

## A Report on the Peter March affair at Saint Mary's University

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On Tuesday 7 February of this year, Peter March, a philosophy professor at Saint Mary's University, in Halifax, posted on his office door the set of twelve cartoons originally published in September 2005 in the Danish newspaper *Jyllands-Posten*, cartoons that had provoked riots and killings in some predominantly Muslim countries. Many Muslims are deeply offended by these cartoons, believing one or another of them to insult Muhammad or to slight Islam as a religion or Muslims as individuals.

Just a few hours after Dr March had posted the cartoons, Terrence Murphy, the Vice President Academic and Research of Saint Mary's, asked Dr March to remove them. Dr March refused this request. Dr Murphy then ordered Dr March to remove them. Dr March complied.

Why did Dr Murphy order the cartoons down? According to a memo he issued on Thursday 9 February to the Saint Mary's University community, Dr Murphy ordered the cartoons down on grounds of public safety. Dr Murphy wrote that his fear that someone might react to the presence of the cartoons with violence was well grounded given the violent reaction to the cartoons overseas. Dr Murphy's memo is the only official account of the order to remove the cartoons.

Chuck Bridges, the Vice President External, Steven Smith, the president of the University Faculty Union, and Zach Churchill, the president of the Students' Association, along with many others among both students and faculty, applauded Dr Murphy's action. The university's official reason was not, though, the only reason these officers and others gave as justification for having the cartoons removed. In statements and interviews, each mentioned one or another of the following as a sufficient justification: the presence of the cartoons harms emotionally some members of the Saint Mary's University community; the presence of the cartoons harasses Muslim members of the university community; the presence of the cartoons creates a hostile workplace; the presence of the cartoons violates someone's human rights (by, it would seem, expressing or fomenting hatred toward members of a group).

Indeed, in his memo giving the official reason, Dr Murphy himself made a vague remark about human rights. For his part, Colin Dodds, the President of Saint Mary's, wrote in an email message that "we would take the same position whether it be porn, anti Jew, anti Christian etc.", a remark that would make little sense if President Dodds thought the cartoons were ordered down solely on grounds of public safety. So far as I know, the university has not stated that none of the other justifications in the air was among its actual reasons for ordering the cartoons down.

Dr Murphy, Mr Bridges, Dr Smith, and Mr Churchill were each at pains in their statements to affirm their support for academic freedom. Each took one or more of three separate lines: 1) academic freedom was not at stake at all here, as academic freedom concerns research and teaching and office doors are not venues of research or teaching; 2) Dr March's academic freedom was not violated, as Dr March either acted irresponsibly in posting the cartoons or the posting lacked academic significance; 3) freedom is one value among others and must sometimes be curtailed in favour of another value. Each of these officers said that though Dr March is not free to post the cartoons on his door, he is free to display them in his classroom, though Mr Churchill added that Dr March must discuss them with his students responsibly.

Some Saint Mary's professors who agreed with Dr Murphy's decision took a fourth line: academic freedom is best served by including among the family of scholars all who would like to belong to it, and Dr March's insensitive or insulting gesture might well serve to exclude people from the family. One of these professors told me that Dr March should not be allowed to display the cartoons in class. (He may, though, he or she added, post them on an internet site only his class could view or give his students the address of a site on which they appear.)

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There is much that is distressing or dispiriting in the affair.

1) Though Terry Murphy's fear was hysterical and, most likely, based on a partial view of the evidence, it might well have been sincere. Nonetheless, Dr Murphy's first and only thought was to remove the cartoons. It did not occur to him to meet whatever threat he thought they posed by increasing security or moving the display to a safer location.

2) Terry Murphy did not say in his memo, nor has he said subsequently, that he regrets that he had to order the cartoons down. He has not characterized ordering them down as the lesser of two evils. He has not said that it is a sad day when we must fear the wrath of our fellow citizens when we post cartoons. He has not shaken his head in dismay that neither the university's security service nor the police can protect us from the would-be violent criminals in our midst.

3) The idea that what is unacceptable in the hallways of the university is acceptable in the classrooms is preposterous and dangerous. Academic freedom cannot be protected by distinguishing between hallways and classrooms. On the contrary: if posting cartoons on a door violates someone's human rights or puts safety at risk, then displaying them in a classroom can easily do so as well.

4) Many students at Saint Mary's and a depressingly large number of faculty members are inclined to think that because Dr March was, as they think, wrong to post the cartoons, it was right and good that they were ordered down. Many people take it as axiomatic that authorities are to act repressively to correct any wrong.

5) Many members of the Saint Mary's community have a very poor understanding of the nature and value of academic freedom and of freedom of expression generally. This is true especially of those who find in the case no infringement of academic freedom at all, but not only of them. Dr March's gesture hurt some feelings, but, even if it was insensitive or insulting, it put nothing much else that we care about at risk (other than, let us suppose, safety). So those who support the university's infringement of Dr March's academic freedom on human rights grounds, or whatever, clearly have only the shallowest commitment to academic freedom. In a minor contest with any other value, it would seem, they are happy to show freedom the door.

6) Some of my colleagues told me that had it been anyone other than Dr March who had been treated that way by the administration, he or she would have come to his or her aid. Dr March, an

aggressive controversialist, simply got what was coming to him—finally. It will all blow over, I was assured, and none but the deserving will be any the worse for it. Another colleague told me that he or she didn't want to get involved for fear of his or her career. (I think that his or her fear is entirely ungrounded.) Concern for principle aside, looking at it just pragmatically, these are dangerously imprudent attitudes for academics to live by.

7) The union declined to intervene. It determined, before any grievance was filed, that the administration did not violate Dr March's academic freedom. (It has not explained its determination, except to say that it consulted experts.) The union has made more insinuations about harassment and human rights violations than the administration has. When Dr March sought the union's assistance, it declined to pursue the grievance he had prepared.

8) Many professors at Saint Mary's think that questions concerning the pedagogical soundness of Dr March's gesture are relevant to whether the university was right to have ordered the cartoons down. Because the gesture served no good teaching function (they say, always without argument), the university was right to put an end to it, given that it caused people hurt.

9) The quality of discussion of the order to remove the cartoons has been dismal. No one who has issued a public statement expressing support of the order has supplied anything like a full or considered argument in favour of it.

Terry Murphy has not explained how events in countries very much unlike Canada made his fears reasonable. He has not explained why ordering the cartoons down was the best option available to him. He has not explained how ordering them down did not violate Dr March's academic freedom. He has not explained how we can suppose ourselves free in the classrooms but not in the hallways. He has not clarified his suggestion that Dr March acted irresponsibly in posting them nor has he explained how Dr March's supposed irresponsibility is relevant to his decision. He has not clarified the reference he made in his memo to human rights.

Chuck Bridges, Steven Smith, and Zach Churchill, in their public statements and their messages to me, have not even tried to explain how the offence that many Muslims and others take to Dr March's gesture amounts to a violation of human rights, harassment, hostile workplace, or emotional harm. They simply assert that Dr March's gesture amounts to one or another of these—or, worse, they insinuate that it does. Further, the latter two say both that Dr Murphy violated Dr March's academic freedom justifiably in a good cause and that Dr Murphy didn't violate it at all. Both say, without argument, that the administration is right to stop us when we act irresponsibly. Neither has argued that Dr March acted irresponsibly in posting the cartoons.

10) Officers at Saint Mary's University don't care that the quality of their discussion of the Peter March affair has been dismal. In postings on a public bulletin board and in email messages I have asked those responsible for ordering the cartoons down and those who support their being ordered down to clarify, explain, and justify their positions. I have laid out why I think the university was wrong to order them down. For the most part, people to whom I have sent messages have acknowledged them. But none has addressed my criticisms or arguments. They merely reiterated their confused and unargued positions.

This, to me, is terribly discouraging, perhaps the most upsetting element of the whole affair. Administrators and professors at my university are indifferent to argument.

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I would add an eleventh distressing and dispiriting thing, something I think important, though it isn't directly about academic freedom. I would add that the quality of discussion of Dr March's gesture

itself has also been dismal or, rather, almost nonexistent. Few here at Saint Mary's have shown any interest in debating the merits of Dr March's gesture as pedagogy or politics or a move in a discussion, except to assert that that gesture was empty. But what was Dr March up to in posting the cartoons? What were his goals? Were these goals admirable? Was posting the cartoons an effective way of reaching them? What, if anything, was ethically unsound in posting the cartoons? If posting them was ethically unsound, because, say, it offended or disturbed people, and yet was effective in reaching an admirable goal, should Dr March have posted them?

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A public discussion of these matters on our campus would have been interesting and useful.

At Saint Mary's, only in the student newspaper was the gesture itself discussed. The students' philosophy society toyed with the idea of having Dr March explain himself publicly and face questions and criticisms, but eventually set out instead to organize a panel discussion. (Society members were unable to agree on a topic, no Muslims the society contacted would participate, and the project collapsed. To its credit, the philosophy society did later organize a successful discussion of free speech and the law.)

It was Dalhousie University, the big university down the street, that raised publicly the issue of the merits and flaws of Dr March's gesture as a piece of teaching or a political act or a move in a discussion. In March, people at Dalhousie invited Dr March to explain himself and to respond to criticism. They assumed a task our VP Academic and Research had shirked.

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The affair itself might not yet be over. In late March, students filed a complaint against Dr March. A formal Harassment and Discrimination Hearing Committee was struck. Lawyers were summoned. Money was spent. The Committee was to determine whether Dr March harassed the complainants, either in posting the cartoons or in comments or actions in the days that followed. Were the Committee to determine that he did, Dr March might be reprimanded by the university. In late June the process stalled. Those who brought the complaint might choose to restart it. If they do, another chapter in the Peter March affair will begin in mid-September.

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