

297. Is Informality Simply Too Dangerous?

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“Why didn’t they just talk to me first?” more than a few professors have asked. “Had they talked to me, this could all have been settled quickly and properly. But, instead, now we’re in the middle of a formal process, lawyers have been summoned, everyone’s on edge and the stakes have risen quite high.”

The professor has irked someone—a student or a group of students, a staff member (perhaps one in Human Resources), an administrator, or a fellow professor—and has been called for a meeting with the dean or academic vice president or summoned to a disciplinary meeting. Or the conflict resolution officer is on the case. Or a performance review is now in motion.

The professor said or did something that annoyed, offended or insulted someone, or the professor let slip something that someone maintains he was to keep confidential, or someone feels threatened when the (burly) professor passes by their office, or the professor has been late a few classes in a row, or the professor surveys student opinion on a controversial topic, or decorates his office in a way that puts some students off.

These sorts of things really do happen and they really do provoke complaints to university officials. And university officials really do then begin to perform prescribed solemn rituals. The representative professor I’ve quoted is right: if instead of going the formal route, someone had just called him up informally or arranged an informal chat, the matter could have been resolved easily. But, instead, the university officer who received the complaint opted for a formal procedure.

Ideally, of course, when what a professor says or does bothers someone, the bothered person will take it up with the professor himself, without bringing it to the attention of a university officer—unless, of course, the matter is serious (*quid pro quo* harassment, for instance, or credible threats of violence, in which case call security). Bringing something to an officer is to place an intermediary between the two parties, and that is to make stilted and cold the relation between the two. Involving an officer encourages insincerity and is the death of candour. To the extent that a university values collegiality, then, it will discourage people from initiating formal processes. To the extent that the members of a university prize intellectual and moral autonomy, they won’t consider involving outsiders, except as a last resort. If the professor’s jokes cause one to feel demeaned, one will speak to the professor about it; if one speaks instead to the department chair or the dean, the chair or dean will explain to one why one should speak to the professor about it and not pretend it rises to the level of harassment or whatever.

Universities typically claim to be collegial institutions. Their official documents laud respect for autonomous personhood and warm personal relations among members of the university community. University policies themselves almost always contain directives that aggrieved parties are to seek to meet with the professor who has hurt them or is the source of their difficulties

and talk frankly with him. Despite all this, university officers seem happy to receive complaints and initiate procedures without a thought to the worth or demands of collegiality.

It is clear why they do. Some of them simply lack the judgement required to distinguish a serious or urgent complaint from the sorts of prickles that invariably attend human interactions. Some of them hold that formal intervention is the best means of dealing with both personal and systemic racism and sexism, of which, despite all evidence to the contrary, they think is rife at their institution. Others, perhaps the majority, fear the consequences for themselves if they don't appease the complainant by setting a ball rolling.

It is bound to get worse. University senates, unions and administrators tend to favour the idea that their institution is a tool for use in the struggle for social justice rather than that it is an academic institution. They see collegiality not as integral to the ethos of the institution but as something to be dispensed with as soon as it gets in the way of their extra-academic goals. The loss of concern for the academic mission and the proliferation of campus codes and calls to report miscreants will certainly encourage complaining.

Collegiality must mark a university if that university is to be a place at which people treat each other as able to think for themselves and as responsive to reasons (and not just to pressure). A university is not collegial if people who rub each other the wrong way are apt to lodge complaints and administrators feel duty bound (or excited) to pursue them through formal processes. If we think of our colleagues and students as people able to think for themselves or, at least, as people who aspire to think for themselves, we will tolerate a lot of behaviour we don't like and, in those cases in which we don't want to have to tolerate it, we will discuss it critically, without summoning authorities.

That is why we should keep the ideal of collegiality and informality alive, at least in our minds and hopes. We should insist, as far as possible, on informal relations among members of the university community, especially when they aren't getting along. But, of course, if we are *insisting* on informal matters, things must already be bad. If we were at a collegial institution, we would habitually attempt to resolve problems through critical discussion. The idea of launching a formal complaint would not occur to us or to our fellows.

But here we are, today, in universities that don't value collegiality or have an academic ethos. Our administrators often, indeed, see collegiality as part of the problem. They will initiate formal procedures without a thought about what they are doing. Given this reality, isn't it foolish of us to ask for informality?

The foolishness is this: Anything you say or do can be held against you—and thinking that you are engaged informally in smoothing something out will cause you to let your guard down. Collegiality and informality between professor and professor (unless the two are good friends), and always between administrator, student or staff and professor, is simply impossible in a contemporary university. The complainant will likely see him or herself as a victim or adversary and will do what he or she can to win. The administrator has interests to serve and will pick a side. Pretending that we're all people of good will seeking to resolve a problem without thereby traducing academic values will be your death.

Formality, then, is your best bet, if only because that way you have some procedural protections. Require that the complaint against you be submitted to the proper authority and that the union and the lawyers be called in. (The union, sadly, might be against you, but generally you can count on the union's lawyer to do his best if only out of his sense of professional responsibility, even though his heart isn't in it.) File complaints yourself. You're in the system, whether you want to be or not, so take advantage of whatever the system offers you.

Because our universities are not collegial institutions, presuming informality in resolving problems invites the misuse of disciplinary procedures and puts alleged wrongdoers at risk of being railroaded. Formal procedures at least have the virtue of inbuilt protections. Professors or students alleged to have done wrong are wise, then, not to assume anything is collegial or informal.

“Formal procedures have inbuilt protections.” That isn't entirely true, though. For administrators who despise collegiality cannot be trusted to care much about transparency, natural justice or the good of the university as an academic institution, and so cannot be expected to honour formal protections. The argument I've presented in favour of holding to formality at non- or anti-collegial universities is only that one is exposed to fewer risks than one would be if one presumed informality. My contention is not that formal procedures guarantee proper outcomes. Administrators are happy to interpret the rules as they wish, unions have carriage of the case and might well prefer social justice goals to academic values, and labour law in Canada favours the union when professors allege faulty representation.

Administrators should, of course, refuse to initiate formal proceedings except when a miscreant's behaviour is intolerable—intolerable, that is to university people, who pride themselves on their tolerance, stemming as it does from their commitment to intellectual and moral autonomy. (And from their humanity. “It takes all kinds to make a university.”) Administrators should direct people to speak with each other and to do so informally. They would, if they understood the centrality of collegiality to intellectual life. But short a drastic change in cultural trends, they won't. And so long as university administrators are only weakly committed to academic values, professors (and students who fall victim to complaints) have to look out for themselves.

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