

## Society for Academic Freedom and Scholarship

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11 October 2016

Amit Chakma, PhD President Western University Stevenson Hall, Suite 2107 London, ON N6A 5B8

Dear Dr Chakma,

Thank you for your response to my letter of 5 October regarding Western's investigation of students who posted on social media a photo that some regard as belittling the Black Lives Matter movement.

I appreciate that members of the Western community complained to you about the image and the fact that it was made public. I doubt, though, that every complaint that a student has violated Western's Student Code of Conduct is followed by an investigation. Those administrators who receive such complaints must make a preliminary determination whether the complaint has any merit before allowing it to proceed. Otherwise, the system could easily be abused, as it is being abused in this case.

Despite the principles in the Code's introduction that you quote, clearly nothing in the students' behaviour contravenes the Code. Nothing the students did could possibly have infringed anyone's rights. (Surely you didn't say in your letter that trivializing the Black Lives Matter movement

might be against the Student Code of Conduct.)

Indeed, the students' behaviour, even if it is properly characterized as trivializing a social movement, is expressly protected by the Code of

Conduct, as I noted in my original letter: "Nothing in this Code shall be construed to prohibit peaceful assemblies and demonstrations, lawful picketing, or *to inhibit free speech* as guaranteed by law" (emphasis added).

The statement on academic freedom in the university's agreement with Western's Faculty Association reads: "Furthermore, universities are communities in which the right to criticize all aspects of society is valued and respected." The statement says that academic freedom entails the right to: "d) criticize the Employer, the Association or any corporate, political,

public or private institution; and e) create, exhibit, perform or adjudicate works of art; all without deference to prescribed doctrine."

These rights are guaranteed to professors, but surely they are rights enjoyed by all members of the academic community, for they are rights necessary for attaining the goals of academic community.

Even if you believe that the investigation will eventually conclude that the students did not violate the Student Code of Conduct, that they are being investigated at all puts candour and freedom of expression for both students and professors at risk. It warns both groups that Western is not a free-speech zone.

As well, the investigation could easily take a term or more, effectively destroying the better part of the academic year for young, tuition-paying students.

For these reasons, we urge that Western halt the investigation immediately, and affirm that Western is committed to the principles of academic freedom.

All the best.

Mark

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