

## **Free Space in the Academy**

**Bruce B. Janz**

### **A. Who Doesn't Love Academic Freedom?**

I was tempted, at the beginning of this talk, to have a show of hands on the question, “Who here believes in academic freedom?” Don't worry, I'm not going to do that. My guess, though, is that every hand in the audience would go up. I'd be surprised if it was otherwise. This illustrious lecture series, the DCS Oosthuizen Memorial Lecture, has run since 1970, and has included in its ranks some of the most significant people in South African letters and politics. Clearly they too were all fans of academic freedom. It's hard to find anyone who doesn't think that this is a core aspect of a university.

There is, in fact, legislation supporting academic freedom in South Africa and elsewhere. Along with 13 other African countries, South Africa has enshrined academic freedom in the constitution. Its statement on academic freedom is part of the general freedom of expression, in section 16(1):

“Everyone has the right to freedom of expression, which includes ... (d) academic freedom and freedom of scientific research.”

And this makes me wonder: why are we still talking about it? Everyone's on board, right? So, haven't we solved this one, just like in the US we're now a post-racial, post-feminist society? Problem solved! We've evolved. Shortest Oosthuizen lecture ever.

I am not here to merely reinforce pieties. It is clear, though, that just because almost everyone thinks that academic freedom is a good idea, it does not follow that everyone agrees on what that is, or how it relates to other values in the university such as the respect for consensus of

scientific knowledge, or even what real freedom in scholarship and creative work looks like. We have seen this in the US. The Discovery Institute, a supporter of creationism and opponent of evolution, has an “Academic Freedom Act” that they want to have passed, which guarantees what they call the “full range of scientific views regarding biological and chemical evolution.” What this means, of course, is the defense of teachers who want to teach creationism as if it were science. There is also an organization called “Students for Academic Freedom”, which has an “Academic Bill of Rights.” The intention is to extend to students the rights of academic freedom that professors already have. It allows students to be protected if they object to something a professor says or a text he/she assigns. The organization is headed by conservative activist David Horowitz, and the bill is meant to prevent “indoctrination,” a term most critics see as directed at any view other than a conservative (what Horowitz would frame as the “reasoned”) view.

The line is short and direct between this and the current chill in the American university climate and elsewhere, in which trigger warnings and overreactions by administrations to faculty speech are becoming prevalent. We have seen faculty fired for swearing in class, “unhired” (as in the case of Stephen Salaita) for Twitter messages about Israel and Palestine, and other faculty subjected to interrogations and public shaming in the name of some perceived transgression of rhetorical and ethical space. We have seen scholarly journals pressured to remove parts of essays because they “damage the university’s brand” or offend potential donors or funders. All actions, and all reactions, claim the moral high ground. All actions and all reactions claim that they champion academic freedom, in the short or long term. Orwell was prescient in his observation that language can come to mean its opposite over time – academic freedom and the restriction of speech can come to amount to the same thing.

So, clearly “academic freedom” does not mean the same thing to everyone. There are, to be sure, a few who argue against it. Sandra Korn, in the *Harvard Crimson* last year, argued that we should abandon academic freedom in favor of academic justice. She argues that we have reached a consensus on issues such as racism, classism and sexism, and so to promote racist or classist or sexist views under the guise of “academic freedom” is to ignore a higher standard and more importantly to ignore the fact that academic freedom is always couched in political realities, and is never the dispassionate exercise of reason and the pursuit of knowledge. It always serves an agenda, and so if that is the case, it should serve the agenda of justice, particularly justice for disadvantaged and marginalized people. Her online article, when I last looked, had almost 1300 comments, and had inspired commentary from a number of other publications. You can imagine the range of these comments and reactions: everything from “this is long overdue” to the newest favorite insult circulating the internet, “she’s just another Social Justice Warrior (SJW).”

In other words, there is a long history of talking about academic freedom. Despite the fact that everyone claims it, and a few think that its time has passed, at least by this point we know what it is, right? What more is there to say?

Judging from recent publications and events in South Africa, there is plenty more to say. In 2013 the Council for Higher Education put out an issue of *Kagisano* on academic freedom. In 2014, John Higgins published his *Academic Freedom in a Democratic South Africa: Essays and Interviews on Higher Education and the Humanities*. It is perhaps better known for its foreword by J. M. Coetzee than anything, but he does address the introduction in 2012 of the Higher Education and Training Laws Amendment Act, which makes the environment for free academic inquiry less clear by shifting more power to the Minister. And in August 2015 Kenan Malik

delivered the TB Davie Memorial Lecture at UCT, in which he sketched out a set of new challenges to academic freedom.

Despite the fact that academic freedom seems on the surface to be an uncontroversial good, there is more to be said. To understand what this is, I need to take a bit of a detour through some of my own work, focused in African philosophy on the ways in which new concepts come into being and take root.

### **B. Philosophy-in-Place**

I work on what I call “philosophy-in-place.” Philosophy has theorized place, but it has rarely taken its own places seriously. What does it mean to think philosophy by taking place seriously? How do concepts emerge from their places? And, does this not just reduce philosophy to something else, to politics, literature, sociology, etc.? I don’t think it does. Taking our places seriously means to ask about how and where thought is nurtured, supported, scaffolded, and prodded, as well as how it is thwarted, ossified, idolized, programmed, or consumed. Taking our places seriously means asking who our knowledge is for, where it came from and who the audience is, what interests it serves. It means asking what the unintended consequences of our knowledge are – not to stop inquiry, not to make us second-guess ourselves at every turn, but to make our questions richer. Place is not destiny, nor is it necessity, but freedom is also not action in the abstract, what I would call placeless action.

Part of doing philosophy-in-place is to think about two things: the provenance of concepts, and the currency of concepts. Provenance refers to not just the origin, but also the path that a concept has taken. It recognizes that words are not concepts and that our concepts come into being because of a question or set of questions that makes them viable. They also change

over time, and concepts bear the marks of those changes. So, the “real” concept is not contained in its origin story (despite what Heidegger might have led us to believe), but in the places in which it has had currency. And there’s the second issue: the currency of a concept. As with its common meaning, that of a means of monetary exchange, concepts can be exchanged within places. Some currencies are valid in some places but not others. Some words look like they are universal, but that disguises the fact that there are several concepts which use those words. The Rand might be unique to South Africa, but the dollar, the peso, and the shilling all mean something different in different places.

The philosopher’s tendency is to look for the “real” meaning of a concept. Of course we recognize that concepts might vary, but for many philosophers that is irrelevant. We start with the assumption that concepts are universals. This is one of those footnotes to Plato that Alfred North Whitehead described Western philosophy as being. I prefer to think that we strive for universals, but that we live in particulars, and that includes our concepts, along with the way they come into being and interact. And so, we need to think about how these concepts work, to find some new potentialities in them, and perhaps create new ones if we are given that opportunity. Put another way, we are looking for the activated concept as opposed to the abstract one.

I believe that African philosophy is an especially rich site for examining the emergence and development of concepts. This is in part because the rest of the world has characterized Africa as a place devoid of concepts, or at least its own concepts. So, philosophy-in-place is not only about examining the development of concepts in the past, but also about considering the subtleties of concept creation in the present and future. African philosophy, far from being derivative, stands as a model to the rest of philosophy of a creative and vibrant mode of thinking. Those of us from outside of Africa often simply haven’t yet caught on to this.

Academic freedom might not seem like a concept embedded in African philosophy, but the lesson here concerns the ways in which concepts emerge. African philosophy gives a model for this, that we can apply to academic freedom.

### **C. Academic Freedom as Academic Toleration**

We think of academic freedom as largely a negative freedom, that is, a freedom *from* something, in this case, a freedom from censure or consequence when a scholar is pursuing his or her areas of research. Framed this way, we can quickly see the questions that might arise. In an increasingly interdisciplinary academic world, what constitutes someone's "area?" Who does the duty of observing and ensuring this freedom extend to – university administrations? University boards? Governments? Potential donors or funders? Other academics? The public? Who has the obligation to not censure? What counts as censure? Is disagreement of any sort tantamount to censure? Does the imperative to act on some issue imply censure, because discussion must be stopped in order to initiate action? At what point does the resistance to censure amount to a restriction on someone else's academic freedom or freedom of expression? And, can the intent behind the ideal of academic freedom, to provide a safe space for knowledge creation, end up being the enforcement of no safe spaces at all, as all space must at least in principle be contested or contestable space?

We can quickly see that there are a large number of abstract questions that might be raised here. The question of what we are free to do is less clear. John Stuart Mill's *On Liberty* argues that clearing away impediments to the proper exercise of reason is the thing to be pursued here, not describing the contours of freedom itself. Freedom is the ability to just choose whatever you want, and toleration is the prerequisite for that.

Note that I just used the word “toleration.” What we often think of as academic freedom is closer to academic toleration, of the sort Locke and Mill talked about, at least at the level of the activated concept. We have, in other words, a Western frame for the question coming out of the liberal tradition. As such, this is a concept that has a place, that is, it is an answer to a set of questions asked within their places over time. It is not, in other words, a kind of ideal that floats above all other ideals, timeless and universal, despite its own claims about itself. Toleration, as also with freedom, has a history and a place.

Of course, over time the concept of toleration has drifted. We now use it to describe relations between people, and we speak of “zero-tolerance” as an approach to policing and sentencing. Toleration is not a supreme right. It exists in relation to other rights, particularly justice. And, it is not always a positive – we look down on governments who “tolerate” negative things, such as sexual abuse or human trafficking. Academic freedom, like this version of toleration, also has its limits – we are not free, for instance, to fabricate data and call it an exercise of academic freedom. In the US, it became clear that psychologists were helping the US military in their goal of breaking prisoners at Guantanamo Bay. The APA has just put policies in place against that, and so no psychologist would be able to claim academic freedom to engage in that activity. In other words, there are limits for academic freedom, but those limits are precisely the limits we have for toleration.

Toleration in its origin has a religious framework – for Locke and others it focusses on the question of whether those who hold a different religious faith can be forced by the state to change. It is interesting that religion is the frame, and not, for instance, differing political positions, racial contexts and histories, cultural tastes, or gender expressions. Religion is seen by these early liberals as going deeper than those. It is not a choice but part of one’s character. This

is in fact in line with early Protestant thought, that faith is a matter of following an inner light or a divine logic, and is not the same as a superficial difference or a matter of preference. This is what one must tolerate – a deep matter in which conviction and intellect, or will and reason meet. The path from political toleration to what we call academic freedom is a clear one, when we think of most version of academic freedom within the academy as in fact academic toleration. For Locke, if we get toleration right, we are then freed to be free. We then have the ability to exercise our will, to use reason to overcome and direct our passions. It is worth noting in passing that Locke’s toleration too had its limits, even in the religious framework. He didn’t, after all, mean Catholics, since he thought their true allegiance was to the Pope. That was a bridge too far.

The vast majority of current discussion about academic freedom, especially in the popular press, is almost all reducible to toleration. This is the activated concept. This is as true in South Africa as it is anywhere else, even when the contours of the debates are different. And, the “more” that separates freedom from toleration is often vaguely defined. It is that “more” that I want to talk about today.

But this is not the easiest approach to the issue of academic freedom. Toleration, after all, presents itself as a “condition for the possibility”, to use a Kantian phrase. It is something that seems to have to come first, before we can have anything else. If we don’t have a relative degree of intellectual and personal safety and security, how can we go further?

When we hear about academic freedom, in other words, what we almost invariably hear about are the threats and limits to freedom. *We do not hear about freedom, but about the prelude to freedom, the conditions of freedom, the task of clearing the way and laying the foundation for freedom.* Kenan Malik, in his recent TB Davie Memorial Lecture at UCT (also traditionally on academic freedom), frames the discussion about academic freedom as the defense of free speech.



“We need to know not simply why freedom of expression is important but also in what ways that freedom is being threatened... if the significance of free speech is much the same, the ways in which freedom of expression is threatened are very different now from the ways they were 50 years ago.”

Malik’s speech places the discussion of freedom squarely in the liberal tradition (he ties it, for instance, to Milton’s “famous speech for the liberty of unlicenc’d printing”), and as such, places it in the tradition of toleration.

I am not saying that we should not be talking about those challenges. It is crucial that we do, and Malik’s address at UCT takes up some very significant and controversial issues such as trigger warnings and talk about microaggressions that, he argues, also limit academic freedom. But what lingers in my mind with all these discussions of academic freedom is – free to do what? Once we clear the ground, once the battle is won and freedom is possible – what next? Do we continue with that liberal version of the self, in which our flourishing is guaranteed by our ability to exercise our reason, to in essence render the world as our property, either materially or intellectually? If we start with the assumption that the world is full of barriers to freedom, are we not also committed to the rest of the liberal project of subjectivity, social order, and so forth?

Malik and almost every other commentator on academic freedom assume that the benefit of clearing the ground of restrictions to freedom will be that a kind of marketplace of ideas will take over. Ideas will be advanced, we will dialectically hone them through comparison with other ideas, and we will advance as a society because the best of these ideas will become adopted widely. In the classic liberal picture, we (the participants in the market) will assemble the best ideas, and in an empiricist fashion build our version of the world along with everyone else. We

will, in short, collect intellectual property, and we want the best of those, honed in the marketplace of ideas.

But at what point does this liberal self become a pathological self? At what point are we just intellectual hoarders, gathering ideas around us, accumulating more and more, and calling that a kind of intellectual richness? It is possible to know everything but create little. Our marketplace of ideas turns into a mall of ideas. A lovely dream, but one which in practice does not turn out as we might hope.

Here's another problem: academic freedom of the liberal sort, in the tradition of Locke and Mill, ends up being a zero-sum game. It is a trade-off. One person's freedom comes with everyone else's duties. It is freedom as a kind of property, and when I exercise my rights to my property, that comes with a commensurate duty on the part of others, to at least refrain from infringing on that right, and perhaps more than that, to follow laws and give acquiescence to institutions that would maintain that right. And, I would suggest, so it is with academic freedom. Many of our debates are property-type debates. Our ideas and expression of them are a kind of currency, and limiting it means limiting my ability to spend my idea currency in the marketplace of ideas.

We see the result in current debates about academic freedom. There is a zero-sum environment – if students have a right to limit particular kinds of speech because they trigger memories, that places a limit on a professor. If the government claims the right to direct university content, and not just structure, that limits the input that academics or administrators have. If a professor asserts the right to publish whatever he or she wants, that limits the “brand” of the university, the potential for future donations or grants by those who disagree. In each case,

academic freedom comes with commensurate duties on the parts of others that can be seen as limitations on freedom. It is a zero-sum game, just as the liberal approach to property is.

#### **D. Freedom as Virtuality**

I think that this zero-sum liberal version of freedom that I have just described has dominated the discussion for too long. It does not deal with freedom at all but the prelude to freedom. The version of freedom I want to argue for is adapted from Gilles Deleuze and called a “virtuality.” It emerges from the conditions of place. Place is often seen as a set of limits, both material and temporal. Places have histories and traditions. We think they have borders (although, that might be a better description of space than place). Freedom means to bring something new into reality, or to use other terms, to actualize a virtuality. What does this mean? Think about how we charge particular kinds of distinctions and identities with meaning. Race, gender, ethnicity – all of these activate a whole set of other meanings. They define boundaries, both of action and thought.

Let’s start by considering an example of a concept that has not been activated. Think about something like handedness. It was once the case, at least in some places, that being left-handed was quite literally seen as sinister. That is, in fact, the root of the Latin word for sinister, and it can be contrasted to the Latin for right-handed, which we know as “dexter,” or dexterous. And yet today, being left-handed barely activates anything at all. It has not produced a virtuality. It is not a concept with currency, at least not in the sense that it activates a set of borders, relations, practices, language events, and so forth. Few would imagine that we should divide society primarily on the basis of handedness. And yet, there is no reason in principle why that could not have been activated, had historical events been otherwise.

Now, had it been invested with meaning, many things would have happened. No doubt discrimination would have continued. At the same time, energy would also have been invested in investigating the shades of experience of handedness. There would have been a whole group of ways in which handedness expressed itself in aspects of human experience seemingly distant from it. We might have had institutes of cultural handedness, academic programs, government agencies, grants and fellowships. We would have called out those in the past who had forced children to use their right hand. There would have been apologies, and also defensiveness – it was another time, we didn't know better, everyone was doing it. There would have been a great deal of discussion about the relationship between the biology of handedness and the culture of handedness. We would have by this point queered handedness, recognizing it as performative rather than biological, and celebrated the wide range of ambidexterities and trans-dexterities. And of course, it might not have been trans-dexterity at all but trans-sinisterity, since of course language matters. There would be handedness-rights groups. The cultural construction of handedness would become apparent – the world is, after all, clearly designed largely for right-handed people. Culture has expressed, or perhaps mandated and reinforced a preference, and some benefit and others do not. And, we could have continued to attach moral, political, and religious content to the phenomenon of handedness, just as happened in the past.

We don't do any of that anymore. Is that because handedness is intrinsically less important than gender, race, and so forth? No, it is because we have invested a great deal in those other things, and not this. *The investment we make is also the freedom we make.* Obviously, in the case of gender, race, and so forth, it is also the lack of freedom for many. This must be overcome. But we don't think about handedness as having anything to do with either freedom or its lack. It has not activated anything. Note that I am not saying that these categories and

distinctions are all as insignificant as handedness. I'm saying the opposite – they are significant, and they are so precisely because of this phenomenon of virtuality. These concepts have currency, and have activated a range of human experience. They have made possible both free expression and also the assault on free expression.

The temporality of virtualities is also relevant here. Time is not a constant. It does not flow as the clock ticks, beat by beat. It surges and lags. It gets caught in eddies, and then jumps. It doubles back on itself, repeating what came before, only not quite the same. In South Africa there was a time when it was almost inconceivable that anything but an apartheid state could exist. Any alternative seemed utopian at best – until it wasn't. In the US, gay marriage was unthinkable for decades – until it wasn't. There were constitutional amendments in many states to prevent gay marriage from ever happening – those turned out to be a final desperate gasp, rather than a manifestation of widely held sentiment. How could we have known at the time? We couldn't. Some guessed that was the case, but they could just as well have been wrong as right. The Confederate Flag, emblem of the racist slave-holding southern states, continued to be an unassailable symbol in many of those states – until it wasn't. A symbol that some argued had nothing to do with race, but only with states' rights, or pride in the South, or something like that – the tipping point was reached, and the lie was exposed. All it took was a mass murderer entering a church service, sitting down with a group of black parishioners, talking with them for an hour, and then murdering them. He was, you may recall, a fan of the South African apartheid government and the old Rhodesian government. The US is full of mass murders, but this horror sparked change.

And, there is also Rhodes Must Fall – a free act, a *cri de coeur*, a raging, shit-throwing, Dionysian event, caught the moment in time when it could be noticed. Not the first tantrum,

much less the first reasoned statement or moral plea. What if it had not been the social disruption that it was – would it have been any less? Rosa Parks in the Montgomery bus boycotts was not, after all, the first person to refuse to move to the back of the bus. And, hers was not a spontaneous act – it was discussed and planned in advance. Was it any less effective for that? Hardly.

Spring 2011, sometimes called “Arab Spring” – a moment seized – and then lost? Or not? The actions of those months showed a set of possibilities not apparent before. Free action took place. There is no question that there were risks, but in none of the places where those uprisings took place could life go back to what it was before. This is not merely the banal truism that everything that happens changes things. Of course it does. This is the observation that a virtuality was created, something never before seen even though some similar elements might have been in place previously. This is the observation that even though everything that happens changes things, some of those changes matter and some don't, and some prepare the way for mattering later, and some simply reinforce the status quo.

Here's another example: In the US recently, in the wake of killings of black men and women while being arrested or in custody, the “Black Lives Matter” and “Say Her Name” movements have emerged. The history of violence against minorities, particularly blacks, by various actors in the US government has been long and shameful and brutal, and for various reasons has been getting worse. A few seminal events coalesced this virtuality – the killing of Trayvon Martin by George Zimmerman (who was not a state actor, but someone who was able to use the “Stand Your Ground” law in Florida to avoid prosecution); the killings of Michael Brown in Ferguson Missouri; the killing of Eric Garner in New York; the death of Sandra Bland in custody in Texas, and many others, including the supposed suicides of some in solitary

confinement. Again, we have the situation of a long history of abuse by authorities, a long history of protest by individuals and groups, but finally a virtuality is reached and the spark is lit. Twitter handles take hold; rallies spring up; pressure mounts; officials respond, in more or less useful ways. All those who went before were part of that spark, nascent embers that made it possible, but for them the virtuality had not yet arrived.

Is the story over in any of these examples? Of course not. Time never gives guarantees. But we can leverage it. Deleuze and Guattari speak of “deterritorializing,” by which they mean the act of changing the path of thought based on the pushes and pulls of the moment. We find ourselves in a rut sometimes, time cycling over and over and over, and then a disruptive moment happens. A perturbation in a system that seems ordered but is really chaotic, a strange attractor. The wolf walks a path through the woods – we might suppose that we could, at least in principle, describe its actions, based on its biology, evolution and so forth. We might suppose that it’s all already there, *rationes seminales*, traceable back to some simple building blocks and starting points or, if we’re so inclined, the mind of God. We might think that. But you know, we have a hard enough time describing a current in a river, and the river as a flow of water doesn’t even have biology or evolution (although it certainly contains biological beings). What makes us think that we know the first thing about the wolf? What we do know is that it responds, that it makes itself anew based on a thousand environmental factors and a million epigenetic expressions.

*This is where freedom lives. It is not a property of humans, or of constitutions or states or cultures or even academics. It is not a commodity. It is virtual, the space where human action finds or falls into or creates a disruption in time, one of those eddies or surges or lags. It is the very meaning of an event. It is the fork in the road, the moment that changes a direction and in so doing opens a new door.*

A virtuality is not a heroic version of history, one in which the Great Person comes along and through sheer force of will, overwhelming intelligence or charisma makes something happen. There are no world-historical figures here. On that day in March 2015, it was not that Chumani Maxwele rose above all else, saw more deeply or felt more purely, and acted in a manner no one else ever has. It's been there all along. His actions would not have meant anything without those other prior actions, those moments of resistance, questioning, answering back. And yet, there was a virtuality, a moment of disruption in the flow, a crack that let the light in, as Leonard Cohen once said. The world that I want is the world of a thousand virtualities, coming from all those who can find a way to think or create or speak or dance. And, I want the eyes to see and the ears to hear.

Likewise, academic freedom does not mean clearing the barriers so that the academic superman can exert a world-defining intellectual power. Freedom in the academic world is about recognizing the disruptions in thought, in social order, in our worlds. We all are trained to use our tools and methods, but we don't always use them to advance freedom. We tend to think of our task as that of adding another brick to the disciplinary cathedral, rather than as preparing for and activating virtualities.

Academic freedom seems to me more than just a negative value, more than toleration, more than a zero-sum game, more than the exercise of supposedly dispassionate reason, more than clearing space to do... something. Whatever we want, as if we know what we want, as if we are in control enough to grasp both the world and ourselves with clarity.

There is a place for the negative freedom of toleration, but that is often the only story we tell when we speak of academic freedom. We speak of fighting for that freedom against bureaucracies, against governments. We speak of defending that freedom for those who have not



had it in the past, for those who have been excluded or punished or marginalized. And this is all good, but it merely clears the field. It is the prelude to freedom, not freedom itself.

The freedom I want to see in academia is creative, and not merely analytic or descriptive or even juridical or emancipatory. It is creative of new concepts, new experiences, new mechanisms. What I want is the surprising, the unexpected. I want the disruption. I'm not talking about having a fight – I'm talking about a shift in my perspective, and that of others, based on new information, new experience, new methods. I want the marketplace of ideas, not the mall of ideas. I want the agora in its best classic sense, the space not just of ideas, but of experience and perspective. I want the space of Zulu *isibongo* praise poetry, similar in intent to the medieval European Feast of Fools, the space of reversal, disruption, and artful talking back to the existing structures of power. I want the place where it is safe to be queer, that is, it is safe to perform a range of surprising, shocking, sublime and profane identities and affects. I want the place where it is safe to be black, and not just safe but exhilarating and challenging to the status quo. I want a thousand tiny sexes; I want a thousand tiny races. I don't want to teach the controversy, if that means boiling things down to opposing positions and forcing people to choose between conservative or liberal, past or future, PC or Mac. That's just a tamed and toothless virtuality. Academic freedom for me means looking for the new thing, the new virtuality, with everyone present and accounted for.

#### **E. Virtualities that Lead to Free Thought and Action**

Time for some examples.

Susan Brownmiller, among others, chronicles the history of the concept of **sexual harassment** in *In Our Time: Memoir of a Revolution*, and Miranda Fricker analyses this history

in detail in her book *Epistemic Injustice*. It had been recognized for a long time that sexual violence against women was rooted in a liberal assumption that women, like slaves, were closer to being property than autonomous beings, and that placed violence against women, as against slaves and non-Europeans in general, on a different level than violence against white men. But there was in fact no clear way to speak about women's daily experience, until the concept of sexual harassment became available. Not that no one spoke about these experiences before – of course they did. But this concept gave both social and legal standing to the conversation, and moved legislation and a host of other things. It reified a set of experiences that previously were easy to dismiss, on the grounds that women were considered irrational or self-interested or otherwise unreliable. That's what comes along with being considered closer to property – one does not participate in the uniquely human capacity of reason. So, every single report from every individual woman was in principle questionable – until this virtuality happened, and then there was a new standing. Was everything solved? Are women now treated as equals in America or anywhere else? Of course not. But the discussion changed after that point. That was the creation of a concept in a place, the very thing that we claim to value in universities, and it opened up a new problematic, that is, a new field for exploration and discussion of experience. Is this the last word? No; there is no intersectionality here, this is solidly a second-wave feminist moment. The problem was not solved but redefined, and uniquely academic skills can now be brought to bear to this new problem, and they have been. A free space has been opened up, and it was not a zero-sum trade-off, because freedom from fear of violence for women (and anyone else) is freedom for everyone.

It is worth noting that, even though academics had a hand in this new problematic, it was by no means only academics who were responsible for its emergence. Activists, legislators,

lawyer, jurists, students, victims, and victim support groups were all part of this shift. These virtualities do not come from academics sitting in their offices and thinking really hard in abstract terms. They come from the intersection of skill sets, circumstances, and passion. They come from a willingness of everyone to say, we cannot continue with business as usual. This new activated concept became the sort of thing that philosophers could and have analyzed, and as such, it became an abstract concept also. Activation came before abstraction, not the other way around, as we often think it does or should.

Or a different kind of example: **digital humanities** is in the business of surprises. It has looked for new things. It has, for instance, redefined what counts as a text. It is no longer just a book or a poem – it might be an author’s entire oeuvre, or an entire culture’s literature. We have added middle reading and distant reading to the skills of close reading. This is pushing disciplines to rethink what they formerly considered to be their objects of investigation. What is a text, when it’s not just something between two covers on a library shelf? We find ourselves in a time when the potentialities of the humanities are being reformulated. For DH (the common way to refer to the digital humanities), I would argue it is not very consciously or deliberately done yet. These virtualities we can see on the horizon, but they have largely not yet arrived.

One place we do see some of these virtualities beginning is in the open data movement (and along with that, at open publishing, open source, open tools, and so forth). In Africa, there is a group called Code for Africa, with a subgroup called Code for South Africa. They are laying the groundwork for new possibilities by making data free and available on issues ranging from local municipal laws to medicine price registry to a site that charts who shows up in the news in South Africa, to a site that maps protests across South Africa in 2013-14 and which caused them. All these initiatives require a great deal more development, but like the early days of the

formulation of sexual harassment as a concept, the components are gathering to reframe debates in South Africa. We see virtualities coming that will produce new problematics, that is, spaces in which to ask new kinds of questions.

Another example: Stephen Bantu Biko. Biko is well known as a proponent of black consciousness. He is often described as an existentialist who looks to Frantz Fanon and Jean-Paul Sartre for his inspiration. This is certainly true, but he was also a tactician and organizer. It is important to understand why black consciousness emerged when it did. In 1960 after the Sharpeville Massacres, the apartheid government shut down the African National Congress, the Pan-African Congress, and the South African Communist Party. By the Rivonia Trial in 1963/64 there was a change in the political landscape. Whereas black intellectual life had previously been channeled through the parties, that was no longer possible or feasible in any official sense. The logic had been that the apartheid regime had to be met on the political field, party against party. That was no longer possible.

Biko recognized this change, and that in part accounts for the rise of black consciousness. It was an intellectual movement (and more) that was not tied to the party structure. In effect, the problem was redefined. Biko read white power, and knew how and where to intervene to produce perturbations in the system. He used whites' misunderstanding of black consciousness against them. His virtuality was in transforming black intellectual life from something located within parties to something ontological. Rather than trying to reconstitute party power through other means, he used the existing momentum to move the center of activity to student groups, townships, and other places that the parties had barely reached. Leadership rotated often, which spread risk and also made the movement much less invested in a single charismatic figure. Again, this was not a magic solution. Many, including Biko himself, were murdered. Had the

debate remained one of party politics, though, it is hard to see that the same kind of mobilization would have happened. This virtuality redefined the problem, and in doing so suggested a different range of approaches.

A final example: **Rhodes Must Fall**. I have spoken of this as a virtuality, and I think empirically this cannot be denied. It captured a moment, it framed things in a new way, it gave urgency to conversations that might previously have been academic. It brought out the defenders of the status quo, and also those who want change but don't want to lose what they see the university's mission to be. The supposed political apathy of born-frees was shown to be a mistaken understanding. The tendency is to see Rhodes Must Fall as a zero-sum game: as one culture's signifiers and language ascends, others recede. As focus is in one place, it is not elsewhere. As I have argued already, though, that is not what freedom is about.

Rhodes Must Fall is a lens on a range of exclusions, hierarchical assumptions, and comfortable status quo attitudes. We are conditioned by media and movie narratives to hope for a resolution, a point at which the good guys win and the bad guys lose, a visceral zero-sum culmination. The harder story, the less cinematic narrative, is the one in which a virtuality is reached and a new way of framing a situation takes hold. I am not speaking of middle ground or compromise here. Rhodes Must Fall and the Black Student Movement are re-asking the question of how we frame things in this space. Rhodes must fall – yes, symbols matter, and not only in the way that one group dictates. There are people in the US who have bumper stickers that say “My flag is not offensive!” I always want to say, who are you to say that? Do you own the meanings of the flag? Symbols matter, but are contested ground, and asserting a meaning doesn't settle anything.

But of course, this isn't only about symbols. It is about equal representation and voice, and a new curriculum, and new opportunities for those who haven't had them, and a recognition that the university is not just in a place but of a place. What do we make of this place? Is the impulse on the part of non-blacks to help, to solve, to be benevolent to those who have little? This is at least futile, certainly patronizing, and more seriously, it does not ask the deeper question of what it means to have all these voices at the table, all working towards a new virtuality. And, it does not ask the question of the virtuality – what still needs to be created or reframed in order to allow everyone to flourish? I love the symbolism of the initial event in the Rhodes Must Fall movement – excrement is what is, by definition, outside of the body, to be expelled, even though it is produced by the body and necessary for the body's operations. It is the jarring juxtaposition, the cry for a new way, not just charity or help or pity. What will the answer to this cry be?

I am not South African, I am not black. I do not come from a past of exclusion based on my race, gender, sexual orientation, culture or language. I am a white male middle-aged Canadian/American. I am even right-handed. So, it is not for me to say what the virtuality is or should be. But I can witness. I can say that this need not be a zero-sum game, but instead the opportunity to reframe the university as a creative space. Every discipline must ask what this means for them; so does every person.

#### **F. Monkey Wrenches into the Freedom Machine**

In its ideal state, the university should be a freedom machine. By this I mean that it should be a space where the interaction of concepts and experiences creates virtualities, which creates new concepts adequate to a new set of circumstances on a continual or at least regular

basis. But as we all know, that ideal is often not realized. Why not? We have not cycled back to academic toleration, but instead are focusing on the ways in which the chances of a virtuality forming are drowned out.

One feature is that of the managerial or bureaucratic university structure. When something good happens, when new concepts come into being and change peoples' lives and produce new ways of being in the world, our tendency is to try to replicate that success. Bureaucracies, as Max Weber eloquently described, are modern mechanisms for doing just that. They resist older forms of social organization based on nepotism, they create efficiencies, they coordinate action at a sophisticated level, they provide stabilization over time in the midst of changing political structures. But the impulse to harness and replicate past successes leads us to overturn the conditions for those successes. It is a little like Nietzsche's critique of St. Paul's version of Christianity –Paul took the joyous affirmation of life represented by Jesus, and codified it, turned it into theology, and in doing so negated it. The *jouissance* was lost.

In the university, as with any large bureaucratic structure, positive action tends to be incentivized. "Positive", in this case, means putting something in place that was not there before: a procedure, a rule, a form, a new office. No administrator is rewarded for doing nothing, even when doing nothing is the best option. So, all these positive actions are all done with the best intentions, and are done to maximize the space that faculty and students have to operate, and yet they can have the opposite effect. The proliferation of structure is both the necessary prerequisite for and the opponent of the virtuality. It incentivizes productivity at the expense of creativity. This is to the administrators here: is there a way of clearing space, rather than filling it up? Is there a way of making space for virtualities to happen, rather than simply looking for predictable products? You have a part in this, you are at this table too.

A second way that virtualities are undermined and subverted can be seen in the transformation of the university into a corporatized space. This manifests itself in many ways – the increase of casual labor, the increase of “metrics” that lead to the same kind of short-term thinking and control structures we see in business, the increasing distance between administrations and both academic staff and students. The harm to educating the whole student is well understood, if widely ignored, but I want to bring out another aspect of this – the ways in which this rationalization tends to diminish the spaces in which virtualities might appear. Creativity is closely circumscribed and, ideally, programmed; difference is celebrated but tamed, and as such negated. It becomes difference within an acceptable range, by the right people, using the right words, wearing the right clothes, and as such it is no longer difference at all. The students and professors who succeed are the team players, the ones who fit into the corporate/university culture, and if some of them are brown or black, all the better. This is no longer the sort of diversity that will lead to virtualities, but the kind that will contribute to the corporate brand.

A third phenomenon that subverts the kind of freedom I’ve talked about here can be seen in an essay by the cultural critic and journalist Vivian Gornick called “At the University, Little Murders of the Soul.” She describes the affective experience of the university, the habitus that emerges over time. She writes poignantly of the ways in which academics make each other less free, quite apart from external bureaucratic, legislative, or social pressures. She uses a series of short stays as a visiting writer at a number of universities to examine the ways in which academics compete, close each other off, fail to hear each other, undermine each other. Her essay is a master class in the subversion of virtualities, in the ways in which the *jouissance* of exploration can be undermined from within rather than without. She describes an academic



world without freedom, because nothing is worth writing about anymore, and no one around really cares. What is the point of having academic freedom when the affect and interaction of everyone around reinforces the lived reality that there's nothing worth doing, not really, not for any reason higher than a promotion? I have seen academics around the world living like this.

A fourth reason we find that the university does not live up to its potential as a freedom machine comes much closer to what I've called academic toleration. It is that we mistake creativity for destruction. At its best, the university exists in a kind of tension, between unity and diversity, between the universal and the particular. It is a tension that Kierkegaard described very well, in reference to human existence itself, and which Oosthuizen also understood.

Our tendency is to try to resolve that tension. Tension, after all, produces anxiety. We are faced with the tension that comes from holding particularity and diversity in one hand (what William James called the "blooming buzzing confusion" of the world) and some version of universality in the other. And so, in the university, we have built disciplines and programs that define and refine our objects of study, that set up approved methods, authorize gatekeepers, produce incentives, and generally uphold standards. In short, we build disciplinary "homes." We think of those homes the way heads of households think of their homes – they are our castles, they are our own safe spaces. We solve the problem of anxiety by resolving the tension in favor of one side – the side of the universal. We imagine that we have harnessed the world under a few clear categories. We say that we have academic freedom in this model, when what we really have is a set of subtle and not-so-subtle influences toward conformity. What we have actually done is to miss the creative potential in the blooming buzzing confusion.

## **G. Final Thoughts**

The concept we usually call academic freedom has been activated as academic toleration; to consider true freedom we need to consider virtualities, that is, the moments in which our frameworks for the world change and new possibilities become apparent; these virtualities have their own ways of being deferred, derailed or thwarted. None of this means that we should not continue to take traditional academic freedom seriously, and watch for external threats. And, the imperative of equity and representation of South African society must be followed to its end, for without that, these virtualities will not come to pass. But I continue to be haunted by the question – once we have secured the conditions for the possibility of freedom for all, once the threats to free inquiry have been resisted and all the voices that ought to be part of the conversation are there at every level and in every department, what does it mean to be free in the university? If we start with that question, rather than seeing freedom as just a residual act of the liberal self, I think we have a different and more productive conversation. I hope I have started a conversation about that here today.

## **References**

Kwadwo Appiagyei-Atua, “Time for an African Charter on Academic Freedom,” University

World News July 18 2015.

<http://www.universityworldnews.com/article.php?story=20150717165536327> Accessed

August 7, 2015.

Enrique Dussel, “Deconstruction of the Concept of ‘Tolerance’: From Intolerance to Solidarity.”

*Constellations* 11:3 (2004): 326-333.

- Miranda Fricker, *Epistemic Injustice: Power and the Ethics of Knowing*. Oxford University Press, 2007.
- Vivian Gornick, "At the University, Little Murders of the Soul" in *Approaching Eye Level*. Boston: Beacon Press, 1996.
- John Higgins, *Academic Freedom in a Democratic South Africa: Essays and Interviews on Higher Education and the Humanities*. Johannesburg: Wits University Press, 2013; Lewisburg PA: Bucknell University Press, 2014.
- Sandra Korn, "The Doctrine of Academic Freedom," in *The Harvard Crimson* February 18, 2014. <http://www.thecrimson.com/column/the-red-line/article/2014/2/18/academic-freedom-justice/?page=single> Accessed August 7, 2015.
- Kenan Malik, "Free Speech in an Age of Identity Politics" TB Davie Memorial Lecture, UCT, August 13, 2015. <https://kenanmalik.wordpress.com/2015/08/13/free-speech-in-an-age-of-identity-politics/> Accessed August 31, 2015.
- Pedro Tabensky, "Against the Discourse of Academic Freedom" in *Academic Freedom - Kagisano No. 8* (March 2013). South African Council on Higher Education (CHE): 76-87.
- Andre du Toit, "The Legacy of Daantjie Oosthuizen: Revisiting the Liberal Defence of Academic Freedom" in *African Sociological Review* 9:1 (2005): 40-61.