

## AN OPEN LETTER TO THE PEOPLE OF NEW BRUNSWICK

Today the University of New Brunswick is under attack. The future of our education, and our future usefulness to the province and the nation are in jeopardy. There are those who, for their own reasons, claim that this situation has been created by the students themselves or by a some group from outside the province which cares nothing for our future. We are writing you this letter to explain what is really happening at the University — and why you should be concerned about it.

You should try to understand the facts because the University belongs to you and was built to serve you. The New Brunswick Higher Education Commission refers to the role of the University as an "investment in the future". It is the graduates of the province's universities who will supply leadership for the future if New Brunswick is to adapt to a rapidly changing world. And the task of supplying this leadership costs you — the tax payer — a lot of money. \$19,720,000 in provincial grants in 1968-69 alone.

We are afraid that if the present situation continues we will not be able to serve you in the future as we should. If we are to cope with the future, we must be taught by the professors best qualified to help us understand the nature of modern technology and the ways it can be made to serve the people. This means we must be ready to examine every new idea and pass judgement on it, no matter how different and outlandish it may appear.

The Administration and Board of Governors of the University are not sufficiently aware of this point. They are tied to a set of ideas, and refuse to allow students the opportunity to appraise new ideas put forward by professors who disagree with them. That is why they suspended Dr. Strax. That is why they refuse to recognize the CAUT's demands that a faculty member not be arbitrarily dismissed. The Board of Governors claims that the censure of the University by CAUT will have no effect — that they will still be able to hire new faculty. But we are concerned that the type of professors who will disregard the Censure will not be the men who can prepare us for the challenges of the future.

The Administration and Board of Governors has placed our future and the future of your University and your province in jeopardy. We ask that you support us in our request that the CAUT's demands be met, and the academic freedom of students and faculty be respected, before any more harm is done.

# THE MEANING OF CENSURE

by: Donald Cameron  
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Department of English  
University of New Brunswick

The Canadian Association of University Teachers has just censured the President and the Board of Governors of the University of New Brunswick. What does censure mean, how

does it come about, and what is its effect?

Censure is relatively rare and relatively new in Canada, though its equivalent has been widely used in the United States by the American Association of University Professors, the American counterpart of CAUT. What is means, essentially, is that the

censured university has for one reason or another become an institution in which the working conditions of professors are no longer satisfactory. Censure is the most extreme sanction open to the CAUT, one which is used only when all attempts at quiet diplomacy have failed.

Disputes between professors and the universities normally have to do with such things as rank, salary, failure to grant permanent appointments, and so on. If the faculty member has a reasonable grievance, the CAUT may add its authority to his case and argue it for him. Very few such cases are ever made public, but if the university is indeed guilty of continuing and unrepentant malpractice in any of these areas, it may as a last resort be censured - in effect, blacklisted.

months; early this year it threatened censure; last Saturday it carried out that threat.

Censure is the only force available to the CAUT, and it really amounts simply to a recommendation that professors stay away from the censured university. The academic life is a very queer one, however, unlike any other. Academic men are very mobile; we have - in effect - a union, but we don't strike; and money probably counts a little less for us than it does for most other employees. The crucial features of a good academic job are the prestige of the institution, the prestige of one's position in it, the morale of the place. And because university teaching is such a queer profession, the queer weapon of censure is pretty effective, because censure strikes at the psychological ambience that is essential to a good university job.

have of getting some basic and necessary reforms in the University if the faculty won't even take a firm stand on a question so serious that eleven thousand professors, through their national organization, have censured the government of the University? So the CAUT supporters must consider resigning - and the ones who can leave easily are the best ones, the ones who are attractive to other universities. Their replacements aren't likely to be nearly so good. What professor with a choice of jobs would willingly walk into a battleground like this?

So my guess is that censure, unless it's lifted quickly, will probably hurt UNB very badly. And the people who will suffer in the long run will be the people of New Brunswick, whose university will slowly turn from a good small university, with a bright future, into a kind of academic slum. Nobody wants that to happen, but if the Board of Governors isn't prepared to allow fair academic hearings for its faculty members that's a reasonable prediction of what could happen.

What it boils down to is this: that a fine university faces one of the gravest crises in its long and honorable history.

All its friends must hope, as I do, that the Board of Governors will retrieve its good name by acceding to the CAUT's stipulations at the first opportunity.

## UNIVERSITIES EDUCATE CHILDREN OF WEALTHY

A survey of Canadian university students done in 1966 showed:

-Over 33% of New Brunswick families have yearly incomes of less than \$3000, yet only 85 of New Brunswick university students come from these families.

-Over 66% of New Brunswick have yearly incomes of less than \$5000 yet only 34% of New Brunswick university students come from these families.

-25% of all New Brunswick university students come from families whose yearly income is over \$10,000 whereas less than 6% of New Brunswick families fall in this income class.

-48% of all New Brunswick university students' fathers are classified as either professionals or proprietary

and managerial, whereas only 17% of the New Brunswick labour force are so employed.

New Brunswick universities are not equally accessible to all New Brunswick youth. They are top heavy with students from high income families. However, all New Brunswick taxpayers are paying an increasing amount to operate their universities. If we are going to build a vibrant and democratic society, it is essential that our youth be educated to the fullest extent of their ability. All of our young people should have an equal chance and opportunity to attend the universities supported by the taxpayer. Statistics show that is not the case now. We are taxing the poor to pay for the rich.

## COST OF HIGHER EDUCATION IN N.B.

In 1968-69, 8800 students are attending university on a full-time basis in New Brunswick. To support these universities, the provincial government gave \$22,642,000 in assistance.

By 1971-72 it is projected that there will be 10,600 full-time university students in New Brunswick. Provincial assistance in that year is programmed to be \$30,680,000.

Our universities are costly. There is no doubt that institutions of higher learning are a necessity in a progressive society. However, they must be responsive and responsible to the needs of the province of New Brunswick.

New Brunswick faces many crises. There are crises in housing, social services, industrial development and

utilization of our natural resources. We suggest that the universities of New Brunswick do not offer programs, nor attempt to offer programs, which will aid in solving New Brunswick's basic problems.

The Board of Governors of the University of New Brunswick is chiefly appointed by the provincial Board of Governors shows that they are primarily represent the wealthy, industrial sector of our society. These men and women are not educators nor are they concerned with the basic needs of the common citizens of New Brunswick.

The people of New Brunswick should demand universities that will seek to provide answers to the needs of our province.

### SENSITIVE AREA

The most sensitive area of dispute, however, is academic freedom. The concept of academic freedom arises from the fact that the university is the home of ideas, a place where any idea, however bizarre or repulsive, may be tested, discussed and accepted or rejected on its merits rather than its respectability. On the other hand, universities are situated in communities, and the communities tend to regard the university as a training school for necessary professionals like doctors; communities don't usually understand that the university must be the home controversial ideas, and so the legislatures which represent the communities and pay many of the bills erupt from time to time with cries of "Clear out all the kooks on the campus." Naturally enough, the faculty insists that it must be protected from irresponsible criticism, it must on no account permit its members to suffer for their ideas. A real university can never be a home for orthodoxy; even the most radical, unpopular and subversive of faculty members must be allowed to speak in perfect security.

### CONSEQUENCE

As a consequence, the suspension or dismissal of a faculty member is always a ticklish business. Professors legitimately demand that no faculty member be fired without a fair and impartial inquiry, without stated charges and an opportunity to answer them. For one thing, such conditions prevent a "dangerous" thinker from being fired on a legalistic pretext. Dr. Norman Strax is not a popular figure, and many academics would agree that if he did indeed do what we are told he did at the university library last September, he probably should have been suspended. But the onus is on the University to prove that, in an impartial hearing. And even now, months after suspending him, the University has still not instituted what the academic profession regards as suitable procedures. The Canadian Association of University Teachers protested and negotiated privately for

### THE EFFECTS?

So what are the effects; UNB has about three hundred faculty members, and hires, I suppose, about thirty professors each year. It's not easy to get professors to come to Fredericton; Fredericton is a nice little town, but most professors find New York or Montreal or San Francisco more congenial; those places have publishers, major laboratories and libraries, higher salaries, more graduate students, more research opportunities, a more exciting cultural life and so on. So if UNB goes after thirty professors next year, and it's still under censure, the odds are it's going to stand an even worse chance than usual. And professors already at UNB will begin to think of other jobs. The best professors, those most in demand elsewhere, will leave first. Indeed, that's already happening; I know several colleagues who are negotiating for jobs elsewhere, and a number of faculty members have had inquiries from other universities who suspect that people at UNB may be thinking of moving. And it won't take much of this to lower the quality of instruction measurably, and thus lower the quality of UNB degrees.

Censure has only been used once before in the CAUT's nineteen-year history, at Simon Fraser University in British Columbia, and Simon Fraser is still suffering from it; the bad taste of censure still deters faculty members from applying for jobs there. If this is true at Simon Fraser, one of the richest and most exciting experiments in Canadian education, what will be the effect at UNB?

### ADDITIONAL FEATURE

At UNB, there's an additional feature. Norman Strax is so unpopular and UNB professors are so accustomed to being ruled from above that many faculty members haven't been able to see the principle involved very clearly. As a result, the faculty is deeply divided, and professors who fully support their national organization face a real decision. What chance do they

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Editor-in-chief ..... Ian Ferguson

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# 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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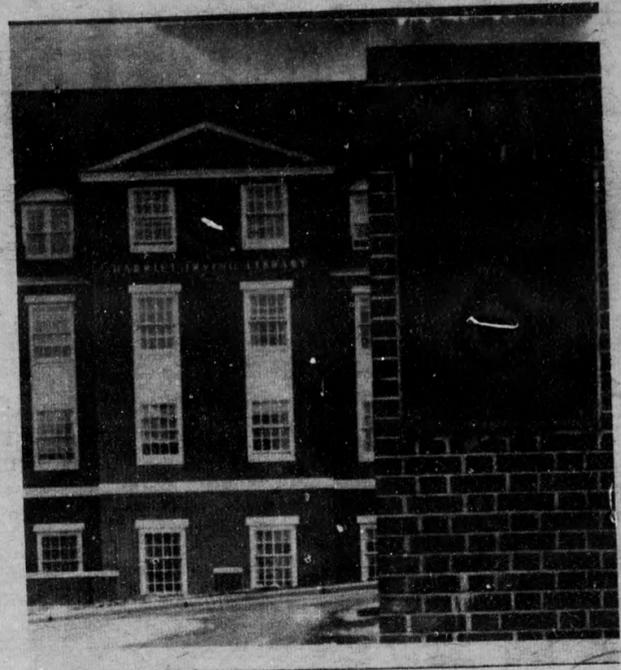
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"to do and perform all other matters and things which may seem good, fit and useful for the well ordering and advancement of the University."

(W)36 Ch. 12, 1968 University of New Brunswick Act