

From: "Janet Keeping" <jkeeping@chumir.ca>
To: Jeff Schmidt
Date: Thu, 22 Apr 2010 14:41:26 -0600
Subject: RE: CCLA matter

Dear Mr. Schmidt,

Re: Your e-mail message to me dated April 19, 2010

You wrote to me in the above noted e-mail message in my capacity as a member of the Board of Directors of the Canadian Civil Liberties Association. In that message you ask me to distance myself from the position taken by John McCamus, Chair of the Board of the CCLA, in a letter to Mr. Rancourt dated February 25, 2010.

I have two comments. First, in your message to me you write that the CCLA has “justified” the “firing of a dissident physics professor”. But I don’t read Mr. McCamus’ letter of February 25, 2010, as doing any such thing. The CCLA does not either justify or condemn what the University of Ottawa decided vis a vis Mr. Rancourt. Instead, what Mr. McCamus says in that letter is that “In the [CCLA] Board’s view, a university disciplining a professor for giving A+ grades to all of his students regardless of the merits of their work is not a matter that necessarily [my emphasis] raises either academic freedom or civil liberties issues.” I thought at the time that Mr. McCamus composed this letter on behalf of the Board, and I think today, that what he says on this point is correct.

Members of the Board of CCLA are in no position to have an opinion one way or the other on this matter. We have no relationship with Denis Rancourt and have no access to the facts – as opposed to allegations or rumours – about how and why his employment with the University of Ottawa was terminated.

Second, and related to the first point, Mr. McManus’ letter makes reference to investigation and adjudication procedures that are aimed at sorting through Denis Rancourt’s complaints about how he was treated by the University of Ottawa. It is through these labour arbitration processes that the conflicting accounts of how and why Mr. Rancourt’s employment with the University of Ottawa was terminated will be handled. This is appropriate as it is Denis Rancourt and the University who are the parties in conflict. I don’t see how anyone could reasonably expect the CCLA to play a role in the resolution of issues that lie outside the ambit of CCLA’s mandate and activities.

Sincerely,

Janet Keeping

Janet Keeping, President

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From: Jeff Schmidt
Sent: Monday, April 19, 2010 8:36 AM
To: jkeeping@chumirethicsfoundation.ca
Subject: CCLA matter

Civil liberties organization director helped to silence university professor

To: Janet Keeping

Dear Janet,

Your name appears on a highly unusual letter from the Canadian Civil Liberties Association justifying the University of Ottawa's firing of a dissident physics professor.[1] It seems odd that a civil liberties organization would take that position -- and do so without conducting any investigation -- until one learns that the organization's director is working for the university (at \$182,500.08 per year, 2009 salary) and played a direct role in the firing as the university's vice president for governance.[2][3]

As a physicist and educator, I followed professor Denis Rancourt's innovative teaching with great interest. He pioneered new ways of addressing the well-known problem that students commonly emerge from physics courses without grasping the concepts, no matter what grades they received. One of Rancourt's courses was so popular that it had to be held in the largest auditorium on campus. But his promotion of student activism and his outspoken criticism of undemocratic university practices drew the ire of administrators, who subjected him to an escalating series of repressive measures, such as taking away his large classes, and ultimately fired him.[4][5][6]

The university's pretext for firing Rancourt was that he gave all high grades in a small class for advanced physics students, and that the students didn't deserve those grades, something that Rancourt disputes. At every major university, there are professors who routinely give all high grades in such classes and are never even questioned about it, but Rancourt was fired for doing it one time in a 23-year teaching career. Freedom-of-expression advocates across North America see the grading issue as a pretext for getting rid of a dissident professor. Every independent party that has studied the case -- except for your organization -- has found the grading to be a false pretext.[6] Your organization, however, all-too-conveniently chose to accept the university's position as fact. Thus, CCLA refused to investigate Rancourt's firing and the role of CCLA director Nathalie Des Rosiers, because, in the words of CCLA board of directors chair John McCamus, "a university disciplining a professor for giving A+ grades to all of his students regardless of

the merits of their work is not a matter that necessarily raises either academic freedom or civil liberties issues."[1]

I don't think that I will be the only one to see CCLA's position, as expressed in the letter on which your name appears, to be a poorly disguised excuse to avoid investigating the role of CCLA director Des Rosiers in the firing of Rancourt. I have seen an exchange of correspondence between Des Rosiers and Rancourt related to his firing that establishes that CCLA director Des Rosiers played a direct role, including in banning Rancourt from campus, from his campus radio show, from his cinema discussion series, and from working with his research graduate students. I have also seen documents and media reports that show CCLA director Des Rosiers, as the university's vice-president for governance last year, refusing to investigate a broad, three-year-long university campaign of covert surveillance targeting Rancourt, which the university revealed on 29 September 2009 in response to a Freedom of Information and Protection of Privacy Act request.[3][7]

Simply put, the Canadian Civil Liberties Association is willing to stab a dissident in the back to protect its director. I am going to publicize that unethical behavior, along with the names of any CCLA supporters who decline the opportunity to distance themselves from it. You may distance yourself from it simply by publicly asking your organization to replace its convenient summary judgment with due process, such as an independent investigation in which Des Rosiers recuses herself.

For me to believe that you take this matter seriously, I would need to hear from you, Janet, directly, not through an intermediary. Please, within two weeks, at least indicate if you will be responding. Your considered response can be posted on the various websites where I will be reporting this story.

Best wishes,

Jeff Schmidt

Author of Disciplined Minds

cc: American Civil Liberties Union

References

1. Letter from Canadian Civil Liberties Association to Denis Rancourt, 25 February 2010:
<http://rancourt.academicfreedom.ca/Data/Documents/ccla/2010-02-25=CCLA-Letter-from-J-McCamus.pdf>
2. Request from Denis Rancourt to all CCLA members, 11 November 2009:
<http://uofowatch.blogspot.com/2009/11/call-for-resignation-of-nathalie-des.html>

3. Media report about Nathalie Des Rosiers posted by Canadians for Accountability, 27 February 2010:

<http://canadians4accountability.org/blog/2010/02/27/cover-ups-101-at-university-of-ottawa/>

4. Letter of protest from members of College and University Workers United, 28 February 2010:

<http://yahyaottawa.blogspot.com/2010/03/open-letter-to-allan-rock-president-of.html>

5. Statement by Denis Rancourt about his dismissal (viewed more than 10,000 times on this web site alone):

<http://rancourt.academicfreedom.ca/component/content/article/25.html>

6. Academic Freedom website about Denis Rancourt's case:

<http://rancourt.academicfreedom.ca/>

7. Denis Rancourt's reports, and media links, about the University of Ottawa's 2006-2008 covert surveillance campaign:

<http://rancourt.academicfreedom.ca/background/reportoncovertsurveillance.html>