

MCGILL ASSOCIATION OF UNIVERSITY TEACHERS COUNCIL

Response to the “Report of the MAUT Committee on the Implications of the Events of 10th November 2011”

Introduction

The Report of the MAUT Committee on the Implications of the Events of 10th November 2011 was submitted to MAUT on March 6, 2012. The report was disseminated to the university community shortly thereafter, and was formally received by MAUT Council, the body that had struck the committee and requisitioned the Report. After a preliminary discussion at its meeting of February 14th, Council dedicated a special meeting to analysis of the Report held on March 29, 2012. Generally, members expressed the view that the Report was a thoughtful and well-structured response to the committee’s mandate, and included many creative reflections and recommendations. We owe a debt of gratitude to Committee’s members, who pursued a rapid and effective review of background materials and submissions from the university community and collectively wrote a serious and far-reaching Report. Given the range and complexity of the document, it should be read carefully by McGill policy-makers and the community as a whole.

MAUT Council members articulated many views on different aspects of the Report, and responded with diverse expressions of appreciation and agreement, but also with reservations, about some of its arguments and recommendations. We cannot here review all of the Council members’ responses, but will focus on the recommendations they found feasible and practical to pursue in the near future, addressing issues of collegial governance that many respondents felt should be strengthened within the university. We present below recommendations that can be submitted to the administration or can serve as action items that MAUT and representatives of other university constituencies are positioned to address.

Part 1. Governance and Collegiality

Part 1 of the Report, concerning ‘University Governance & Collegiality’, expressed the view that collegial governance has diminished in recent years, and affirmed the importance of revitalizing the university Senate as a site of collegial contribution to university debate and decision-making.

Recommendation 1. Drawing a parallel to the ‘Tripartite Commission on the Nature of the University’ established in response to the protests of the 1960s, the Report recommends “The establishment of a Commission to review issues of governance and collegiality within McGill University”. Such a Commission should be constituted by Senate, to which it would report, the Secretary-General being the most appropriate official to organize the undertaking.

The Commission would address a range of issues, and with a broad membership would pursue such concerns as the composition of Senate and the Board of governors, the relationship between them, and the linkages and types of accountability each would have to the university community. Engaging representatives of Senate, the Board and faculty, this initiative should aim to clarify the nature of existing linkages and relations and consider potential innovations that would enhance decision-making and communication between these groups. We are submitting this proposal to the Secretary-General, as representative of Senate.

Recommendation 2. The Report also proposes that a working group be established that would pursue “consultation and collaboration among the University’s various constituencies”. Such a working group would convene a set of public forums involve open meetings, seminars, guest speakers, and other events focused on the nature of collegiality and university governance. Since McGill is not alone in periodically reflecting on how the spirit of collegial governance interacts with more corporate models of university administration, this might offer an opportunity to acquaint ourselves with current thinking at other universities. MAUT will create a small working group that will seek collaboration with other university constituencies in addressing issues of university collegiality and governance at the level of the university ‘public’.

Recommendation 3. The third recommendation of the Report is that MAUT itself review its relationship with the McGill administration and other representative groups on campus, especially regarding the collegial process. This recommendation can be usefully interpreted in light of the recent “MAUT Satisfaction Survey”. The Survey indicates that, on average, regarding the 10th November Events and the MUNACA strike, MAUT’s response was generally considered appropriate (with important minority opinions) and that our members are generally satisfied with MAUT’s performance, but that, regarding its dealings with the administration, MAUT should be more assertive. MAUT will create a review committee to examine the nature of its linkages to the administration and other constituencies, the way it pursues its mandate to represent faculty interests, and its general stance vis-à-vis the administration.

MAUT members have been clear in expressing their expectations that McGill would benefit from a more vigorous exercise of collegial governance at all levels, and thus the MAUT Council considers that it should place the greatest emphasis on the long-term value of pursuing the three recommendations put forward under Part 1 of the Report.

Parts 2 & 3. Civil Protest, Security and Peaceful Assembly

Part 2 of the Report concerns the “Proposed University Protocol on Civil Protest and Peaceful Assembly”, and Part 2 concerns “Guidelines relating to Security and Policing”. The topic of Part 2 extended the 10th November mandate into the period

of January-February 2012, during which a Provisional Protocol was disseminated, while Part 3 focused on issues of security and policing that first arose in the context of the MUNACA strike, became critical due to the failure of McGill security services and the operation of the Montreal Riot Police on campus on 10th November, and continue to be relevant in the current setting of students protests.

An “Open Forum on Free Expression and Peaceful Assembly” recommended by the Jutras Report is now underway, chaired by the Dean of Arts, Christopher Manfredi, assisted by an Advisory Group. The mandate of the Forum is “to hold open discussions on the meaning, scope and protection of free expression and peaceful assembly on McGill’s campuses.” A written report of the outcome of the Forum will be submitted to the Principal in October, including recommendations; the terms of reference state that the Principal will “share the report with the University community and McGill’s governing bodies”.

[<http://blogs.mcgill.ca/openforum-expression/files/2012/02/OpenForumTermsofReference.pdf>]

Given the pertinence of Parts 2 & 3 of the Report to the mandate of the Forum, we have sent Dean Manfredi the 10th November Report, and have invited him to meet with the MAUT Council at its April 11th meeting to formally present the suggestions and recommendations proposed in the Report. We are pleased that the Open Forum does provide a setting for “public consultation” and that its Advisory Group is “representative” as the MAUT Report calls for in the first Recommendation under Part 2 (p. 15), but note that it is neither independent nor reports to Senate, as was proposed in the Report.

Especially in the context of continuing protest associated with the student boycott of classes over tuition fee increases, it is clear that several questions concerning protest, assembly and free speech will remain contested: instances are how the notion of “peaceful” is to be defined, where rights to protest and rights to study conflict, where spaces of protest conflict with spaces for classes, study, private offices, administration, and so forth. The Report provides suggestions about how some but not all of these questions should be adjudicated, and provides valuable commentary and input for participants in the Open Forum concerning the development of policies and protocols to protect space for civil protest and freedom of expression, while developing more appropriate and effective mechanisms of ensuring security on campus. Given the centrality and currency of issues of civil protest and security, and their relevance to the pursuit of academic issues that move from the classroom onto campus, it is our view the Report from the Open Forum should be presented to Senate for discussion, debate, and approval. MAUT will follow the outcome of the Forum attentively and will follow-up on the Forum report when it is shared with, submitted to or discussed by Senate.

Summary

In the spirit of addressing the 'context' in which the 10th November events occurred, including the sense of many that the spirit of collegial governance at McGill must be renewed, the MAUT Council will undertake the following:

- It shall recommend to the Secretary-General that a Commission, or similar body, be struck to address questions of governance and collegiality at McGill, including the composition of and relationship between the Senate and the Board, and the linkages and accountability each have to the university community, most especially the body of academic staff or 'collegium'.
- It shall establish an MAUT working group to pursue "consultation and collaboration among the University's various constituencies" by convening a set of public forums including open meetings, seminars, guest speakers, and other events focused on the nature of collegiality and university governance.
- It shall create an internal review committee to address MAUT's relationship with the McGill administration and other representative groups on campus, especially regarding the collegial process.
- It shall direct the attention of the "Open Forum on Free Expression and Peaceful Assembly" to Parts 2 & 3 of the Report applicable to questions of Civil Protest, Security and Peaceful Assembly, make other representations to the Open Forum, and follow-up when the Forum presents its report to Senate.
- It shall report on these recommendations of Council to the 2012 MAUT Spring General Meeting, and the outcome of these undertakings to the 2012 MAUT Fall General Meeting.

John G. Galaty, President (MAUT)
April 7, 2012