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“The military academy and the right to academic freedom for officer/naval cadets”

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Canada has two military academies: the Royal Military College of Canada (RMC), located in the province of Ontario and the Royal Military College Saint-Jean (RMC Saint-Jean), located in the province of Quebec. In accordance with Canada’s constitutional order, these two federal institutions are authorized to offer university studies and to deliver degrees to officer/naval cadets under the laws of the province where they are located. Thus, RMC Saint-Jean holds a university charter granted by the *Assemblée nationale* of Quebec. Recently, the Government of Quebec passed a law requiring all universities under its jurisdiction to adopt a policy of academic freedom¹. RMC Saint-Jean has recently adopted such a policy accordingly. This law was adopted to regulate the right to free and open debate within the university after a series of scandals resulting from political pressure, and cases of censorship exercised by militant groups of different political inclinations². This debate is not unique to Canada, as most universities in the West are now facing similar issues³. The Academic Freedom Index shows that academic freedom is on the decline in many parts of the world⁴. To deal with this issue, the European Parliament launched last November the initiative “Forum for Academic Freedom”, to protect the right to free speech and free thinking in universities⁵.

In this paper I would like to reflect on the implications of such a policy for a military academy. The situation here is unique, as two distinct cultures are in tension, on the one hand that of freedom of expression, which belongs to the civilian university tradition, and on the other that of obedience, specific to the military culture. To what extent does the military status of officer/naval cadets limit their right to academic freedom? Within the military academy, where does this freedom begin and end for officer/naval cadets, who remain subject to the respect of military authority? How is academic freedom compatible with the development of critical thinking for future officers? What types of threats exist to academic freedom in military academies?

¹ *Loi sur la liberté académique dans le milieu universitaire* (Act respecting academic freedom in the university sector), 6 May 2022.

² Denis Hurtubise, “Liberté académique : pas assez et trop, en même temps”.

³ Judith Butler, “Academic Freedom and the Critical Task of the University”; M. Seckelmann, L. Violoni, C. Fraenkel-Haeberle & G. Ragonde (eds.), *Academic Freedom Under Pressure? A Comparative Perspective*; D. Kaye, “Report of the Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression”.

⁴ Academic Freedom Index. Update 2023: https://academic-freedom-index.net/research/Academic_Freedom_Index_Update.pdf (document consulted on 9 May 2023).

⁵ European Parliament official website: <https://www.europarl.europa.eu/stoa/en/ep-academic-freedom> (page consulted on 15 May 2023).

In this paper, I propose to provide a quick overview to understand the specific context of RMC Saint-Jean. Then, for the main part of my paper, I wish to reflect on more general terms, on this policy and what it implies, so that this reflection can be useful to other military academies.

Initial Bibliography:

- Academic Freedom Index. Update 2023: https://academic-freedom-index.net/research/Academic_Freedom_Index_Update.pdf
- Assemblée nationale du Québec, *Loi sur la liberté académique dans le milieu universitaire* (Act respecting academic freedom in the university sector), 6 April 2022: <https://www.legisquebec.gouv.qc.ca/en/document/cs/L-1.2> (page consulted on 9 May 2023).
- Baranger, Denis. “L’Université et le problème de la liberté”, *Commentaire*, vol. 180, no. 4, 2022, pp. 931-933.
- Butler, Judith, “Academic Freedom and the Critical Task of the University”, *Globalizations*, vol. 14, no. 6, 2018, pp. 857-861.
- European Parliament official website: <https://www.europarl.europa.eu/stoa/en/ep-academic-freedom>
- Frangville, Vanessa, Aude Merlin, Jihane Sfeir & Pierre-Étienne Vandamme (eds.), *La liberté académique. Enjeux et menaces*, Bruxelles, Éditions de l’Université de Bruxelles, 2021.
- Garcia, L.M.C., “Academic Freedom in Faculty and Student Research – Balancing Freedom and Discipline: Academic Freedom within Military Academies”, in Sengupta, E. & Blessinger, P. (eds.), *Faculty and Student Research in Practicing Academic Freedom*, Emerald Publishing Limited, Bingley, 2020, pp. 103-120.
- Hurtubise, Denis, “Liberté académique : pas assez et trop, en même temps”, *Options politiques*, 20 avril 2022.
- Kaye, D., *Report of the Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression*, United Nations, A/75/261, 28 July 2020.
- McKechnie, Douglas B. & Eric Merriam, “Academic Freedom in the Guarded Institution”, *First Amendment Law Review*, vol. 14, no. 2, May 2018, pp. 313-341.
- Niday, Jackson A. II & Kathleen Harrington, “Can Academic Freedom Work in Military Academies?”, *Academe*, vol. 93, no. 4, July-August 2007, pp. 26-29.
- Seckelmann, M., L. Violoni, C. Fraenkel-Haeberle & G. Ragonde (eds.), *Academic Freedom Under Pressure? A Comparative Perspective*, Springer, 2021.
- Stachowiak-Kudła, M., S. Westa, C. Santos Botelho & Ildikó Bartha, “Academic Freedom as a Defensive Right”, *The Hague Journal on the Rule of Law*, vol. 15, 2023, pp. 161-190.
- Vrielink, J., Lemmens, K., Lemmens, P., & Parmentier, S., *Challenges to academic freedom as a fundamental right*, League of European Research Universities, Advice Paper, no. 31, April 2023.