

Order On Campus — our text for the day

At its meeting on September 16 the Committee of Presidents of Universities of Ontario developed a working paper on Order on the Campus. This document was received and circulated for consideration by the various universities in Ontario. The universities are being invited to use the document as a working paper for the development on each campus of an appropriate statement of policy regarding the handling of incidents of violence or the obstruction of the universities' processes. It is expected that individual universities through their senates will wish to involve faculty, students and administration in the formulation of a policy to apply to their institution.

The Committee of Presidents comprises the presidents of the fourteen provincially-assisted universities in Ontario. Each president is accompanied by an academic colleague, usually chosen by the senate of the university. The academic colleagues participated fully in the development of the working paper.

Recent years have witnessed a mounting wave of demonstrations, confrontations and violence in North American universities. Increasingly, these disturbances have been characterized by extremism and violence, confusion and division on the part of faculty, frequent tacit or vocal endorsement of radical students by some faculty members, a wide range of responses by university administrators (all the way from condoning or forgiving extremist behaviour to prompt reliance on the police), demands for amnesty in the aftermath of violence and a growing disaffection and rage directed at the universities by the public and legislators.

There can be no doubt that violence constitutes a serious danger to the survival of the universities as places of teaching, research and scholarship. These functions at the highest level can only be performed in an environment free from coercion. By accepting membership in the university community an individual acquires new responsibilities. As observed by the Faculty of Arts and Sciences at Harvard, these responsibilities "require him to see how easily an academic violence or by lack of responsiveness to widely perceived needs for change; whether by impatience or by insensitivity; or by failure in a process of decision to make sufficient effort to consult those who have to live with the results of the decision."

In Ontario the focus of protest has been on the governance of universities and on the programmes and curricula. Much but not all of the protest has been exercised fairly and legitimately and the universities have shown their willingness and ability to be responsive to the need for reforms.

The universities in Ontario will continue to be responsive to student concerns and opportunities for improving the ways in which they perform. The faculty, administration and governing bodies are prepared to discuss with the students the merits of proposals on any issues in an atmosphere of mutual respect. They will continue to make changes where discussion and examination demonstrate opportunities for improvement. However, the universities will not carry on discussions or make changes in the face of threat or other forms of coercion. The unlimited range of ideas essential to the university function cannot exist in the presence of coercion and he who interferes with free discussion and exercise of the rule of reason exhibits behaviour unfit for the academic community.

Illegitimate disturbances within the universities fall into two classes — those which obstruct the normal processes by which the university carries out its academic functions and those which, whatever their other characteristics, invoke violence or the threat of violence.

Illegitimate and unacceptable activities, as listed by Harvard, include the following:

- (a) violence against any member or guest of the university community;
- (b) deliberate interference with academic freedom and freedom of speech (including not only disruptions of a class but also interference with the freedom of any speaker properly invited by any section of the university community to express his views);
- (c) theft or wilful destruction of university property or of the property of members of the university;



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(d) forcible interference with the freedom of movement of any member or guest of the university; and in general

(e) obstruction of the normal processes and activities essential to the functions of the university community.

It is possible to have peaceful demonstrations to draw attention to issues without interfering with the academic processes of the university and such demonstrations are entirely legitimate. The university, while anxious to accommodate legitimate dissent, is not prepared to tolerate dissent or demonstration which involves any of the above-listed illegitimate activities. The university therefore will consider all of the activities listed above (a through e) as cause for immediate suspension. When a disturbance occurs, disciplinary action will be implemented as follows:

1. All students, faculty and employees of the university will be required to identify themselves to any officer of the university on request. Failure to comply will be interpreted as evidence that the person is not a student, faculty member or employee.
2. The president will have available to him an appropriate standing committee of faculty members and students chosen by the Senate of the university. The President will be empowered to call this committee into session without notice in the event of disturbances occurring in the university. The committee will be asked in any such case to rule first whether the disturbance involves violence or threat of violence. The committee, in the event that violence is not involved, will be asked to rule whether the disturbance constitutes an obstruction to the university's processes.
3. If the ruling is that the university's processes are being obstructed, the President will be required to warn or have warned all those involved.
4. If the obstructive behaviour is not promptly discontinued, the persons will be advised that they have

been suspended.

5. If, after suspension, the obstructive behaviour is not discontinued, the police will be brought in.

6. If the ruling is that the disturbance involves violence or the threat of violence, the President will be required to suspend the person or persons and call the police. Cases of violence are beyond the capacity of the university to deal with alone. Violent action is unnatural to the university and yet the only response by which violence can be contained is the exercise of counter-violence. The university recognizes that in such circumstances there is no acceptable alternative to enlisting the police for the protection of the academic community. When the police have been called in and when charges have been laid by civil authorities, the university will not intervene. It should be noted that the police may on their own initiative come on campus if there is clear and present danger to life or property.

7. In the case of grave emergency involving the safety of individuals or immediate danger to property, the President can call the police before calling into session the special standing committee.

8. Following suspension, the suspended person or persons will be charged before the university's properly constituted disciplinary authority (regardless of any action taken by civil authorities). They will be accused of wilful obstruction of the university's processes or violence, or both, and if found guilty will be liable to expulsion, or dismissal.

The university recognizes that these procedures are distasteful and that the penalty for offences is severe. It fervently hopes that it will not find it necessary to invoke these sanctions. At the same time, the university is adopting this position because it is convinced that the very existence of the university is at stake. Expulsion or dismissal is the only appropriate penalty for those who would challenge the university's right to carry on its affairs through orderly and peaceful discussion and its right and responsibility to be a house of intellect.