

A BRIEF HISTORY OF THE EVENTS LEADING TO CENSURE

On Sept. 24, 1968, Prof. Norman Strax was informed by a letter from the President of the University that he had been suspended from all duties as a faculty member because of certain activities that had allegedly disrupted "the normal functioning of the university". These activities consisted of purposely refusing to show an identity card when requested at the Circulation Desk of the Harriet Irving Library. Similar activities were undertaken by another professor, Mr. Gerald Pacholke of the mathematics department, for which no such disciplinary action was deemed necessary. Professor Strax however, was suspended by President MacKay, with the subsequent ratification of that suspension by the Board of Governors. Professor Strax was also given twenty-four hours to vacate his office. When he failed to meet this demand President MacKay sought an injunction against the physics professor, prohibiting his being allowed on university property. To uphold the suspension and the use of the injunction the University Administration then filed suit against Prof. Strax on the grounds of "disruption" of the university.

JUDGEMENT PASSED

This suit was carried on throughout October and November and judgement in the case was handed down by Justice Barry of the New Brunswick Supreme Court in late December. The Court ruled that the university had the power to suspend Prof. Strax, and upheld the validity of the injunction against him.

Prof. Strax's case had also been under review during this period by a three-man "fact finding" committee appointed by the Board of Governors to investigate the allegations of disruption in the library. Prof. Strax appeared at only two meetings of this committee, on the advice of his lawyer, who felt that the proceedings were some what irregular, since the three-man committee refused to discuss any specific accusations against Prof. Strax.

One week after Prof. Strax refused to deal with the Faculty Committee of the Board of Governors, the President of the University received a telegram from the Executive of the Canadian Association of University Teachers (CAUT) expressing concern over the handling of the suspension. This national association of eleven thousand (11,000) professors had outlined a set of guidelines for the dismissal of the university professors based on arbitration and mediation. CAUT policy states that charges must be made as a basis for arbitration, and that such arbitration be carried out through a committee whose membership would be acceptable to both sides. On November 17th the National Council of CAUT met and set down three conditions for the satisfactory of the case:

- (1) the Board of Governors should agree to accept arbitration according to CAUT procedures.
- (2) the injunction against Dr. Strax should be dissolved before arbitration is started.
- (3) Dr. Strax's legal expenses should be met by the university.

FURTHER RESULT

As a further result of the National Council meeting, the CAUT sent an investigating committee to the university on February 19-20. As a result of talks between this committee and representatives of the Board of Governors, it was agreed to submit the question of payment of Prof. Strax's legal fees to arbitration. However, the CAUT strongly argued that the injunction would have to be dropped before any arbitration could begin. The CAUT insisted in the dropping of the injunction because, in effect, its use bars a professor from not only teaching, but also from any

other academic activities, such as research. It means that he is not only suspended but in effect dismissed-without a fair and proper hearing.

After the investigation the Board of Governors, through President MacKay, sent a letter to CAUT stating that they would agree to non-binding arbitration on certain aspects of the situation but would not agree to lifting the injunction.

NO CHOICE

As the Board of Governors did not specifically agree to make the decisions of the arbitration committee morally binding, and as the Board of Governors did not agree to remove the injunction; the CAUT had no choice but to go ahead with the censure vote at its National Council meeting of March 15th.

The local chapter of CAUT, The Association of University of New Brunswick Teachers (AUNBT), which comprises 75% of the faculty of U.N.B., came out strongly in support of the CAUT in its Nov. 26th meeting. The AUNBT passed motions deploring the delay of the university administration in establishing just and prompt procedures for dismissal similar to those outlined by CAUT, and insisted that such procedures be at once implemented.

However, at the March 8th meeting, the AUNBT said that although they supported the idea of the CAUT, they felt in this case, as censure seriously affects the academic reputation of UNB, that they could not support the CAUT on their censure motion. Three days before this meeting, the AUNBT President, Prof. Doug Brewer, resigned his position because of what he felt was a failure on the part of both the CAUT and the Board of Governors to make a serious attempt to mediate their dispute.

MOTION PASSED

The March 15th National Meeting of the CAUT passed

the motion of censure against UNB by a decisive vote of 36-3-1. It is vital that censure be lifted as soon as possible in order to minimize the damage already done to the academic reputation of the University.

FULL REPORT

CAUT will now issue a full report explaining the situation at UNB and will advise its membership not to accept positions in the University. This report distributed nationally will draw unfavourable attention to UNB, and discourage qualified professors from coming to the university. The value of the degree granted by the university depends upon the academic reputation of the university. The reputation of the university in turn depends upon the reputation of its faculty. The value of any degrees conferred by this provincial university therefore will be less because of the downgrading of the quality of the professors.

The people of New Brunswick are paying for higher education, financially as well as educationally.

CENSURE AFFECTS POOR

Censure will particularly affect those who cannot afford to send their children elsewhere for a good education. Accessibility of those from the lower income groups to university education is severely limited in New Brunswick in favour of the sons and daughters of the wealthy. The members of the Board of Governors are not representative of the economic status of the people of New Brunswick. However the future of the University of New Brunswick rests at this moment in the hands of this select body.

Concentrated action must be undertaken by concerned citizens to persuade the Board of Governors to reverse their decision and thereby restore the University to its rightful place in the academic world.

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