

11 September 2022

To the members of the SMUFU executive, 2022-2023:

On 23 June 2022, SMUFU president Marc Lamoureux wrote, in response to a message I had sent him, “My understanding of your case is that you accepted responsibility for your actions. Were you forced, coerced, agreed under duress, in accepting to write the letter of apology?”

“Your case” refers to the disciplinary process against me begun by the Employer on 6 November 2020 and ended on 5 March 2021, when I received from the university’s president a letter entitled “Notice - Disciplinary Process Discontinued.”

All the documents I received during the process, and my commentary, are available on my website: <http://professormarkmercer.ca/disciplinary-action/>

The two sentences I’ve quoted suggest to me that Marc and the union executive in 2020-2021 were misinformed about what occurred during the process and how the case ended. In this note, I correct the record.

Marc says that I wrote a letter of apology. I did not. Rather, I sent to President Summerby-Murray a statement expressing regret that my message upset one or more of its recipients. The statement implied nothing more than that it was not my intention to upset anyone. It was not a letter of apology, as I had done nothing wrong in sending my message to its recipients, including those upset by it. One can apologize only for wrongdoing, and I had done no wrong.

Not only had I done no wrong, I had not violated any Saint Mary’s rules or regulations, including those Summerby-Murray cited in the letter summoning me to a disciplinary meeting. The complaint the Employer chose to pursue was utterly without merit.

I made clear to the union officials overseeing my case, to the union’s lawyer, and to the university’s president that the statement of regret was not an apology. Email messages in which I explained that I was not apologizing are available on my website.

Marc’s phrase “accepted responsibility for your actions” conversationally implies both that I believed I had acted wrongly and that Marc believed I had acted wrongly. I did not act wrongly and Marc is mistaken if he believes that I did.

I signed the statement of regret in good faith, for indeed it was not my intention to upset anyone. I knew someone *might* be upset, but that someone will be upset at what one has to say, while a small reason not to say it, is almost always outweighed by one’s purpose in saying it. I do not regret having sent my message, even to those upset by it, but I’m sad anyone was upset.

I think it stupid and repugnant of the Employer to have asked me to sign a statement of regret, but I signed it anyway in order to end the process and because I had little faith that SMUFU would act well should I have pressed for the Employer to dismiss the complaint for lacking merit.

SMUFU, for its part, should have from the outset pressed the Employer to dismiss the complaint as entirely without merit. SMUFU should also have noted that the Employer violated my academic freedom by pursuing the complaint.

All the best,

Mark

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Professor of Philosophy