

# The Senate: Paternalistic, Irresponsible



Two Senate Committees that must come under criticism from students are the Senate Discipline Committee, chaired by Professor W. H. Charles of the Faculty of Law and the Senate Discipline Code Committee, chaired by Professor A. L. Foote, also of the Faculty of Law.

The Discipline Code Committee has been in existence since March of 1969 and in the three years of its existence has yet to submit any initial report to either the Senate or the student body for a critical analysis. Further, the two student members of the Discipline Committee, Jim Hearn, Student Council Vice-President, and Andy Watt, Student Council Law Rep., were not even aware that they were in fact members of the committee. To the best of the Gazette's knowledge this committee has yet to hold any meeting during the present academic year, unless it was a joint meeting of only the three faculty members of that body.

While Professor Foote is prepared to accept responsibility for the failure of this committee too, as yet, produce anything significant, his obvious overlooking of the other four members and particularly the student members, cannot be interpreted as anything other than sheer administrative paternalism and/or lack of responsibility. The Discipline Code is an extremely important piece of legislation and for the University not to have any uniform guidelines to deal with matters of student discipline works to the University's advantage in many ways. The most obvious abuse of student privilege would be the administration's ability to deal with any matter of discipline as they see fit. As a political football, for instance if any faculty head felt his authority threatened by "misbehaviour" from any particular

student, he could, conceivably, trump up some charge or bring the student before the senate and have him fined or expelled.

This administrative abuse of power could also extend to faculty, who are also subject to such "discipline by whim". The most recent example of "vendetta discipline" came with the recent attempt by Senate Council, the executive body of senate, to overturn the Senate Discipline Committee's recommendation on the handling of the case of a student caught cheating during the Christmas examinations.

Dr. Tingley, head of the Mathematics Department, in whose department the student was caught cheating, obviously felt his department threatened. He made a strong attempt in senate to have this student literally branded with a "criminal record" (to use Professor Burroughs' words). Dr. Tingley was also involved in an attempt (a successful one this time) to have one of his graduate students, Greg Neumann, fined by the senate for disrupting classes and for insubordination. The political overtones of the questionable charges were glossed over by administration who supposedly "ignored" the fact that Neumann was a member of The Internationalists, a Maoist organization on campus. The Senate Committee on committees report, when tabled before Senate, made this point: "There may be some doubt whether Senate has the legal responsibility to punish a student at all. A specialist in Administrative Law pointed out that the statutes of the Nova Scotia Legislature on Dalhousie do not expressly confer a power to impose punishments." That dubious point was rectified rather quickly. Bill 98-1969 of the Nova Scotia Legislature now gives the Senate legal responsibility to deal with matters of discipline and to delegate authority on disciplinary matters to various departments, as it sees fit to do so. Administration, when its priorities are threatened, acts with superhuman speed to have the situation corrected.

It is becoming increasingly obvious that the priorities of this University are not the student nor even to "educate", but rather to protect its elitist reputation. To quote from Dean of Dentistry J. McLean: "The records of Dalhousie may be interpreted by others as something less than what they are now." The Senate Discipline Committee cannot be faulted for its arrogant approach to the voice of students. Indeed, under the capable chairmanship of Professor Charles, it has shown itself to be relatively competent, despite its "liberal" attitude. The fault with the Discipline Committee is that it is only a referral body, and its decisions may be overturned by the Senate, usually under the instigation of the senior administrators of the University. Student voice on this committee is once more a tokenism which is stifled by those who feel their elitist positions threatened. Student voice on these committees is merely "the voice of sufferance", with the Senate, unfortunately, being

the power supreme. Well, what can be done to rectify this situation? Obviously more student senators are required. That has to be one of the major attempts to be made by students at this time. If not, we leave ourselves open to the continuing paternalistic, irresponsible attitudes of Senate. The second and most important priority of the students should be the obtaining of a discipline code, so that all matters of discipline can be treated uniformly. The only way that this seems possible ever to happen is for the students to establish their own code. This is something that Student Council should have considered last year as a high priority. Unfortunately, free entrance to events is much more important than student matters. Students should seize control of disciplinary matters entirely, by proclaiming that only students have the right to discipline students, and establishing a Student Discipline Committee to handle such matters. The only obvious conclusion to this matter would be for administration to take this matter to a court of law. The administration would win the case. The point to be made here, though, is "so what?" Students refusing their "punishment" at the hands of administration, and being backed by the entire student body has far more power than any elitist administration or court. The problem, of course, is finding someone to even instigate these needed reforms, and people to carry them through. Can you honestly see the bunch that meets in Student Council Chambers even considering fulfilling the needs of students? Again, don't vote. Change the structure.



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