

Censure against U of T temporarily suspended after school reverses course in hiring controversy

School re-offers position to Dr. Valentina Azarova, who has since declined

[Shanifa Nasser](https://www.cbc.ca/news/canada/toronto/u-of-t-censure-university-of-toronto-azarova-1.6179705?fbclid=IwAR0vf7itu4HtZZ942HYZEKmaTPq_gglyOIPx3DL0Zi7gOKjtanAXbvnPAbs) · CBC News · Posted: Sep 17, 2021 11:59 AM ET | Last Updated: September 17
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The Canadian Association of University Teachers says it has called for a pause on the censure after it says the University of Toronto met one of its key demands: to re-offer the position of director of its International Human Rights Program to Valentina Azarova. (Evan Mitsui/CBC)

A censure against the University of Toronto has been temporarily suspended after the school reversed course on a hiring controversy that saw a federal tax judge allegedly try to block the hiring of an international law practitioner who has written widely on Israel-Palestinian affairs.

The Canadian Association of University Teachers (CAUT), which imposed the censure in April, says it has called for a pause on the measure after it says the school met one of its key demands: to re-offer the position of director of the school's International Human Rights Program to Valentina Azarova.

Last July, Azarova emerged as the unanimous choice to be the new director for the program. But in early September, the university halted the hiring process altogether. The university previously told CBC News the move was a matter of timing and immigration logistics — and not the fact that the confidential hiring process was breached.

After careful consideration, the CAUT says, Azarova has declined the offer.

"Her decision, while unfortunate, is understandable given the University's initial reaction to the unfounded and scurrilous attacks on her reputation and her research," CAUT said in a statement Friday.

Azarova says role would have remained 'subject to attack'

In a statement to CBC News, Azarova confirmed that while the the school negotiated "in good faith and extended academic freedom protections to the position, there were important uncertainties that could not be resolved."

"In light of events over the past year, I realized that my leadership of the program would remain subject to attack by those who habitually conflate legal analyses of the Israeli-Palestinian context with hostile partisanship. I also understood that the university would not be in a position to remove these hazards," said Azarova, a research fellow at the University of Manchester.

Azarova added she is "sincerely grateful" for the support of the academics, students and communities who expressed their concern and is inspired by their commitment.

The University of Toronto said it welcomed the announcement from the CAUT and that its faculty of law is keen to see the program under long-term leadership as soon as possible. For now, Professor Emerita Rebecca Cook has agreed to serve as the IHRP's interim director.

The school added its guidelines on donations were recently updated to emphasize "the importance of institutional autonomy and confidentiality in all hiring decisions" and to clarify "appropriate terms for interaction with alumni and donors."

All advancement staff have recently attended mandatory training on "appropriate boundaries in donor relations," it said. An advisory group is also holding consultations on appropriate protections for professionals or staff who may be required to work on "controversial topics." The group expects to report back in October.

'Victory for academic freedom' but issues remain

In a news release Friday, the group called the university's decision a "victory for academic freedom."

But it says the full censure will not be formally lifted until the university addresses other key aspects of the case and explicitly extends academic freedom protections to academic managerial positions and develops policies to prohibit donor interference in internal academic affairs.

A final decision on whether to lift the censure will be up to the CAUT council when it meets in November.

A censure is a move that calls on academic staff to not accept appointments or speaking engagements at an institution until specific changes are made. The CAUT says the measure is rarely ever imposed and was last used against First Nations University in Saskatchewan in 2008.

News of the censure suspension comes just days after CBC's [The Fifth Estate reported](#) on documents indicating the tax judge at the centre of the controversy, Judge David Spiro, had been barred from presiding over cases involving Muslims as allegations of his interference into Azarova's hiring were being reviewed.

It had been alleged that Spiro used his influence as an alumnus and major donor to the school's faculty of law to try to block Azarova's hiring.

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According to the council, Spiro, who sat on the board at the Centre for Israel and Jewish Affairs, passed on concerns about the hiring to a friend at the university and warned the appointment could damage the school's reputation.

Spiro, who did not respond to the *The Fifth Estate's* request for comment, appeared to have been banned from such cases beginning in October 2020, rather than being removed from the bench until the allegations against him were resolved.

Lawsuit remains before courts

After an eight-month review, the Canadian Judicial Council concluded Spiro should not have weighed in on Azarova's appointment, but concluded he weighed in as an engaged alumnus rather than a sitting tax court judge.

"While the judge made serious mistakes, these were not serious enough to warrant a recommendation for his removal from office," the review panel concluded.

In a release announcing the censure, the CAUT said its it found it "implausible to conclude that the donor's call did not trigger the subsequent actions resulting in the sudden termination of the hiring process."

A lawsuit has since been filed against the judicial council disagreeing with its conclusions and accusing the body of violating its own policies in handling the allegations against Spiro.

No trial date has been set.

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With files from Nazim Baksh, Gillian Findlay and The Canadian Press

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