsibility toward the university. Administrative responsibility is one example invoked: "*En même temps, on doit être prêt et en mesure de rendre des comptes pour l'argent qu'on dépense qui est de l'argent public*" (P13).

Many informants with an administrative background expressed the importance of academic freedom, but also tended to limit it in similar ways. However, one informant went far beyond limiting academic freedom and outright questioned it, arguing that "[t]he freedom of one stops where the freedom of the other starts… and this entails that it is very limited" (P16)[29]. and adding : "*Mais... tu sais, c'est dans ce sens-là que je crois... plus à la notion d'obligation et de devoir, qu'à la notion de liberté. Pour moi, la notion de liberté, c'est un peu... un faux concept*" (P16). This is certainly a strongly worded position that we did not find elsewhere with other informants. Even if "people will invoke academic freedom to say all sorts of things" (P13), on a positive note, the same administrator also specified that one of his roles was to protect the academic freedom of professors: "*On doit aussi défendre la liberté académique de nos professeurs les limites que moi j'ai mentionnées tout à l'heure, c'est-à-dire qu'on peut pas faire n'importe quoi non plus au nom de la liberté académique*" (P13).

Nevertheless, it would not be fair to claim that the ambiguity that resides in academic freedom comes from a more limited understanding shared between professors with administrative experience. This perspective is one amongst many understandings of

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[29] "*La liberté, de l'un s'arrête là où la liberté de l'autre commence... et cela fait qu'elle est très restreinte...*" (P16)

academic freedom present in the university. And, after all, professors with administrative experience are professors. Informants with union experience, for their part, invoked the important notion of academic freedom as a value: "Well, I think that when you get in…. when you choose this career, it's with this ideal that the intellectual inquiry, the research endeavor itself, well, that we can only conceive it as free, otherwise it would make no sense" (P14)[30]. Similarly, the second informant with union experience said that academic freedom is "a value that should be at the heart of the university"[31] (P10) and that it comes with an important responsibility: "*je pense qu'il y a un énorme privilège qui nous est donné, tu vois, et nous avons donc une énorme responsabilité*" (P10). Academic freedom was construed as much more important and abstract by our informants with experiences in unions.

Finally, the last subset concerned expression outside of universities' walls. This group includes not only professors with public roles, but also professors with administrative and union experience. For most, the issue of political speech is an integral part of being a professor (P10; P11). An informant with an administrative experience brings nuance to this statement: "*ta liberté s'arrête là où tu commences à (…) ou là où tu commences à avoir un impact négatif. Mais sinon, je pense que les professeurs devraient pouvoir s'exprimer sur tous les différents sujets*"[32] (P13). For this professor, one is free as long as one does not interfere with others or have negative impacts.

The inclusion of freedom of expression as an integral part of the work of professors is wholehearted for the sampled professors with experience in the public sphere. One informant even goes so far as to blame professors who refrain from speaking out on public issues, arguing that it is a part of their job that they owe to taxpayers: "*Le monde ont le droit, tu sais, ils paient pour ça. Moi, les collègues qui se ménagent tout le temps, là, puis qui ont tout le temps peur que s'ils prennent position…, je trouve*

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[30] "*Bien, je pense que quand on entre dans…, quand on choisit cette carrière-là, c'est avec cet idéal-là que la démarche intellectuelle, la démarche de recherche comme telle, enfin, qu'on peut pas la concevoir autrement que libre parce que sinon ça a pas de sens*" (P14)

[31] "*c'est une valeur qui devrait être au cœur de l'université.*" (P10)

[32] "Now, I think that the limit to this, on that part… is that your freedom stops where you start to have a negative impact. Other than that, I think professors should be able to express themselves on all subjects" (P13)

que..., ils sont en contravention de l'éthique... de l'universitaire"[33] (P8). This is echoed by a second informant who, at the time, was involved in union affairs but later became a spokesperson. This informant argued that "a part of my job, well, it's to be in the public space"[34] (P10).

All in all, professors from the contrasting sample with administrative, union or public experience did express strong opinions about academic freedom, but they did not differ greatly from those of our comparative sample. Their views about academic freedom might be informed by their experience, but it does not follow, it appears, that these views would be different from those of the rest of professors. This aspect does not appear, therefore to explain sources of heterogeneity in understandings of academic freedom.

6.3.3 Organizational affiliation and involvement: Sources of variations in uses of arguments

In this section, following the exploration of the potential explanations of heterogeneity in understandings of academic freedom, we will quickly explore the variations in arguments used to justify academic freedom at Université de Montréal and UQAM as well as compare arguments invoked by Université de Montréal's neutral and involved professors to identify potential differences.

We presented in section 4.2 Academic freedom as a normative institution two types of arguments invoked by professors. The first type of argument is activity based. Professors using these arguments argue that they need academic freedom to accomplish their tasks. Typically, they will argue that academic freedom is necessary to conduct research. The second type of argument, institution-based arguments, relies on broader justifications. Professors will argue that academic freedom is necessary for the good of society writ large or for the good of science. We labelled them institution-based arguments because, borrowing from Selznick's (1957) understanding of institutions, they are infused with value beyond the requirements of the task at hand.

It appears from Table 13 that arguments used by professors do not vary much according to department, epistemic culture, university or involvement since they are

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[33] "The people have a right, you know, they pay for that. For me, my colleagues who limit themselves, there, and that are scared all the time to take a stand... I find that... they contravene to the ethics of academic" (P8)

[34] *"une partie de mon salaire, d'accord, c'est d'être dans l'espace public."* (P10)

reasonably well balanced. The numbers in the table represent the number of arguments invoked by professors.

Table 13 Arguments invoked by university and by involvement

| | Université de Montréal | | UQAM | |
	Institution-based arguments	Activity-based arguments	Institution-based arguments	Activity-based arguments
SS1	3	2	3	2
SS2	2	3	3	2
Social sciences	5	5	6	4
SN1	3	2	3	2
SN2	1	3	3	1
Natural sciences	4	5	6	3
Involved	3	4		

While we already explored the arguments invoked by professors from our comparative sample in the fourth chapter, we can present in this section some versions of the same arguments presented by professors from our contrasting sample. One element that appears throughout the exploration of arguments provided to justify academic freedom is that they appear to be self-serving. In other words, the reasons that involved professors invoked appear to be tightly bound to their types of involvement.

For example, professors involved in issues and activities beyond the university walls appealed to a broader understanding that would justify their own involvement. We already mentioned the case of the professor who argued that academic freedom was necessary because society, through taxes that fund universities, pays for professors to take a stand in social debates (P8) who argued that professors were paid to think freely and should do so, as he, himself, is doing. Similarly, another professor involved in outside causes justified academic freedom by appealing to broader social contexts in which he himself was involved.

Professors involved in union activities were very quick to contrast how academic freedom should be understood with the administration's improper understanding of academic freedom. One informant argued that professors are not research clerks, but that the administration was made up of such clerks that could not understand how

research required a high degree of freedom (P14). In contrast, a professor involved in the administration argued that academic freedom was much more limited than what professors make it out to be. According to her, academic freedom is only justified to foster scientific development in universities, not to engage in external political activities (P16).

In sum, it appears that the way that professors who take part more than strictly academic activities justify academic freedom is linked to their practices and their day-to-day realities. Professors involved in external political activities situate academic freedom's importance in the external activities, professors involved in unions blame the administration, and the administrators want to restrict academic freedom to a limited understanding. These understandings of academic freedom are intimately linked, it appears, to the way professors understand their role as professors, using academic freedom to justify and to protect their realm of activities.

Conclusion

In this chapter, we explored spectrality as heterogeneity. In the first section, we explored the definitions of academic freedom provided and their level of heterogeneity. In the second section, we recounted the explanations that professors provided to explain the perceived heterogeneity. Finally, in the third section, we attempted to explore the sources of heterogeneity. While we did find some ties between understandings of academic freedom and organizations, departments, epistemic cultures, and involvement, they did not stand out clearly. Our limited sample might explain the fact that our findings were very nuanced. If we take a step back and return to the big picture, we illustrated what is the heterogeneous nature of the institution of academic freedom and how spectrality embeds the notion of spectrum. In the next chapter, we explore the second quality of spectrality, that linked to the specter: ontological ambivalence.

Chapter 7 Ontological ambivalence as spectrality

The second element of spectrality is the ontological ambivalence evidenced by ambiguity. In this chapter, we will develop our understanding of the spectrality of academic freedom by exploring how it displays ontological ambivalence. To this effect, we mobilize interview data from our comparative sample. Specifically, we make use of the interviews and of our survey of the press.

7.1 Ambiguity of academic freedom

Ambiguity introduces the notion of ontological ambivalence. Merton (1976) defines sociological ambivalence as the "incompatible normative expectations incorporated in a single social status." Ontological ambivalence is therefore the incompatible ontological modes of existence embedded within a single thing. In other words, ontological ambivalence is the fact that something is and is not at the same time. Concretely, we point to the fact that academic freedom, when it exists in experiences, it is actually to denote its own absence. Academic freedom as a spectre both is and is not, or more specifically, its presence is made apparent by its absence, and academic freedom is absent when present.

Ontological ambivalence is not something professors identified regarding academic freedom. It is our interpretation of the large amount of information on academic freedom we collected. Yet, some echoes of this paradoxical nature of academic freedom could be heard in interviews. For example, one informant argued academic freedom is very paradoxical because it is an individual imperative (I am free) based on a collective endeavour (being part of academia), hence invoking academic freedom is either selfish or denotes the breaking down of the collective:

> C'est plus facile parce que, quelque part, c'est paradoxal de mettre « liberté » et « académique » dans la même expression. L'académie, c'est aussi le règne de la tradition, de l'action collective, du paradigme, bref d'un certain nombre de choses qui a priori semblent un peu antithétiques à la notion de liberté individuelle. Si tu acceptes le fait que tu es un académique ou que tu participes de l'académie, c'est parce que tu participes à cette construction collective a priori, quoi. Et donc, quelque part, que tu aliènes au moins une

partie de ta liberté dans une action ensemble. Donc, la revendiquer dès que ça commence à merder pour toi en disant : « Ah, oui, mais là, attends, un joker, je marche plus. Hop! Je redeviens libre ». C'est à mon avis qu'il a failli du travail collectif. Ça existe, hein, ça arrive et c'est vrai qu'il y a des cas où il faut pouvoir, quand même, revendiquer ce principe-là. Mais il est très ambigu, enfin. Mais tant que tu peux en faire l'économie, c'est tant mieux. Enfin, à mon sens. Une carrière académique bien vécue, ça se conclut probablement sur le fait qu'en effet tu auras toujours été libre, mais tu auras jamais eu besoin de le revendiquer (P605)

In this excerpt, the professor explains how academic freedom is an individual right based on a collective belonging. If we explore in further detail his description of how academic freedom works, we find the idea of ontological ambivalence. Indeed, he plainly says that one invokes academic freedom when there is an unravelling of the collective work of academic freedom. It is when the social guarantees are no longer present that academic freedom, a norm that is collective by nature, is invoked. It is when it is absent or failing that it is made present by professors. Conversely, the informant goes on to assert that one should not need to invoke academic freedom in a successful academic career, because there should not be any need for it. In other words, it is enjoyed, but it is not made present by professors.

According to informants, academic freedom refers to an ambiguous idea. Professors recognize the ambiguous nature of academic freedom. Recognizing a multiplicity of concomitant possibilities is at the crux of the notion of ambiguity, argue Giroux (2006) and Eisenberg (1984). This acknowledgment is expressed in three different ways in our interviews. First, professors would express uneasiness when asked about providing a definition of academic freedom. Second, they would acknowledge some uncertainty regarding the contours of the concept. And third, they would explicitly recognize the ambiguity of academic freedom. We will discuss each of these in turn. Table 14 Summary codes and quotes on the ambiguity of the institution of academic freedom

Table 14 Summary codes and quotes on the ambiguity of the institution of academic freedom

Second order codes	First order codes	Quotes
	Uneasiness	• "the more you talk about freedom, the more I will be suspicious, the more I will tell myself 'Ok, what does he have behind his head now'" (P587) • " Et je pense que des fois c'est invoqué de façon..., je dirais pas superficielle, mais un peu..., je veux dire la vraie liberté académique, je pense que ça, c'est des choses qui... Je pense que beaucoup de professeurs qui l'invoqueraient, invoquent pas vraiment ça. C'est d'autre chose qui est derrière ça. Je pense que c'est une étiquette qu'on aime bien soulever parce que ça paraît bien, mais je suis pas certain que c'est ça. C'est jamais sans intérêt, je dirais." (P585) • "Mais je pourrais pas formuler une définition. C'est très dur d'en formuler une." (P601)

| Ambiguity | Uncertainty | • "*Quand vous m'avez demandé la définition, j'y ai pensé beaucoup parce que ça peut avoir beaucoup de visages.*" (P585)

 • "Academic freedom. No one ever asked me this question, so I don't really know how to answer." (P615)

 • "*Alors, bon, la liberté académique, c'est un terme que vous, vous devez identifier dans votre projet. Je ne suis pas sûr de savoir le définir véritablement.*" (P582) |
| | Ambiguity | • "*Voilà. Donc en fait, ça ne répond pas vraiment à votre question dans le sens où je ne donne pas une définition de la liberté académique parce que ce n'est pas quelque chose de simple, c'est quelque chose de très complexe, en fait.*" (P600)

 • "*Donc, je dirais que c'est multidimensionnel, c'est..., mais ça nécessite aussi cette notion-là de choix, de choix conscients. Puis la liberté académique, c'est aussi quelque chose qu'on doit préserver, donc c'est quelque chose qui est pas..., c'est pas* |

une entité qui est fixe, c'est une entité qui peut bouger à travers le temps. Et puis dans certains univers, dans certains pays, on voit que ça peut être extrêmement contraint et, dans d'autres pays, bien, c'est plus hétérogène, ce qui est permis." (P590)

- "this autonomy, this idea of freedom – I don't know of freedom and autonomy, actually –, this idea that the academic profession gives you a lot of freedom, I'm not sure because you have internalized that system, that habitus so much that are you really autonomous? Are you really free?" (P586)

7.1.1 Uneasiness

Inquiries into academic freedom, especially defining it, appeared to be difficult for professors. It was manifest in different ways. Some alluded to the use of academic freedom as a political tool. Some, cautious of such political uses of academic freedom made by colleagues, recalled how "*[c]ertains collègues justement qui vont revendiquer une liberté académique pour en fait, quand ils doivent justifier ou soit moins travailler ou, comment dire, refuser des choses. Refuser de se plier à des contraintes parce que c'est ça, ça ne fait pas leur affaire. C'est un petit peu facile*" (P604; also P585)[35]. Because of this political use, informants were suspicious of academic freedom. One informant said "the more you talk about freedom, the more I will be suspicious, the more I will tell myself 'Ok, what does he have in the back of his mind?"[36] (P587). The political instrumentalization of academic freedom made some professors suspicious of the notion.

Some asserted that freedom, in and of itself, could not be defined once and for all ("*C'est problématique. Je pense pas que la liberté puisse être définie en elle-même une fois pour toutes*," P587). The problem of definition was very real, as some refused to provide a definition, simply offering to provide keywords and key concepts ("*Mais je pourrais pas formuler une définition. C'est très dur d'en formuler une*," P601). One person flatly refused to provide a definition, arguing that she was not ready to answer this type of question because she had not done her research and did not want to talk rubbish:

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[35] "*Pour moi, la liberté académique c'est quelque chose de... Quand vous m'avez demandé la définition, j'y ai pensé beaucoup parce que ça peut avoir beaucoup de visages. Et je pense que des fois c'est invoqué de façon..., je dirais pas superficielle, mais un peu..., je veux dire la vraie liberté académique, je pense que ça, c'est des choses qui... Je pense que beaucoup de professeurs qui l'invoqueraient, invoquent pas vraiment ça. C'est d'autre chose qui est derrière ça. Je pense que c'est une étiquette qu'on aime bien soulever parce que ça paraît bien, mais je suis pas certain que c'est ça. C'est jamais sans intérêt, je dirais.*" P585

[36] "*J'ai vu des gens aliéner les autres au nom de la liberté, j'ai vu trop de débats où, des deux côtés, on agite le spectre de la liberté dans des visées complètement antagonistes et moi j'y crois plus. Ça peut plus générer mon adhésion quelconque. Même..., c'est vrai, peut-être ça, c'est un truc des illusions totales de ma génération, mais plus tu en parles bien de la liberté, plus je vais être soupçonneux, plus je vais me dire : « Ouf, quelle entourloupe celui-là me cache ? »*" P587

185

Bon, écoutez, je m'excuse mais, je n'étais pas préparé à répondre à ça ce matin. Donc c'est vraiment de l'improvisation. Écoutez, vous qui travaillez là-dessus, non, je ne réponds pas à ça parce que, écoutez, je n'ai pas relu là-dessus, je ne me suis pas intéressée comme tel à ce dossier-là, je risque de vous dire des âneries. Alors je passe. (P617)

In this context, providing a definition was the result of an intellectual process, not a reflection upon one's experience. Lastly, some simply felt they were being put on spot: "I hate these types of question," one informant expressed, "and I ask similar ones, sometimes: 'what is your definition of...'"[37] (P599) while others invoked the way the question was asked (P601)[38] to express their discomfort.

All in all, for different reasons, uneasiness sometimes arose when discussing academic freedom. It was common for informants, one way or another, to express some difficulty with the act of defining academic freedom.

7.1.2 Uncertainty

A second common reaction in the interviews was to express doubt about the possibility of defining academic freedom. It was common for professors to specify that academic freedom has many meanings or *many faces*: "*Quand vous m'avez demandé la définition, j'y ai pensé beaucoup parce que ça peut avoir beaucoup de visages*" (P585). It was also said to vary from one individual to another ("*Je pense que ça passe d'individu en individu,*" P619) or that it was a matter of personal opinion (P617). Both strategies, to say that it can have a plurality of meanings and that it varies, appeared to be designed to place less importance on the understanding put forward by the informant.

Even though informants were told about the topic of the interview beforehand, it was still difficult to provide a definition. Uncertainty was expressed in different ways. Some

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[37] "*J'haïs ce genre de question. Et dire que j'en pose, des comme ça, des fois. « Quelle est votre définition de... »*" P599

[38] "*Ben oui, bien sûr. Écoute, j'ai de la misère à... de la manière à laquelle la question est formulée, c'est vrai, tu as raison, elle peut très bien se formuler ainsi, mais pour moi, oui, elle est fondamentale dans la recherche... bien en tout cas, je ne vais pas mettre des pondérations où est-ce qu'elle serait plus importante ou pas, mais dans la recherche elle est très importante.*" P601

186

flat out said: "Academic freedom. No one ever asked me the question, so I don't really know how to answer"[39] (P615) or that it was something the researcher had identified, but that it was not clear what it was exactly.[40] Some ventured to say that it might be an ability, but quickly recognized that it was no easy task to provide a definition.[41] Uncertainty surrounded definitions of academic freedom.

7.1.3 Ambiguity

More than uneasiness or uncertainty, ambiguity was also essential to understandings of academic freedom for informants. First, according to one informant, it is ambiguous since it is complex, has many dimensions and changes over time and in different places:

> *Donc, je dirais que c'est multidimensionnel, c'est..., mais ça nécessite aussi cette notion-là de choix, de choix conscient Puis la liberté académique, c'est aussi quelque chose qu'on doit préserver, donc c'est quelque chose qui est pas..., c'est pas une entité qui est fixe, c'est une entité qui peut bouger à travers le temps. Et puis, dans certains univers, dans certains pays on voit que ça peut être extrêmement contraint et dans d'autres pays, bien, c'est plus hétérogène ce qui est permis.* (P590)

This complexity was reiterated by another informant. The concept is very complex, and that is why informants struggled with definitions: "academic freedom (…) it is not something simple, it is something very complex"[42] (P600). Being complex, it resists being reduced to a single facet, it resists singularity and embraces multiplicity, which is a key component of ambiguity as previously defined.

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[39] *"La liberté académique. On ne m'a jamais posé cette question, donc je ne sais pas trop comment vous répondre."* P615

[40] *"Alors, bon, la liberté académique, c'est un terme que vous, vous devez identifier dans votre projet. Je ne suis pas sûr de savoir le définir véritablement."* P582

[41] *"Je ne sais pas, c'est peut-être une capacité ou une, je ne sais pas comment dire ça... c'est vraiment pas évident..."* P598

[42] *"Voilà. Donc en fait, ça ne répond pas vraiment à votre question dans le sens où je ne donne pas une définition de la liberté académique parce que ce n'est pas quelque chose de simple, c'est quelque chose de très complexe, en fait."* P600

In a more philosophical sense, for some professors, freedom is itself a puzzle. Professors are trained for many years. During this training, they adopt a set of beliefs; they are socialized into academia. Therefore, "this autonomy, this idea of freedom – I don't know of freedom and autonomy, actually –, this idea that the academic profession gives you a lot of freedom, I'm not sure because you have internalized that system, that habitus so much that are you really autonomous? Are you really free?" (P586). There is this strange ambiguity that appears to emerge from the notion of freedom being coupled with the academic, even from the simple fact that professors are socialized and therefore have internalized constraints.

7.1.4 Methodological clarifications on ambiguity

We would like to explore in a few paragraphs a methodological aspect of the ambiguity of academic freedom. Some might argue that the uneasiness, uncertainty and ambiguity linked to academic freedom could come from data collection procedures. Some might point not to the subject itself, academic freedom, but to the way we led our interviews in view of explaining this ambiguity. They might argue that the interview methods have caused informants to answer in vague and imprecise terms, hence the uneasiness, the uncertainty and the ambiguity. This is a legitimate concern: is the uneasy, uncertain and ambiguous nature of academic freedom the product of this awkwardness?

To explain these difficulties, one informant with a deep knowledge of qualitative research methods underlined the fact that defining concepts is part of faculty's professional activities. He added that this professional activity comes with a responsibility linked to expertise. Professional ethics require that professionals know what they are saying to be true and that they affirm it. This might explain part of the uneasiness from professors: "*l'acte de définir en soi, l'acte cognitif et l'acte verbal de définir est extrêmement engageant. Pas engageant dans le sens de... Il a une charge extrêmement grande pour pouvoir faire sortir quelque chose*" (P607).

The discomfort might therefore come from the conjunction of a professional responsibility held by the informants and a lack of scientific expertise in a specific field, in this case academic freedom. While informants certainly know about it from their

188

personal experiences, they might not have scientific expertise about it. Therefore, when the question is put to an academic, he or she might be confused between two registries: the registry of expertise and the registry of experience. It is hard for professionals, in this context, not to feel judged and not to feel unease [43]. According to the professor quoted in the previous paragraph, this might explain part of the uncertainty and ambiguity expressed.

Yet, we have gone to great lengths to avoid having our data collection procedure be the cause of the unease, uncertainty and ambiguity. We made sure to mitigate the awkwardness in three ways. First, we made it clear that we were interested in their understanding as career professors who had lived experiences of academia, and not as subject experts (which was more likely in the social sciences). Second, we acknowledged that it was a difficult question and we provided ample time to reflect upon it and to build a definition that they agreed with. Third, we waited late in the interview, after approximately 30 minutes and after having discussed the importance of academic freedom and different constraints, once understanding and mutual trust had developed. Most of the informants did not appear to feel embarrassed by the question and the discussion. They sometimes appeared puzzled, reserved or perplexed, but never embarrassed.

The uneasiness, as well as the uncertainty and the ambiguity, therefore appears to be part of the nature of academic freedom. Some informants linked it to a lack of socialization. Nobody told new professors what academic freedom was, either from a legal standpoint or from any other (P600). Understanding of academic freedom was a gradual process, built over departmental meetings, discussions with colleagues and personal reflections. Because it is never validated by colleagues or the institution, it creates some unease, uncertainty, and the notion of academic freedom remains ambiguous. But this situation had its upside. While academic freedom might still be something vague and uncertain, it was up to professors to define it: "*Donc ça reste quelque chose de très vague et très flou, en fait. Donc c'est à nous de lui donner un sens*

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[43] "*quand tu poses la question à un académicien, c'est difficile qu'il ne se sente pas jugé. Parce que, il en fait des définitions dans sa vie, et il s'auto-juge là-dessus.*" P607

189

qui rend la chose un peu plus complexe, de votre point de vue, en tout cas, mais qui va peut-être démêler aussi cette notion" (P600). In some sense, defining academic freedom remains itself an act of academic freedom, free from constraints. This freedom, as we will see, if it does not explain, allows for the variety of definitions found.

In the following pages, we will explore the idea of ontological ambivalence further. First, we will explore ontological ambivalence in the experiences that professors have had with academic freedom as they recalled them in the interviews we led. Second, we will explore the representation of academic freedom in the press. In both cases, we will see how academic freedom is made to exist in situations where it is no longer present. In this sense, it becomes an ontological being as it is invoked the moment its absence or potential absence is experienced.

7.2 The ontological ambivalence of academic freedom

7.2.1 Ontological ambivalence in the experiences of professors

In the following sections, we will present the lived experiences involving academic freedom recalled by professors. We will present them in relation to the tasks of professors: research, teaching, collegial governance and expression. Events recalled draw attention to constraints lived, expressed or anticipated.

These events are extracted from our comparative data set. We proceeded in a structured manner following our four-step process of coding. In a first phase, we familiarized ourselves with the interview data, then we systematically coded instances when professors narrated experiences they or their colleagues had involving issues of academic freedom. These instances were identified by the informants and sometimes involved the explicit invocation of academic freedom, but often they did not. During our third and four phases, thematic coding and the search for a reflexive equilibrium, we arrived at a structure of codes that left room for the narration of events.

7.2.2 Experiences of academic freedom related to research restrictions

The first set of experiences relates to research. Academic freedom is sometimes the subject of discussion between colleagues. When professors discussed issues of research funding, it was mostly theoretically or regarding distant events. For example, professors would appeal to academic freedom to denounce the shift in research funding policies implemented by the government. Academic freedom sometimes came into play as professors discussed government cuts in research funding: "*Donc oui, la liberté est souvent invoquée lorsqu'on sent qu'elle va être brimée. Puis je pense que dans le contexte qu'on vit, c'est beaucoup en lien avec des coupures financières, budgétaires, le fait que la recherche est financée et, donc, comment on peut faire... Voilà. C'est un peu ça qui arrive. C'est un contexte assez particulier*" (P598). Similarly, it was invoked regarding the opportunity to sign a petition or an open letter that denounced orientations to finance more applied research, as one professor recalls:

> *il y avait eu une discussion au moment où il y avait eu cette prise de position à l'échelle du Canada contre les nouvelles règles que le gouvernement voulait imposer aux organismes de financement sur l'orientation des thématiques de recherche, et là, il y avait eu une proposition par des collègues de participer à une pétition, une lettre ou je ne sais plus, donc on avait évoqué ça à ce moment-là.* (P599).

Other issues such as restrictions or potential restrictions tied to funding from the private sector, research and industry-oriented doctoral programs (P595) were also mentioned. Finally, restrictions on government researchers were mentioned. As I asked one professor if he ever discussed issues of academic freedom with his colleagues, he answered: "*Avec mes collègues du gouvernement, oui, bien sûr. Et puis, de temps en temps, quand j'ai un collègue qui se plaint un petit peu trop des difficultés de financement, de publier, de ci de ça, qui rappelle notre liberté académique est extraordinaire et y a pas un autre métier qui permet autant de liberté*" (P603).

Academic freedom appears to be present and invoked by professors. Professors discuss potential restrictions, cases experienced by others and eventual likely restrictions. Yet it

might seems these recollections are of the order of discourse and not incarnated experiences linked to academic freedom in research. Yet, even in these instances, academic freedom is invoked when research is threatened. Academic freedom comes in lieu and place of freedom of research. In this case, and in the case that will follow, academic freedom is the weaker double of something else that has disappeared.

But professors also identified experiences linked to academic freedom in everyday life situations. These experiences are much richer and very diverse. Some were to be expected, others were surprising. The first experience relates to the actions of an ethics committee. Ethics committees have been identified as potential constraints to research. The professor did not invoke academic freedom explicitly, but asserted in the interview that it was linked to academic freedom.

In a social science department, one professor shared the difficulties he faced with the ethics committee over a research project led by a student he supervised. This graduate student wanted to distribute a questionnaire to teenagers in a non-democratic foreign country. The topics addressed in the questionnaire were not invasive or personal. It had been over six months that the approval of the ethics committee had been sought. After a reasonable time, the supervisor approved the subject and asked that the school and teacher subjects of the research approved the research project and assured that the answers remain anonymous. While the student was conducting her research, the ethics committee asked that the parents approved the participation of their children to this research project. The supervisor (P585) disregarded this request.

Alors, à ce moment-là j'ai dit à mon étudiante : « Fais-le. Ils viendront m'accuser de qu'est-ce qu'ils veulent, mais fais-le parce que sans ça tu pourras jamais la réaliser ta recherche ». Alors, elle le fait et tout ça. Deux, trois mois plus tard, le comité rappelle et ils ont dit : « Bon, est-ce qu'elle a obtenu ces choses-là? ». J'ai dit : « Non, et j'aimerais vous rencontrer ». Alors, je suis allé rencontrer, ici dans un bureau, une collègue en psychologie et j'ai dit : « Écoutez, votre insensibilité à la culture à l'étude tenait pas. Cette personne-là aurait jamais pu la réaliser. Alors, si vous voulez me sanctionner, sanctionnez-

moi, c'est moi qui lui ai donné la permission ». Ils ont dit : « On voudrait
seulement que ça se répète pas ». J'ai dit : « On verra ». (P585)

After he being contacted by the committee, he went on to argue before it that he had approved the research project because its request for parents' approval was insensitive to the cultural context of the study and that it did not conform to practices in the social sciences. He argued that it was a breach of academic freedom because the ethics committee did not respect the expertise of the professor in his field. For him, the committee was attempting to impose exogenous constraints on research. This was identified by the respondent as an issue involving academic freedom, yet the professor never invoked academic freedom explicitly as he simply exercised it. In this sense, it was enjoyed and not made explicit. It was not invoked yet present. Therefore, it possesses the quality of a spectral institution: present in its absence.

A second professor narrated the experience of a pre-tenured colleague in a social sciences department. As the pre-tenured colleague was requesting to be renewed for a second appointment, the director of the department went to see her in her office and said: "This summer, you lock yourself up indoors and you write three articles"[44] (P589). The colleague felt the pressure as an issue of academic freedom: she was being pressured to publish by a supervisor in a period of precarious employment. Putting words in the mouth of her colleague, she affirmed that she probably felt this as an attack on academic freedom: *"Elle, elle est vraiment…, elle m'a raconté à plusieurs reprises, elle en a souffert et elle a vraiment senti la pression. Et probablement qu'elle le présenterait, le cadrerait comme un enjeu de liberté académique"* (P589). The colleague of the informant never said it was a breach of her academic freedom. This is puzzling as it is as if in order to maintain her academic freedom in front of his colleague, this person did not express the loss of academic freedom.

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[44] *"La même collègue, quand est venu le temps de faire une demande de renouvellement d'agrégation, la directrice de l'époque est rentrée dans son bureau et elle a dit : « Cet été, tu t'enfermes, tu écris trois articles ». Il faut vraiment avaler beaucoup, beaucoup de pression et elle s'en est…, un autre directeur aurait jamais fait ça, je pense. Elle, elle est vraiment…, elle m'a raconté à plusieurs reprises, elle en a souffert et elle a vraiment senti la pression. Et probablement qu'elle le présenterait, le cadrerait comme un enjeu de liberté académique."* (P589)

A third incident took place in the context of a book chapter commissioned by a colleague with a different research stance within the social sciences. After discussing the contents of the chapter, the colleague requested that our informant change the content of the chapter she had written. For the informant, it was out of question and, after lengthy discussions, the chapter was accepted and published with minor edits (P593). In this case, issues of academic freedom were not discussed explicitly, and the freedom was always preserved. As the professor recalls: "*Mais c'était pas en tant que tel, mais c'était probablement le plus proche parce que moi je considère que j'ai toujours eu beaucoup de marge de manœuvre et je suis assez indépendante de nature et je pense que les autres l'ont vu, ça fait qu'on me fout généralement la paix*" (593). As the specter of academic freedom was absent, academic freedom was present.

A second type of experience relates to events and actions related to external constraints. External constraints can come from private or public bodies. On the private side, one professor recalled his relationship with a foundation that was funding research. At some point, this professor realized that what he wanted to say regarding commissioned research was not exactly what the foundation was expecting and that scientific publications needed to be approved by the funder:

> *Et là, je me suis rendu compte, à un certain moment donné, qu['ils] fonctionnaient pas de la même…, bon, ce qu'ils voulaient entendre était pas tout à fait ce qu'on voulait dire et ce qu'on publiait, finalement, ça allait toujours être conditionnel à une espèce d'autorisation de la fondation puis, bon, ça, ça a été des moments de ma carrière où je me suis dit que je referais plus jamais ça.* (P591)

The experience led him to choose not to collaborate with private partners anymore, because he feared it would affect the nature of what he could publish. The informant identified the event as an issue of academic freedom, but he did not raise the issue explicitly during the research project: he simply left, thereby exercising his academic freedom.

194

External interference from public sources occurs when the government interferes in one way or another. A professor recalled the events surrounding the completion of a Master's degree. The graduate student was seeking public office at the time she was completing the Master's program. The contents of the thesis could affect the political career of the student. She therefore requested that it not be made public. And the informant characterized this request as political pressure by a government not to publish research:

> *Oui, oui, parce que c'est de l'ingérence politique et c'est comme ça que j'ai une étudiante en maudit contre moi. Elle me dit : « non, non, mais c'est pas ça, c'est parce que des fois quelqu'un... ». Non, c'est de l'ingérence politique. Ton gouvernement est en train de me dire que je ne dois pas publier quelque chose. Pour moi c'est un enjeu et donc, pas parce que la maîtrise est la maîtrise du siècle... mais il y a un bogue. Ce n'est pas... Ça, c'est un enjeu, pour moi, c'en est un, ça, une contrainte à la liberté académique, qui ne m'a pas tant que ça touchée directement dans le sens où, quand même c'est son travail, auquel j'ai largement contribué, mais quand même c'est son travail, mais c'était comme...* (P600)

The professor, the student and the administration came to an agreement that the Master's would be withheld for one year and then published. Academic freedom came into play in the discussion that took place as government forces public negated access to research. It is still unclear if, after the delay had expired, the work of the student was made public.

The final experience of public interference concerns interference from a foreign country. One professor in the natural sciences was asked by the Chinese government to conduct a specific test. The results helped the Chinese government take specific actions. Once the test was done, the professor wanted to publish the result in a scientific journal. The process was made very difficult as one Chinese co-author was submitted to strong pressures to change aspects of the research because it would present a bad image of China to the world. Our informant assumed the pressures on his colleague were exerted by the Chinese government. He narrates the events this way:

Et ça, j'ai voulu le valoriser par une publication scientifique. Et, à date, ça a été la publication la plus difficile pour moi, non pas en termes de science, mais en termes de politiquement correct. Parce que je pense que vous savez comment ça marche, on est des co-auteurs et, moi, j'ai écrit. J'envoie aux autres co-auteurs qui font des corrections. Et les corrections qui leur revenaient, c'est que on était pas... on avait pas le droit de marque grosso modo que la ville ▇▇. Et je leur disais – Mais si c'était pas le cas, vous m'auriez pas appelé. Et y a eu beaucoup de va-et-vient. Y a eu des phrases qui ont été tournées pour être du politiquement correct dans le papier qui, à mon sens, ont rien à faire dans un papier scientifique. Et c'est dans ce sens-là, où j'ai eu un peu de contraintes. C'est que... y a des diagrammes qu'on voulait mettre et qui ont pas forcément été mis. Y en a pour lesquels je me suis battu en disant – Si je les mets pas..., moi je veux les voir. Au final, ça a pris vraiment du temps. Des aller-retour. C'est publié mais, là, y a eu de la contrainte. (...) En fait, je pense que c'est pas avec le co-auteur. C'est avec la direction du co-auteur. Parce que je sentais bien que c'était pas ▇▇ qui posait problème, mais ça se passait un peu au-dessus de lui. (P613)

In the end, academic freedom was not invoked, and the article was published. The spectre of academic freedom did not make its presence felt.

One thing appeared clearly with regards to constraints affecting research: there were very few events when professors invoked academic freedom in the context of constraints experienced. Academic freedom was invoked in the context of others experiencing threats, such as pre-tenured and government researchers. In this context, the spectre of academic freedom was present, and academic freedom was threatened. But the experiences that professors shared were identified post hoc as related to academic freedom. In their course, informants did not invoke academic freedom and acted in a manner through which academic freedom was preserved. In sum, when implicit, academic freedom was preserved. Yet, when academic freedom was invoked, it was in lieu and place of the actual freedom. As a spectre, academic freedom was present to

signify its absence. In this sense, as a weaker double, academic freedom in research exemplifies a form of ontological ambivalence.

7.2.3 Experiences of academic freedom related to teaching

The second set of experiences we want to present are related to teaching. Indeed, academic freedom might come to the fore in three contexts: it is sometimes simply a topic for discussion among colleagues (P597), in departmental meetings (P607; P598), between a professor and a student (P598) or a reaction to some administrative process (P602; P607). Amongst the events recalled concerning teaching, four contexts are particularly telling: proposals for new practices (new course, new pedagogy), discussions over course harmonization (common syllabi, same courses taught by different professors), political activities (strikes) and implicit invocations.

New practices can raise issues of academic freedom. A professor in the natural sciences had, during the previous years, shifted his research interests from mainstream science to emerging, more controversial topics (P8). These topics were met with skepticism by most, scolded by some and ridiculed by others. Notwithstanding these harsh reactions from the majority of the academic community, he tried to find allies to propose a new interdisciplinary course on the topic. He rapidly ran into important administrative complications: turf wars over the expertise, lack of resources, etc.

This led to the termination of the project. Was it a question of academic freedom or was it the consequences of the difficulties inherent to interdisciplinary projects? As he recalled, he was never certain. Academic freedom issues are sometimes complex like this one. Yet, when academic freedom reveals itself, it was because the informant was not experiencing freedom. He discusses the issue:

> *Pour ce qui a trait à l'enseignement, ça, j'ai des..., c'est un petit peu plus délicat puisque j'avais voulu monter un cours sur* ▮▮▮ *et là j'ai vraiment eu beaucoup de mal à..., enfin, je suis jamais arrivé à le monter, en fait, et..., alors que tous les professeurs étaient..., enfin, j'avais constitué une équipe de professeurs qui venaient de plein de départements différents, etc., qui étaient prêts à le faire, mais on n'a jamais trouvé un créneau pour pouvoir le faire passer. Alors, je ne*

197

sais..., j'ai jamais pu bien identifier si c'était lié au fait que ce soit un projet transdisciplinaire ou que ce soit le thème ▮▮ *(...) ou de faire des cours transdisciplinaires que de faire des cours monodisciplinaires, ça, c'est certain, mais il y a quand même eu des oppositions relativement fortes qui étaient pas reliées à l'aspect multidisciplinaire, mais qui étaient clairement liées au thème de* ▮▮*. Donc là, (...) qui m'a un petit peu plus gêné, mais qui est pas lié directement à mon travail de chercheur, qui est plus lié à ma (...) de proposer un cours sur un sujet qui n'existait pas encore à l'Université de Montréal.* (P8)

And when asked if he thought this experience was tied to academic freedom, he answered: *"Bien, je peux pas en être certain. Ce qu'il y a de clair, c'est qu'il y a eu des réticences liées à savoir à qui cette thématique-là appartenait"* (P8). He was not certain if academic freedom was breached and he did not invoke the principle *in situ*.

But sometimes, for the professor, they are not complex at all. A professor in the social sciences reported her scuffle with the administration over some of her pedagogical choices. As she adopted a hybrid of online and classroom modes, members of the administrative personnel told her she was not be permitted to put the content of the classes online, to which she responded: "Academic freedom. Yes, I can do that and there is not even a question, there are not even discussions, there are not even negotiations, there is nothing of that sort"[45] (P590). Academic freedom took the fore because freedom was negated.

The second aspect concerns harmonization of course content. We have two examples. The first one comes from the introduction of a common syllabus format. This was mentioned by numerous informants from UQAM (P582; P594; P598; P602). The common syllabus format is, as its name suggests, a new format to describe the classes proposed. The discussions centered on the amount of information the syllabi were required to contain. Too much information would constrain the teachers while too little might affect student learning (P594). While it raised issues of academic freedom for all

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[45] *"Quand j'ai eu quelqu'un de la direction qui m'a dit : « Peut-être que tu peux pas faire ça », j'ai répondu : « Liberté académique. Oui, je peux faire ça et il y a même pas de questions, il y a même pas de discussions, il y a même pas de négociations, il y a rien de tout ça »"* P590

of the informants, their reactions differed. Some were not overly concerned by the new syllabus format (P582). One professor was actually championing the introduction of more details in the common syllabi until he came to realize the harm it would do to professors after discussions with the union:

> *Là, je commençais à me rendre compte que les syndicats qui me disaient que non, tu ne sais pas dans quoi tu t'embarques. Je me suis dit : « ok, d'accord, là, ils sont en train de jouer leur rôle de syndicat », puis à la fin, comme je me suis rendu compte, je me suis rendu compte que j'essayais de promouvoir quelque chose qui allait à l'encontre de mes valeurs. Et ce n'était pas ça mon idée de faire un plan cadre, c'était de coordonner des cours et de faire une réforme pour que le tout soit coordonné pour que les gens qui sont en train de prendre des cours se sentent, sentent qu'il y a un suivi. Mais quand ça arrive, finalement, que tu es en train de ligoter un prof, non. Ça ne marche pas. Là, ça devient trop* (P602)

At first, the professor thought the union was simply doing its usual job: opposing the administration. But through discussions, he realized that the administration might use the common syllabi to restrict the freedom of professors and that was not what he wanted. He quickly stopped the project once he realized "he could not see how he could allow himself, and on what grounds he could allow himself to impose it on others"[46] (P602). The reactions made the informant realize that he was negating the freedom of professors by championing a specific reform.

The second aspect brings together three incidents and concerns more informal ways of harmonizing course content (P15; P600; P621). The first event involves two professors. A professor leaving on his sabbatical asked a colleague to teach his classes the way he would. The colleague quickly answered he would teach the class the way he, himself, deemed it to be appropriate (P621). The second event involved two professors teaching the same course. Student had gone to the professor responsible for supervising undergraduate programs to complain about the difference between the two classes. The

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[46] "*Je ne vois pas comment est-ce que je pourrais me permettre, de quel droit je me permettrais d'imposer ça.*" P602

199

supervisor expressed discomfort because constraining professors to teach certain things a certain way would run counter to ideas of academic freedom. Therefore, he had a discussion with the professors and hoped for the best: *"en fin de compte, au bout de la ligne, après, à la fin du cours, est-ce que ça a été fait ou non? Euh, je peux pas... je peux pas vérifier, comme je peux pas non plus imposer..."* (P15). Finally, the third event was a discussion between two professors about the nature of collaboration when both are teaching the same course. A professor with an interdisciplinary background underscored the need, not to come up with an identical course to be taught by the two professors, but to make the differences explicit and to explain them. Such endeavours require time. In these cases, the invocation of academic freedom by professors was implicit. As academic freedom was exercised in the end, it was not invoked explicitly.

The third type of event invoked includes strikes. In the recent years, intense episodes of student strikes occurred in the universities surveyed. These episodes shed light on important aspects of professors' autonomy in the classroom: Who was entitled to decide whether there were enough students present in the class to teach? (P602) Are the necessary conditions required to teach satisfied? (P590) Should professors restrain from expressing any opinion about the student strike and the student movement? (P15) How should the classes and evaluations be reorganized to cope with the strike? According to professors interviewed, to preserve academic freedom, the professors had to be authorized to make these judgement calls: *"C'est là où ils ont dit : « c'est moi qui décide si le cours peut se tenir ou pas. Ce n'est pas la doyenne de la faculté. Ce n'est pas un Garda qui vient »"* (P602). In the end, professors never felt actually constrained and academic freedom was not explicitly invoked by the professors interviewed, according to the recollections of informants.

The final events regarding academic freedom in teaching relate to the implicit use of academic freedom in certain circumstances. Two have come up in the interviews. The first one related to grading. As administrative procedures have been put in place, one professor expressed his problems with effective sanctions against plagiarism. He narrated the events in which a student had plagiarized, but he preferred to give a failing grade rather than go through the trouble of a disciplinary committee. When he was

called into committee to explain the failing grade, he never argued that it was his academic freedom that allowed him to do so: "*Mais à aucun moment j'ai brandi le mot « liberté académique », si tu veux, donc c'est…*" (P588). He admitted it might not be ethical behaviour, but it was the reaction to an ineffective administrative process that did not respect his academic freedom to sanction student plagiarism. The second example involves a disgruntled professor that had to comply to an external accreditation body. While the professor initially argued against some requirement of the accreditation body, he later stopped: "*Aujourd'hui, je ne me casse pas la tête. Je suis prof permanent, avec une convention syndicale en béton armé, alors je fais ce que je veux*" (P607). While academic freedom is drawn on and referred to in both cases in the context of the interview, it was not voiced explicitly at the time. In both cases, through loose coupling, academic freedom was effective so academic freedom was not invoked.

Through teaching, academic freedom was present in the daily lives of professors in different ways. It presented itself as a complex, strongly legitimate idea that was not necessarily invoked explicitly when it came into play. Yet, it was intimately linked to the idea of ontological ambivalence as when academic freedom was invoked, it was because of its absence and when it was not invoked, it was exercised.

7.2.4 Experiences of academic freedom related to collegiality

The third set of experiences related by professors concerned the issue of collegiality. Collegial governance includes self-governance activities of faculty and, for some, this idea is strongly linked to academic freedom (P598). The discussion about academic freedom took place either in the context of union or departmental meetings. In both contexts, academic freedom is invoked in response to (potential) administrative interference.

Professors recall that academic freedom is invoked in the context of labour relations and union activities. According to informants, the role and importance of unions might vary between universities. Indeed, many informants stressed the importance of unions at UQAM (P597; P601; P602). As one informant stated: "*Le moindrement que tu es un peu proche des affaires syndicales, et comme c'est une université qui est très orientée*

201

autogestion, la notion de liberté académique, le terme, l'expression figée de « liberté académique » revient souvent" (P602). More specifically, academic freedom is invoked periodically in the context of collective bargaining[47] (P583; P601), in relation to specific issues such as teaching and the use of informational technologies (P602) or with regards to any other action by the administration that might affect professors' work: what they do, how they do it or when they do it (P601).[48] In these cases, academic freedom is invoked to characterize and to denounce limitations to professors' freedom. In short, it is invoked when it is said to be absent.

In departmental activities, academic freedom is used as a standard. Academic freedom is invoked to evaluate the propositions on programs discussed to see if they will affect academic freedom. As one UQAM professons recalls:

> *On en discute régulièrement à l'intérieur de mon département parce que, étant donné que, non seulement, ce n'est peut-être pas tous les départements qui fonctionnent comme ça ou toutes les universités qui fonctionnent comme ça, mais mon université est une université quand même assez décentralisée qui accorde aux assemblées départementales, encore une fois, une grande autonomie et donc, c'est clair que pour l'administration du programme, quand on doit s'imposer des choses, bien on discute à ce moment-là de tous les enjeux qui sont liés, justement, à la liberté académique* (P607).

But, this is not common everywhere, as another informant explains:

> *Mais... mais, c'est vrai que dans, moi, mon expérience, ça s'est pas posé, et dans l'expérience, en tout cas de ce que j'en sais, hein, parce que peut-être aussi c'est tabou , je le sais pas, ... peut-être que les gens s'en parlent pas, bien qu'on ait une bonne communication dans le département. Mais, bon, je peux pas*

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[47] *"C'est vraiment occasionnellement, lorsqu'on est en train de, (inaudible) de renégocier la convention collective, mais je pense que bon nombre de professeurs sont conscients qu'ils sont assez bien lotis et ils sont dans un environnement qui leur offre beaucoup de liberté, en fait"* (P583)

[48] *"le seul contexte dans lequel la question de la liberté académique revient assez fréquemment, c'est dans les négociations patronales, syndicales, où justement, on voit que le patronat veut empiéter justement sur cette liberté académique, pas seulement au niveau des tâches de travail et au niveau du temps de travail, mais aussi en termes de la façon dont on fait notre travail."* (P601)

présumer. [...] peut-être qu'il y a eu des cas et j'en ai pas entendu parler, tu sais. Parce que c'est souvent dans des moments où on... veut porter... Tu sais, quand on cherche à limiter, à limiter le professeur dans... ses activités ou dans la portée de ses activités ou dans..., je suis pas certaine que tous les professeurs systématiquement le traduisent en termes de manquement à, ou atteinte à la liberté académique. Je suis pas certaine (P639).

In both of these cases, the informants relate how academic freedom is present or not in departmental discussions. In the first one, the informant explains how the conversation turns to academic freedom when it is time to self-impose restrictions as a department. In the second case, the professor acknowledges that, collectively, they do not talk much about academic freedom, and she suggests that it might be because threats to academic freedom are not present. In this sense, what might appear as a contradiction, both discussing academic freedom in collegial settings and not discussing it, is in fact a good example of the spectrality of academic freedom.

The threats that make academic freedom present come from the actions of the university administration (P9; P598, P599; P620). For example, issues surrounding hiring practices were invoked. One professor recalled how, when hired, she was expressively forbidden by the department chair to do theoretical research and to join a specific research group. One week after she got tenure, she joined the research group. As she recalls:

Alors j'étais professeure sous probation, puis le directeur du département (...) à cette époque-là, il m'a dit clairement que il m'avait engagée, il était d'accord pour mon engagement, à une condition expresse : que je travaille du côté plus appliqué de ▮▮▮▮▮ que du côté plus théorique. Donc, par exemple, il dit : tu ne vas pas te joindre au laboratoire de ▮▮▮. J'ai eu ma permanence; la semaine d'après, j'ai demandé... [à me joindre au groupe] (P619).

Another complained that the profiles of new professors hired by the department were very similar, that it was privileging professors who would get research grants to the detriment of more atypical profiles (P697). Finally, a professor narrated how a colleague

distributed a letter to other professors in order to prevent him from being hired because of political reasons:

> "*un des collègues qui n'est plus là a fait circuler une lettre à tous les gens du département disant : « attention, ce type-là, il appuie le terrorisme ». Alors, ce qui était de la diffamation, mais ce n'était pas public, je n'étais pas supposé le savoir. Je n'aurais pas réagi. Les collègues ont pris ça avec un grain de sel, mais c'était une tentative de bloquer mon entrée à l'UQAM pour des raisons politiques. Ça n'a pas marché*" (P615).

In all three cases, informants asserted that these issues brought to mind the question of academic freedom, but they never invoked it. Academic freedom was not invoked, but exercised as the professor joined the forbidden research group, was hired or different types of professors were subsequently hired.

Finally, one professor described the tense relations when a departmental hiring was blocked by a dean:

> *la direction nous imposait... pas nous imposait, mais comprenait pas, disons, un poste qu'on voulait créer... qui pouvait être un poste dans un domaine très spécialisé dans lequel la direction comprenait pas vraiment le domaine et puis s'objectait. À cause de l'incompréhension qu'elle avait du poste en question, ou la spécialisation, pis à ce moment-là, bon... Je me souviens, à l'époque, ça fait quand même plusieurs années, on avait été obligés d'aller voir le recteur et quelques vice-recteurs pour leur expliquer. Donc, ça, ça fait partie un peu des... ça fait partie un peu des... ça ferait partie des contraintes qu'on a malgré que c'est pas une très grande contrainte. Mais ça fait partie des contraintes parfois qu'on peut avoir. Donc, ça, tout ça a été discuté, pour revenir à la question, tout ça a été discuté en assemblée départementale. Donc, autrement dit... certains professeurs questionnaient sur la liberté académique dans le sens où un comité de sélection de professeurs avait choisi quelqu'un pour un poste et y avait une objection qui venait de la direction. Donc, ça, c'est un exemple. Les exemples sont toujours les... similaires à ça. Ça peut être une objection qui vient par*

204

exemple... du doyen, parce que les doyens sont maintenant des cadres à l'UQAM, ce qui était pas le cas y a quelques années auparavant. Donc, si le doyen... le doyen a quand même un pouvoir... pas un très grand pouvoir mais quand même un petit pouvoir, donc... si il impose quelque chose, à ce moment-là la liberté académique va être énoncée. Souvent, ça se fait dans le cadre de l'assemblée départementale. (P608)

Consequently, professors of the department met with the principal and other vice-principals to discuss the event issue explain why the candidate needed to be hired. What is interesting in this case is the enmeshing of epistemic and collegial arguments. On the one hand, it appears that the reason why the administration acted was epistemic as it did not understand the specific requirements of the discipline. Yet, in the departmental meeting, it was argued in academic freedom terms since the administration did not respect the decision of the assembly. In the end, the administration yielded to the arguments of the department. But yet again, it is in the face of a threat that academic freedom materializes.

Interference by the administration in actions of self-governance appeared as central to the idea of academic freedom when issues of collegial governance were invoked. Also, academic freedom is portrayed as being both something used to protect specific activities and something that needs to be protected. It holds both a position of strength, as it can be invoked in situations in which an activity such as hiring is under threat, and a position of fragility, as it needs to be protected by unions against the administration. It is paradoxical: invoked when it is not present and enjoyed without being brought forward. In this sense, it displays characteristics of ontological ambivalence and spectrality.

7.2.5 Experiences of academic freedom related to free speech

Finally, free expression is the fourth pillar of academic freedom. It is typically conceived of as the right to express opinions. Issues with freedom of expression were seldom experienced by the professors interviewed, probably for two reasons. First, as citizens in democratic states, professors are not restricted when they express political

opinions. In this sense, they enjoy a type of academic freedom related to free speech. Second, they practice restraint in exercising this right. Most of the time, they will not express political opinions and, therefore, they do not experience constraints. Therefore, informants from our comparative sample, aimed at describing "neutral" professors, seldom expressed political ideas and, when they did, they were not constrained. In fact, it was a criterion in the selection of our comparative sample. Thus, the paucity of experiences should come as no surprise. Nonetheless, some described experiences involving free speech and academic freedom.

One professor asserted that the strongest constraint to public expression is professors themselves: "*j'ai des collègues que j'ai vu refuser de prendre position... refuser d'aller dans des directions... en s'autocensurant*" (P581). In this context, the fear of getting involved in controversies acts, for some, as a constraint to voicing public opinions and therefore affects academic freedom. This situation is criticized by the informant in the natural sciences, relating that internal, self-imposed constraints are not real constraints and that controversies were part of expressing opinions. As evidence, he used his academic freedom to write an open letter and lived to tell about it: "*Mais pour l'avoir testé moi-même... la liberté académique nous empêche pas de faire ce qu'on veut!*" (P581). In this sense, he did not invoke academic freedom because he was not constrained. Another informant has also been involved in writing open letters. As he states:

> *j'ai piloté les efforts des écritures de lettres tout ça pour soutenir [un collègue] dans cette affaire-là. Où là, pour moi, y avait un... vraiment une attaque contre la liberté universitaire justement pour pouvoir défendre ses thèses jusqu'au bout en autant que... qu'on reste honnête... on a le droit à l'erreur... Défendre une thèse, ça veut pas dire que... notre réponse est la bonne... est correcte. C'est pas ça. C'est tout le processus qui est aussi... cautionné ici. Donc, la capacité de mener à bien le processus. Et donc dans cet aspect-là, je me suis levé pour... défendre cet aspect. (...) Par rapport à moi... Non. J'ai toujours dit ce que je voulais et j'ai toujours fait ce que je voulais. (P581)*

In this case, the informant related how he contributed to writing letters concerning academic freedom to defend a colleague. But he quickly asserted that he never had to invoke it as he could get involved in writing letters without dire consequences. In sum, he invoked academic freedom in the case of a colleague who was wronged but never for himself as he never experiences constrained of this sort.

Others have also invoked it in the context of specific situations, such as student strikes and the Charter of Values[49]. Regarding the latter, one professor recalls how she invoked it publicly:

> *Je l'ai invoquée à un moment donné lors du débat sur la Charte des valeurs. Il y avait une table ronde qui avait été organisée, puis je participais à cette table ronde et, puis, c'est à ce moment-là que j'ai abordé la question de la liberté académique, c'était au moment où le débat était chaud, on va dire. Dans le sens où... Et en l'invoquant, il y a lieu de s'interroger sur les limites de la liberté académique, c'est-à-dire que, jusqu'à quel point est-ce que cette liberté académique peut aller contre la loi? Et là je n'ai pas de réponse à cette question. Je suis toujours en réflexion parce que, à partir du moment où il y a une loi qui dit : « ok, vous, comme professeur, vous devez faire ceci ou cela », c'est clair que ça va à l'encontre de la perception que les professeurs ont de la liberté académique, mais est-ce que, pour ce faire, le professeur doit aller contre la loi ou doit passer outre la loi? Là, je ne sais pas. Là, il y a une zone grise, et c'est où je n'ai pas nécessairement de réponse. Et je l'ai invoquée entre autres pour dire que je n'ai pas de réponse à cette question parce que, bien évidemment, le professeur-chercheur n'est pas totalement détaché de la société. Il fait partie de la société, il n'a pas de privilège plus que les autres membres de la société, même s'il considère qu'il contribue solidement à la société. Il fait partie de la société, donc il ne peut pas non plus aller à l'encontre de la loi.* (P597)

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[49] The Quebec Charter of Values was a bill championed by the *Parti québécois* that would have limited the expression of religious belief in public service, hospitals and universities.

In this last case again, it was invoked when menaced. It was because academic freedom was under threat, in this case by the government, that it was made present in order to signify its absence. In all the cases and experiences described by the informants touching upon the issue of public expression as it relates to academic freedom, the latter reveals the characteristics of ontological ambivalence as it is made present to signify its absence. It is either made present when threatened or not invoked because it is enjoyed.

Conclusion

In research, teaching, collegiality and public expression, whenever discussions arose and the principle of academic freedom was evoked, it was rarely countered: "*C'est fou, quand quelqu'un l'invoque c'est très difficile d'être contre la vertu, donc, c'est très difficile d'aller contre l'invocation de ce principe-là. Il est très puissant lorsqu'il est utilisé dans le milieu académique*" (P598). Yet, there is something about invoking academic freedom that appears to go against its nature for some informants: "*Pour moi, ça serait une espèce de faillite si un prof était obligé, dans mon département, à un moment de dire : « Si je veux enseigner ça, c'est ma liberté académique ». Pour moi, ça serait la faillite de tous les autres modes de règlements pour qu'ensemble on se mette d'accord sur ce qu'on fait, quoi*" (P588). The informant recognizes, albeit implicitly, that academic freedom is of spectral nature as its invocation actually means its absence. In his words, invoking academic freedom is a departmental failure.

When academic freedom is invoked, in professors' recollections, it takes the form of ontological ambivalence as it comes to the fore to point to the fact that is no longer present. Academic freedom becomes the weaker double of something that is absent. That which is absent is either freedom in research, freedom in teaching, collegiality or freedom of expression. As we will see in the next section, a similar pattern emerged in the treatment of academic freedom in events invoking academic freedom as narrated in the press.

7.3 Spectrality of academic freedom in the press

In the previous section, we illustrated how academic freedom acquires a presence when it is threatened and, in this sense, is only socially present when it is absent. We coined

the term "ontological ambivalence" to describe this phenomenon. The second way we want to illustrate the ontological ambivalence of academic freedom is through the exploration of its use in the press.

The press is the most public way in which academic freedom is discussed. In articles, editorials, quotes and announcements, various people discuss, invoke, exalt, smear or appeal to academic freedom and they do so in relation to a number of contexts. The people who choose to use "academic freedom," the context in which they use it, how they use it and its significance are all essential elements contributing to the institution of academic freedom.

We therefore explored the use of academic freedom in major media between September 1998 to April 2014 in Quebec as well as in some Canadian outlets. In the media, most of the occurrences of academic freedom were related to controversies, as one would expect given the nature of news and news cycles. These controversies implicated a host of different actors, a variety of issues, uses and understandings. As we will see, the institution of academic freedom enacted in the press possesses the quality of ontological ambivalence. Before we move to this demonstration, we would like to provide a portrait of the data, one that underscores the heterogeneity of the institution of academic freedom.

The close to 300 articles collected talked about academic freedom in the context of 51 events that we divided into six categories of events (second order codes) that triggered the use of the institution of academic freedom in the press. The second order codes we used are administration, core professional activity, free speech, external interferences, finances and social movements.

The coding followed an iterative process. To reach at this classification, we first coded the paragraph of every occurrence of keywords related to academic freedom. This initial step produced 274 quotations. We then approached these quotations to determine 1) who was using "academic freedom," 2) the issue surrounding which it as used and 3) how it was used. Detailed results of the coding re available in Appendix 2, which illustrates whom and in which circumstances academic freedom was mobilized in the press. This

analysis testifies to the heterogeneity of actors and uses. We conducted a more detailed analysis of the uses of academic freedom in the press because the data was easily accessible and we thought it would be interesting for the reader to see how it was used.

We will present briefly the heterogeneous nature of the institution of academic freedom. This is also the opportunity to provide some perspective on the nature of the presence of academic freedom in the press. We will next move to our main point concerning the ontological ambivalence of the institution of academic freedom as displayed in the press and describe in more details the events to which they refer. In the end, it should be clear that the institution of academic freedom displays similar spectral characteristics of heterogeneity and ontological ambivalence as were identified in interviews.

7.3.1 Heterogeneity of the institution of academic freedom in the press

In the press, many actors commented on issues related to academic freedom. In our press search, the majority of references to academic freedom came, unsurprisingly, from academics (107; 38.4%), followed by universities (51; 18.3%), unions (34; 12.2%) and columnists and/or journalists (34; 12.2%). Only about a quarter (72; 25.8%) of all interventions invoking academic freedom came from sources outside of the academic university (lawyer, the Canadian Association of University Teachers [CAUT], columnists and/or journalists, citizens, the government) while internal sources (universities, academics, unions, students and their associations, colleges) invoking academic freedom represent the vast majority of occurrences (205; 73.5%).

These actors used academic freedom in different contexts. The uses of academic freedom in the press can be arranged in a spectrum from a wholly negative view to a clearly positive one. These contiguous categories range from a skeptical opinion of academic freedom (14; 5.1%), the expression of limits to academic freedom (21; 7.6%), a neutral opinion of academic freedom (6; 2.2%), the upholding of academic freedom even if it appears to be threatened (26; 9.4%), the recognition of a threat to academic freedom (157; 56.9%) to the affirmation of the importance of academic freedom (52; 18.8%).

Figure 7 Uses of academic freedom in the press
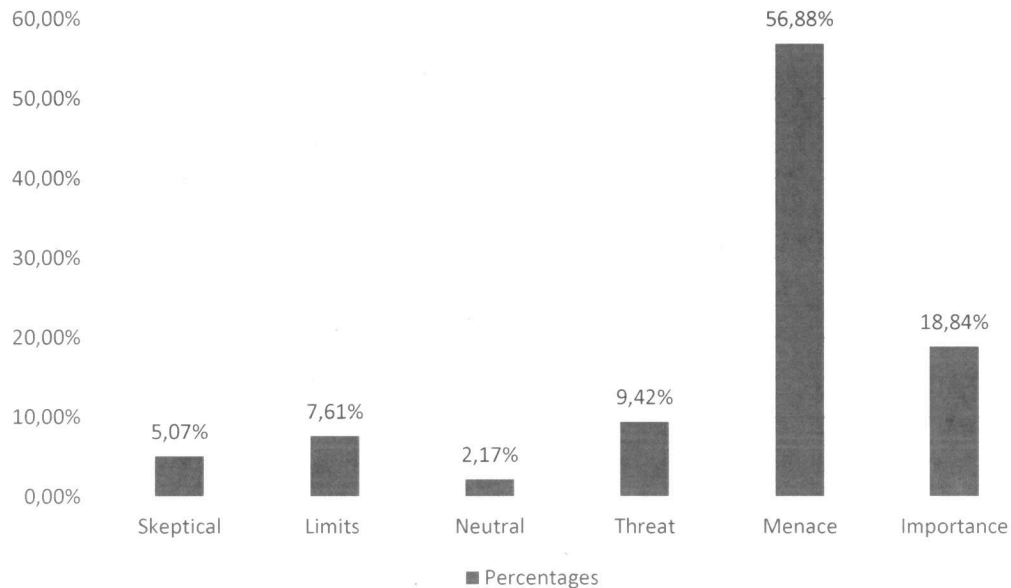
As we can see in table 15, there are a lot of actors who use academic freedom and a lot of ways in which it is used. But we can also provide a more finely grained analysis of this heterogeneity by linking the different actors to the uses (see Table 14 Actors and uses of academic freedom in the press). In order to provide analytical traction, we gathered actors and uses into broader categories. Amongst actors, we identified civil society actors (lawyers, columnists/journalists, citizens, governments, colleges and students), defense groups (unions and the CAUT), university administrations and university faculty. Regarding uses, we divided our codes into three broader categories. The first is a positive use of academic freedom, meaning that academic freedom is something to be protected. It is present in our codes under instances when there is a menace toward academic freedom. The second category is a negative use of academic freedom. It refers to uses of academic freedom when quotes either express skepticism toward academic freedom, express limits toward academic freedom or recognize a threat or a constraint but asserts that academic freedom is not affected (threat). Finally, the last grouping is "affirmative" and includes instances when quotes either affirm the importance of academic freedom or simply does not qualify it.

211

Table 15 References to academic freedom in the press by actor and use

Actors/uses	Negative		Affirmative		Positive		Total
Civil society	18	25%	17	24%	36	51%	71
Advocacy	1	2%	12	26%	34	72%	47
Administration	25	23%	20	19%	63	58%	108
Faculty	16	31%	11	22%	24	47%	51
TOTAL	60	22%	60	22%	157	57%	277

In regard to heterogeneity, we note a lack of differentiation between the various actors in the uses of academic freedom in the press. Apart from advocacy, who barely ever use academic freedom negatively, both faculty, administration and civil society have a very similar use. In general, most use academic freedom in a positive way and then, about a fourth uses it in the affirmative and another fourth in the negative. The absence of difference between administration and faculty is particularly puzzling because the bulk of research highlights the administration as a source of constraints. In sum, academic freedom as portrayed in the press is a heterogeneous institution, but there is little difference in the way it is used by different actors.

7.3.2 Ontological ambivalence in the institution of academic freedom in the press

The second and main point of this section concerns the events portrayed in the press as they exemplify spectrality's characteristics of ontological ambivalence. As presented in Figure 8 Structure of coding in events about academic freedom, we divided the events into six broad categories: administration, core professional activity, free speech, external interference, finance and social movements. In this figure, the central node represents the category of the theme of the news article (# about). Second order codes are identified by having two hashtags in their nodes. Finally, the external nodes refer to similar events. For example, on the themes of the articles, one topic or second order code was "online teaching," which relates to the second order code "core professional activity."

We will not go over every instance academic freedom was invoked in detail, but in the following, we will present quotes and explanations of certain contexts that we thought are representative and exemplary.

Figure 8 Structure of coding in events about academic freedom
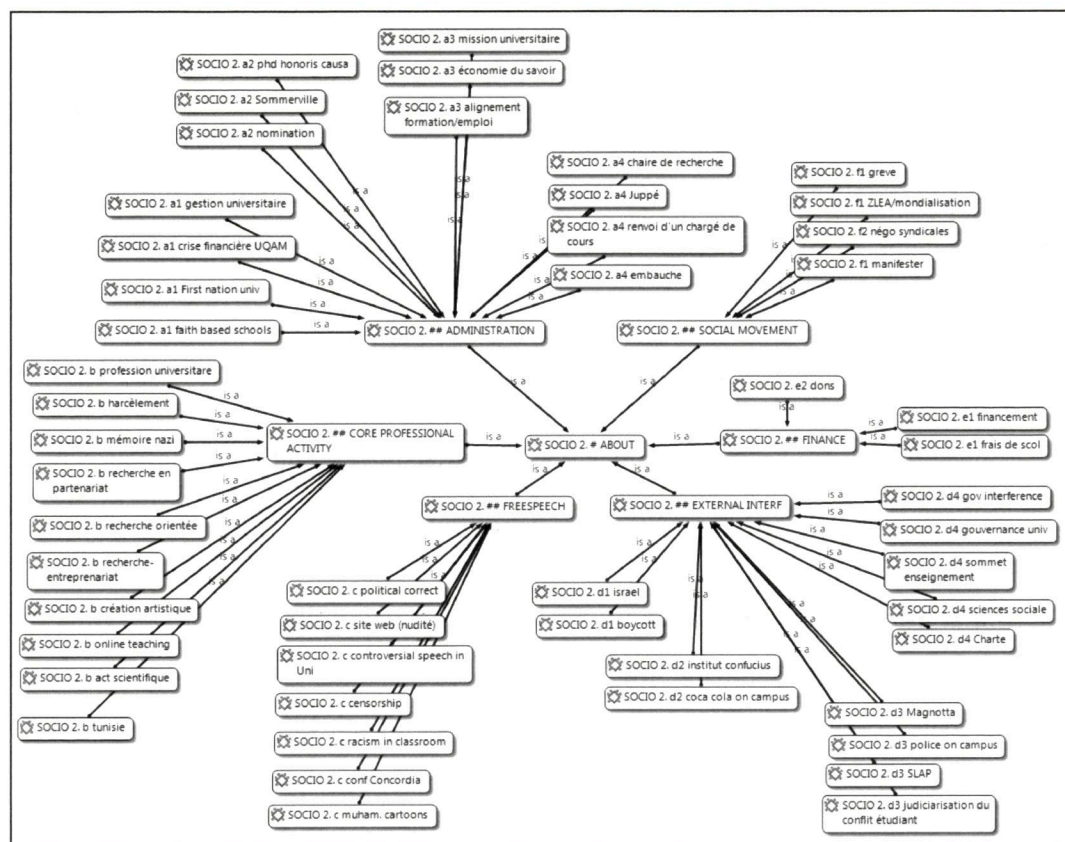
For a bird's eye view of the events in which academic freedom was invoked, we provide Table 16 Events and uses of academic freedom in the press which presents the ways academic freedom is used in each circumstance. As in the previous table, a positive use means academic freedom must be protected from a threat, a negative use means academic freedom is upheld albeit threatened and affirmative refers to simple utterances of affirmation of its existence.

Table 16 References to academic freedom in the press by event and use

Events/uses	Negative		Affirmative		Positive		Total
Administration	19	30%	13	20%	32	50%	64

Core professional activity	41	49%	15	18%	27	33%	83
Free speech	22	52%	3	7%	17	40%	42
external interference	63	47%	17	13%	54	40%	134
Finance	26	51%	6	12%	19	37%	51
Social movements	15	54%	4	14%	9	32%	28
TOTAL	186	46%	58	14%	158	39%	

As we can see, most of the uses are either negative (46%) or positive (39%) while there are fewer affirmative (14%) occurrences. In fact, about half of the instances in which academic freedom is used in the context of an event are positive and close to half are negative. Moreover, there do not appear to be important differences in the uses in relations to the types of events in which they are used. This indifferent use could mean two things. First, the use of academic freedom does not dependant on context. In general, it would mean that the actors mobilize the institution in similar ways, regardless of the event in question. Following this line of thought, events might be construed more as opportunities to invoke academic freedom than as triggers. We should never forget that these uses are mediated by the journalists who write the stories. While this division might be a reflection of the divided perspective on academic freedom, conducive to debate, it might also be a reflection of journalistic ethics: in a quest to provide a nuanced perspective, journalists give voice to both sides in any news.

The second order code "administration" refers to instances in which the administration received a claim regarding academic freedom. For analytical purposes, we divided them into four different types of events. The first refers to issues directly linked to the administration of the university. It includes events linked to UQAM's financial crisis and its investments in Îlot Voyageur (a risky new building project), the direction of faith-based universities that we alluded to the legal literature and which is the focus a CAUT campaign, events involving First Nations universities as well as, more generally, university's administration.

The case of the First Nations University of Canada (FNUC) is interesting: "Since 2005, FNUC has been wracked by internal turmoil, including the firings or departures of

214

numerous senior officials, allegations of financial irregularities and accusations that academic freedom is under attack" (P66). In this instance, academic freedom is invoked as the last in a list of problems that FNUC is said to face. The troubles started in 2005 when some senior staff members were fired and others resigned in solidarity, to protest "political interference by the Federation of Saskatchewan Indian Nations" (P66). Two years later, the Association of University and Colleges of Canada (AUCC) put the university under probation, asking for significant changes that included removing political nominees from the Board of Directors. "In 2008, the Canadian Association of University Teachers advised their members not to work at FNUC; the association cited a lack of academic freedom and political interference as the reasons" (P66).

One journalist quotes a new lecturer at FNUC:

> Stonechild says his own academic freedom was violated during that time, when he was removed from the presenters list at a conference held at the university because administrators feared what he would say about it. "It wasn't easy," he recalled of the period. "There was a lot of tension in the air. I think there was some split within the faculty itself as to whether or not [they should] support what the chiefs were wanting, which is the politicized board, despite the type of internal problems it was creating." (P630).

In 2013, after overcoming financial troubles stemming from cuts from provincial and federal governments, FNUC renewed its activities in a bid to surpass its troublesome years.

As an example of the large category "university administration," we include the open letter penned by a professor who describes UQAM with the notion of academic freedom: *"Elle s'est donné une personnalité propre en devenant rapidement un véritable incubateur d'innovations et en favorisant une très grande liberté académique"* (P66). Similarly, a retired judge laments over Université du Québec à Trois-Rivières (UQTR)'s decision to invest in a hockey rink, similarly describing the institution of the university:

Ajoutons que malgré l'opacité qui entoure souvent le monde universitaire en général, il ne faudrait pas passer sous silence qu'il arrive aussi que l'Université soit le lieu d'actes héroïques cachés ou non de la part de professeurs, de chercheurs, d'étudiants ou de cadres retraités qui refusent un régime oppressif qu'ils jugent incompatibles avec la liberté académique ainsi qu'avec la liberté d'expression essentielle à l'enseignement, à la recherche, au développement et au rayonnement de l'Université. Ce n'est certes pas en niant la fonction politique de l'Université qu'on s'en libère (P64).

This sort of letter is quite common in our data. In both of these cases, academic freedom is invoked to describe something that is not there. In this sense, it displays spectrality's ontological ambivalence since when academic freedom appears, it signifies its absence.

The second code (a2) refers to the issues surrounding the attribution of honours or nominations. The case of professor Sommerville, from the McGill Centre for Medicine Ethics and Law, is particularly interesting. It involves controversies over the attribution of an *honoris causa* PhD because of controversial positions on gay rights. Ryerson University invited the McGill professor to receive an honorary degree. Soon after, Ryerson professors protested the honour because Sommerville holds conservative views about adoption in same-sex couple as well as on abortion. Students and faculty protested against her presence at Ryerson for a ceremony. The candidacy committee that had recommended her for the honour distanced itself from her views on these subjects. In this context, an opinion letter describes the episode as an attack on academic freedom because faculty, while claiming it for themselves, refused to let Sommerville discuss her views. Joe Velaidum, an ethics and religion professor and director of the Centre for Christianity and Culture at the University of Prince Edwards Island writes: "More disturbing, however, is the action of the Ryerson academics who effectively protested the freedom of another academic to speak her piece by opposing academic freedom and freedom of speech and silencing a dissenting voice" (P67). Once more, academic freedom presents itself under ontological ambivalence.

The third set of examples (under code a3) refer to issues surrounding the universities' mission as a whole, in more abstract terms including, but not limited to, economic and entrepreneurial forces affecting universities and their mission. They come mostly from unions or advocacy groups in open letters. For example, as negotiations were taking place to renew the lecturers' collective agreement, UQAM professor Simone Landry, the president of the Committee on academic freedom and autonomy of the *Fédération québécoise des professeures et professeurs d'université* (FQPPU), wrote about lecturers' demands. for a more acute integration and regularization of the lecturers in UQAM's activities. Professor Landry stresses the crucial link between research, academic freedom, and teaching:

> *C'est au nom de ces deux principes, celui du lien nécessaire entre enseignement et recherche et celui du caractère essentiel de la liberté académique pour assurer la réalisation de la mission universitaire et en particulier de la fonction critique de l'université, que nous ne pouvons souscrire aux revendications des porte-parole des chargés de cours. La mission universitaire ne peut se réaliser si elle repose sur un corps enseignant qui ne fait pas de recherche et qui, faute d'avoir un statut permanent, ne peut jouir d'une véritable liberté académique* (P69).

She argues that because lecturers do not have academic freedom, they cannot fulfill university's critical mission in teaching. This argument runs counter to lecturers' claims. This instance is not related to a concrete situation or event, yet academic freedom points toward its absence nonetheless as it is used to underscore its absence in lecturers' professional lives and the possible downfall of the university if it is not present. It is invoked in the context of a hypothetical situation in which it is present to reflect about its absence.

Finally, the last subcategory (a4) refers to university management more concretely, in its hiring, firing and managerial prerogatives. The attribution of research chairs by the administration of the university or the hiring by *École nationale d'administration*

publique (ÉNAP) of French politician Alain Juppé after a scandal over the misappropriation of public funds counts among this category.

Pierre Fortin and Camille Limoges, two professors known for their involvement in public affairs write against ENAP's claim for academic freedom in the case of the defamed ex-French prime minister being hired:

> *L'invocation de la « liberté » universitaire et de l'« autonomie institutionnelle » pour faire taire les oppositions à cette mauvaise décision de l'ENAP nous apparaît singulièrement malvenue. La liberté universitaire appelle la discussion, non le bâillon. L'autonomie institutionnelle n'abroge pas la responsabilisation publique. En désapprouvant la décision de l'ENAP, nous exerçons notre plein droit, dans le plus strict respect de l'intégrité de l'institution universitaire. Nous souhaiterions seulement que ce respect soit plus unanimement partagé.*

The authors of the open letter argue that academic freedom should not be invoked because it is not threatened by debates over the hire. In fact, they argue that academic freedom should not be used as a muzzle. Academic freedom is present, therefore the invocation is not legitimate. In this case, the authors argue the spectral is an illusion.

The second order code "core professional activity" refers to instances in which academic freedom was invoked in relation to a central activity of the professor, which includes teaching, research, creation or dissemination of research, or more generally, the academic profession. One of these events concerns the acceptance of a Master's degree entitled "*Le IIIe Reich et le projet national-socialiste*" by Pierre Asselin (Université Laval). It minimized the links between national-socialism and the Holocaust and could be read as an attempt to rehabilitate national-socialism despite the Holocaust. This controversy started an important debate, some arguing for the student's freedom and most against it. One idea worth mentioning is Guy Van Wallenghem who argues that:

> *La liberté universitaire, qui doit avant tout être comprise comme un devoir de critique de tous les discours existants, et la liberté d'expression doivent être*

encadrées par la responsabilité éthique des chercheurs pris individuellement, des départements et des comités universitaires d'éthique de la recherche. (P69)

And he concludes his open letter by saying that *"la liberté, si elle avait quelque chose à voir là-dedans, serait gravement menacée par ceux-là même qui ont pour tâche de la défendre et de l'illustrer"* (P69). In other words, writing and allowing such a research project to be conducted and sanctified in itself negates academic freedom because of its unethical nature. The existence of this research project negates academic freedom, and so the spectre of academic freedom appears to point to something that is not.

The third second order code, "free speech," refers to instances in which the issue of academic freedom was raised in the context of free speech controversies. These notably included a professor choosing to display Muhamad cartoons on his office door, the controversy surrounding Israel-themed public conferences at Concordia University and professors using a university-hosted website to post controversial content. The later are interesting as they appear to stretch the concept of academic freedom to its limits. Two cases are presented. The first one concerns Luc Devroye, a computer science professor at McGill who hosted nude pictures of McGill students that were published in Playboy. Pierre Trudel, a law professor specialized in digital law, makes the legal arguments:

> *Un hébergeur et encore moins une université dans laquelle prévaut le principe de la liberté académique n'a pas le loisir de décréter de façon arbitraire qu'un contenu n'est pas acceptable pour le censurer. On peut certes convenir que les documents visés ne concernent pas au premier chef une matière « universitaire ». Mais le principe de la liberté académique s'oppose à ce que cela suffise à justifier une censure aussi grossière.* (P67)

According to this perspective, academic freedom prevents the university from judging the contents of what is published. In this context, because the website was shut down, there was an attempt at academic freedom, notwithstanding what Martin Grant, the Dean, argued: *"Ça n'a rien à voir avec la liberté académique"* (P67). In this case, academic freedom is present and absent at the same time, making it ontologically ambivalent.

The fourth second order code, "external interference," refers to instances in which an external body attempts to interfere in university affairs. Examples of these interferences include the appeal to boycott Israeli universities, interference from the judicial system such as requesting confidential research evidence in the Magnotta trial or, more broadly, government interference. Two events appear particularly relevant. The first one is the bill that planned to ban faculty from displaying religious signs. This bill was strongly opposed by principals and professors because it went against academic freedom. In this sense, Université de Montréal's principal, Guy Breton, said before the National Assembly: *"Le projet de loi 60 menace la liberté académique des établissements d'enseignement"* (P64). Similar positions were expressed by Université de Sherbrooke and UQAM. Likewise, Michael Goldbloom, Bishop's University's principal, argued: *"On devrait avoir confiance dans nos universités, qu'elles puissent prendre leur propre décision... Ça ne serait pas approprié que le gouvernement intervienne pour réglementer ces questions"* (P64). He invokes, according to the journalist, the principle of academic freedom. Opposing this view, Marcel Fréchette, the author of an open letter about the Charter of Values bill, argued that invoking academic freedom was a feeble argument: *"Les explications présentées par les universités m'ont paru plutôt sommaires, se limitant à énoncer le principe de la liberté universitaire. Le public, dont les universités affirment avec justesse servir les intérêts, n'est-il pas en droit de s'attendre à un exposé plus étoffé que la seule évocation de la liberté universitaire?"* (P64). According to M. Fréchette, in the invocation of academic freedom, the spectre is diaphanous. In other words, it is ontologically ambivalent.

The fifth second order code, "finance," refers to issues related to university funding: they include donations, funding and tuition fees. In 2011, according to the *Table de concertation étudiante du Québec* (TaCEQ), a coalition of student unions, the provincial government put in place a scheme called *Placements Université* through which businesses could contribute to university funding. The TaCEQ was worried that such donations could affect academic freedom (P66). Similarly, Gabriel Nadeau-Dubois, a student leader affiliated with the more radical *Association pour une solidarité syndicale étudiante* (ASSÉ), argued: *"Il est naïf de croire que les dons des entreprises privées ne seront pas moindrement orientés en fonction de leurs intérêts. L'existence de ce fond*

220

met sérieusement en péril la liberté académique. Ce n'est pas aux entreprises de dicter les activités de l'université!" (P66). This fund, because it participates in the funneling of private money from businesses to universities, endangers academic freedom since it legitimizes businesses' demands to orient universities. Yet, some such as Rose Goldstein, vice-president of research at McGill University, opposed this view: she "suggested the university has refused numerous private partnerships due to academic freedom issues" (P66). Once more, we have an exemplar of ontological ambivalence as academic freedom is invoked because it is threatened, and it is both present and absent at the same time depending on positions. In many instances, academic freedom was being used in relation to the student movement. We turn to them next.

Indeed, the sixth and last second order code "social movements" include instances in which academic freedom was invoked in the case of collective bargaining, student movement demonstrations and strikes. We discussed one of these events in the "core professional activity" category, when Simone Landry opposed the normalization of lecturers because they lacked academic freedom and therefore could not replace professors since it involved a debate over what constitutes the professorial task. One UQAM lecturer replied to Simone Landry in an open letter, arguing that academic freedom did not always guarantee quality, but sometimes instead covered up mediocrity:

> *Une telle évaluation est-elle seulement possible indépendamment du débat qui oppose les professeurs et les chargés de cours? Aux difficultés inhérentes à une quelconque évaluation professionnelle, ne faudrait-il pas ajouter celles issues des syndicats d'enseignants toujours soucieux de conserver les emplois et dont les membres s'accommodent de la situation dans la mesure où la sacro-sainte liberté académique permet aussi de couvrir la médiocrité?* (P69)

This debate is interesting since academic freedom is claimed by professors, but presented as a Janus-faced idea. In this context, academic freedom is both the condition of quality research and, as research is linked to teaching, quality teaching, but also a privilege that enables some professors to be poor teachers.

In conclusion, we led an analysis similar to the one concerning actors and uses to see how different types of events triggered the invocation of specific uses of academic freedom. We saw that in the press as in the interviews, there was something like ontological ambivalence in the use of academic freedom, as it is both present and absent in different contexts and in different ways. This research complements the previous analyses as it shows how the ontological ambivalence of academic freedom is not only something professor share in the context of interviews, but it is also something very present in the public sphere, as the review of uses, actors and events demonstrates.

Conclusion

Academic freedom is a spectral institution as it is characterized by the heterogeneity of the spectrum and the ontological ambivalence of the spectre. But one last idea emerged from this research. If we let ourselves be inspired freely by Derrida, academic freedom embodies another idea of the spectre: it haunts the university. Looking at the data, it appears as if academic freedom haunts the university, and we can see it in two ways. First, whenever and wherever the question of the university is presented, academic freedom lures in and presents itself in a variety of ways (spectrum) and as a present absence (spectre). The second thing is that the message that emerges from these differentiated uses, differentiated as distinct but also as "différé," as in yet to come. Academic freedom is not something that is accomplished once and for all. Indeed, academic freedom has a normative orientation toward the future. Academic freedom might be understood as something that is announced.

According to Derrida (2002: 123), communism and democracy are spectral: "communism has always been and will remain spectral: it is always still to come and is distinguished, like democracy itself, from every living present understood as plenitude of a presence-to-itself, as totality of a presence effectively identical to itself." Following Derrida's lead, we liken academic freedom to a spectral institution. Academic freedom is never there in the present, only under a mode of absence. Academic freedom is never fully realized in the present as it calls for a better future for the university. These qualities make academic freedom a spectral institution.

Chapter 8 Discussion and conclusion of academic freedom and professional autonomy as agency

We have offered an overview of the literature on academic freedom and underscored the paucity of empirical research on the subject. We then identified the emerging institutional perspective on professions as a fruitful avenue from which to approach our research on academic freedom. This perspective enabled us to integrate and to theorize the phenomenon of academic freedom as a norm of professional autonomy. Once it was clearly established as a norm, we proposed to understand it more widely as an institution. We therefore presented academic freedom's regulative, normative and cognitive institutional dimensions. In Chapter 5, we focused on the particularities of academic freedom. We developed the concept of spectrality to describe the two main characteristics of academic freedom: its heterogeneity, linked to the notion of spectrum, and its ontological ambivalence, linked to the notion of spectre. We close the presentation of the concept with a vignette that pinpoints how spectrality is materialized in a specific event: a months-long process to define academic freedom within an university. The last two chapters, 6 and 7, were devoted to each of the two characteristics in turn: heterogeneity and ontological ambivalence. This journey brings us to the conclusion, in which we discuss what our findings means for academic freedom and professional autonomy.

First, we discuss academic freedom as a spectral institution. More specifically, we will explore scholars' normative claims according to which, in order to be protected, academic freedom must be more clearly defined. Second, and paving our way to more practical implications, we will see what our exploration of academic freedom as an institutional norm of professional autonomy has taught us about the sociology of professions. Third, we will discuss our findings in the context of the debate over agency in institutional theory.

8.1 A spectral perspective on academic freedom

The literature presents a vivid picture of academic freedom as threatened by important changes affecting the system of higher education. Yet, these writings seldom provide clear definitions of academic freedom. Moreover, to evaluate the threat, we need to know from a professor's eye view what is under threat. In the preceding chapters, we therefore described academic freedom as a spectral institution, which means it is a normative, regulative and cognitive heterogeneous institution that presents itself with ontological ambivalence.

This notion of spectrality is compatible with some key research led on academic freedom that we explored in chapter 2. For example, research often highlighted the variety of understandings of academic freedom (see for example Aarrevaara, 2010; Kayrooz & Åkerlind, 2003). This diversity or variation is similar to the notion of spectrum that we developed. Furthermore, Ylijoki's (2005) research on academic freedom highlights the golden era narrative that surrounds the institution. It is akin to our notion of the spectre since academic freedom is an ambiguous idea that comes from the past to shed light on an injustice that must be redressed. It is, in this sense, both present and absent, or it is made present by its absence.

In this section, we want to further explore the spectrality of academic freedom to discuss the claim that we would need to clarify what academic freedom means in order for it to be protected. Perhaps contentiously, we want to argue the opposite: spectrality is a necessary and perhaps even sufficient condition of academic freedom.

First, we are not alone in underscoring the idiosyncratic characteristics of the institution of academic freedom that recall spectrality. Regarding heterogeneity, many argued for a multitude of understandings. As we saw, some believe that it includes two ideas (Rostan, 2010: 71), both a positive and a negative understanding of freedom. Others suggest that it is composed of three ideas: institutional autonomy, collegiality and individual freedom (Barendt, 2010). Degefa (2015), for her part, identifies four understandings of academic freedom and Kayrooz and Åkerlind (2003: 332), five. In sum, as noted by Romanowski and Nasser (2010: 482), it appears that "providing a fixed

definition of academic freedom is difficult because no single definition can cover all the complexities associated with the concept or adequately account for the many cultural contexts where it is practiced."

Also, akin to the notion of ontological ambivalence, Doughty argues that academic freedom is an *essentially contested concept*, which means that the object of discussion is the definition of academic freedom, not whether academic freedom is present or not: "Like art, democracy and justice, academic freedom is an essentially contested concept" (Doughty, 2006: 1). The argument is that heterogeneity is not a flaw, but an essential component of the concept. Academic freedom being what it is, Doughty contends, people will always argue about its exact contours. It is an essential quality of the concept; it is part of its nature.

But what should we think of such an understanding of academic freedom? Gillin (2002: 316) recognized that academic freedom, as a socially constructed norm, is a contested reality. The author explored academic freedom as a norm socially constructed within universities through a process of arbitration and argued that the "applied meaning of academic freedom" (302) is muddled by "inadequate analysis" and "confusing definitions" (317). Consequently, Altbach argues that a common understanding of academic freedom is necessary in order to protect it (Altbach et al., 2009; Altbach, 2001). Karran (2009a: 2) makes a similar point: "it is difficult to argue coherently for the importance of academic freedom when it is ill-defined." In other words, according to these authors, we must know what it is we want to protect.

In his account of autonomy in the social sciences, Brew (2007) takes one step further in the same direction. The author argues that the exercise of academic freedom is "complex and multifaceted" (48) and resides, in the end in the individual choice of the researcher, based on his or her beliefs about the nature of research as well as his or her expectations. The researcher evaluates whether he or she wants to pay the price of freedom. In the face of these newly identified constraints, Brew asks one question: "Is the liberty lost or do academics consciously choose not to exercise it?" (61). If professors willingly choose

to observe these limits, are they free? He argues that individuals are free but, just as in anything else, must incur the personal, social and political consequences of their actions.

We are aware of the diversity, richness and complexity of findings on the topic. In the midst of this diversity, we cannot escape Brew's (2007: 62) argument: "That new ways of thinking about knowledge, new ways of investigating, new theories and new ideas are so vibrant is a testament to the exercise of academic autonomy in the face of efforts to control the uncontrollable." The author, in a sense, argues that important constraints may generate homogeneity. Because there is no strong homogeneity, because there is novelty, there must be some level of freedom. Our central takeaway from this literature might in this sense be systemic: such diversity in historical, normative and sociological perspectives coupled with an absence of coercive legal framework might be seen as auspicious for academic freedom. Diversity and freedom might perhaps be tightly intertwined.

We want to build on this idea by arguing a positive and a negative complementary thesis. First, we want to argue for the relationship between spectrality and freedom. Second, we want to discuss how defining academic freedom once and for all for everyone would actually be a breach of academic freedom. Because there appears to be a link between heterogeneity and freedom and because defining academic freedom seems to precisely negate professors' freedom, we believe, contrary to the exhortation of Altbach (Altbach et al., 2009; Altbach, 2001) and Karran (2009a), that we should not aim for respectively a common understanding or a better definition.

Regarding the relationship between spectrality and freedom, we want to link the positive assessment professors make of the academic freedom they enjoy to its spectrality. First, we presented in Chapter 4 how professors from Université de Montréal and UQAM assessed positively their academic freedom by showing how they valued it, i.e. that they gave it value. In other words, they say they enjoy academic freedom. Second, we showed in chapters 5, 6 and 7 the spectral nature of academic freedom. The spectral institution is characterized by heterogeneity, linked to the notion of spectrum, and ontological ambivalence for which the spectre is a metaphor. Spectrality is certainly not

clarity of understanding as it implies heterogeneity, that is a multiplicity of understandings, and ontological ambivalence. The key idea is that, amidst spectrality, professors assess positively their academic freedom. While it is not a necessary argument, we demonstrate by the negative that academic freedom can be said to be enjoyed outside of the common understanding championed by Altbach and colleagues (Altbach et al., 2009; Altbach, 2001).

Indeed, on the one side, there is a very positive assessment of academic freedom and, on the other, there is spectrality. We are not saying there is any level of causality. *Post hoc* is not *propter hoc*, in fact. No. We are simply underscoring the fact that a high level of heterogeneity does not preclude the fact that professors can enjoy academic freedom. There is a possibility to enjoy subjectively a high level of academic freedom while, at the same time, not sharing a common definition of it.

The second point we wish to make is more abstract. We would like to thread the line between spectrality as a form of pluralism and freedom. A lack of freedom, a constraint, is to force someone to do something he or she would not otherwise do. A constraint imposed on multiple people would force them to do the same thing. As professors interviewed for this research project evolve in the same, or somewhat similar, social environments, constraints should force them do the same thing or at least similar things. Yet, in terms of academic freedom, professors did not have similar definitions, and there was no homogeneity in their experiences. Therefore, we can conclude that the pluralism that took the form of spectrality, in this case, is likely to be an indication of freedom.

Defining academic freedom for professors, or devising a common understanding, could therefore actually hinder academic freedom. As we saw, there is currently spectrality in the institution of academic freedom. This spectrality, most likely, is the consequence of professors not being constrained to adopt a single understanding of academic freedom. In other words, this spectrality is the consequence of professors implicitly defining individually for themselves what academic freedom is and acting upon it when it is threatened in their view. Indeed, professors decide if academic freedom means individual freedom in research, teaching, collegiality, freedom of expression, all of these

answers or none of the above. They bring nuance and identify different situations as involving issues of academic freedom. They are free as they decide for themselves what freedom is, what is legitimate and what is not. They invoke it in specific situations to denounce its absence. As professionals, they define for themselves how to manage their profession as they define their professional autonomy. We want to argue that because of the heterogeneity that stems from the ability of professors to determine for themselves what academic freedom is, that is because they determine for themselves what a legitimate area of freedom is, professors are free.

Therefore, it appears we can assess the freedom enjoyed by professors without judging the contents of the notion of academic freedom. Simply by claiming, in effect, their ability to decide for themselves what it means to be a professional, professors as autonomous professional are free, they experience professional autonomy and they enjoy academic freedom.

Because it is possible and even likely that strong ties exist between spectrality and freedom and because defining academic freedom would negate academic freedom, we believe that if one wishes to preserve that freedom, one should aim at best for a spectral definition of academic freedom and avoid imposing a single definition on professors. We should be wary of Altbach (2001), Altbach et al. (2009), and Karran's (2009a) argument that academic freedom requires a clear definition in order to be protected. In fact, a clear definition imposed on professors might be interpreted as a form of control over what professors can and cannot do under the guise of academic freedom. Academic freedom encapsulates how professors should work, what they can and cannot do. To dictate it would be to limit professor's autonomy, that is it would be telling them what they can and cannot do. This diversity in interpretations might precisely foster professors' autonomy to define their job and act as a form of control.

A similar point is made by Wicks (2004) about tenure. Borrowing a Foucauldian perspective, the author argues that the institutionalization of tenure creates a system of discipline: "Their work therefore becomes subject to evaluation, comparison and classification. By being constantly subject to observation, the individual is 'rendered

228

more amenable to intervention and management' (Townley, 1993, p. 533)" (Wicks, 2004: 625). In other words, because tenure is institutionalized, imposed and enforced, it works against academic freedom. The institutionalization of tenure, by introducing devices that make professors susceptible of surveillance, becomes a tool of control and works against academic freedom. Tenure is not an institution of a spectral nature and therefore appears to work against, in some cases, academic freedom. As they are constrained into tenure, they lose academic freedom. Wicks's research makes apparent the unintended effects of the institutionalization of tenure. Instead of strengthening academic freedom, it could be seen to threaten it. In fact, instead of imposing academic freedom, it is this capacity to determine what academic freedom could be that constitutes in fact academic freedom.

Spectrality, which we characterized as heterogeneity and ontological ambivalence does not testify to the erosion of the traditional model of universities and to the deteriorating presence of academic freedom, on the contrary. Spectrality is an indication of the strength of academic freedom.

Spectrality and academic freedom might be tightly intertwined. Spectrality appears to be strongly correlated with autonomy. It is because people are autonomous that spectrality is possible. They can decide for themselves how to organize their work, and the spectrality of academic freedom reflects these choices. The main takeaway provided by this research on academic freedom might in this sense be systemic: spectrality might be interpreted as boding well for academic freedom.

On doing so, we support Ewick and Silbey's account of legality. In their exploration of legality through a set of over 400 semi-directed interviews, the authors argue that plurality is a source of strength, not of weakness. They first describe the structure of legality as: "constituted by multiple schemas, recursively composed of both normative aspirations and grounded understandings of practical action, God and gimmick, sacred and profane" (Ewick & Silbey 2002: 342). They continue by drawing out the consequences of their account, arguing not for its clarification, but underscoring to the contrary the strength it finds in this diversity:

We surmise that legality's durability and strength (as a structure of social action) derives directly from this schemata complexity in popular consciousness. We believe that legality is actually strengthened by the oppositions that exists within and among the narratives (...) To state the matter differently, legality is much weaker and more vulnerable where it is more singularly conceived. If legality were ideologically consistent, it would be quite fragile (Silbey, 2005: 342).

We believe academic freedom is a bit like Ewick and Silbey's account of legality. The spectral nature of the institution of academic freedom is not a flaw, a sign of decay or a major weakness. To the contrary, it makes academic freedom a more robust institution. As we will discuss in a subsequent section on the practical implications of this research, this finding has important implications for policy makers and university administrators.

8.2 An institutional perspective in the sociology of professions integrates, theorizes and informs professional autonomy

The second element we want to discuss is our contribution to the literature on professions. As we discussed in our conceptual framework, to provide an integrated and theorized perspective on professional autonomy, we chose to borrow a sociology of professions lens. More specifically, we built around the nascent institutional perspective in the sociology of professions. Consequently, as "[i]nstitutions consist of cognitive, normative, and regulative structures and activities that provide stability and meaning to social behavior" (Scott, 1995: 33), we described in an inital analysis the institution of academic freedom along the lines of the three pillars. Secondly, we explored the specificities of this institution, which we labelled spectrality.

This approach enabled us to integrate different strands of research and to theorize the mostly descriptive account of academic freedom. First, we showed in Chapter 5 how the institutional perspective allows for the integration of the various perspectives on academic freedom. Indeed, we explored the definitions of academic freedom embedded in policies and statements, legal cases, and institutional regulations. This analysis portrayed the regulative aspects of the institution of academic freedom but also integrated its legal components. We then explored how academic freedom was valued

and the arguments put forward by professors in its defense. This research was of course linked to the normative aspects of the institution of academic freedom, but enabled to bridge the normative literature produced by polemists, pundits, philosophers and the likes. We finally explored the cognitive aspects of the institution of academic freedom and concluded that it was mainly taken for granted by professors. This analysis integrates the descriptive empirical literature on academic freedom. In the end, we illustrated how, through its socially embedded nature, academic freedom gives stability and meaning to the social world at the individual, organizational and social levels. Using the concept of institution, the institutional perspective was therefore able to integrate the fragmented literature on academic freedom.

Second, an institutional perspective in the sociology of professions was also the answer to the under-theorization of academic freedom. While descriptive studies make up the bulk of the literature on academic freedom, we explored in greater depth the institution and put forward an understanding of academic freedom as a spectral institution. This concept brought together two characteristics. On the one hand, the institution portrays high levels of heterogeneity that refer to the spectrum aspect. On the other, it displays ontological ambivalence, which was made explicit by mobilizing the interviews as well as documentary data. Spectrality is our way of understanding academic freedom, and it was made possible by the institutional perspective in the sociology of professions. While this dissertation is certainly a significant contribution, we believe more empirical work on academic freedom should be conducted.

The third and last way our research contributes to the institutional perspective on professions is by exploring what professional autonomy is from that point of view. During our discussion of the conceptual framework, we identified one important gap within the institutional branch of the sociology of professions. While it provided theoretical grounding and enabled a nuanced perspective on the institution of academic freedom, it contained no explicit and cogent account of professional autonomy.

If we recall, the structural-functionalist approach explained professional autonomy as rooted in expertise, the political perspective explained autonomy as an effect of power,

and the critical approach identified professional autonomy as discourse mobilized to control professionals. Yet, professional autonomy, a central tenet of professionalism, remained unexplained in the institutional perspective on professions. An institutional perspective asserts "that professional jurisdictions can be contested and changing without being a simple matter of political clout, and that in many circumstances the advancement of professional interests is not inconsistent with attention to client welfare" (Scott, 2008: 219). This stance is only possible if we understand academic freedom and professional autonomy as socially constructed. Let us explore this idea further.

Following Scott (2008), we know first that academic freedom and professional autonomy are neither explained solely by power play or by expertise. Second, we know that professions and professionals are powerful institutionalized actors of modern society and, as such, are a source of change (Scott, 2008). Third, we know that professionals are forces of change and act as a) cultural-cognitive agents that control "by defining reality — by 'devising ontological frameworks, proposing distinctions, creating typifications, and fabricating principles' and generalizations (Scott and Backman, 1990: 29)" (Scott, 2008: 224), b) normative agents "by setting standards, propagating principles, or proposing 'benchmarks' to gauge progress and to guide behavior" (226), and c) regulative agents because of "the use of regulatory powers" (226). In sum, "professional authority is based on the ability to create and apply a set of cultural-cognitive, normative, and/or regulatory elements that provide frameworks for dealing with various types of uncertainty is at the core of the institutional perspective" (227).

All in all, professionals, through cultural-cognitive, normative and regulative proxies, are important forces in society. Jepperson and Meyer (2000) similarly identify four types of soft agency: agency for self, for others, for non-actor entities and for principles. The latter is at the core of professions: "The authoritative voice of the sciences and professions stems from the posture of pure otherhood; that is, from their claim to speak for wider truths and standards, beyond any local situation or interests (Meyer 1994a)" (Meyer & Jepperson, 2000: 108). In other words, the agency of professors as

professionals is grounded in the fact that professionals do not speak or act for themselves, but in the name of science.

But the question remains: what is the source of their professional autonomy if it is neither rooted in expertise, power or discourse? The answer lies in the institutional nature of academic freedom. Agents are constituted by institutions, and professional autonomy, the agentic capacity of professionals is socially constructed.

To be cogent with the institutional view, we must recognize the socially constructed nature of the understandings of academic freedom as presented in this research project. Early on, we announced our intention to mobilize an inhabited perspective of institutions. This means that we consider that "[i]nstitutions are not inert cultural logics or representations; they are populated by people whose social interactions suffuse institutions with force and local meaning" (Hallett & Ventresca, 2006: 225). In accordance with this rationale, we placed the data provided by the individuals experiencing the studied phenomenon at the centre of this research project. Directly in interviews or indirectly in documentary data and narrated experiences, we focused on the construction of academic freedom. Its constructed nature is apparent in the definitions, arguments and constraints exposed by informants in interviews and by the statements, rules as well as experiences professors related.

In exploring academic freedom as an inhabited institution, we saw what professionals could choose to or not to follow the rules of the regulative institution, we saw what professionals thought was legitimate to do or not to do according to the normative institution, and we saw what professionals thought was possible to do in exploring the cognitive institution. Professional autonomy, what professionals can and cannot do, is constituted by the institution. In being socially constructed, it integrates scientific values, political play and discourse into a contingent institution constructed by individuals and groups through a set of cognitive and social processes.

To sum up, the institutional perspective on professions was silent on the sources of professional autonomy. It was a major lacuna since professional autonomy might be described as the cornerstone of professionalism. We propose that professional

autonomy, as academic freedom, is an institution constructed by individuals and groups. In our thesis, the processes by which an institution is constructed have not been an explicit focus and, absent a rigorous analysis, it appears risky to propose any at the moment. Yet, specific processes might well be linked to the spectral nature of the institution. We would encourage future empirical research to identify the processes that build the institution of professional autonomy.

These mechanisms are yet to be explored and should be the subject of further research. Different conceptual tools could be mobilized for this endeavour. One might focus on institutional work to see how institutions of professional autonomy are created, maintained and disrupted (Lawrence et al., 2009). Another avenue could be the sociology of valuation to explore how professors give value to their norm of professional autonomy and, doing so, contribute to the institution of professional autonomy (Lamont, 2012). The social movement perspective could even be useful to see how, through collective contentious actions, institutions are created and changed. There is no lack of theoretical perspectives to explore the ways in which the norms of professional autonomy are constructed.

We want to take one more step in that direction. According to Powell and Colyvas (2008), a research perspective adopting a micro perspective on institutions is a necessary stepping stone for the exploration of agency in institutional theory. In the next section, we want to focus on agency in the context of institutional theory. We believe our exploration of academic freedom as an institutional norm of professional autonomy provides us with a unique perspective on the subject.

8.3 Professional autonomy as the construction of agency

The idea of joining institutional theory and academic freedom raises important questions regarding how to understand agency (Battilana & D'aunno, 2009). Indeed, an institutionalist perspective on academic freedom as professional autonomy necessarily places agency at the centre of our discussions for at least three reasons.

234

First, professionals play an important role in the institutional sphere. As institutional agents, that is as "definers, interpreters, and appliers of institutional elements [p]rofessionals are not the only, but are [Scott argues] the most influential, contemporary crafters of institutions" (Scott, 2008: 233). Professionals are institutional agents, and we need to provide an institutional explanation for their agency.

Second, to be complete, an institutional perspective on professions needs to explain professional autonomy. Functionalist, political and discourse-based views all provide an explanation of professional autonomy, and the institutional perspective on professions would be incomplete without this important element.

The third reason is more theoretical. One of the central tenets of the institutional perspective is that higher order factors explain lower ones, or that institutions tend to explain individual and organizational behaviours. A seeming paradox arises however when an institution constructs an actor as an agent (as in the case of professional autonomy): how can an actor be simultaneously constrained by institutions and express agency? (Battilana & D'aunno, 2009) To be complete, an institutional perspective on professional autonomy should answer this question.

To sum up, we concluded the presentation of our conceptual framework by exploring the issue of agency in institutional theory. It appeared rather paradoxical as academic freedom and professional autonomy, the institutions we are studying, are all about freedom and agency while in some ways the tenets of institutional theory supposes constraints on action. We suggested that exploring academic freedom and professional autonomy might be a good proxy to think about agency and institution. We unpack these ideas in this section.

To pick up where we left off, recall how we argued that issues of agency were either left unexplored or were inadequate. Indeed, on the one hand, "[a]ssumptions about actorhood are now so taken for granted that social scientists use the term 'actor' with little reflexivity to denote people or organized groups, as if such entities are by definition actors" (Meyer & Jepperson, 2000: 101). Yet, on the other hand, recent institutional approaches trying to bring agency back into institutional theory have been

235

criticized as overplaying a muscular, heroic agent to explain the creation and change of institutions (Muzio et al., 2013). Kaghan and Lounsbury's (2010: 75) critique of institutional theory offers a good presentation of the heart of the issue: a "focus on individuals qua individuals risks a possible interpretation of their agenda as advocacy for a kind of methodological individualism — where all members of the human population are assumed to share some fundamental characteristics (particularly intentionality and purposefulness) that are reflected in their efforts to make and/or unmake social institutions."

The root of the problem is the following. In these explanations of change, a naturally endowed human agency acts as a *deus ex machina* to explain change. It is because humans naturally possess agency that agency is possible. It is neither coherent with the basic principles of institutional approaches nor theoretically elegant nor even very convincing.

Theorists rightly object to the simplistic use of agency as an explanatory variable, in large part because agentic explanations are inconsistent with the logic of institutional theory (Suddaby & Viale, 2011: 425). Therefore, against an explanation of agency located in a natural human ability, we look to provide one that lies in institutions: agency as the product of a social construction. An institutional account of agency as socially constructed refers to what professors can and cannot do (the content of the institution), but also to the way the institution is structured and organized (unique, plural, plastic, ambiguous, etc.). Following this last idea, we would like to roughly carve out another away from explanation of the social resorting to "agency-institution dichotomy to [approach] the institution-institution(s) relationship" (Kavanagh, 2009: 591).

In this context, autonomy is not understood as the expression of an inalienable individual agency, but as an effect of the relationships between institutions. Instead of forging a compromise between institutions and agents, we would like to propose that a certain quality of institutions is in fact what drives agency.

If we then move from the abstract discussion of agency to the specific case of professional autonomy, we can confidently state that the latter is constructed. It is the main lesson we learned from the institutional perspective in the sociology of professions. The contents of the institutions specify what one can and cannot do (regulative), what is legitimate and what is not (normative), and what is possible and what is not (cognitive). There is therefore only a small leap left to make to assert that, agency is also constructed. Institutions are not only constraints; they constitute agentic capabilities in the actors.

In this sense, our focus shifts from the relationships between agents and institutions to those that tie one institution to the other. We can therefore see agency as an effect of the structure of institutions. In this sense, we follow Kavanagh (2009: 591), who wrote that:

> Rather than framing the latter around the agency-institution dichotomy, agency is perhaps best seen as an attribute of institutions that work (and play) in an institutional complex where they proactively change and reactively respond to other institutions. In other words, this study shifts the focus from the agency-institution dichotomy to the institution-institution(s) relationship.

And we can explore these relationships between institutions to see what can be conducive to agency. Once more, we would like to follow Ewick and Silbey's (2005: 343) lead to look at plurality as a fundamental component of social theory:

> the normative plurality described in the narrative structure of legality is common to other institutions and social structures. (...) the cultural phenomenon is described both in terms of normative ideals and its practical enactments (Ewick and Silbey, 2001). (...) Thus, the analysis of the conceptual or analytic content of the narratives as well as the relationships among the different accounts may provide the beginnings of a more general theory of the structure of culture.

In keeping with this proposal, we would like to suggest that spectrality, a characteristic of institutions marked by heterogeneity and ontological ambivalence, is a key element of

237

agency. In this context, it is not only the contents of the institution or the agency-institution relation that matter, it is the way institutions are structured.

Why should we believe such a thesis? We believe there are at least three reasons: empirical, theoretical and parsimonious ones. First, on the empirical side, our exploration of academic freedom has illustrated how, as an institution, it was structured in a spectral manner. Moreover, professors interviewed have testified that they enjoy academic freedom. While this relationship between these two findings is not causal, it shows a necessary but not sufficient relationship between spectrality and freedom. In fact, we know that in the context of institutional spectrality, professors state their freedom. The theoretical reason lies in the arguments we made in the previous section about the links between heterogeneity and freedom. We argued that, on the one hand, heterogeneity was the consequence of professors defining for themselves academic freedom and, on the other hand, that to define for professors what academic freedom meant would be a breach of autonomy. Therefore, in this context, there is a link between professional autonomy and heterogeneity.

Second, and more important, our explanation of agency as an effect of spectral institutions is parsimonious because it does not involve invoking a new element, a *deus ex machina*, to explain agency. When institutional theory invokes a naturally endowed agency in individuals, it end up explaining agency by invoking it. Instead of this tautological and ontologically expensive argument, our depiction of agency as an effect of spectral institutions does not require the prop of a natural ability to explain agency. Agency is socially constructed and is the product of the contents of institutions that prescribe what individuals can and cannot do (regulative), what is legitimate and what is not (normative), and what is possible and what is not (cognitive), and the institutional effect of the spectral structure of the institutions constructs and makes freedom possible. Moreover, such a conception does not create friction with the explanation mobilized the institutional framework. Such an explanation is coherent with Meyer and Jepperson's (2000) understanding of the modern agent as a construction as well as with an inhabited perspective on institutions (Hallett & Ventresca, 2006) .

Finally, we suggested that to adopt institutional spectrality as a driver of agency would be a more parsimonious account of agency. On this point, finding links between institutional characteristics and some form of agency is not such a novel idea. In fact, institutional pluralism (Kraatz & Block, 2008), plasticity (Lok & de Rond, 2012), strategic (Eisenberg, 1984) and pragmatic (Giroux, 2006) ambiguity and other constructs are depicted as drivers of agency. Institutional pluralism provides resources and freedom for actors to act, plasticity depicts how institutions can cope with different scripts, ambiguity enables actors to act more efficiently (to be more agentic), etc. Similarly, Suddaby and Viale (2011: 425) explain change and agency as an effect of heterogeneity: "We base our argument on the well-established notion that professions exist as relatively unstable entities engaged in a constant dynamic struggle with other, adjacent entities (Abbott, 1988)."

Conclusion

In this final chapter, we discussed the three main contributions to research provided by this thesis. First, we proposed to understand academic freedom as a spectral institution and to understand this spectrality as constitutive of academic freedom. Second, we filled the gap concerning the institutionalist perspective on professions regarding professional autonomy and suggested that professional autonomy is constructed through regulative, normative and cognitive institutions. Finally, we explored the question of agency in institutional theory and proposed to shift the debate from the agency–institution relation to the institution–institution relations. In this context, we suggested spectrality might play a key role in explaining agency in institutional theory. Further research and discussions are needed to even begin to elucidate the complex questions raised by academic freedom, professional autonomy and agency in institutional theory.

Coming at the end of this thesis, we would like to summarize our contributions, to discuss a few practical implications and to suggest elements for future research. As the chapter has already discussed these points, we will be succinct. This thesis asked two questions:

- What are the cognitive, normative, regulative components of the institution of academic freedom?

- What are the distinctive characteristics associated with institutions of professional autonomy?

Our answer resided in a description of the institution of academic freedom and in the presentation of academic freedom as a spectral institution. In doing so, we contributed to current research on three levels, each growing in abstraction. On a first level, we contributed to an empirically grounded understanding of academic freedom which promises to integrate the fragmented literature and provide an apt theorization of the phenomena. On a second level, we proposed an understanding of professional autonomy in an institutional perspective in the sociology of professions as constructed and suggested that spectrality might play a key role in the exercise of autonomy. Finally, on a third level of abstraction, we suggested the relations between institution (in our case spectrality characterized by heterogeneity and ontological ambivalence) might play an important role in agency.

Limitations, boundary conditions and future research

This research project has certain limits. In this section, we would like to discuss them and to propose avenues for further research. We want to acknowledge the limitations and boundary conditions, and suggest future research that would push them back.

First, some errors are tied to mistakes made by a debutant qualitative researcher. On top of this list of mistakes, we can find the loss of interview data in the exploratory phase of research. While they were not to be included in the final analysis, they still represent an ethical loss in regard to the informants who committed their time to this research project. Second, it is difficult to assess with certainty that we have used and accounted for all the data we have collected. With over 50 hours of interviews, hours spent in meetings, observing, and thousands of pages collected, it is possible that some nugget of knowledge has escaped our diligent processes.

But other limitations are consequences of a specific research design and entail limited transferability and generalization. Of course, aspects are linked to the nature of qualitative inquiries themselves. By aiming for richness of data, sample representativeness becomes out of reach for practical reasons. Some are to be attributed to specific research choices. Our research was conducted in a specific setting, three Montreal universities, in four specific departments, and with a certain type of professor, tenured professors: these choices limit our ability to make empirical generalizations. By selecting universities in same institutional context, the same departments in two universities, and the same type of professor in all three universities, we wanted to make it possible to compare across university and department. Indeed, our initial hypothesis was that understandings of academic freedom would vary either by organization or by epistemic culture. If we recall, it was not actually the case. Instead, we found that variations were prevalent everywhere. Nevertheless, it might be that what we observed, and the derived understanding of the spectral institution, is idiosyncratic to this data set. Because of the relative homogeneity of the data, we cannot present a strong empirical case that our findings apply to other institutional settings, other epistemic cultures or to adjunct and assistant professors.

These limitations call for further research. We would hope that more research will explore academic freedom in other institutional settings to see if our proposition of academic freedom as a spectral institution holds true in other contexts. Similar research designs could be applied to other Canadian contexts, in the United States and in Europe as well as in Arab, South Asian, East Asian and African countries, whose traditions tend to differ from Western ones. Such research could also capture universities that have developed satellite campuses across the world. It would be particularly interesting since we could explore the organizational understandings of academic freedom within the same university but in different institutional contexts.

It would also be relevant to explore different epistemic cultures. We have focused on natural sciences and social sciences in this thesis, but arguments could be made that life sciences, law or more technical fields would have different epistemic cultures. These understandings could inform the notion of spectral institution we developed in these

pages. We also think a more representative survey-based and proportionally sampled research could test our hypothesis regarding spectrality as a holistic phenomenon. Can we deduce spectrality out of the understandings and experiences of professors in general? We also did not touch upon the processes used to construct spectral institutions. This question should be addressed in future research.

Finally, theoretical explorations are warranted. We have suggested that spectrality is perhaps a key component of agency. This is a bold thesis that needs to be complemented by a more profound exploration of institutional theory. How can we prevent simplistic and deterministic explanations of agency? Is a turn toward institution–institution relations a promising path? What other proposals have been made in that direction? Theoretical discussions on this very subject would alone warrant lengthy explanations. While we believe a link is emerging, more systematic explorations are needed.

While limited, we believe that our proposal that spectral institutions stand on their own is an empirically informed theoretical proposition that needs to be tested in other settings. The idea that there might exist a link between spectrality and academic freedom is akin to the idea that pluralism is tied to democracy. It is both a descriptive and a normative statement and, as such, it might fall best under the umbrella of philosophy than social sciences.

Practical implications

On a more practical level, we believe this thesis can be useful to many. We have gained a better understanding of academic freedom. First, we hope professors will be able to engage with our findings by taking account of this work, gaining a deeper knowledge of the different aspects of academic freedom and, hopefully, disagreeing with some of the findings. Indeed, the opposite would signify a common understanding of academic freedom and, contrary to our thesis, could signify the dusk of academic freedom. Second, we hope university administrators and managers throughout the field of higher education will recognize the spectral nature of academic freedom and stay away from any propositions of academic freedom that would supplant all others.

What about the Cassandras who points to the major changes affecting the field of higher education and lament that managerialism, amongst other plagues, is digging academic freedom's grave? First, our thesis gave voice to academics who normally do not take part in public debates. They are part of academia, yet do not appear to agree with otherwise catastrophic or pessimistic accounts of academic freedom. The heterogeneity of perspectives on academic freedom we unveiled is certainly part of what we understand as being spectrality. Also, these appeals to academic freedom are certainly also related to spectrality as these polemists invoke it because of its absence. According to our thesis, they contribute to academic freedom by constructing the spectrality of the institutions of academic freedom.

But all in all, if we would hope for a single message to be heard loud and clear, it is that we should not try to harmonize understandings of academic freedom into a single definition, either at the social or organizational level. The richness of academic freedom and perhaps its ability to enable agency might be linked to its spectrality. Unifying understandings runs contrary to this quality, and perhaps contrary to the possibility of freedom. In sum, defining for professors what it means to be a professor might go against academic freedom and run contrary to professional autonomy. Spectrality, under the guise of heterogeneity and ontological ambivalence, might be linked to institutions that promote agency and, in a political perspective, these institutions that are conducive of freedom.

We would like to conclude with a more general idea. This thesis also has broader social implications. Academic freedom is often portrayed as an integral part of modern liberal democracies. By nurturing a culture of evidence-based discussion fueled by professors enjoying vast autonomy, the quality of public debate is improved, and democracies make better decisions. We proposed that the spectral nature of academic freedom might be linked to a condition of its existence. In sum, we proposed that an institution of academic freedom that would not be spectral would probably not be conducive to academic freedom.

But academic freedom might not be the only spectral institution. We would like to submit the following idea: other institutions central to liberal democracies might also display the characteristics of spectrality. Spectral understandings of democracy, freedom and justice might be conducive to democracy, freedom and justice. Spectrality could be, in this sense, a crucial component of the institutional architecture of liberal democracies.

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Appendices

Appendix 1 Guide d'entrevue

Présentation du projet de recherche

* *Confidentialité et formulaires*
* *Questions avant de débuter?*

Introduction

* *Comment êtes-vous devenu professeur? Pourquoi?*
* *Est-ce qu'il y a un élément marquant qui vous intéresse dans le métier de professeur?*

Importance de la liberté académique

* *Est-ce que l'autonomie est importante pour vous? Pourquoi?*

Application   Enseignement Recherche   Service à la communauté   Collégialité   Créativité   Retour à la société   Lien avec démocratie Créativité   Science

Contraintes à la liberté académique

* *Quelles contraintes voyez-vous à la liberté académique*

Direction   Règles et règlements Recherche dirigée   Collaboration   Publication   Contraintes personnelles   Approches pédagogiques   Responsabilité professionnelle   Éthique   Gouvernement

Définition de la liberté académique

* *Qu'est-ce que la liberté académique?*

Choix individuel   Norme professionnelle   Critère scientifique   Liberté d'expression

Expériences et exemples de liberté académique

* *Pouvez-vous me donner un exemple hypothétique ou vécu durant lequel la liberté académique a été en jeu?*
* *Avez-vous déjà subi une contrainte à votre liberté académique?*
* *La liberté académique a-t-elle déjà été invoquée dans une situation autour de vous?*

Appendix 2 Codes for press

Table A #who codes in press

FIRST ORDER CODES	n	MEANINGS	SECOND ORDER CODES
Avocat	5	"Lawyer": When a lawyer is quoted. When the lawyer is quoted as explicitly speaking for his or her client, we coded as the client's group.	Civil society actors
Chroniqueur/journaliste	34	"Columnist/journalist": When editorialist, journalists are expressing an idea about academic freedom.	
Citoyen	11	"Citizen": When a citizen expresses himself or herself about academic freedom, mostly in letters to the editors. When the letters where signed by a professor or a retired professor, we coded them as "academics"	
Collège	1	"College": When a CEGEP invokes the notion of academic freedom.	
Étudiant/asso	14	"Student/student union": When a student or a student union talks about academic freedom.	

	n		
Gouvernement	8	"Government": When the government, via ministers or members of Parliament or of the National Assembly, expresses opinions on academic freedom	
CAUT	14	"Canadian Association of University Teachers": When the Association made up of professors defend the notion of academic freedom.	Unions and associations of professors
Syndicat	34	"Union": When unions express opinions on academic freedom.	
Universitaire	107	"Academics": When professors express their views on academic freedom.	Professors
Université	51	"University": When the administration of a university, either through its deans or principal, expresses an opinion about academic freedom.	Administration
TOTAL	279		

Table B #uses codes in press

FIRST ORDER CODES	n	MEANINGS	SECOND ORDER CODES
Sceptique face à la liberté	14	Skeptical ("Skeptical toward academic freedom"): When sources	Negative perspective on

académique		express doubts about academic freedom.	academic freedom: freedom can be limited.
Existe des limites à la liberté académique/la liberté a des conséquences	21	Limits ("There are limits to academic freedom/academic freedom entails consequences"): When sources identify limits to academic freedom or consequences (positive or negative) in relation to academic freedom.	$n = 35$
Malgré x la liberté académique est préservée	26	Menace ("Despite x, academic freedom is preserved"): When academic freedom is said to be enjoyed even if something might be perceived as constraining it.	Positive perspective on academic freedom: academic freedom needs to be protected.
x menace la liberté académique	157	Threat ("x threatens academic freedom"): When something is said to threaten academic freedom.	$n = 183$
La liberté académique est importante	52	Important ("Academic freedom is important"): When academic freedom is said to be important.	Academic freedom is simply valued.
Neutre	6	Neutral: When academic freedom is not qualified, often in cases when it is simply mentioned.	$n = 58$

TOTAL	276	

v

Table C Analyses of actors and uses of academic freedom in the press

Actors/uses (absolute)	Skeptical	Limits	Neutral	Threat	Menace	Importance	TOTAL
Lawyers	0	0	0	4	0	1	5
CAUT	0	0	0	13	0	1	14
Journalist	4	2	1	18	3	5	33
Citizen	0	2	0	5	0	4	11
Collège	0	0	0	0	1	0	1
Étudiant/asso	0	2	0	8	1	2	13
Gouvernement	0	1	0	1	2	4	8
Syndicat	0	0	1	21	1	10	33
Universitaire	9	8	4	63	8	16	108
Université	1	5	0	24	10	11	51
TOTAL	14	20	6	157	26	54	277

Actors/uses (relative actors)	to Skeptical	Limits	Neutral	Threat	Menace	Importance	TOTAL
Lawyers	0%	0%	0%	3%	0%	2%	2%
CAUT	0%	0%	0%	8%	0%	2%	5%
Journalist	29%	10%	17%	11%	12%	9%	12%
Citizen	0%	10%	0%	3%	0%	7%	4%
Collège	0%	0%	0%	0%	4%	0%	0%
Étudiant/asso	0%	10%	0%	5%	4%	4%	5%
Gouvernement	0%	5%	0%	1%	8%	7%	3%
Syndicat	0%	0%	17%	13%	4%	19%	12%
Universitaire	64%	40%	67%	40%	31%	30%	39%
Université	7%	25%	0%	15%	38%	20%	18%
TOTAL	5%	7%	2%	57%	9%	19%	100%

Actors/uses (relative uses)	to Skeptical	Limits	Neutral	Threat	Menace	Importance	TOTAL
Lawyers	0%	0%	0%	80%	0%	20%	2%
CAUT	0%	0%	0%	93%	0%	7%	5%
Journalist	12%	6%	3%	55%	9%	15%	12%
Citizen	0%	18%	0%	45%	0%	36%	4%
Collège	0%	0%	0%	0%	100%	0%	0%
Étudiant/asso	0%	15%	0%	62%	8%	15%	5%
Gouvernement	0%	13%	0%	13%	25%	50%	3%
Syndicat	0%	0%	3%	64%	3%	30%	12%
Universitaire	8%	7%	4%	58%	7%	15%	39%
Université	2%	10%	0%	47%	20%	22%	18%
TOTAL	5%	7%	2%	57%	9%	19%	100%

Actors/uses (relative total)	to Skeptical	Limits	Neutral	Threat	Menace	Importance	TOTAL
Lawyers	0%	0%	0%	1%	0%	0%	2%
CAUT	0%	0%	0%	5%	0%	0%	5%
Journalist	1%	1%	0%	6%	1%	2%	12%
Citizen	0%	1%	0%	2%	0%	1%	4%
Collège	0%	0%	0%	0%	0%	0%	0%
Étudiant/asso	0%	1%	0%	3%	0%	1%	5%
Gouvernement	0%	0%	0%	0%	1%	1%	3%
Syndicat	0%	0%	0%	8%	0%	4%	12%
Universitaire	3%	3%	1%	23%	3%	6%	39%
Université	0%	2%	0%	9%	4%	4%	18%
TOTAL	5%	7%	2%	57%	9%	19%	100%