

# Students and Academic Freedom in Canada<sup>1</sup>

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Writing about academic freedom in *Maclean's* in 1936, McGill University's Stephen Leacock argued that universities should not try to control student speech or seek to monitor student behaviour outside the university.<sup>2</sup> What his readers made of this is not known; we do know that for much of Canadian university history, Leacock's was very much a minority view. Before the 1960s, the academic freedom of students was largely a non-issue. Administrators and governing boards, usually conceding academic freedom to professors while trying to limit its scope, would not grant any aspect of it to students, typically seen as adolescents who should stick to their studies and to "safe" extracurricular activities. Above all, in no way should they cause embarrassment to the university or endanger its sources of support.

Leacock's proposed alternative was not as eccentric as it might at first glance seem. In the nineteenth century German universities, whose influence on North American higher education was significant, *Lehrfreiheit*, the professors' freedom to teach, found its counterpart in *Lernfreiheit*, the students' freedom to learn. This did not mean equality in the classroom, where professors and instructors ruled. *Lernfreiheit* was the absence of administrative control of learning, including student research. Students chose how, where, and with whom to study, and took whatever time they pleased in preparing for the *Staatsexamen*, the state-set examination. They lived in private quarters, their personal lives beyond university supervision. The historian Walter P. Metzger writes: "To the university student, coming from the strict and formal Gymnasium, *Lernfreiheit* was a precious privilege, a recognition of his arrival at man's estate."<sup>3</sup>

*Lehrfreiheit* helped to give form and content to the North American idea of academic freedom.<sup>4</sup> *Lernfreiheit*, in contrast, had no noticeable impact on

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<sup>1</sup>Based on my research for a history of academic freedom in Canada, this paper has benefited from criticism and comments by Paul Axelrod and Charles Levi. For abbreviations used in the following notes, see page 32.

<sup>2</sup>Stephen Leacock, "Academic Freedom," *Maclean's*, 1 Feb. 1936, 14–15.

<sup>3</sup>Richard Hofstadter and Walter P. Metzger, *The Development of Academic Freedom in the United States* (New York 1955), 387. There was some precedent for this. See Hastings Rashdall, *The Universities of Europe in the Middle Ages*, vol. 3, *English Universities—Student Life* (Oxford: Clarendon Press, 1936), esp. 357–61.

<sup>4</sup>For an account of the background and meaning of professorial academic freedom in Canada, see Michiel Horn, *Academic Freedom in Canada: A History* (Toronto: University of Toronto Press, 1999), 4–10.

this side of the Atlantic Ocean. It was incompatible with a tradition which placed administrators in a parental role and allowed the institutions to determine who should graduate. North American students did not enjoy the mobility among universities enjoyed by their German counterparts. As well, students were not part of the communities of competence that were a key part of the North American idea of academic freedom. The authors of the Report on Academic Freedom and Academic Tenure, issued in 1915 by the newly-founded American Association of University Professors (AAUP), wrote: "It need scarcely be pointed out that the freedom which is the object of this report is that of the teacher."<sup>5</sup>

In Canada, no organization analogous to the AAUP existed until the Canadian Association of University Teachers (CAUT) was founded in 1951. However, not until seven years later did the CAUT begin to draft a statement on academic freedom and tenure. Strongly influenced by the 1940 AAUP document on these topics, the statement adopted by the CAUT national council in 1959–60 made no mention of any form of academic freedom that students might enjoy.<sup>6</sup>

This silence almost certainly reflected the majority view among Canadian professors. Northrop Frye's attitude was probably shared by the bulk of professors from the early nineteenth century into the 1960s (and by some of them to this day): students had no claim to academic freedom in any form because they lacked the knowledge necessary to make informed judgments.<sup>7</sup> Frye's view, it may be unnecessary to add, was compatible with the attitude held by university administrators.

Students did not always accept this view, however. Over the years, Canadian students occasionally acted as though they had or should have certain freedoms within the university. In 1883 the *Varsity*, the University of Toronto student newspaper, deplored the lack of intellectual and social freedom enjoyed by students—"in comparison with the Universities of Germany, and even of England, our freedom is a mere shadow"—and called for reform.<sup>8</sup> Before and afterwards, students from time to time sought

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<sup>5</sup>"General Report of the Committee on Academic Freedom and Tenure (1915)," *Law and Contemporary Problems* 53, no. 3 (Summer 1990), 393; on "communities of competence," see Thomas L. Haskell, "Justifying the Rights of Academic Freedom in the Age of 'Power/ Knowledge,'" 54, and Joan W. Scott, "Academic Freedom as an Ethical Practice," 175, both in Louis Menand, ed., *The Future of Academic Freedom* (Chicago and London: University of Chicago Press, 1996).

<sup>6</sup>Horn, *Academic Freedom in Canada*, 247–51.

<sup>7</sup>Howard Woodhouse, "Northrop Frye on Academic Freedom: A Critique," *Interchange* 23, nos. 1–2 (1992).

<sup>8</sup>*Varsity*, 3 Mar. 1883.

freedom of association and expression, including the freedom to organize into clubs, to invite speakers on to the campus, to debate matters of current interest or write about them in student newspapers, even to criticize professors and the administration of the university. On occasion, too, students exerted themselves on behalf of professors who had fallen foul of their colleagues, of presidents, or of governing boards. Noteworthy early instances occurred at Queen's University in 1863, at King's College, Nova Scotia, in 1884, and, above all, at the University of Toronto in 1895.<sup>9</sup>

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What follows is a selection of incidents in Canadian university history illustrating the efforts by students to exercise or expand their freedom. Their efforts were not always consciously directed to such ends, of course, but they invariably challenged the relatively passive role that administrators and most professors assigned to students. The incidents deal with freedom of expression, student clubs and debating societies, invited speakers, and the student press. Taken from different times and institutions, they indicate that, well before the student movement of the later 1960s, Canadian students were concerned to claim a measure of academic freedom.

One of the most remarkable manifestations of student activism in Canadian history, the Toronto student "strike" of February 1895, was partly the result of the growth of a concept of student academic freedom that included the activity of campus clubs, the freedom of students to invite outside speakers to the campus, and the right of the student press to criticize professors and the actions of the University Council.

Although student concerns and claims were central to the strike of 1895, however, it might well have been avoided had the university as a whole been less beset by conflict. Among the origins of the troubles were the control that the provincial government exercised over the university and the short rations on which it kept the institution. The University Act of 1887 established a university council, consisting of the president and professors, which was charged with the maintenance of discipline, the direction of University societies, and the control of occasional lectures and teaching. A senate with mixed academic and non-academic membership controlled the curriculum, and a board of trustees supervised the budgets of University College and the university.<sup>10</sup> Ultimate authority remained with the government, which appointed the professors.

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<sup>9</sup>Horn, *Academic Freedom in Canada*, 16, 19, 22.

<sup>10</sup>Nathanael Burwash, "The Development of the University, 1887-1904," *The University of Toronto and Its Colleges, 1827-1906* (Toronto: University of Toronto Library, 1906), 58.

This prompted charges of political interference. There were complaints, too, that Sir Oliver Mowat's government habitually kept the institution in poverty. Whereas the charges of interference were difficult to substantiate, those of parsimony were not. One result was that junior faculty were chronically unhappy; another was that, in the absence of a pension plan, the restricted ability of the trustees to pension off professors led some of the latter to stay on longer than they should have, raising legitimate questions about the quality of teaching.

By the 1890s the university was troubled for other reasons as well. Tension existed between those who welcomed the emphasis on research associated with the German university tradition, and those who championed the older British-influenced humanism. There was tension, too, between Canadian nationalists and those who looked to Britain for academic talent. In 1892 James Loudon, a physicist, succeeded Sir Daniel Wilson in the presidency. Loudon adhered to the German research ideal; in recommending appointments he was a strong Canadian nationalist. On both counts he faced opposition.<sup>11</sup>

In 1894 the appointment of George Wrong to the professorship of history brought criticism. Controversy had surrounded him since his appointment as lecturer in English history two years earlier. The starting salary for a lecturer was \$800; he got \$1500. This was less than he had earned at Wycliffe College, the evangelical Anglican divinity school, but the suspicious discerned another reason for his generous treatment. He was the son-in-law of Edward Blake, chancellor of the university and a former Liberal premier. Critics charged that Wrong owed his appointment and salary to political patronage.<sup>12</sup>

As well, the vice-chancellor of the university, William Mulock, was critical of both Loudon and Blake. Enjoying the confidence of several student leaders (among them a future prime minister of Canada, William Lyon Mackenzie King), Mulock was willing to use student grievances in order to make life difficult for his opponents in the university administration.<sup>13</sup>

In the fall of 1894, *Varsity* editor James Tucker used his column to ask some provocative questions about Wrong's recent appointment to the chair of history. Rumours in the Toronto press implied that Wrong had benefited

<sup>11</sup>A.B. McKillop, *Matters of Mind: The University in Ontario 1791-1951* (Toronto: University of Toronto Press, 1994), 154-6.

<sup>12</sup>Robert Bothwell, *Laying the Foundation: A Century of History at University of Toronto* (Toronto: University of Toronto Press, 1991), 27.

<sup>13</sup>H.H. Langton, with introduction and notes by Robert H. Blackburn, "Mackenzie King, William Mulock, and the University of Toronto Students' Revolt of 1895," *Canadian Historical Review* 69, no. 4 (Dec. 1988).

from government influence exerted on his behalf, and Tucker urged the university authorities to respond. Those who believed that the *Varsity* gave credence to the rumours by repeating them, were further offended by its publication of an anonymous "Fragment Found on the Lawn," which commented satirically on Wrong's appointment. Tucker, in the meantime, attacked unnamed faculty members whom he held to be unworthy of university employment because they were incompetent and uncouth. Alas, "the University of Toronto never dismisses a member of its staff, no matter how incompetent he may be found."<sup>14</sup>

In late November, Tucker drew attention to a program of debates scheduled by the student-run Political Science Association. Did he anticipate trouble over the choice of speakers, Alfred Jury and Phillips Thompson? One was a well-known agnostic, the other a socialist; both were known to favour organized labour. Tucker wrote:

The... Association has done right to ignore all such extraneous considerations... and we sincerely trust, in the interest of all that is enlightened and liberal, that no narrower and more intolerant spirit is to be manifested in this matter from another quarter.<sup>15</sup>

For reasons that remain unclear, Tucker resigned as editor during the Christmas vacation. Succeeding him, James Montgomery in his maiden editorial deplored the University Council's refusal to allow the first debate between Jury and Thompson to take place.<sup>16</sup> The stated reason was the association's failure to secure the consent of the head of the department of political economy, James Mavor, before scheduling the debate. At least as likely is that the council feared the publicity the debate might attract.

The debate finally took place off campus in late January. By this time Montgomery had resigned, his criticism of the council having brought a demand for an apology as well as an intimation that more editorials of this kind would lead to his suspension or expulsion from the university. Within days a well-attended student meeting claimed "the right of free discussion of the affairs of the University by its undergraduates," authorized a petition urging a public inquiry into the university's affairs, and asked Tucker to resume the editorship. He returned to office with an editorial proposing a thorough investigation into the administration of the university. Describing the Jury-Thompson affair as "a thing entirely separate," Tucker argued that

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<sup>14</sup>*Varsity*, 7 Nov. 1894.

<sup>15</sup>*Varsity*, 28 Nov. 1894.

<sup>16</sup>*Varsity*, 16 Jan. 1895.

the real issue was "whether the undergraduates, and the *Varsity*, as representing them, have a right to express an opinion on the actions of the Council."<sup>17</sup>

The council summoned Tucker and, having questioned him, served notice of his suspension from classes, to take effect on 7 February. Student unrest was already high: a boycott of the classes of a few particularly unpopular professors, such as Mavor, had begun early in the month. Tucker's suspension augmented the boycott; after 15 February, when it became known that William Dale had been dismissed because of a letter he had sent to the *Toronto Globe* criticizing the appointment of George Wrong and appointments to the faculty more generally, the boycott became something like a general strike. Only when President Loudun promised an inquiry did students return to their classes.<sup>18</sup>

The provincial government appointed a royal commission headed by the Chief Justice of Manitoba. Its report exonerated the university authorities while mildly criticizing them for want of tact. Mackenzie King's biographer R. MacGregor Dawson comments:

The kindest thing to say about the efforts of the commissioners is that they had little conception of how a university should be conducted, that they were alarmed at the students' assertion of their rights, and they were therefore determined to gloss over what must have appeared even to them as the shortcomings of the administration.<sup>19</sup>

James Tucker completed his degree at Stanford University; William Dale took up farming in the St Mary's area. The reform of appointments policy at the University of Toronto had to wait until the institution itself was reformed in 1906.

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There was no student government at the University of Toronto in 1895, the University College Literary and Scientific Society being purely social and cultural. Only in 1908 did the Students' Administrative Council (SAC) come into being, a response to a recommendation made in the 1906 Royal Commission report on the university and its governance.<sup>20</sup> Had something like the SAC existed in 1895, though, we can hardly be sure that it would have led the student strike. Of Canadian student governments in general it can be said

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<sup>17</sup>Hector Charlesworth, *More Candid Chronicles* (Toronto 1928), 74; Langton and Blackburn, "Mackenzie King, William Mulock, and the University of Toronto Students' Revolt of 1895," 493; *Varsity*, 26 Jan. 1895.

<sup>18</sup>H.S. Ferns and B. Ostry, *The Age of Mackenzie King: The Rise of the Leader* (London: Heinemann, 1955), 23-4.

<sup>19</sup>R. MacGregor Dawson, *William Lyon Mackenzie King: A Political Biography*, vol. 1: 1874-1923 (Toronto: University of Toronto Press, 1958), 36.

<sup>20</sup>Commission, 1906, *The University of Toronto and its Colleges, 1827-1906*, 298.

that for much of their history they devoted most of their energy to dances, sports and the like, activities that were important to students while offering limited scope for conflict with the university authorities. Students' councils, in fact, were often just as concerned about the public relations image of their university as were executive heads and governing boards.

If student government rarely troubled administrators, student clubs did. When they concerned themselves with politics or religion, they had potential for controversy. Administrators' anxiety was already evident in the earliest surviving constitution of the Literary and Scientific Society of University College, founded in 1854: "No controverted point in religion and politics shall be admitted for discussion..." The stipulation proscribing controversial political issues was changed in 1861 in order to exclude all discussion of Canadian party politics, a change apparently made "in direct response to criticism from worried administrators such as [President John] McCaul."<sup>21</sup> The fear was, of course, that the provincial government might punish the institution financially if some of its students openly adopted a partisan stance.

This was still a concern when some University of Toronto students tried in 1924 to found a chapter of the League for Industrial Democracy (LID). For some time the LID had been under attack by the *Financial Post*, which saw it as part of a "foreign campaign against Canadianism and capitalism in the colleges, and particularly in Toronto University..." When President Sir Robert Falconer denied this, the *Post* described the denial as "futile."<sup>22</sup>

Escott Reid, a member of the student delegation that went to see Falconer, recalled in his memoirs: "He advised us not to press our petition until the row between the LID and the *Post* was cleared up. It was his opinion that, as matters stood, the university authorities would not grant the petition."<sup>23</sup>

In fact, Falconer himself was opposed to the petition. Having in 1922 enjoined faculty members to avoid participating in party politics and discussing "burning" political questions, lest the university should suffer financial damage as a result, Falconer would hardly have wanted students to become entangled in partisan (and more particularly socialist) activity.<sup>24</sup>

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<sup>21</sup>Charles Levi, "Where the Famous People Were? The Origins, Activities, and Future Careers of Student Leaders at University College, Toronto, 1854-1973," (Unpublished Ph. D. thesis, York University 1998), 54.

<sup>22</sup>*Financial Post*, 21 Dec. 1923 and 11 Jan. 1924.

<sup>23</sup>Escott Reid, *Radical Mandarin: Memoirs* (Toronto: University of Toronto Press, 1989), 30.

<sup>24</sup>Robert Falconer, *Academic Freedom* (Toronto: University of Toronto Press, 1922).

At McGill, the Labour Research Club worried Principal Sir Arthur Currie in 1926 and 1927, when RCMP Commissioner Cortlandt Starnes warned him that three unnamed members of the club were communists, and that the Communist Party of Canada was trying to infiltrate McGill.<sup>25</sup> Although Currie sought to monitor the club he stopped short of proscribing it. As he explained in early 1928 to J.B. MacLean of the *Financial Post*, who had complained about a speech that the Communist Party leader Maurice Spector had given to the club, students were “trying to cultivate the Oxford habit of saying things in a clever way without much regard to their common sense. If one advises or interferes in any way the cry of freedom of speech is at once raised.” It was better to let them talk and try to induce them “to think sanely.”<sup>26</sup>

Nowhere were “radical” clubs welcome, but few were banned. (The University of Alberta did so, but only as part of a policy that banned *all* political clubs.) It may be that left-wing ideas enjoyed so little support among students that most presidents simply did not worry about them. In his history of student life in the 1930s, Paul Axelrod notes that student challenges to the status quo were uncommon even during that Depression decade:

Students... did not want to devote much energy to changing the world.... As the straw polls indicated, students followed the political mood in the country as a whole, which was far from radical.<sup>27</sup>

An exception to the dominant apathy arose out of the threat of war. Two organizations which responded to this threat were the Student Christian Movement (SCM) and the Canadian Student Assembly (CSA). The SCM was much the older of the two, and if conservative Canadians worried at times about the “radical” ideas to which its members were exposed, the organization had the support of enough prominent Canadians to maintain an aura of respectability. If the CSA ever had this aura, it soon lost it. Like the longer-lived Canadian University Press, the CSA was founded at a national student conference in Winnipeg in 1937. Organized by the SCM, the meeting brought together 300 delegates from 20 universities. The CSA was intended to promote national unity, political and economic democracy, and increased access to higher education. It also expressed fears of what a war in Europe might mean for Canadian youth.

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<sup>25</sup>MUA, RG2, PO, c.43/301, Cortland Starnes to Arthur Currie, 2 Nov. 1926 and 15 Nov. 1927.

<sup>26</sup>*Ibid.*, c.43/301, Currie to J.B. Maclean, 7 Jan. 1927 [sic], copy.

<sup>27</sup>Paul Axelrod, *Making a Middle Class: Student Life in English Canada During the Thirties* (Montreal and Kingston: McGill-Queen's University Press, 1990), 147.



Although the CSA had some influence before September 1939, the coming of war wrecked the association. Meeting in December 1939 at Macdonald College in Ste Anne de Bellevue, Québec, with a sizable contingent of French-Canadian students present, delegates passed a resolution "opposing conscription for the duration of the war, and... commitments such as a large expeditionary force...." This was the CSA's "death knell," Axelrod notes. Some anglophone delegates strongly opposed the resolution, and the group from Mount Allison University walked out. According to the university's dean of men, Charles Krug, the conference "was being manipulated by those who were 'anti-British, anti-war, and anti all those principles which form the basis of our ties with the British Empire.'"<sup>28</sup> This assessment was perhaps prompted by the presence of the United College historian Arthur Lower and the McGill law professor Frank Scott, both known for their pre-war neutralist sympathies. Although denied by the CSA leadership, Krug's comments contributed to the negative response sparked by the CSA motion. Within months, most affiliates withdrew from the CSA, and by the spring of 1940 it was all but defunct.<sup>29</sup> It seems unlikely that any university heads mourned its passing.

If political clubs could lead to controversy, so could clubs that took an interest in religious issues. At Queen's University some students sought in 1950 to form an Atheist and Agnostic Club. When the Canadian Press got wind of this they contacted Principal R.C. Wallace. No permission had been given, he said: "Queen's welcomes facilities and organizations for any students to follow their own religious faith..., but there is no room for any club or organization which is anti-religious...." To an inquirer he wrote: "Canadian public opinion would not approve of such an organization in a university partly supplied by public funds."<sup>30</sup> Was Wallace right? Probably. There was no state-sponsored religion in Ontario or Canada, but in 1950 religiosity was still a strong force.

After the students changed the name to Agnostics Club, they gained approval from the Alma Mater Society (AMS). The senate had to confirm this, and at a meeting in February Wallace objected to the name. The students actually sought to discuss comparative religion, he claimed, so that the name they had chosen misrepresented their purpose. The club's president argued that "if the Senate insisted on a change of name, they would be interfering

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<sup>28</sup>C.A. Krug to the editor, *Argosy Weekly* 10 Jan. 1940; see John G. Reid, *Mount Allison University*, vol. 2, 1914-1963 (Toronto: University of Toronto Press, 1984), 154.

<sup>29</sup>Axelrod, *Making a Middle Class*, 134, 144;

<sup>30</sup>QUA, coll. 1125, F.W. Gibson Papers, vol. 4, newspaper clipping, 21 Jan. 1950; R.C. Wallace to Richard H. Manske, 24 Jan. 1950, copy.

with the freedom of a minority group on the campus." A majority of senators accepted this argument: Agnostics Club it would be.<sup>31</sup> A few days later Wallace received a letter from a friend, G. Vibert Douglas of Dalhousie University, criticizing him for his "suppression of the atheists." Conscious of the damage that a whiff of irreligion could do to the fund-raising campaign then in process, Wallace was unrepentant. "If you were Principal of Queen's you would not approve of an Atheist Club," he told Douglas: "That may be no argument, but it is a fact."<sup>32</sup>

Debating clubs were normally under faculty supervision, which usually kept students from debating politically incorrect subjects. By the early 1960s control was becoming lax, which may explain the choice of topic of a debate held in the University of British Columbia's Brock Lounge on 26 January 1961: "Resolved that Chastity Is Outmoded." A large audience attended the debate, which was conducted in a jocular fashion. The affirmative side, argued by two young women, won.<sup>33</sup>

President N.A.M. (Larry) MacKenzie received several letters of protest. One was from Mr. Justice A.M. Manson, who cited with distaste a headline in the *Daily Province*: "Chastity Is Outmoded, Say Hundreds of UBC Students." This was "very bad publicity for the University and for the students," Manson thought; the debate should have been called off. "One is aware that in this day of rather lowered morals there are young men and worse, young women who indulge in unchastity, but surely immorality is not to be encouraged."<sup>34</sup>

MacKenzie defended the students but described the debate as "foolish and in bad taste.... Had I been consulted I would have advised against holding it."<sup>35</sup> Because MacKenzie was absent from the campus soon afterwards, it fell to the acting president to reply to the Minister of Education, Leslie Peterson, who had also received complaints. Dean E.D. MacPhee wrote:

The students failed to appreciate the thin line which separates humour and ribaldry, and what was intended as humorous became an affront to the moral sensibilities of a large number of people.<sup>36</sup>

Peterson seemed satisfied with this, but another Social Credit Member of the Legislative Assembly, Buda Brown, remained unhappy. Some weeks later

<sup>31</sup>QUA, Senate, Minutes, 24 Feb. 1950.

<sup>32</sup>QUA, Gibbert Papers, vol. 4, G. Vibert Douglas to Wallace, 9 Mar. 1950; Wallace to Douglas, 13 Mar. 1950, copy.

<sup>33</sup>*Ubysses*, 27 Jan. 1961; John Arnett, "Tongue-in-Cheek UBC Debate: Girls Prefer Being Chased to Chaste," *Vancouver Sun*, 27 Jan. 1961.

<sup>34</sup>UBCA, PO, mfm reel 237, file C13 Sp., Chastity Debate, A.M. Manson to N.A.M. MacKenzie, 1 Feb. 1961.

<sup>35</sup>*Ibid.*, mfm reel 237, file C13 Sp., MacKenzie to Manson, 8 Feb. 1961, copy.

<sup>36</sup>*Ibid.*, E.D. MacPhee to L.R. Peterson, 17 Feb. 1961, copy.

she deplored the evidence of "lax morals at UBC" and said the administration should have censored the chastity debate: "If we won't allow such attitudes in our own homes, why then should it be allowed in an institution supported by public funds?"<sup>37</sup> The president told Brown that he, too, disapproved of the topic, then tried to explain to her the nature and purpose of a university debate. Brown replied primly that the university authorities had a duty to guide the young and protect them from wickedness.<sup>38</sup>

She was not alone in her opinion. Stuart Keate, whose *Victoria Daily Times* had come to the defence of UBC's students while criticizing Brown's remarks, wrote to MacKenzie: "It amazes me that we have four letters in the paper today defending Buda Brown, and suggesting that we are immoral cads!"<sup>39</sup>

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Invited speakers attracted more publicity than clubs or debates. Only persons associated with left-wing causes were seen as problematic, however. In 1938, McGill witnessed a startling instance of the incongruity fostered by the fear of left-wing radicalism. That year the Social Problems Club brought several political leaders to the campus, among them Adrien Arcand, leader of the *Parti national social chrétien*, who appeared at the McGill Union in February to accuse the Jews of plotting communistic revolution in Québec and Canada, and to urge the adoption of fascism as the antidote to their schemes.<sup>40</sup>

Also scheduled to speak was the leader of the Communist Party of Canada (CPC), Tim Buck. Then the executive of the McGill Students' Society decided that they dared not risk breaking Québec's so-called Padlock Act. This piece of legislation, passed in March 1937, enabled the Attorney General to order the padlocking of premises used for the dissemination of "communistic propaganda." The venue of the speeches was the McGill Union, which housed the offices of student organizations as well as recreational facilities and a dining-room. To have it padlocked would have been an inconvenience at the very least.

Did Principal Lewis Douglas bring pressure to bear? He hardly needed to. The student executive consulted with him, but the decision to deny use of the McGill Union seems to have been theirs. Overruled at a general meeting,

<sup>37</sup>Ibid., unidentified, undated newspaper clipping "Buda Brown Condemns UBC 'Chastity Debate.'"

<sup>38</sup>Ibid., N.A.M. MacKenzie to Buda Brown, 27 Feb. 1961, copy; Brown to MacKenzie, 7 Mar. 1961.

<sup>39</sup>Ibid., clipping, "Attack on Students," *Victoria Daily Times*, n.d.; J.S. Keate to MacKenzie, 7 Mar. 1961.

<sup>40</sup>*McGill Daily*, 15 Feb. 1938.

the executive called a further meeting at which the president, Everett Crutchlow, predicted that the university senate would overrule the Student's Society if it should sanction a violation of the Padlock Act. Such action by the senate, he argued, "would be detrimental to the interest of student self-administration." To Douglas's satisfaction, and not his alone, those present sustained the executive this time.<sup>41</sup>

Crutchlow and his associates gave more weight to a possible threat to student services or student government than to the principle of free speech. Douglas was glad they did, for McGill's solicitor had informed him "that to permit a prominent leader of the Communist Party ... to address a gathering of students ... on the subject of Communism, would be a clear and definite violation [of the Padlock Act]."<sup>42</sup> Whatever else might be said of it, Arcand's address was nothing of the kind. In common with other conservative governments, the Québec government, led in 1938 by Maurice Duplessis, saw far more danger in communism than in fascism.

Invitations to speakers who were, or were believed to be, Communists continued to be an occasional source of concern. In November 1947, Tim Buck spoke in the McGill Union at last. (No one seems to have worried about the Padlock Act this time.) Replying to a complaint from Arthur B. Wood, president of the Sun Life Assurance Company, Principal F. Cyril James wrote:

I have no more enthusiasm for Tim Buck than you have..., [but] to prohibit communist meetings, when the Communist Party is legally recognized in Canada, would I think be a very unhappy restriction upon the liberty of thought of the individual.<sup>43</sup>

A year later James reacted very differently. En route to Winnipeg on 6 November 1948, he received a late-evening telegram from his secretary, Dorothy McMurray. A member of the board had telephoned to say that the announcement of an SCM-sponsored campus appearance by Dean Hewlett Johnson of Canterbury Cathedral was damaging the fund-raising campaign that was in progress. A telegram to James from the university's chancellor,

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<sup>41</sup>Charles Levi, "'Decided Action Has Been Taken': Student Government, Student Activism, and University Administration at the University of Toronto and McGill University, 1930-1950," (unpublished paper, York University, 1994), 53-4; *Montreal Herald*, 15 Feb. 1938; MUA, RG2, PO, c. 43/302, L.W. Douglas to Maurice Duplessis, 16 Feb. 1938, copy.

<sup>42</sup>Ibid., c.43/302, George S. McFadden to L.W. Douglas, 23 Feb. 1938; see also Axelrod, *Making a Middle Class*, 141-2.

<sup>43</sup>MUA, RG2, PO, c.118/3209, F. Cyril James to Arthur B. Wood, 1 Dec. 1947, copy.

Orville Tyndale, carried a similar message. Johnson was scheduled to speak in the McGill Union three days hence. What was to be done?<sup>44</sup>

Largely forgotten today, Johnson was highly controversial in his day: an apologist for Soviet communism and an advocate of peace with the Soviets popularly known as "the Red Dean." Did this make him undeserving of a student audience? If it seemed likely to affect fund-raising, yes. James wired to McMurray: "Please ask Vice-Principal [J.J.] O'Neill to tell president of union that meeting cannot be held in view of both campaign and government attitude to dean." Tyndale was asked to explain to the dean of divinity and to Anglican officials in Montreal "why we must stop [the] meeting."<sup>45</sup>

The presidents of the Students' Society and the McGill Union, Robert Gill and Jack Crepeau, were receptive to O'Neill's entreaties and cancelled the booking, on the grounds that the SCM was not a university club. When, in turn, the Labor Progressive Party Club and the CCF Club sought to sponsor the meeting, Gill and Crepeau turned them down. The editor of the *McGill Daily* agreed to suppress the story that the administration wanted the meeting banned. At the same time, board members used their influence to keep this story out of the downtown dailies.<sup>46</sup>

Johnson did speak on 9 November, but in the house the SCM used as its headquarters, where few students heard him. The following day, 1,200 members of the Students' Society endorsed the action of Gill and Crepeau in banning SCM use of the McGill Union. They then affirmed their faith in free speech!<sup>47</sup>

It was important to the administration, as O'Neill put it, "that the students should handle this if possible." Many of them were veterans of the recent war, who would resent being pushed around. James, too, saw this clearly, as an event in the early spring of 1949 showed. At a meeting of the McGill Students' Society on 4 April, more than 500 students deplored police brutality, asserted the importance of free speech, demanded non-interference by the police with campus politics, and suggested the designation of "some small park... for unlimited political expression on the London Hyde Park

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<sup>44</sup>Ibid., c.118/3210, Dorothy McMurray to James, 6 Nov. 1948; Orville Tyndale to James, 6 Nov. 1948.

<sup>45</sup>Ibid., c.118/3210, James to McMurray, 7 Nov. 1948; James to Tyndale, 7 Nov. 1948, copy.

<sup>46</sup>Ibid., Record for the Principal; J.J. O'Neill, Memorandum re Lecture by Dr. Hewlitt [sic] Johnson.

<sup>47</sup>*Gazette*, 10 Nov. 1948; *Montreal Daily Star*, 11 Nov. 1948; Levi, "'Decided Action Has Been Taken ...," 75-7.

model."<sup>48</sup> One observer was unimpressed. "Don't you think its [*sic*] about time someone in authority... put a stop to this nonsense?" he asked James: "These youngsters are supposed to be in College for studies and not to get mixed up in this class of business."<sup>49</sup>

James begged to differ:

In the case of the present generation of undergraduates, many of whom are veterans with distinguished and gallant service overseas, repression is not... the best method of handling the situation. The number of communists on this campus is ridiculously small and the number of those who sympathize with them is not much larger, but there is a very large body of students who are actively insistent on their own rights of free speech ...and who ... insist on defending the right to speak of people with whom they completely disagree.<sup>50</sup>

That, after all, was one of the things they had been fighting for.

In 1947 James defended the right of students to invite Buck to the campus; in 1949 he defended their right to address a controversial issue. Yet in 1948 he wished to prevent Johnson from speaking. The key to this inconsistency was McGill's financial state. Not yet in receipt of public funds, its endowment eroded by post-war inflation, the university had launched its first public campaign for money in 1948.<sup>51</sup> James must have believed that not even a point of principle should be allowed to imperil the campaign's success. By 1949, the campaign being over, a greater measure of freedom could again prevail.

Johnson was also scheduled to speak at the University of Toronto in 1948. The SCM had booked Convocation Hall; the university's disciplinary body, the Caput, denied the use of this and other university buildings to guest speakers during lecture hours. This colourable device was sufficiently transparent to lead to student protest. President Sidney Smith called in the SAC president to explain that Johnson's speech would damage the university in the eyes of the Conservative government led by George Drew and might have unwanted financial consequences. When Johnson spoke it was in Trinity College, a private institution not then in receipt of public funds.<sup>52</sup>

In Alberta, too, the provincial government took a dim view of visiting radicals. This may have influenced the decision by the executive committee of the university's board of governors to cancel in February 1953 an invitation

<sup>48</sup>MUA, RG2, PO, c.118/3210, O'Neill, Memorandum re Lecture ...; c.118/3209, undated, unidentified newspaper clippings: "Students Will Air Red Rally Issue," and "Police Brutality' at Red Rally Deployed by McGill Students."

<sup>49</sup>MUA, RG2, PO, c.118/3209, James T. Bain to James, 4 Apr. 1949.

<sup>50</sup>Ibid., James to Bain, 5 Apr. 1949, copy.

<sup>51</sup>Stanley Brice Frost, *The Man in the Ivory Tower: F. Cyril James of McGill* (Montreal and Kingston: Mc-Gill-Queen's University Press, 1991), 180.

<sup>52</sup>Levi, "Decided Action Has Been Taken....," 77.

extended by the Political Science Club to James Endicott, the former head of the Foreign Missions Board of the United Church of Canada and by this time a prominent advocate of better relations with China and the Soviet Union. President Andrew Stewart explained that the club had failed to consult with his office. The club responded that Endicott had spoken on campus two years earlier and asked the board to reverse its stand. The student newspaper, the *Gateway*, criticized the campus ban, as did some professors: to no avail.<sup>53</sup>

Endicott was apparently *persona non grata*; Tim Buck was not. Asked by the board of governors in 1954 to explain why Buck was allowed to address the students, Stewart said that approval had been given "on the principle that, as the leader of a political party in Canada, he should not be refused an opportunity to speak on the campus." The deans' council would not cancel classes for the occasion, however, as they had done for an address by the Leader of the Opposition in the House of Commons, George Drew.<sup>54</sup> As George Orwell observed, some animals are more equal than others.

From these incidents a few key themes emerge that are relevant to this entire paper. First, administrators were more solicitous of the supposed sensibilities and wishes of private donors and provincial governments than they were of the abstract principles of freedom of expression and association. (This affected faculty too, of course.) Because governments and wealthy individuals were known to be hostile to "radicalism," any student activism that smacked of radicalism was unwelcome. It was doubly so when a fund-raising campaign was in process.

Secondly, the great majority of administrators (and, one imagines, most professors and even students) found the expression of radical viewpoints personally uncongenial and objectionable. This made banning them from the campus easier to justify. Thirdly, student radicalism and student activism more generally depended on the kinds of students present at any particular time. It is possible, for example, that the years immediately after the Second World War saw a heightened degree of activism because of the large numbers of veterans in attendance, though this theory needs to be tested. And one reason for the activism of the late 1960s (to which we shall return) may be that the children of those veterans had entered the university.

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<sup>53</sup>*Gateway*, 19 Feb. 1953.

<sup>54</sup>UAA, BoG, Minutes, 29 Jan. 1954.

No area of student activity had more potential for trouble and harmful public relations than journalism. James Tucker's short-lived tenure at the *Varsity* indicated the outline of a more general problem. Campus newspapers attracted students who wrote easily and had opinions that they were willing to share with others. Unaffected by a need to keep a job and feed a family, their commitment to freedom of the press was apt to be uncompromising. As well, what they wrote was likely to be noticed off campus. It is not surprising, therefore, that administrators and student governments usually sought to turn student newspapers into uncontroversial paths. A statement by the University of Toronto SAC in 1930 was typical: the editor of the *Varsity* should use the paper to promote "good feeling and friendliness and not... discord." He should consider, too, the effect of headlines, news articles, and editorials on the outside reader, "so that the reputation of the University may not suffer."<sup>55</sup>

In order to ensure that "responsible" young people would occupy the editorial chair, editors were chosen or confirmed by students' councils, with administrators or faculty sponsors often exercising a degree of control. However, once in office an editor might exhibit a streak of independence (or gormlessness) that had gone undetected during the selection process. Occasionally news stories or editorials caused grief. Executive heads and students' societies then sought to neutralize the resulting negative publicity and punish the offender.

In 1895, Toronto's University Council had expelled James Tucker. Such punishment was unusual. More common was the fate of one of his successors, Andrew E.F. Allan, removed from his editorial post in 1931. On 24 February of that year Allan wrote an editorial with the title "Atheists," which contained this claim: "The teaching in a good many of the courses here is of such a type as to result in a practical atheism on the part of the students."<sup>56</sup> His tone was ironic, his argument not fully transparent, but by "practical atheism" he apparently meant the condition of not having any experience of God and acting as though He did not exist. This created a storm in the press and the Legislature. The university's board of governors and administrators denied Allan's suggestion, and the Joint Executive of the Students' Administrative Councils ordered the suspension of the *Varsity* for the remainder of the session.

As well, student politicians imposed even tighter controls over the newspaper. In 1934 the SAC publications committee laid down guidelines for future editors. Because the university depended financially on the government,

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<sup>55</sup>UTA, Students' Administrative Council (SAC) Papers, A70-0012/02(07), meeting, SAC, 3 Nov. 1930.

<sup>56</sup>*Varsity*, 24 Feb. 1931.



“it is obviously extremely inadvisable to discuss editorially matters pertaining to Ontario provincial politics, or even matters which might reasonably be thus construed.” Religion was also off limits. Other controversial topics should likewise be avoided, as well as any that “might stir up hostility between faculties.”<sup>57</sup> The board-appointed secretary-treasurer of the SAC, E.A. MacDonald, wrote to President Henry J. Cody: “The Varsity will cause no more trouble.”<sup>58</sup>

At much the same time, a similar incident at McGill had a similar outcome. On 30 November 1932, the *McGill Daily* published a tongue-in-cheek account of drunkenness at a student party. Sir Arthur Currie’s assistant, Wilfrid Bovey, investigated and reported to the principal that the article was accurate but should not have been published because it reflected unfavourably on the university.<sup>59</sup> The temperance movement, although waning in influence, was still strong. As well, most parents expected university administrators to act in a parental role. The article might lead readers to infer that McGill’s officers were failing in their duty.

An unhappy Currie called in the president of the Students’ Society; a few days later the society executive suspended the news editor, Ernest Crown, from the *Daily* for the remainder of the academic year. Led by editor-in-chief Allan Talbot, the managing board resigned in protest. “The story was, at its worst, tactless, but was essentially truthful,” Talbot wrote in his last editorial: “Remember that the *Daily* is a newspaper, not a notice-board or a seed-catalogue. Be accurate, tell the truth, and above all, when you see NEWS, print it.”<sup>60</sup>

Several students, among them Crown and a former managing editor of the *Daily*, William Barclay, then founded an independent magazine, the *Black Sheep*, whose first issue appeared in early February. Almost simultaneously the McGill Labour Club published its new magazine, the *Alarm Clock*. The former was sophomorically satirical, the latter earnestly melioristic, but Currie banned the campus sale of both. Speaking to the Graduates’ Society, he denied having interfered with free speech. During his time at McGill, he said, no attempt had ever been made to dictate to students or professors what they might or might not say: “When academic freedom goes the University might as well close its doors.” But the *Alarm Clock* purveyed political propaganda, while the *Black Sheep* had “attacked benefactors of the university unfairly.”

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<sup>57</sup>UTA, SAC Papers, A70-0012/33, Publications Committee to the Editor of the Varsity, 10 Dec. 1934 (copy).

<sup>58</sup>Quoted in Charles Levi, “The S.A.C. Historical Project,” (Unpublished essay, University of Toronto 1992) 8, 38.

<sup>59</sup>MUA, RG2, PO, c.52/640, Student Activities, clippings from *McGill Daily* and typed notes.

<sup>60</sup>*McGill Daily*, 7 Dec. 1932.

Students should express their views “fearlessly and honestly” but use “tolerance, decency and good taste.”<sup>61</sup>

The two editorial boards reacted very differently to the ban. A member of the *Alarm Clock*'s editorial board politely asked Currie to reconsider the ban. Equally politely, he explained why he would not do so but suggested that the McGill Labour Club ask permission to put the magazine on sale in Strathcona Hall, across the street from the McGill Gates.<sup>62</sup> The editors of the *Black Sheep*, on the other hand, did not challenge the ban but published a second issue more defiantly offensive than the first. The *Montreal Star* accused the *Black Sheep*'s editors of “fouling their own nest”; the *McGill Daily* complained that they had gone “beyond the bounds of good sense or common decency to descend into the mire of filth and mockery.”<sup>63</sup> Angry students assaulted Crown. More than anything else, student disapproval killed the *Black Sheep*, an indication that not only administrative attitudes but also student tastes and codes of behaviour affected the freedom of the student press.

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“Good sense” and “common decency”: the terms still had significance more than a quarter century later, as two 1959 incidents involving student newspapers indicate. Early in the year, Acadia's student weekly, the *Athenaeum*, featured an article that touched off an explosion. Written by a senior student, Robert Fiander, “Paradoxically Speaking” purported to be a dialogue between two young people who were looking at religious paintings, the significance of which they evidently did not grasp.<sup>64</sup> The language used seemed disrespectful of Jesus, Mary, and the apostles, and although Fiander and the *Athenaeum*'s editor, Donald Angus, claimed that the article was “a pro-Christian allegory” about religious ignorance, President Watson Kirkconnell disagreed. As the head of a Baptist institution, he could hardly allow the article to pass without comment, of course, but he overreacted. Describing the article as a “foul blasphemy,” he ordered Fiander to leave not only the campus but also Wolfville on twenty-four hours' notice. Meanwhile the students' judicial committee convicted Angus of printing an article “offensive to good taste and religious conscience,” and dismissed him from his editorial post.<sup>65</sup>

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<sup>61</sup>*McGill Daily*, 19 Dec. 1932; *Gazette*, 3 Feb. 1933.

<sup>62</sup>MUA, RG2, PO, c.51/612, Ragnhild Tait to Currie, 9 Feb. 1933; Currie to Tait, 10 Feb. 1933, copy.

<sup>63</sup>*Ibid.*, c.51/612, clippings from the *Montreal Star*, undated, and *McGill Daily*, 7 Mar. 1933; G.H. Fletcher to Currie, 8 Mar. and 4 Apr. 1933; AWC, Memorandum re: Ernest Crown, 10 Mar. 1933.

<sup>64</sup>“Trebor Rednaif” [Robert Fiander], “Paradoxically Speaking,” *Athenaeum*, 30 Jan. 1959.

<sup>65</sup>*Toronto Daily Star*, 5 and 6 Feb. 1959.

The students' council reinstated Angus, only to be overruled by the judicial committee. The committee also fined Angus fourteen demerit points, one short of expulsion. Fiander, already burdened with several demerit points, was then expelled by the executive committee of the board of governors "because of a long and unsatisfactory disciplinary record, aggravated by an objectionable article ...published in ...the *Athenaeum*."<sup>66</sup>

Student opinion rallied behind Angus, and on 11 February the judicial committee resigned, citing "the students' attitude towards us and the publicity given by the press." In fact, the incident brought Acadia an altogether unwelcome degree of attention.<sup>67</sup> "In drama, as in life, there are times when the show seems to go to pieces," Kirkconnell wrote in the *Athenaeum* a few weeks later: "Nearly everybody muffs his lines and in the general confusion the audience misunderstands half the dialogue." He urged a truce: "The Administration is ready to disclaim any right to order a student out of town...." He hoped that for its part the *Athenaeum* would recognize a responsibility to respect "good taste and religious conscience." The editor responded in kind.<sup>68</sup>

Kirkconnell's memoirs do not contain a discussion of the incident, although a reference to taking "the rap, in the press and over the CBC, for a disciplinary decision that had actually been made at a still higher level" may be relevant.<sup>69</sup> Whether he was really shocked by the article remains an open question. He may well have seen it primarily as a public relations problem. A large part of Kirkconnell's job was fund raising, an activity that the article did not make easier.

At the other end of Canada there was also trouble with a student newspaper in 1959, but this incident involved a secular institution, the University of British Columbia. The *Ubysey* produced an annual "Goon" issue which poked fun at campus personalities and institutions as well as politicians, local and provincial. When the 1959 issue appeared in late March, the university had just announced a fee increase of \$100, close to 45 per cent. Students

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<sup>66</sup>*Toronto Daily Star*, 10 Feb. 1959.

<sup>67</sup>*Toronto Daily Star*, 6, 9, and 12 Feb. 1959.

<sup>68</sup>*Athenaeum*, 6 Mar. 1959.

<sup>69</sup>Watson Kirkconnell, *A Slice of Canada: Memoirs* (Toronto: Published for Acadia University by University of Toronto Press, 1967), 151.

blamed the Social Credit government led by W.A.C. Bennett.<sup>70</sup> "FEE ON YOU," a headline screamed. A cartoon showed leading cabinet members burying a coffin labelled UBC; the lead story quoted Bennett as saying: "The pot is empty and only Fee can fill it."<sup>71</sup>

The front page was fair comment, though unlikely to make friends of Social Credit politicians. The "special Easter page" was something else. One photo showed three cheerleaders, one with arms outstretched, in front of a totem pole; another showed a workman standing by a large hole. "Look at those nail holes in His hands," and "The tomb is empty!" were the captions.<sup>72</sup>

Within a day the AMS executive council suspended the *Ubyyssey* editorial board and staff from working on the paper. The council also published an issue of the *Ubyyssey* in order to make their feelings known. "The people responsible for this paper stepped over the boundaries of common decency..." AMS council president Peter Meekison said: "The damage caused by the first page has set us back to where we were long before the fee increase was discussed."<sup>73</sup>

President Larry MacKenzie expressed satisfaction that the students' council had "taken the matter in hand." It saved him the trouble of doing so. His biographer writes that the "vulgar, tasteless lampoon" angered MacKenzie, not least because the media were highly critical.<sup>74</sup> So were letters to the editor, some of which complained about the money "wasted" on higher education. Jack Webster, a prominent Vancouver radio personality, demanded the expulsion of the transgressors.<sup>75</sup> The matter did not go that far: MacKenzie and the board were eager to see the story fade from the news. Doubtless their low-key response was the most effective. In any case, during the next few years the "Goon" issues were relatively subdued.

If today the incident seems very much like a tempest in a teapot, forty years ago it stirred up strong emotions in a society in which religious obser-

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<sup>70</sup>The fee increase originated in an error made in the Department of Education, where the federal grant to UBC and Victoria College (affiliated with UBC) had been overestimated by some \$700,000. The provincial government reduced its grants to the two institutions by an equivalent amount. Upon discovering the error, the government did not admit to it (nor did UBC point it out) but used the money it would otherwise have given to UBC and Victoria to establish a partial fee-refund scheme for university students with high averages. UBCA, BoG, Minutes, vol. 38, 1 Apr. 1959.

<sup>71</sup>*Ubyyssey*, 26 Mar. 1959.

<sup>72</sup>*Ibid.*

<sup>73</sup>*Ubyyssey*, 2 Apr. 1959.

<sup>74</sup>P.B. Waite, *Lord of Point Grey: Larry MacKenzie of UBC* (Vancouver: UBC Press, 1987), 166.

<sup>75</sup>*Ubyyssey*, 2 Apr. 1959.

vance still loomed large. In common with other provincial universities, UBC was non-sectarian. But that did not mean that people thought of it as irreligious. There were no formal links between church and state in British Columbia, but a large (though unquantifiable) part of its people took religion seriously and resented attacks on it.<sup>76</sup>

Even more to the point from MacKenzie's perspective was that fundamentalist Christians played a prominent role in the government, and that the Social Credit party enjoyed significant support from members of evangelical Protestant denominations. MacKenzie's hostile assessment of the "Goon" issue (and not his alone) owed a good deal to his recognition that it was bound to offend Bennett and his colleagues. Neither the *Ubysey's* spoof of Easter nor its front-page assault on the government was likely to make UBC's relations with the Premier (who was also the Minister of Finance) or the Legislature any easier.

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Perhaps the most fascinating example of interference with the student press took place at the University of Manitoba in 1944. On 18 February, the *Manitoban Literary Supplement* carried an unsigned poem with the title "Atrocities." It denounced war; it also denounced the politicians who had made "two vain stupid wars in one generation" and the clergymen — "Bible-thumpers of whatever creed" — who sought to justify war. If those who made the wars were forced to fight in them, the poet claimed, there would be fewer wars.<sup>77</sup>

Forty years later the editor of the supplement, the novelist Jack Ludwig, still thought the poem "marvellous."<sup>78</sup> Its author, Albert C. (Bert) Hamilton, said to me in 1992 that "it was probably a bad poem."<sup>79</sup> Its literary merit was not at issue, however, in the storm that some days later broke over author and editor.

"Atrocities" attracted little attention at first: poetry is, after all, a minority taste. On 26 February, however, the *Winnipeg Free Press* carried an editorial which claimed to support the right of students "to express their views freely in their own paper," but stated that this time the *Manitoban* seemed "to have

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<sup>76</sup>In 1962 a member of the Philosophy department, Peter Remnant, shocked many students as well as outsiders with his public assertion of his atheism and his pointed criticism of the Bible. Horn, *Academic Freedom in Canada*, 274-5.

<sup>77</sup>"Atrocities," *Manitoban Literary Supplement*, 18 Feb. 1944.

<sup>78</sup>Jack Ludwig quoted in Harry Gutkin with Mildred Gutkin, *The Worst of Times The Best of Times* (Markham, Ont.: Fitzhenry & Whiteside, 1987), 243.

<sup>79</sup>Interview with A.C. Hamilton, Kingston, Ont., June 1992.

crossed the line bounding fair comment and disloyal speech ...”<sup>80</sup> An RCMP constable who interviewed Hamilton and Ludwig found no grounds for action under the Defence of Canada Regulations. That did not stop the university authorities from going after the two men and more particularly Hamilton. He was not just any student; he was the “Senior Stick,” the president of the student council. (This was why the poem had appeared anonymously: Ludwig had thought that Hamilton “shouldn’t sign anything that all the students would not accept.”)<sup>81</sup> One concern of President Sidney E. Smith and his advisers was that the poem might affect recruitment for the armed services among the university’s students; more important was that the university seemed to appear in a bad light. Some Canadians suspected that the country’s campuses harboured young men who would be better occupied in military service; “Atrocities” seemed likely to reinforce such suspicions at least where the University of Manitoba was concerned. In any case, the charge laid against Hamilton was that he had “acted to the prejudice of the University” in writing and publishing the poem.<sup>82</sup>

The university’s discipline committee hearing the case consisted of the deans, the principals of the affiliated colleges, and (for this occasion) the commanding officer of the Canadian Officers’ Training Corps; President Smith was chairman. Given that the charge assumed what should have been proved, once Hamilton admitted authorship the case was closed. He could only cite extenuating circumstances and appeal for mercy. Luckily for him, his credentials were good. His father had served during the 1914–18 war; he himself had enlisted in the Royal Canadian Naval Volunteer Reserve and intended to join the Navy as an officer cadet upon graduation. And he aided himself by showing repentance. He had been short of sleep

and in a mood of depression and revolt had composed the lines in question.... He regarded his literary effort as ‘poetry’ expressing a mood, and it never occurred to him that it would be interpreted as propaganda or an attempt to influence the minds and wills of others. [Asked about his current attitude,] he stated definitely that... the ideas set forth in the poem... were not his considered and personal opinions... He had never advocated disloyalty or subversion and had always been “strictly loyal.”<sup>83</sup>

Upon deliberation, the committee found Hamilton “guilty of the charge that, in writing and publishing the poem entitled ‘Atrocities,’ he acted in a

<sup>80</sup>Quoted in Linda Wylie Gill, “‘Atrocities’: The Hamilton Incident at the University of Manitoba, 1944,” (Unpublished history paper, University of Manitoba 1990), 9.

<sup>81</sup>UMA, UA/20, PP, vol. 53, folder 5, Discipline Committee, 1943–1944, [A.C. Hamilton], Statement made to the RCMP, 3 Mar. 1944.

<sup>82</sup>UMA, UA/20, PP, vol. 53, folder 5, General Discipline Committee of the University of Manitoba, 8 March 1944.

<sup>83</sup>Ibid.

manner prejudicial to the University." They could have recommended his expulsion. Instead they proposed that he be allowed to attend classes and write his exams, but that he not receive his course marks or his degree (provided he passed his courses) "until he receives an honourable discharge from the Armed Force of his choice...."<sup>84</sup> (Had he been killed in action he would presumably have graduated posthumously.)

The committee met again a week later to try Jack Ludwig on the charge of having "acted to the prejudice of the University of Manitoba, in that he accepted and published the poem 'Atrocities.'" Ludwig said he thought the poem "extreme" but regarded it as a "crystallization of an emotional mood" and in any case had not thought that he should censor Hamilton's work. He denied sharing the poem's sentiments. Persuaded that Ludwig had not meant "to publish anything subversive or seditious," but believing also that he had published something that "injured the reputation" of students and graduates of the university, the committee "severely reprimanded" him.<sup>85</sup>

The disposition of the case drew approving nods from the editorial offices of Winnipeg's newspapers. The *Free Press* praised the committee "for having shown tolerance with firmness."<sup>86</sup> The *Winnipeg Tribune*, describing the editors of the *Manitoban* as "enemies of academic freedom," commended the "wise, moderate course" adopted by the discipline committee.<sup>87</sup> When the historian Arthur Lower criticized the editor of the *Free Press* for the newspaper's attitude to Hamilton—"Why wheel up a piece of heavy artillery to swat a fly?"<sup>88</sup>—Bruce Hutchison was unrepentant. He wrote in an editorial:

To win the war we willingly accept certain abridgements of our liberty. There is a responsibility upon us all to use our freedom with wisdom and restraint so that we do not, consciously or unconsciously, impair our efforts to win the war.<sup>89</sup>

The editor of the University of Saskatchewan student paper, the *Sheaf*, took a different view. "Withholding [Hamilton's] degree relegates the Bachelor of Arts to the level of a reward for entertaining only approved sentiments," Marian McLeod wrote: "A university is supposed to teach one to think, not to agree." The poem she saw as "the outcry of a tortured soul, agonized by the thought of the horrors of war"; the *Manitoban Literary Supplement* had every right to

<sup>84</sup>Ibid.

<sup>85</sup>UMA, UA/20, PP, vol. 53, folder 5, General Discipline Committee of the University of Manitoba, 15 March 1944.

<sup>86</sup>"The University Decides Wisely," *Winnipeg Free Press*, 11 Mar. 1944.

<sup>87</sup>"Discipline and the University," *Winnipeg Tribune*, 10 Mar. 1944.

<sup>88</sup>QUA, coll. 5072, A.R.M. Lower Papers, vol. 1, file A22, Lower to Bruce Hutchison, 6 Mar. 1944, copy.

<sup>89</sup>"A Stupid Performance," *Winnipeg Free Press*, 14 Mar. 1944.

publish it. "Freedom of the press does not mean freedom for those ideas which are pleasant, or conventional, or even provable, but FREEDOM OF THE PRESS"<sup>90</sup>

McLeod might have made other points. The ease with which the editors of the Winnipeg dailies acquiesced in censorship because the country was at war (a war ostensibly fought for freedom) was disquietening. Even more so were the question-begging charges against Hamilton and Ludwig, and the ad hoc nature of the sentences imposed. And what should we make of the spectacle presented by a group of middle-aged men, all exempt from military service, sentencing a young man who was about to enlist and might soon be facing injury or death in action?

Eighteen months later, the war over, Sub-Lieutenant Hamilton wrote to Smith, by this time president of the University of Toronto, to obtain his help in entering Toronto's graduate program in English. He felt inhibited from doing so because he had neither his final grades nor his degree, Hamilton wrote, and he did not know whether and how to explain the reason.<sup>91</sup> Smith's reply—"My dear Bert"—was kindly. He had discussed the case with the head of English in University College,

and I know that he will support your application for enrolment in the Graduate School.... There is no occasion for you to go into the peculiar circumstances relating to the award of your degree at Manitoba. Please count on me for unqualified support.<sup>92</sup>

Hamilton completed his M.A. at Toronto in 1948, took a doctorate at Cambridge, and in time joined the faculty of Queen's University.

Recalling the incident almost half a century later, Hamilton was philosophical. Having long since lost his resentment over the treatment he had received, he considered the incident to be "part of the madness of war." Ordinary standards of fairness or due process did not apply in wartime.

Asked whether any of his teachers had offered him support, Hamilton could recall none and said that one had been "very angry" with him. (Ludwig has said that several of *his* professors supported him.<sup>93</sup>) Asked to comment on the academic freedom of students, Hamilton said that, in general, administrators should not penalize forms of expression merely because these may harm the university. But administrators, he added, were almost bound to take a different view.<sup>94</sup>

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<sup>90</sup>*The Sheaf*, 17 Mar. 1944.

<sup>91</sup>UTA, PO (Smith), A68-0067/161(02), Hamilton to Smith, 23 Aug. 1945.

<sup>92</sup>*Ibid.*, Smith to Hamilton, 30 Aug. 1945, copy.

<sup>93</sup>Gutkin and Gutkin, *The Worst of Times The Best of Times*, 244-5.

<sup>94</sup>Hamilton interview, June 1992.



Taken together, the incidents cited show how, into the 1960s, Canadian university administrators sought to deny students anything approaching freedom of expression or association. To university administrators and, one suspects, to many professors the need for good public relations outweighed the institution's function in leading students to examine different points of view, to think critically, and to discuss what they were thinking.

Of course, making students think was never the university's sole function. Another was to equip them to get ahead in the world of paid work or, in the case of women, to marry a "good provider." In so far as the university encouraged students to mind their manners and avoid controversy, it taught or reinforced "useful" lessons. By and large, prudence and conformity have been more highly valued in Canadian society than their opposites.

On the whole, though with exceptions, students acquiesced in the way things were. Not until the student movement of the later 1960s did the compliance of students decline steeply. At the same time their freedoms expanded, with consequences that universities are still living with.

The student movement in Canada had its origins in the movement of protest against nuclear weapons, in support for the U.S. civil rights movement, and in growing hostility to the parental role assumed by university administrators. Influenced by protest among U.S. students against the growing involvement of their country in the Vietnam War, and by reaction to the well-publicized attempt made by officers of the University of California to suppress the Free Speech Movement on the Berkeley campus in the fall of 1964, Canadian student activism changed after 1965.<sup>95</sup> Some students, having come to see universities as subservient to the interests of "the military-industrial complex," demanded that the institutions must become a means of achieving major social change. "Our universities have become increasingly absorbed into the corporate system," the Canadian Union of Students charged in 1968. It urged students and faculty members to "liberate" the institutions in order to secure "academic freedom and university autonomy."<sup>96</sup>

Probably the most cogent analysis of the relationship between the student movement and academic freedom came from the pen of Claude Bissell, president of the University of Toronto, in 1969. He described two distinct but linked groups of "committed students." The "extremists," who

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<sup>95</sup>See Tim and Julyan Reid, *Student Power and the Canadian Campus* (Toronto: University of Toronto Press, 1969); Jack Quarter, *The Student Movement of the 60's: A Social-Psychological Analysis* (Toronto: University of Toronto Press, 1972); Cyril Levitt, *Children of Privilege: Student Revolt in the Sixties* (Toronto: University of Toronto Press, 1984).

<sup>96</sup>"Canadian Union of Students Condemns 'Corporate' Universities," *University Affairs* 10, no. 2 (Oct. 1968), 16.

saw the university as the "principal apologist" for a "hopelessly corrupt" society, wanted to destroy the institution and recreate it in purified form. The "activists" believed that the university should be reorganized "to reflect the opinions and wishes of those who are most closely identified with it."

Claims to student academic freedom had traditionally focused on freedom of speech and the freedom to invite speakers to the campus, Bissell continued. But some students sought to give a more positive content to the concept, seeing it as "the right and the power to make the decisions that shape one's environment." Since this freedom was held to be possible only in a society of equals, the activists struggled against the superior position of the professor in the classroom, against the evaluation of students, and against the administration.

This student-centred concept clashed with the traditional faculty-centred (or "guildist") concept of academic freedom, Bissell said. Having only recently wrested from administrators a measure of power over appointments, tenure, and promotion, professors were disinclined to share it with their students. "This, says the faculty, would destroy the freedom of the teacher in the classroom." Professors would owe their allegiance not to their disciplines, but to fluctuating student fashions. "I doubt whether there will be any easy reconciliation between these two concepts of freedom."

Bissell saw benefits in the students' willingness to experiment and in "the awakening of an interest in the analysis of the university as an institution." But he feared the "resolute dogmatism" of the student movement as well as its "conscious or unconscious" attachment to authoritarianism. "Suspicious of any disinterested emphasis on things of the mind" and ready to use coercion instead of reasoned discussion, the extremists threatened to undermine both the function and the autonomy of the university. "The irony is that the university, by history and inclination, will often tolerate what may ultimately destroy it."<sup>97</sup>

Two incidents in early 1969 confirmed Bissell's misgivings about the student movement. The more destructive took place at Montreal's Sir George Williams University, where students ended a "sit-in" directed against alleged racism in the institution by vandalizing the computer centre. Closer to home was the disruption on 5 February 1969 of a speech by Clark Kerr, former president of the University of California in Berkeley. (Student radicals took Kerr's book *The Uses of the University* (1963) to be a defence of the "multi-versity," the educational counterpart of bureaucratized corporations and governments. As well, Kerr was in bad odour because he had presided over

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<sup>97</sup>Claude Bissell, "Academic Freedom: The Student Version," *Queen's Quarterly* 76, no. 2 (Summer 1969), passim.

Berkeley in 1964, when administrators tried to suppress the Free Speech Movement there.) At the Royal Ontario Museum that February evening, Bissell used the term "fascism" to describe the disruption.<sup>98</sup> Three weeks later he said sarcastically of the student radicals:

Shouting down a guest speaker ... is not hooliganism or ... a denial of free speech; it is confrontation on a high spiritual plane that makes discourse (to use the liturgical word) meaningful.<sup>99</sup>

Bissell's preference was for the older, faculty-centred version of academic freedom. C.B. Macpherson had a different view. The University of Toronto political theorist's 1969 CAUT presidential address gave considerable credence to student criticism of the "liberal university." Traditional defences of the academy as "a community of scholars" or "a place of liberty" would prove unavailing, he said. Professors had to become "more critically aware" of their own relationship and that of their disciplines to society. "The task is to make the university not just a place for the creation of knowledge, but above all a place for the development of *critical* understanding and critical intellectual ability." Only in this way were professors likely to get the best students on their side, and was there "likely to be much future for anyone worthy of the name of professor."

Macpherson linked the future of the student movement to the response it might elicit "from those outside the universities who feel equally impotent or threatened by...the corporate and technological structure of power in modern society." Yet a general revolt against a business society would be "a very long-run affair." In the impatience this might breed he saw grave danger to the university. Students who hoped to use their assault on the academy as a means of increasing public resistance to corporate power might intensify their attack on the university. In response to this neither permissiveness nor calling in the police was likely to be effective. The defence of the university was "a political matter in the broadest sense" and required a slogan. "The slogan of liberty has served us well for a century, but it has lost its magic." Only a "critical university" would be able to survive the radical onslaught.<sup>100</sup>

Were the CAUT's members impressed by Macpherson's address? Some *were* critical in his sense of the word; others had no inclination to be so. If radical students were aware of Macpherson's speech, they probably concluded that he was more interested in preserving the university as a centre of learning than in using it to promote social and political changes such as greater

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<sup>98</sup>Claude Bissell, *Halfway up Parnassus: A Personal Account of the University of Toronto, 1932-1971* (Toronto: University of Toronto Press, 1974), 141-3.

<sup>99</sup>Bissell, "Academic Freedom: The Student Version," 183.

<sup>100</sup>C.B. Macpherson, "The Violent Society and the Liberal," *CAUT Bulletin* 18, no. 1 (Oct. 1969), passim.

economic equality and increased participation by "ordinary people" in the democratic process.

The Milton scholar Ernest Sirluck (the University of Toronto's dean of graduate studies and soon to become president of the University of Manitoba), took a different line from the one Macpherson had taken. He warned late in 1969 against using the university to promote change. Institutional neutrality, he said, was

one of the distinguishing marks of the modern university, which was enabled thereby to develop the doctrine of academic freedom: an atmosphere tolerant of, and providing an opportunity for, variant and conflicting viewpoints and every form of intellectually responsible criticism and persuasion, all premised on the postulate that the university itself would remain permanently free from all commitment except to its own procedures.

The detachment was not always perfect: in "times of upheaval universities often forget, or are forced to put aside, their neutrality." But mostly they had been faithful to it. The demand now heard was that the university must declare its opposition to "the military-industrial complex," a market society, or Canadian complicity in the Vietnam War. This would be a mistake. Such declarations might lead governments to reduce institutional autonomy, and that in turn would weaken the freedom of professors. "University commitments to social and political positions are not consistent with academic freedom."<sup>101</sup>

By the time Sirluck made his speech, the student movement was already in retreat. Even where it had been strongest and most radical, at McGill, Toronto, York University's Glendon College, and Simon Fraser University (SFU), it showed surprisingly little staying power. What at the time may have seemed to be the apotheosis of the student movement, the September 1969 "strike" in SFU's Department of Political Science, Sociology and Anthropology, was in fact more like the movement's last hurrah. In early October, eight faculty members who had joined in the student strike were suspended; most were later dismissed. The strike itself collapsed amidst confusion.<sup>102</sup>

Occasional disturbances reminded observers of the excitement of 1968-9. Among them were the disruption at McGill in 1970 of a speech by a scholar said to be implicated in the Vietnam war and at the University of Toronto of a lecture by an allegedly racist visiting professor in 1974.<sup>103</sup> But the continued

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<sup>101</sup>"If Detachment Goes Freedom Goes Too—Sirluck," *University Affairs* 11, no. 1 (Jan. 1970), 6.

<sup>102</sup>Horn, *Academic Freedom in Canada*, 313-15.

<sup>103</sup>Stanley Brice Frost, *McGill University: For the Advancement of Learning*, vol. 2, 1895-1971 (Kingston and Montreal: McGill-Queen's University Press, 1984), 463; Bissell, *Halfway up Parnassus*, 147.

turmoil predicted by Macpherson did not take place. Repudiated by many students, at least in its more radical forms, the movement soon subsided.<sup>104</sup>

For all its evanescence, the movement had a major impact on Canadian universities. Students secured a greater freedom of expression and association, as the supervision that university authorities had long exercised over campus publications and student clubs came very largely to an end. As well, student membership on faculty councils, senates and their committees, and at many institutions also on governing boards, became all but universal. Not least important, the parental role long played by university officers had effectively ended by the early 1970s.

Given that university administrators had sought for decades to deny academic freedom to students, to channel student energies into non-controversial paths, and to control student activities, why did they so suddenly give in to students with such apparent ease? An answer to this question must look beyond the student movement. Two key developments were the explosive growth of universities in the 1960s, and the increasing social and sexual permissiveness that characterized the decade.

In an increasingly prosperous society, a growing proportion of young people in the 18–22 age group were attending university. Starting in 1963, moreover, baby boomers graduated from high school in rapidly-increasing numbers. With student bodies expanding, it proved ever more difficult for university officers to supervise student behaviour. As well, by the late 1960s a large number of university teachers were not yet 30 years of age and, more than their elders, were apt to sympathize with student demands for greater freedom, whether to speak their minds or to drink beer in residence rooms. As far as sexual mores were concerned, the influence of the birth control pill can scarcely be overestimated. The growing permissiveness of society made the parental role less relevant. Activities still proscribed in 1960, such as drinking alcoholic beverages and entertaining guests of the opposite sex in residence rooms, were by 1970 widely tolerated.

A few other things should be mentioned. One is that by the mid-1960s, student governments, rather than being allied with university administrations, were often dominated by young people eager for change. Another is that the media attended less to what students said than to what they did. The sit-in, with a president's office as a favourite locale, was very effective in gaining media attention. Student protest was bad publicity for the universities, and, to paraphrase a remark made by the historian Charles Lightbody in 1963,

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<sup>104</sup>Levitt, *Children of Privilege*, 52, 93–114.

university administrators fear bad publicity the way wild animals fear fire.<sup>105</sup> It was usually easier and seemed less damaging to give in early to demands than it was to resist. Besides, many of the demands were unlikely to produce basic change. Shrewd administrators and professors early recognized, for example, that student membership on university committees, including committees dealing with tenure and promotion, was more likely to lead to the co-optation of student leaders than to bring about important changes in the university's operations. Finally and not least important, all students graduated within a few years and moved on. Continuity in the university resided with its administrators and teaching staff.

Some of the measures which enhanced student freedom, including student academic freedom, were due to wider social change rather than to the unassisted efforts of the student movement. However, that movement played a significant role in hastening university change. Among the consequences was one that would not have surprised several generations of university administrators. Large sections of the media and the public did not regard student activists with favour. By 1970, public outrage prompted by the "excesses" of the student movement was exposing the universities to fierce criticism.<sup>106</sup> For example, a 1971 report prepared for the Committee of Presidents of Universities of Ontario cited evidence from the media to show that "the attitude of the public at large to the universities ... is entirely hostile," that "expressions of editorial outrage were for a time directed mainly against university students and university presidents," but that more recently even the professors had come "under fire."<sup>107</sup> Doubtless the new public attitude contributed to the unwillingness of provincial governments to continue to fund the universities at the relatively generous levels of the 1960s. Student freedom, then, carried a price tag for the universities just as, on occasion, had the academic freedom of professors.

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<sup>105</sup>UAA, Lewis H. Thomas Papers, 73-138-3, C.W. Lightbody to W.A. Riddell, 25 Sept. 1963, copy.

<sup>106</sup>Paul Axelrod, *Scholars and Dollars: Politics, Economics, and the Universities of Ontario 1945-1980* (Toronto: University of Toronto Press, 1982), 147-50.

<sup>107</sup>Committee of Presidents of Universities of Ontario, Subcommittee on Research and Planning, *Towards 2000: The Future of Post-Secondary Education in Ontario* (Toronto: Queen's Printer, 1971), 25; see also Axelrod, *Scholars and Dollars*, 147-50.

By 1970 student academic freedom had become accepted to a degree difficult to imagine a decade or two earlier. Neither the CAUT nor the Association of Universities and Colleges of Canada succeeded in formally defining that freedom and its limits, so that there is no Canadian document to match the one drawn up the Academic Freedom Committee of the American Civil Liberties Union (ACLU), with input from the AAUP, in 1970. "We believe that academic freedom for students encompasses the right to study, discuss and question evidence and opinion supporting or critical of accepted beliefs, to hear speakers on all points of view, to express opinions through all media without censorship, and to organize to exercise these rights," the ACLU statement asserted. The document amplified this by stating that

the student's freedom to learn is a complement of the faculty member's freedom to teach. An academic community dedicated to its ideals will safeguard the one as vigorously as it does the other.

As well, students were to

be free to organize their personal lives and determine their private behavior free from institutional interference.... The college community should not regard itself as the arbiter of personal behavior or morals, so long as the conduct does not interfere with the rights of others.<sup>108</sup>

Although no analogous document existed in Canada, students as well as administrators and professors were behaving after 1970 very largely as if it did. The new freedom initially irritated a good many outsiders and aroused hostility to the university, but before too long it took something really outrageous to make the outside world sit up and take notice. For a variety of reasons, by the later 1970s few university people were any longer deemed to be newsworthy.<sup>109</sup> The media silence that today greets most academics when they speak publicly, extends to students and to what was once the student agency that administrators worried about most, the student press.

Andrew MacLeod, in 1992–93 co-editor of the University of Victoria student newspaper, the *Martlet*, recounts an anecdote derived from *Manufacturing Consent*, the Canadian-made documentary about the linguist and social critic Noam Chomsky (the title is also that of one of Chomsky's books). At a Chomsky lecture in Nanaimo, B.C., a *Ubysey* editor asks Chomsky whether he thinks

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<sup>108</sup>American Civil Liberties Union, *Academic Freedom and Civil Liberties of Students in Colleges and Universities* (New York: ACLU, 1970), 4–18 passim.

<sup>109</sup>Horn, *Academic Freedom in Canada*, 327.

student newspapers are lackeys to corporate and government power in the same way that the mainstream press are. Chomsky paused a moment then said something like, "Well, there's always the possibility that nobody's listening to you." The editor's face fell.<sup>110</sup>

MacLeod believes Chomsky's comment to have been unfair. A more dispassionate observer will find it hard to quarrel with Chomsky. Student editors, like students generally, may enjoy a large measure of academic freedom nowadays, but outside the academy few people seem to care any longer. Even so, this freedom is far from safe. Speech codes endanger it on several campuses; the mood of the times encourages self-censorship everywhere. Another *Martlet* editor from the early 1990s, James MacKinnon, ruefully identifies aspects of "political correctness" that influenced the paper in his day.<sup>111</sup>

Pulling punches when "difficult" subjects are at issue is not a practice limited to administrators and professors; students are quite as capable of doing so. In all its aspects, academic freedom continues to be embattled. It is never secure.

#### NOTES

Abbreviations: BoG—Board of Governors; MUA—McGill University Archives; PO—President's or Principal's Office; PP— President's or Principal's Papers; QUA—Queen's University Archives; UAA—University of Alberta Archives; UBCA—University of British Columbia Archives; UMA— University of Manitoba Archives; UTA—University of Toronto Archives.

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<sup>110</sup> Andrew MacLeod, "What About the Student Press?" Gefen Bar-On, ed., *The Martlet: 50 Years Newspaper (R)evolution* (Victoria: Martlet Publishing Society, University of Victoria, 1998), 135.

<sup>111</sup> James MacKinnon, "Now I Can Die Peacefully ...," *The Martlet*, 127–31.