

# white | free speech

*The Fraser Event and its  
Enlightenment Legacies*

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On 6 July 2005, Andrew Fraser, an associate professor in the Department of Public Law at Macquarie University, published a letter in the *Parramatta Sun* (a western Sydney newspaper), expressing his anti-refugee and anti-immigration views. His letter indicated that migration and intake of refugees from Third World countries would result in ‘ordinary Australians’ being ‘pushed down the path to national suicide by their own political, religious elites’.<sup>1</sup> In other words, ‘ordinary’ white Australians could be in danger of annihilation if Australia were to continue its intake of non-white refugees and non-white migrants. His letter was published alongside an article about a Sudanese family who had recently become Australian citizens.

The letter and its publication sparked a range of heated debates within Australian academia and the Australian media. Many academics denounced Fraser’s statements while at the same time standing by his right to free speech and academic freedom. In response to the publication of Fraser’s letter, Macquarie University three times expressed a commitment both to free speech and to anti-racism. In each of the statements, the point was made that Macquarie University was committed to free speech yet declared ‘racism abhorrent’, although in the last official university statement the free speech argument was displaced into private citizen space.<sup>2</sup> Thus the university authorities attempted to support the discourse of free speech and academic freedom at the same time as subjecting Fraser’s comments to the university’s anti-racist resolution—passed in 1998 during the Hansonite years. In a university-wide email, which was also made publicly available as a statement to the press, then vice-chancellor Di Yerbury quoted this council resolution, which states:

the Council of Macquarie University believes that the diverse, multicultural backgrounds of the University community greatly enhance the educational experience. It regards the

University as a safe place in which people can grow and develop intellectually, socially, physically, morally, culturally, spiritually without any fear that they will be overtly or covertly denigrated, vilified, discriminated against or in any other way threatened because of their race, or for any other reason.<sup>3</sup>

The public statements of Macquarie University and the ongoing media attention given to Fraser prompted a range of responses within the university. A university centre concerned with issues of racism organised a forum to engage with Fraser's comments. Academics and other university authorities published responses to Fraser's comments, speaking from specific institutional locations on varied aspects of them. These responses included a range of articles on the subject of racial vilification, academic freedom and freedom of speech. I cannot here engage with all aspects of the Fraser event. What I do engage with, however, is the dominant framing of the event, especially in the media, as a debate between free speech and/or academic freedom on one hand and, on the other, an anti-free speech position, emerging from concerns about racial vilification, which leads to academic un-freedom. This binary opposition, I propose, is untenable when examined in the light of Enlightenment assumptions regarding free speech and academic freedom. These assumptions, I argue, are racialised. Because of this, it is necessary to deconstruct and politicise notions of academic freedom and free speech rather than considering them absolute, disembodied and neutral. Through such a deconstruction and politicisation, I demonstrate that Fraser's race-based comments and the argument for free speech and academic freedom colluded discursively to reproduce a white hegemony. An examination of the Fraser event through the lens of whiteness theory makes visible the racialised ways in which disembodied discourses of freedom of speech/academic freedom and white hegemony collude to consolidate institutional white race privilege that excludes and further disempowers those groups that are targeted by racial vilification. This consolidation of whiteness cannot, in a post 9/11 context, be perceived simply as an academic event. Its effects are felt outside the borders of academia: the Fraser event for example, enabled the racial targeting of African communities in Australia. In such a context, the practice of institutional white race privilege raises questions about the need for responsible, ethical and embodied institutional relationships based on an acknowledgement of the practice of whiteness in racialised power relations.

#### — POLITICISING FREE SPEECH AND ACADEMIC FREEDOM

Let me begin by tracing the assumptions behind free speech and academic freedom. In a deconstruction of the notion of free speech as it was argued for by the sixteenth-century Puritan poet and writer John Milton, Stanley Fish discusses how arguments for freedom of speech depend on 'an exception that literally carves out the space in which expression can then emerge'.<sup>4</sup> An emergence of expression, Fish argues, is not accompanied by restrictions,

rather it depends on exceptions. In Milton's case, an exposition of the virtues of tolerating diverse speech was simultaneously directed by his vehemence against the speech of Catholicism, which could not be tolerated: 'popery, and open superstition, which as it extirpates all religious and civil supremacies, so itself should extirpate' (103). Fish comments that for Milton this exception does not undermine his advocacy of the tolerance of speech; rather, 'the principle (of free speech) inheres in the core values in whose name individuals of like mind came together in the first place' (103). In such a context, the tolerance of a diversity of views would at some point need to be revisited especially when 'capaciousness will threaten to become shapelessness, and at that point fidelity to the original values will demand acts of extirpation' (103). Fish uses this example, cited in Milton's *Areopagitica*, to formulate the thesis that 'freedom has never been general and has always been understood against the background or an originary exclusion that gives it meaning' (104).

The exclusions which enable the emergence of free speech haunt it. These are the exclusions that Fish suggests inform the contradictory manner in which freedom of speech is often used. It may be used by right-wing groups to justify hate speech against targeted groups. However, the same groups might rail against speech produced by those in opposition to their agendas. Government leaders like former prime minister John Howard have supported Pauline Hanson's anti-multiculturalist, anti-Indigenous rights speeches (which may be considered hate speeches) while denouncing 'anti-Western' speeches by radical Islamic priests (which are identified as hate speeches). Identifying these contradictory uses, Fish suggests that the alternative to what he calls 'First Amendment pieties' in the United States context is, in fact, politics (110). Or, in other words, in a conflict about freedom of speech, 'the result is not a victory for free speech in the face of a challenge from politics but a political victory won by the party that has managed to wrap its agenda in the mantle of free speech' (110). In this way, freedom of speech and its limits are continually rewritten according to political agendas.

Judith Butler raises the stakes in the debate over free speech by identifying the contradictory uses of free speech in legal terms. Tracing the problem of injurious speech acts by way of discussing the subject, language, speech acts and performativity, she comes to a slightly different understanding of the direction that needs to be taken for a progressive politics of speech. Referring to the uneven application of the law with regard to hate speech, Butler argues that 'the law that decides the question of hate speech tends to be applied inconsistently in order to further reactionary political aims'.<sup>5</sup> Hence, she argues for a politics of resignification regarding injurious language rather than a recourse to law, which, she suggests, can perform violence in the process of judgement. She asks the question, 'Is the violence perpetrated by the courts unwittingly backgrounded in favor of a politics that presumes the fairness and efficacy of courts in adjudicating matters of hate speech?'<sup>6</sup> Butler's implication

here is that the law may not be a recourse. Furthermore, recourse to the law may not be effective since the law can only 'isolate the speaker' as the originator of hate speech, rather than identify the discursive power as well as the citational and repetitive possibilities of hate speech. Her answer lies in exploring the interplay between language, subjectivity and performativity. She suggests that misappropriation of language or its resignification 'constitutes a strategy that resists the solution of state-sponsored censorship, on the one hand, and the return to an impossible notion of the sovereign freedom of the individual, on the other'.<sup>7</sup>

Both Fish and Butler politicise the notion of free speech through their deconstructive readings of speech and language. Fish deconstructs the notion of free speech itself, identifying it as based on an exclusion, while Butler deconstructs speech acts through the interplay between language, performativity and subjectivity. However, while Butler cautions against recourse to law and depends on the 'ambivalent structure at the heart of performativity' where 'the very terms of resistance and insurgency are spawned in part by the powers they oppose', Fish prefers risking the regulation of speech based on context.<sup>8</sup>

Free speech and academic freedom are not, of course, the same thing. During the Fraser event, a few articles in *The Australian*, Australia's national newspaper, attempted to clarify the difference between freedom of speech and academic freedom. Academic freedom, Simon Rice suggests, 'is not merely a manifestation of free speech. It recognises the role that academic inquiry plays in asking and answering questions, and reaching a collective understanding of ourselves and our world'.<sup>9</sup> Furthermore, 'it is characterised by an honest engagement with competing data and opinions' (28). In other words, Rice suggests that academic freedom may be exempt from racial vilification laws, but that this exemption should be based on judgements from the law and by other academics. Rice made his comments in the context of Deakin University's decision to revoke Fraser's article from its journal, the *Deakin Law Review*. His argument suggested that university intervention in the publication of the article, made out of fear of a law suit based on racial vilification, had produced a situation of academic un-freedom. He argued that publication of Fraser's piece was required so the courts could decide whether it should be judged as racial vilification. Alternatively, he suggested, publication of the article could foster academic debate through which Fraser's views could be refuted. Rice's argument assumes a legal and rational public sphere, where Fraser could be challenged either by other academics or by racial vilification laws if his argument was found not to have adhered to academic standards.

However, Fish argues that academic freedom, specifically, strips 'particular speech acts of the properties conferred on them by contexts' (109). Academic scholarship cannot be divorced from its political context as Edward Said so lucidly demonstrated in tracing the connections between academic scholarship and colonialism.<sup>10</sup> Fish argues that in the context of academic freedom and racial vilification, protection stripped of responsibility trivialises 'speech-related

injuries' inflicted by academic scholarship (109). 'Speech-related injuries', Fish comments, are kept out of sight in liberal arguments for academic freedom in order to maintain 'the fiction of a world of weightless verbal exchange' (109). Fish asserts the view that academic freedom denies the 'present effects of racist speech' and confines it 'to a closed and safe realm of mental activity' (110). And, in looking toward a future of competing ideas, proponents of academic freedom see 'the effects of speech spilling over into the world but only in an ever-receding future for whose sake we must forever defer taking action' (110).

In his deconstruction of both free speech and academic freedom arguments, Fish posits as a possibility the notion of a case-by-case judgement of 'what is at stake and what are the risks and gains of alternative courses of action' (111). Such an approach, Fish points out, is very much a risk. But he forcefully argues that 'the risk of not attending to hate speech is greater than the risk that by regulating it (speech) we will deprive ourselves of valuable voices and insights or slide down the slippery slope toward tyranny' (115). Indeed, from the perspective of those who were racially vilified, Fraser's pronouncements were verbally, emotionally and physically injurious. Members of the African Council who spoke at the Macquarie University forum outlined their communities' injuries in these very terms. For these members, recourse to law was represented as a necessity because physical injury to members of their communities had already resulted from Fraser's public comments. In this context, I would argue that while Butler's insight about the performative and resignifying power of language remains valuable, the physical and emotional injury suffered by members of African communities in Australia necessitated the attempt by the Sudanese Darfurian Union to regulate the race-based comments made by Fraser.<sup>11</sup> And for them, as for others who argued against academic freedom in the Fraser event, the difference between academic freedom and free speech was not necessarily a difference, even while they do not mean the same thing. In fact, the licensing of academic freedom in such a case was more insidious precisely because it lent credibility to white supremacism.

#### — WHITE SUPREMACISM: ENLIGHTENMENT LEGACIES

The deconstruction of free speech and academic freedom reveals another interesting aspect. The Enlightenment will-to-knowledge assumptions found in free speech and academic freedom discourses can also be traced in discourses of white supremacism. And it is worthwhile tracing the assumptions which link these discourses. In one of my lectures at Macquarie University, I addressed the twin legacy of European Enlightenment as critique and colonialism. What became evident about the Fraser event was that its discursive parameters drew on the legacies of rationalism—the spirit of academic inquiry or the will-to-knowledge, as well as the will-to-colonial power through the circulation of white supremacist ideology precisely through the will-to-knowledge about racialised Others.

Fraser's white supremacism probably appears obvious to most of us, but I would like to comment on it in the spirit of reminding ourselves of its Enlightenment heritage. In the edited extract of his paper, 'Rethinking White Australia', Fraser cites Charles Murray as saying, 'Western elites are living a lie, basing the future of their societies on the assumption that all groups of people are equal in all respects'.<sup>12</sup> His first letter to the editor of the *Parramatta Sun* argued that Africans were prone to violence, and that Asians (if immigration went unchecked) were going to colonise Australia. White supremacism here manifests itself in the discourse that a group of people considered white are racially superior, are at the forefront of civilisation and need to be protected from contamination by those considered non-white. This white supremacist argument is not, of course, new. It is an argument that has been the very basis of the identity of the West for centuries.

As Emmanuel Eze argues, the Enlightenment's declaration of itself as the 'Age of Reason' was predicated upon the assumption that reason could historically come to maturity only in Europe, while non-Europeans were described and theorised as either rationally inferior or lacking in rationality.<sup>13</sup> Rationality itself was defined and differentiated against the irrationality of European women and non-European peoples. The idea of civilisation was sketched out against a range of Indigenous people who were perceived to have no self-governance and no civilisation.<sup>14</sup> The freedom of civilised Europe, therefore, was constructed against the un-freedom of its Others. These places which were sometimes described as savage or barbarous were seen as places that needed to be civilised by Europe, thus justifying European colonialism.

In fact, Kant—the very figure who is celebrated for his description of the Enlightenment (in *Was ist Aufklärung*, 1784)—wrote a number of studies based on biological racism. In them he makes the racial link between skin colour and intelligence, and declares people from Africa to be stupid: 'This fellow was quite black . . . a clear proof that what he said was stupid' (qtd in Eze, 4). In the passage 'On National Characteristics', he writes, 'the Negroes of Africa have by nature no feeling that arises above the trifling . . . So fundamental is the difference between these two races of man (whites and blacks), and it appears to be as great in regard to mental capacities as in color' (qtd in Eze, 55). And, as Eze records it, Kant didn't just write essays: he also taught at the University of Königsburg where he offered seventy-two courses in anthropology and geography as opposed to only forty-nine in metaphysics (which might have been his research concentration).

Kant's words reveal that the epistemological and ontological basis of Enlightenment philosophy was very much grounded in the constitution and validation of white supremacism through the differentiation of Europeans from racialised Others. And, in this hierarchy of racialised Others, 'Africans and Indigenous peoples' were placed on the lowest rungs of the ladder. Hence, Fraser's attack on Africans through the suggestion they have a low IQ was

a repackaging of Enlightenment ideas within the science of genetics. Questioning how ‘race’ can be used as a unit of analysis in genetics—which denies the historical and political constructions of race—is perhaps material for another paper. But Fraser’s knowledge claim to a scientific truth about race is very much a legacy of the Enlightenment. When members of the African Council argued against Fraser’s thesis at the anti-racist forum at Macquarie, he waved his books in front of their faces as a validating gesture that his white-supremacist views were supported by current scientific research and knowledge about racial difference. He performed an Enlightenment moment: the assertion of a white supremacist racial order based on so-called rational, scientific research.

What is distinctive about Fraser’s comments, therefore, is not their originality. In fact, even the resurgence of Fraser’s biological white supremacism is not particularly surprising, horrendous as it was in the political climate of anti-immigration and anti-refugee sentiment during John Howard’s regime. As Schech and Haggis point out, within studies of race in the United States, United Kingdom and Australia, essentialist biological and cultural racisms, liberal discourses of essential sameness and discourses of cultural differences co-exist and are evident ‘in everyday thinking and talking about race’.<sup>15</sup> Beyond the co-existence of such discourses, however, it is important to note that during the Howard years biologically racist views like Fraser’s were enabled precisely by governmental and media discussions of culturally racist views. Events like the *Tampa* case and the ‘children overboard’ incident, both of which occurred in Australia in 2001, were justified by government appeals to cultural racism. The ‘we do not want people like these to enter our country’ discourse, for instance, was used by government leaders in Australia to turn away over four hundred refugees who had been picked up by the Norwegian vessel, *MV Tampa*. Government leaders were also able to circulate the lie that refugees on a sinking boat were throwing their children overboard as part of a blackmail effort to enter Australia. In such a climate, Fraser’s biological racism, while not distinctive or new, participated in a larger assault on racial and cultural difference.

My interest in tracing Fraser’s Enlightenment heritage (apart from noting that climate of overt cultural and biological racism) has to do with its claims of furthering knowledge within the science of genetics, and how these claims intersect with the discursive trajectory of academic freedom and free speech—even as many advocates of free speech and/or academic freedom claimed to find Fraser’s views abhorrent. I have already argued, citing Fish’s work, that the notion of academic freedom needs to be politicised. However, I want to trace an example of how academic freedom is justified, even as it operates in a politicised context. Rice, for instance, claims that ‘when academics are allowed to engage in what would—but for academic freedom—be racial vilification, they are given special licence, and it will be up to them to justify their views with reference to academic standards’.<sup>16</sup> Presumably these academic standards play a disciplining role in ensuring the production of rational consensus-

based academic knowledge. And, this knowledge reaches ‘a collective understanding of ourselves and our world’.<sup>17</sup> The liberal discourse of essential sameness is apparent in Rice’s argument by the use of the term ‘our’. But when this assumption of sameness and disembodied academic inquiry, perceived as universal (especially as it provides ‘our understanding of ourselves and our world’), enters the realm of racial vilification, Rice suggests that it is the business of academics and by extension universities to promote academic inquiry and to further knowledge even if such knowledge leads to racial vilification. There are checks and balances, Rice suggests, which can decide if academic inquiry is racial vilification. Academic standards apparently provide a check, while the courts may, after publication of racist articles, decide if an academic article is racially discriminatory.

It is interesting to note in relation to academic checks that Richard J. Herrnstein and Charles Murray’s study linking race and intelligence in the United States, *The Bell Curve*,<sup>18</sup> was deemed racially vilifying by the American Psychological Association (APA). However, the APA never fully refuted the study. While it was discredited by a few academics, including Stephen Jay Gould who published a revised edition of *The Mismeasure of Man*<sup>19</sup> in response to *The Bell Curve*, the on-going power of the study can be seen in the extent to which it can be used by academics promoting white supremacist discourse—such as Fraser’s attempt to reboot an official White Australia policy. Fraser’s use of Herrnstein and Murray’s work shows how the study continues to be a resource for white supremacist discourses and arguments, and proves Fish’s point that the promise of deferred action for the sake of the present good of academic freedom is, in fact, irresponsible.

To deal with the scandal of Fraser as a Macquarie University academic, the university used a rather different anti-racist strategy. Initially, university authorities defended Fraser’s right to speak while distancing itself from his views. Later, Di Yerbury modified this freedom of speech stance, stating that Fraser could speak these views as a private citizen if he did not name his institutional affiliation. While the vice-chancellor was anti-racist in her attempt to deal with what was a fairly complex and difficult issue, the effect of defending freedom of speech in a private citizen was to displace white supremacy from the public sphere of the university to the private sphere of the individual. In other words, the university attempted to simultaneously denounce racism, uphold the notion of free speech and distance the university from its association with Fraser. The university then attempted to buy out Fraser’s remaining contract in order to protect the ‘rights of the students’. When it was unable to buy out the contract, the university represented Fraser as a security threat and prevented him from teaching his courses that semester. Yet, despite these actions, any judgement on white supremacy was displaced on to the personal sphere. For instance, in her capacity as the vice-chancellor, Yerbury ‘personally embraced’ (her phrase) the liberal view that people should be judged ‘not by the colour of their skin but by the content of their character’.<sup>20</sup>

To her credit, she apologised to the African community at a meeting at Parramatta on 30 July 2005.<sup>21</sup>

Reading whiteness in this context, however, reveals the consolidation of whiteness in both these anti-racist strategies. Both the academic freedom and free speech arguments, whether in an institutional or private capacity, I would argue, were based on at least three disavowals of racial location even as they attempted to be anti-racist. The first disavowal concerns 'whiteness as an epistemological and ontological a priori'.<sup>22</sup> Whiteness, in this context, needs to be read as 'not just about bodies and colour', but also about 'the discursive practices that, because of colonialism and neocolonialism, privilege and sustain global dominance of white imperial subjects' (qtd in Moreton-Robinson, 78). As Moreton-Robinson explains it, 'whiteness as an epistemological a priori provides for a way of knowing and being that is predicated on superiority, which becomes normalized and forms part of one's taken for granted knowledge' (76). In the context of the constitution of knowledge about Indigenous peoples, Irene Watson posits that this knowledge is never thought of 'as being racialised' (qtd in Moreton-Robinson, 75). In this sense, 'whiteness establishes the limits of what can be known about the other through itself, disappearing beyond or behind the limits of this knowledge it creates in the other's name' (75).

This description of whiteness as an epistemological and ontological a priori is astute, when the legacy of the Enlightenment's white ways of knowing and being continues to inform contemporary, so-called rational academic inquiry, especially in terms of matters of race. In fact, the very subject of Fraser's commentary—the intelligence of other races or the threat of dominance from other races—has been based on the limit of white ways of knowing about others. Research focusing on scientific bases of racial difference has never been innocent or disembodied. Hence, the judgements about Africans or Asians (apart from the fact that these categories are constituted within a history of racialised categorising consolidating the identity of whiteness) are never simply about difference. They are hierarchical categorisations based on the assertion of whiteness as a norm. Rice's invocation of academic freedom and the university's support of private free speech disavow the historical trajectory of whiteness as an epistemological and ontological a priori, which constitutes, at the very least, Fraser's commentary on the subject of racial difference.

Beyond the subject of racial difference, however, contemporary academic inquiry itself presumes whiteness as an epistemological and ontological a priori, as does the ordering of knowledge. The status of what can be considered knowledge and inquiry from an Indigenous and postcolonial perspective<sup>23</sup> has been appropriated by 'Western knowledge' globally. Western knowledge, of course, is racially constructed as much as it is geographically constructed. And to claim that institutional advancement of knowledge could be free from its racial and/or cultural assumptions is, I would argue, a white disavowal.

Further, the assumption that academic inquiry is rational, advances inquiry and is open to refutation presumes the academic is a disembodied subject. And the notion of a disembodied academic inquiry draws its strength from the legacy of the Enlightenment, the dominant epistemological position of which, as Moreton-Robinson points out, is the 'white Cartesian male subject' (76). This particular disavowal played itself out in the Fraser event quite clearly. The debate, especially in the media, focused on whether or not Fraser's academic inquiry was being silenced by multiculturalism, political correctness and the university's policy of anti-racism. While Africans and Asians were being talked about, their views were not sought by the mainstream media. Some members of the African Council present at the Macquarie University anti-racist forum were given two minutes each at the end of the forum to speak. It was important to hear members of the African Council speak precisely because their embodied knowledge had not been represented within mainstream media in any significant manner, let alone represented as contributing to knowledge about racism. Instead, a disembodied academic freedom discourse presumed that the embodied white figure of Fraser and his comments had to be protected for the sake of knowledge. Fraser's embodiment as a white academic presenting his white supremacist views was not commented on. And the amount of press attention given to his knowledge production was made at the expense of speaking/knowledge-producing positions from members of different African and Asian communities. This claim regarding embodiment does not return us to the performativity of the sovereign subject, but enables us to acknowledge that embodiment matters in the context of speech.

In this context, it is important to note the agency in the ways the African community dealt with the Fraser event, even as this agency was largely ignored by the mainstream media. *The African* (an African community newspaper in Australia) reported and discussed the Fraser event. Also, Fraser was invited to Radio Skid Row's African program on 88.9 FM and was challenged by program presenter Kwame Koramoah about the supposedly low IQ scores of Africans. Fraser was apparently unable to back his statements with any evidence.<sup>24</sup> The more significant point to note here is that the disavowal of embodied knowledge production, especially on the subject of racial difference, simply worked within the racist/anti-racist binary. Those who defended Fraser's right to freedom of speech and/or academic freedom often inserted themselves into the anti-racist side of the binary. This binary, as Jane Haggis points out, is a 'cosy' one in that it 'allows race privilege to be elided by those who are able to read themselves into the anti-racist side of the couplet', leaving intact white institutional hegemony at the expense of speaking or knowledge-producing positions for members of different African and Asian communities.<sup>25</sup>

Speaking of speaking and knowledge-producing positions, another white disavowal that consolidated white hegemony in the Fraser event was the non-placement of the event in the

context of Indigenous sovereignty and the illegal white occupation of this land. I use the term Indigenous sovereignty with reference to Fiona Nicoll's comment that 'formal disempowerment of Indigenous sovereignty does not necessarily make it practically or entirely disabled'.<sup>26</sup> She suggests that Indigenous sovereignty might be thought of as agency, not to be conflated with 'the agency that is white individualism' (21), but as a collective political claim of the ownership of this land. As a migrant to Australia from Canada, Fraser proclaimed that he had come here because he thought it was a white country. None of the articles and media coverage of the issue appeared to challenge this notion. The debate focused on Fraser's non-white anti-immigration and anti-refugee views, signalling the entrenchment of discourses of white Australia. In this context, it is important to recognise Fraser's own reference to transnational kinships of whiteness or white diasporas, as I and my co-author have termed it in another paper.<sup>27</sup> White diasporas, we argued, make visible constructed transnational kinships of whiteness and the continual remaking of a national-local order in times of crisis. The concept of white diasporas highlights these transnational references, but also unsettles the white settler ownership of Indigenous countries in Australia. Fraser's comments, of course, were meant to entrench the notion of white settlement in Australia while referring to transnational kinships of whiteness. For instance, he decried non-white migration not only to Australia; he also attacked a 'transnational system' based on the 'official fiction' that 'race is only skin deep', stating that non-white migration 'threatens the European civilization as a whole'.<sup>28</sup> The exclusion of references to the ongoing issue of Indigenous sovereignty, therefore, consolidate a white hegemony and entrench the notion of white ownership of the Australian nation-state.

In this context, Macquarie University's displacement of the notion of free speech to Fraser's ability to speak these views as a private citizen appeared to atomise whiteness into invisibility through the individualisation of white subjects, rather than acknowledging, as Fiona Nicoll suggests, 'the collective white sovereignty' which remained unmarked (21). As Ross Chambers explains, 'the category of the individual is the key to white hegemony . . . whiteness's indivisibility . . . can be maintained only through the function of an invisibility that depends on atomizing whiteness . . . distributing it among individual historical agents whose common whiteness thus is unperceived and escapes examination' (qtd in Nicoll, 21). Or, as Fiona Nicoll points out, 'individualist discourse ironically ensures that individual investments in the collective sovereignty of white people remain invisible' (21).

#### — WHITE SPEECH AND RESPONSIBILITY

The implications of these white disavowals are clear. Claims to disembodied knowledge production, free speech and academic freedom grounded in a white epistemological and ontological a priori, structurally reproduce white hegemony. Perhaps the only manner in

which such hegemony can be challenged by white and non-white subjects is to take into account the notion of an ethics grounded in responsibility to racialised others. Joseph Pugliese was one of the speakers who articulated this view at the anti-racist forum at Macquarie University. Rather than simply refuting Fraser's claim to knowledge on the grounds of advancing a disembodied knowledge-production, Pugliese asserted the view that 'free speech was illusory' precisely because of the asymmetrical power relations that constituted who could speak and be heard or whose words and authority carried weight in the media.<sup>29</sup> A letter written by Pugliese and Suvendrini Perera, and for which Pugliese, Perera, Kalpana Ram, Amanda Wise and I organised signatures, challenged the abstract use of the phrase 'free speech'. The letter pointed out that it was 'dishonest to suggest that free speech is equally available to all', and that 'free speech is not a matter for the individual alone'.<sup>30</sup> This particular letter grounded itself in an ethics based on responsibility to others who were racially vilified, and attempted, in this sense, to challenge the collective white hegemony of the free speech versus anti-free speech parameters of the Fraser event. As I was involved in organising signatures from academic and other networks, it was heartening to note the flood of responses from people who found that their sentiments were echoed by the letter. Hence knowledge production grounded in a self–other relationship and a genealogy of whiteness may challenge the conditions of collective white hegemony which dispossessed, disempowered and excluded those targeted in the Fraser event.

Events which revolve around free speech and academic freedom versus un-free speech suggest that we are witness to, and perhaps participants in, the active reconsolidation of white hegemony in discursive and material terms. The federal Minister for Education in 2005 and current leader of the opposition party, Brendan Nelson, defended Fraser's right to make white supremacist comments in the name of free speech and academic freedom.<sup>31</sup> However, in that same year Nelson sought an explanation from the University of Western Sydney's vice chancellor, Janice Reid as to why Mamdouh Habib, who was tortured in Egypt and Guantanamo Bay for three years and released without charge, was invited to speak at a forum on war, terrorism and civil liberties.<sup>32</sup> In this context, it is important to note that both forms of speech had been undertaken in the name of academic freedom, and that both forms of speech occurred within the institutional location of a university. The phenomenon of government leaders defending white supremacist comments while attempting to silence the commentary of others whom they consider a threat to government interests indicates, as Fish discusses, the politicised ways in which discourses of freedom of speech and academic freedom operate. These politicised discourses appear to be racialised, and they enable the consolidation of white hegemony in institutional and governmental terms.

Critiques of Western colonial or imperialist practices through speech have been termed 'anti-Western doctrine' and may be subject to sedition charges under the current anti-terrorism

laws in Australia. While the notion of academic freedom is seen as worth defending, we need to take the risk, as Fish suggests, to anchor freedom of speech and academic freedom in the context of responsibility. In the Fraser event, Safi Hareer from the Sudanese Darfurian Union did take a risk by seeking a public apology from Andrew Fraser through a complaint to the Human Rights and Equal Opportunity Commission (HREOC).<sup>33</sup> Earlier in the event, John Von Doussa, then president of HREOC, had recommended Fraser make an apology, a suggestion that Fraser rejected. However, following a mediation session with Mr Hareer and his lawyer, Fraser did apologise for 'hurting his fellow Australians'.<sup>34</sup> So, while the matter was settled out of court, it was perhaps the threat of a lawsuit based on a breach of the *Racial Discrimination Act* that caused the apology to be given. Recourse to regulation, while not always effective or necessary, may have pressured Fraser to apologise. Such a strategy validates Fish's argument that case-by-case judgement is needed in the regulation of free speech and academic freedom; at the same time, it is imperative to keep in sight Judith Butler's strategy of the continual possibilities of resignification in the performance of speech acts. White free speech and academic freedom, therefore, need to be located and understood as an Enlightenment legacy which we live with and participate in, always at the risk of consolidating white hegemony.

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