

Disciplinary Action against Me by My University

Document 9: Email Message to Nudge the President

Beatings will continue until morale improves

Mark Mercer
Wed 3/3/2021 10:14 AM
To:

- Robert Summerby-Murray;
- Malcolm Butler

Cc:

- Dean of Arts
- Carol Crosson <ccrosson@crossonlaw.ca>

Malcolm and Robert,

The offer I received yesterday was that the university would “discontinue the disciplinary meeting” in exchange for my sending a statement of regret that some people were upset by my message to all the people who originally received that message. Now, I do regret that some people were upset by my message and I am happy to let those who were upset know that I didn’t intend to upset them. But I won’t send a statement to everyone.

Why should Jacques Frémont care? What business is it of his? Why should Steve Smith care? Or Lori Frances? The demand to allow persons A and B to overhear what person C says to person D is grotesque.

Were Saint Mary’s to ask me to participate in its attempt to humiliate a professor at Saint Mary’s, I would have to decline. You are asking me to participate in your attempt to humiliate a professor at Saint Mary’s and, so, I have to decline.

Let me ask: If I were to send a statement of regret aimed at just two or three people to all 38 original recipients, how would Saint Mary’s and you, Robert, look? Wouldn’t Jacques Frémont wonder how you conceive your relation to the professors at this institution? Would you want Daniel Jutras to think of you as a bully lacking common decency?

I will send the statement to you, Robert (or Malcolm), if you would like, and you may do with it as you please. I know very little of what is going on here, but I suspect that you are under some pressure from somewhere (how else to explain the allegations and the offer?). I regret that people were upset and if you want to make that fact public in order to relieve the pressure, go ahead.

This whole affair, from the letter summoning me to a meeting to the offer conveyed by the university's lawyer, has been marked by a lack of reasonableness. There has been no discussion at all and I seem to be the only person involved who has stated positions and given reasons for them. Did anyone read my original message? In that message I explain why what the two of you have been up to is wrongheaded and anti-academic. You must disagree—or, more likely, you value something else above the academic. But you have not critiqued my argument or explained your own position. You chose the non-collegial mechanism of a disciplinary process and you have not exhibited collegiality anywhere along the way.

Disturbing also is the university's disdain for natural justice. I received the summons almost four months ago. You have not been trying to settle it with any speed. Neither of you has said just which rule or regulation I have breached or how I breached it. No one has accused me of being rude or intemperate or otherwise disrespectful (in the proper sense of "disrespectful"). I've explained that the documents you say I breached actually protect professors who make frank criticisms and that, anyway, the Collective Agreement protects academic freedom and our Charter rights to expression. The allegations are false and yet here I am, being threatened with discipline unless I accept an immoral offer.

Saint Mary's should simply say that since the allegations against me made in the original summons have not been substantiated, the disciplinary procedure is now closed.

All the best,

Mark

[As of 14 March 2021, I have received no reply to this message.]