

## 256. What does President MacLatchy's statement actually say?

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Wilfrid Laurier University president Deborah MacLatchy's statement is not an endorsement of freedom of expression on campus or of academic freedom for discussion leaders. As far as the facts of the case goes, it acknowledges only that a couple professors stepped a little out of line. As for the future, it indicates there will be less academic freedom for teaching assistants and less free expression on campus.

MacLatchy's statement is in response to the report filed by Rob Centra, a lawyer MacLatchy hired to discover just what happened between the time teaching assistant Lindsay Shepherd played a TVO clip to her discussion group and Shepherd left a meeting at which she was censured for doing so.

The report itself is confidential, though MacLatchy makes public a few salient details, the most significant being that no one had complained about Shepherd's class.

"There was no wrongdoing on the part of Ms. Shepherd in showing the clip from TVO in her tutorial." This is the good news. The bad news is that Shepherd did no wrong only because she had not been well instructed earlier in the course.

Had she been told not to show the clip, or told that if she shows the clip she must condemn certain views, and then had done what she did, she would rightly be in hot water. Or so it seems to me that that is what MacLatchy's statement implies.

Why do I take this view? Well, despite the finding of no wrongdoing by the teaching assistant, President MacLatchy intends "to enhance the training and support for both TA supervisors and teaching assistants." The statement faults two professors and an administrator (the people with Shepherd at the meeting) for misunderstanding the Gendered and Sexual Violence Policy and for committing errors in judgement. That these people were at fault would certainly be grounds for wanting to bring professors and administrators up to speed on their duties and university policies. Why include the teaching assistants, though, if there was no wrongdoing on Shepherd's part?

The answer can only be that so teaching assistants will know what their supervisors expect of them in the classroom, even as to matters regarding what to present and not to present, and what attitudes to take.

MacLatchy writes: "It is the responsibility of course instructors to develop guidelines for the roles and expectations of their TAs." The whole Lindsay Shepherd affair would have been avoided, then, had Nathan Rambukkana, the professor for whom Shepherd worked, clearly directed Shepherd not to show the video. His mistake was chastising her after the fact.

Now some professors think that that's as it should be, that discussion group leaders have no freedom to use their judgement in pursuit of course goals beyond that which their professors grant them. If the professor, given her ends for her students, wants her teaching assistant to endorse a particular view, it is the TA's duty to do so.

Another view, though, is that as teachers, discussion group leaders should be free to use their judgement and to employ the teaching means they think best. They should at least not be required to pretend they accept what they don't.

President MacLarty has not endorsed the second view, the view on which tutors or discussion group leaders should enjoy robust academic freedom in their teaching. In fact, President MacLarty is quietly asserting that teaching assistants don't enjoy academic freedom.

The bad judgement Professor Rambukkana displayed consisted simply in not instructing Shepherd fully enough and not watching her carefully enough.

Freedom of expression on campus fares no better in the statement than does academic freedom for teaching assistants.

On one view, both professors and students should be able to say what is on their mind, and to say it in the way they want, without fear of either formal sanction or informal shaming. Only then will people be candid with each other, imaginative and bold in their thinking, and willing to follow lines of research wherever they go. This is because when free expression is in the air, people will experience no pressures to believe this or to value that save the pressures of evidence and argument.

On this view, it is not at all regrettable that any aspect of a person's identity might come under critical discussion at any moment; indeed, it's because our identities have been tested that we understand both ourselves and others and are strong in ourselves.

President MacLarty, though, says that members of the university community must navigate "divisive issues with care," and that they be held accountable for failing to do so. According to the statement, expression and discussion need to be constrained by rules so that people's feelings and identities are not put at risk. But then members of the Laurier community will not feel free to speak, since their views might be reported to authorities as hating or intolerant.

President MacLarty notes that some at Wilfrid Laurier were "targeted with such vitriol," and in the next sentence pledges "an environment free of discrimination and harassment." Vitriolic speech, though, while unpleasant, is not in itself discriminatory or harassing. Universities should, of course, have policies against actual harassment and wrongful discrimination. But they must not construe the peaceful expression of opinion or emotion, no matter how false or ugly, as either harassment or discrimination, at least if they are to be places of candid discussion and fearless investigation.

The Task Force on Freedom of Expression will, MacLarty says, "develop a clear, tangible set of practical, implementable guidelines that will bring clarity to this issue for our own classrooms." Freedom of expression at Wilfrid Laurier, I'm afraid, doesn't stand a chance.