

TO: Senate

QUESTION FROM: Senators Brooklyn Frizzle, Darshan Daryanani, and Addy Parsons

RESPONSE FROM: Senator Christopher Manfredi, Provost and Vice-Principal (Academic)

SUBJECT: Question Regarding the Principal's Message on Academic Freedom and Inclusiveness

MEETING DATE: November 18, 2020

PREAMBLE: On October 26, 2020, Principal and Vice-Chancellor, Suzanne Fortier, shared a message with McGill Students and Staff on Academic freedom and inclusiveness.¹ In this message, two primary commitments of the University are delineated:

“McGill’s commitment to academic excellence requires that the University support an open environment where different views and ideas can be expressed and debated with mutual respect and without fear. [...] At the same time, the University is steadfast and unequivocal in its commitment to a working and learning environment in which every member feels included, valued, and respected.”

While these commitments are both undoubtably essential to the success of McGill University and its students, they can, and do, come into conflict. Most recently, controversy arose when a professor at the University of Ottawa, a fellow U15 university, used a racial slur during a lecture. In the wake of the controversy, 34 current and retired University of Ottawa professors penned a letter defending the use of slurs as a matter of academic freedom² while students described the use of slurs as alienating and isolating.³

Such incidents call into question the intersection of academic freedom and inclusivity, where what one individual might consider an expression of academic freedom may impede another individual’s ability to participate in open and mutually respectful dialogue.

¹ <https://www.mcgill.ca/principal/communications/statements/academic-freedom-and-inclusiveness>

² <https://thefulcrum.ca/news/group-of-professors-pen-letter-to-u-of-o-administration-denouncing-treatment-of-professor-lieutenant-duval/>

³ <https://www.cbc.ca/news/canada/ottawa/university-of-ottawa-professor-racism-1.5768730>

Peer institutions have attempted to address this discrepancy in their statements of academic freedom, notable examples being the University of British Columbia⁴ and McMaster University⁵, who define limits for academic freedom:

“Behaviour that obstructs free and full discussion, not only of ideas that are safe and accepted, but of those which may be unpopular or even abhorrent, vitally threatens the integrity of the University’s forum. Such behaviour cannot be tolerated.”

While McGill’s Statement of Academic Freedom⁶ does not define limitations for academic freedom, the Charter of Students’ Rights⁷, provides that, “Students have a right to be free from vexatious conduct displayed by a representative of the University acting in an official capacity.”

In the absence of clearly defined limitations or precedents, there remain ambiguities regarding the possible conflict between the University’s commitments to both academic freedom and equity and inclusivity.

QUESTION:

- 1) Does McGill University have documented criteria or precedence that define the limitations of Academic Freedom?
- 2) If these criteria are not defined, which individual or governing body is responsible for determining the limitations of Academic Freedom at McGill University?
- 3) How does the University plan to ensure that mutual respect and inclusivity are maintained in a classroom setting?
- 4) Specifically, what responsibilities do Academic staff members have to ensure that respectful dialogue is maintained?

RESPONSE:

Thank you for these questions related to academic freedom at McGill, Senators Daryanani, Frizzle and Parsons.

In regard to the **first two questions**, while universities extend robust protection to academic freedom for important reasons, no right or freedom is unlimited. The bounds of academic freedom at McGill are set by the regulations and policies that have been developed, debated, and accepted through our collegial governance bodies. Hence, academic freedom cannot be invoked as a defence in any case where a member of our community is found – pursuant to a full and fair investigative process – to have engaged in misconduct under any McGill regulation or policy.

⁴ <https://academic.ubc.ca/about-vp-academic/academic-values/advancing-academic-freedom>

⁵ <https://secretariat.mcmaster.ca/app/uploads/SPS-E1-Statement-on-Academic-Freedom.pdf>.

⁶ <https://www.mcgill.ca/secretariat/statement-academic-freedom>

⁷ https://www.mcgill.ca/secretariat/files/secretariat/charter_of_student_rights_last_approved_october_262017.pdf s. 13

Your **third and fourth questions** pertain to our responsibility to establish environments conducive to learning for all. This is a matter of critical concern, given that teaching is fundamental to the University's academic mission. While the University respects instructors' independence in regard to the design and delivery of their courses, instructors remain responsible for doing so in a manner that is competent and effective, and this includes the creation of respectful learning spaces. Instructor accountability is ensured through the regular assessment of teaching performance. This assessment draws on a plurality of sources, including student evaluations, and occurs in contexts such as annual performance assessment, reappointment, tenure and promotion. Aside from this, it is possible for any person to initiate a complaint about an instructor's competence or conduct in a learning space through processes established by University regulations and policies.

Having said all of this, it is critical for **all** members of the McGill community to uphold basic tenets of respect and inclusion in campus life. Each of us is encouraged to take up our institutional commitments to equity and anti-racism, as set out in our [Strategic EDI Plan](#) and our [Action Plan to Address Anti-Black Racism](#). To that end, we ought to consider what we can do to establish dignified learning environments where all students feel they can thrive. This includes reflecting carefully on the propriety of speaking aloud (as opposed to required reading of) particular words and terms, the usage of which may in some cases be difficult to justify.
