
FACULTY TIMES

A Newsletter of UWOFA

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This special issue of *Faculty Times* includes the papers delivered at the UWOFA 50th Anniversary Symposium on Friday 4 November 2005. The eight participants included provincial and national leaders of faculty, experts in relevant fields including the history of faculty associations and of labour arbitrations involving faculty members, and members of UWOFA who could speak to the signal moments in our history as an association, and now as a union. The papers are presented here more or less as they were delivered, and carry the hallmarks of that oral presentation. Nonetheless, they offer useful comments for us all as we embark on the fifty-first year of our existence. The history of UWOFA, and indeed of faculty associations across the country, has yet to be written: these papers offer some perspectives towards that volume and towards the future of post-secondary education in Canada.

Jane Toswell, President, UWOFA

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UWOFA 50th Anniversary Symposium

Friday 4 November 2005

Welcome and opening remarks

Panel 1: The Past and Present of UWOFA

Chair: Fred Longstaffe (Provost, Western)

Jan Trimble (oral historian, Department of History, Western)

Aniko Varpalotai (former President, UWOFA)

Kim Clark (Vice-President, UWOFA)

Panel 2: The Future of Faculty Associations in Canada

Chair: Jim Turk (Executive Director, CAUT)

Michael Doucet (President, OCUFA)

Joyce Lorimer (President, Wilfrid Laurier Faculty Association)

Michael Lynk (arbitrator, Faculty of Law, Western)

Chris Bentley, Minister of Colleges and Universities of Ontario and MPP, London West

Panel 3: The Future of Universities in Canada

Chair: Henry Mandelbaum (Executive Director, OCUFA)

Loretta Czernis (President, CAUT)

Paul Davenport (President, Western)

The People of UWOFA

M.J. Toswell

A Faculty Association is not about contracts and collective agreements, building and office space (which is good, because ours is changing shortly), constitutions and by-laws, salary spreadsheets and benefits calculators. All these things are part of a Faculty Association and products of a Faculty Association, and they are also part of what is constantly in ferment in a good Faculty Association and a good university. But a Faculty Association is really about people.

It's about A.G. Dorland and J.A. Stevenson, who took the jobs of chair and secretary at the first organizational meeting of the faculties of the Medical School and University College, held in UC 142 at 4 p.m. on 18 April 1955. Before the second meeting on Tuesday 10 May, a draft constitution was circulated along with a memo stating "it is essential that all who are interested in the association should attend, *especially* those who have doubts, misgivings or strong views that ought to be represented." (Already we were concerned about the minority viewpoint.) At the next meeting a constitution was adopted, a membership fee of one dollar established (it doubled a year later), and a motion to investigate the establishment of a Faculty Club passed. The Constitution was then heavily revised three times in one month. The initial Standing Committees were three: Professional, Academic, Social. Within the first year arrangements were made for medical benefits for faculty and for retired faculty. The next year, study leave and pensions. In the ensuing years the President of the University annually addressed the Faculty Association on various subjects, including university growth, student conduct, and the relationship between teaching and research at a university. After each address, there were questions and there was wine.

Salary issues, the minutes explain, were discussed informally by the Chair & Vice-Chair of the Association in private meetings with the President. In February 1959, however, the minutes record a long discussion on salary at which "there was general agreement that the university should be urged to try to get salary medians up from the floor and if possible somewhere near the middle of the range." The Faculty Association had just gotten some data out of

its new affiliation with CAUT. However, proving that all is not the same, the minutes went on: "The view was also expressed that the university had made great progress in dealing with salaries." But, then again, shortly thereafter, we had a Salary Committee.

There were Christmas parties. Meetings were in the evening. One ended after 11 p.m. There was extended discussion of a proposed CAUT Statement of Principles of Academic Freedom and Tenure. OCUFA started. The Constitution was amended at nearly every meeting. In 1962 there was a report on inequities concerning women, followed by "a very amicable discussion" of this with the President.

And through the minutes there run a series of names—some from my own department of English (Graham, Sanborn, Bandeen, Rans)—a roll call that continues to the present day. Others are also redolent with familiarity for various reasons: Torrens, Balderston, J.H. Stewart Reid, Mayo; in 1964, Hyatt, Kymlicka for the first time. Also in 1964 for the first time, a motion of disapproval of actions of the President, and the immediate resignation of the Chairman and Vice-Chairman—a crisis, of sorts. Unsurprisingly, the ex-presidents were all elected later in the meeting to a committee to resolve the situation. More names occur: McKellar, commended for introducing the word "negotiate" into salary discussions; French, Keenleyside, Bigelow, Borwein, Packer, Bond, Wehlau, Kidd, Schnore, Pleva, Murison, Humphrey, and I'm not out of the 60's. I haven't yet even arrived at Heinicke, Starkey, Dawes, Shorten. I haven't even addressed the great reorganization in the mid-70's, the monumental shift from Chair to President in the mid-80's, the three stints at the helm undertaken by G. Edward Ebanks, or the recent history which I suspect will shortly be discussed.

My consideration of the early days of the Association leads me, however, to one final point. When it started UWOFA was very clearly at the centre of the life of the University of Western Ontario. Its debates were lively, its concerns varied from library hours to bookstore facilities to food service in Somerville Hall to salaries to electing the Registrar and later the librarian to membership. It was part of the core of the campus. A strong and healthy Faculty Association, a

strong voice for the faculty, must remain at the core of every university in Canada.

This afternoon's program is fairly straightforward. We have three panels, each intended to include ten-minute talks from the members and time at the end for questions and comments from the audience. The Minister of Colleges and Universities, more familiar to us as a former part-time colleague in the Faculty of

Law, will speak separately because time commitments may waft him away. You are all welcome, at the end of the formal proceedings, to process to the Grad Club where there are pitchers of beer and bottles of wine and large quantities of food waiting in the function room at the west or south end of the pub. Please enjoy yourselves as we celebrate UWOFA and look to the future.

An Oral History

Jan Trimble

Participating in your 50th anniversary celebrations involved taking a trip into the past. I enjoyed doing the research for the panel discussion and thank past members of the Association executive, other faculty members and senior administrators for their participation in The UWO Oral History project. My remarks are based on their perceptions of the past with context from other historical sources. I particularly want to mention how wonderful it was to listen to Sarah Shorten, whose perceptive comments were always insightful and often very funny.

Several topics leapt to mind when I was asked to speak and I have selected what I believe are a few important issues. There were, to my mind, two seminal events which stand out in the Association's history between 1965 and 1997. In 1965 the faculty was beginning to chafe under Dr. Hall's presidency and wanted to establish, among other items, new appointment procedures. Hiring and firing practices needed to be changed so that no longer would it be possible for a prospective faculty member to meet Dr. Hall in a European railway station for 20 minutes and be hired on the spot, or could a Department Chair fire a faculty member over the phone in the middle of the night. Other issues such as faculty and student representation on the Board of Governors were also being discussed.

A conference on university governance held at Western in 1965 was one of the catalysts for people to begin speaking out about changes in university governance. Two years later, in 1967, the new UWO Act, the first in Canada, was passed by the Ontario Legislature. Proper appointment procedures, proper faculty searches and changes in terms for Chairs were part of the new act. Agitation by faculty members

and in particular the Faculty Association also helped bring about these positive changes to the governance model. President Hall, at a meeting of the Faculty Council, announced a reorganization of the university's administration. When questioned about the lack of consultation he lost his temper, declared that the plan had already been passed by the Board and that he really did not need their advice. This prompted some members of the Association to draft a motion of no confidence in the President which was brought to a special meeting of the Association. Jim Hickman, the president, refused to allow the motion to come to a vote and subsequently left the meeting. Other members of the Association immediately took over the meeting and the motion was passed. One faculty member (Ross Woodman) commented that the supporters of the motion had done their homework and were pretty sure that a majority of members would vote for it. The same person described himself and his fellow revolutionaries as a pretty arrogant bunch who believed they could run the university but discovered later that in order to do this they needed skills which they did not have. In the 1970's, as a result of the Act, faculty members and administrative staff were learning to accommodate each other in new ways. Senate's role was enhanced and initially negotiations about salary settlements took place directly between the Board and the faculty negotiating team although the Board still had the ability to make unilateral decisions about salaries. At one time Dr. Williams chaired the negotiating sessions and at one such meeting, after a long and tiresome rant by a member of the Association team, Dr. Williams, in his inimitable style, elbows on the table, hands clasped in front, commented. "You may be right Prof. X." Pause. "Now, what is next on the agenda?" During this period everyone was learning

on the job. One Association president commented on the importance of acquiring knowledge about how the university worked and learning the language to deal with the process. Many people found serving on Senate committees was very useful.

Issues such as performance appraisal, conditions of appointment, grievance procedures, pensions and benefits were all being negotiated. In 1975, Al Adlington, Vice President Administration, began chairing the negotiating sessions and he continued this work for 15 years. Most people, whether members of the Association team or the Administrative team, agree that the atmosphere of collegiality that the 1967 Act was intended to engender had for the most part prevailed. A senior administrator commented that everyone knew what the end game was and the best result was one where both sides felt they had lost. In spite of spirited negotiations, teams parted as friends and shook hands on the deal.

Within the Faculty Association there were often heated discussions, particularly over salary settlements. Procedural arguments were sometimes used to prevent people from speaking and the issue of free speech was often a hot one. When Sarah Shorten, who was President for two terms, was asked to assume the presidency in her first term the request came after a huge row about a salary settlement and she wondered how many dead bodies lay on the path to the office. The big issues may have dominated discussion, but (as another president commented) it was the small details like parking that really caused tempers to flare. Someone else said that trying to manage the issues in which the Faculty Association was involved was like watching an amazing snowball getting bigger and bigger. Members of the executive had to be prepared to commit a great deal of time to the Association. Throughout this 20 year period some had to be prepared to commit a great deal of time to the Association. Throughout this 20 year period some people served often on the executive while others served only briefly, preferring to concentrate on their academic careers.

In the 1990's financial crises and budget cuts, either differential or across the board, depending on who the Vice President Academic was, became the norm.

Because of the difficult nature of negotiating salaries and pensions and benefits both sides began to get more professional help; for the faculty, from CAUT and OCUFA, and for the administration, from labour lawyers. Sarah Shorten in her second term as president hired a second staff member, in addition to Marion Clarke, to give her some professional advice on academic matters. Sarah commented that academics think they can do everything and often fail to acknowledge their own ignorance and she felt that the Association needed help to deal with increasingly complex issues. During the 90's the idea of unionization of the faculty, which had always had the support of a number of Faculty Association members, began to gain favour as the best way to reach an acceptable agreement with the university's administration. An idea that Sarah said struck terror in the hearts of faculty no longer seemed so outrageous. One supporter commented that people were willing to wait until the right conditions prevailed and with the publication of the PACFED (Provost's Advisory Committee on Faculty Evaluation and Development) document an opportunity presented itself. Aniko Varpalotai in her paper deals with the unionization drive and certification.

Faculty members also commented on why they became members of the Association. In many cases their first contact with the Association was because of a personal problem and as a result of the help they received they wanted to give something back to the organization. Some had grown up with the idea that volunteering was an integral part of one's life and they wanted to serve the university in some manner. They felt that working for the Faculty Association was the only place where they could make a difference. Others came with a specific agenda or were challenged to put their money where their mouths were. Each president put her or his own stamp on the Association and had different expectations about how the organization operated, causing the demands on staff to vary with each new person in a one-year term. Members of the Association have dealt with issues ranging from defending freedom of speech to arguing over parking—I believe the Faculty Association has contributed immeasurably to the life of The University of Western Ontario.

The Past & Present of UWOFA

Aniko Varpalotai (President, 1998-99)

“The worst of times, and the best of times.....
Unionization: the last resort”

I became Vice President of UWOFA in 1997, at a critical turning point in our history. I was perhaps foolish—or naive?—to accept the nomination at that time, but I have never regretted it. As I read through the files of materials I kept from my days at UWOFA House—a flood of emotions swept over me—it was “the worst of times, and the best of times.” I have selected a few quotations from these documents and newspaper clippings which capture these moments.

We were at a crossroads where important decisions about our future needed to be made. We were no longer viable as a voluntary organization to which only half of all eligible faculty members belonged (and paid dues), we were not quite ready for a union—we chose the middle ground: negotiating a comprehensive agreement. These were turbulent times for faculty at Western. We were frustrated with government cutbacks and toothless negotiations; faculty members were apathetic, at best, and morale was at an all-time low. After a valiant attempt to negotiate a non-union agreement, President Andy Osler wrote the following in the *Faculty Times*:

When our four negotiators—Doug Baer, Regna Darnell, Allan Heinicke and I—came away from the table on October 7th for what was to be the last time in that set of talks, we shared a sense of sad and sober finality. Nine months of negotiations in which we earnestly sought a comprehensive agreement had produced little measurable progress. As negotiators, we brought our assessment of the situation to the UWOFA Executive at a meeting later that week, and as everyone knows, their response was to formally withdraw the mandate to negotiate (November, 1997).

This triggered an intense certification drive that fall and winter, and in the weeks leading up to the certification vote, which took place March 4th and 5th, 1998, an opinion piece and two letters appeared in *Western News*, among many others, which

crystallized some of the issues. First, Peter Mercer (then Vice President Administration) questioned in an opinion piece in *Western News* (Nov. 27, 1997):

...should we seek a governance structure that suggests the University is, after all, really just like Canada Post? Aren't the attributes of the right kind of university and professorial unity, collegiality and accountability to be found at the negotiating table (or in the decision of an external arbitrator) rather than on the picket line?...Our hope lies in working together, pursuing our common ends realistically and with our eyes open. My fear is that certification is carrying far too much freight—the freight of dashed expectations, frustration and anger—and to my colleagues who find that model attractive I can only urge *caveat emptor*: let the buyer beware. For every Queen's there is a York.

A joint letter from then-Provost and Vice-President Academic Greg Moran and Mercer outlined the distinctions between full-time and part-time faculty members and tried to make the case for two separate bargaining units. Their letter ended with the statement:

It is our conviction that the best interests of both the University and the two employee groups would be better served by two distinct bargaining units, in either a certified or non-certified environment. We also believe that each group should be given the opportunity to make the decision regarding certification independent of the decision of the other group (*Western News*, March 5, 1998).

The second letter was written by Mike Dawes (a UWOFA negotiator both before and after certification, and Chief Negotiator for every collective agreement since then). Dawes' letter made the following points, among others:

I have no illusions that a union will usher in the new millennium, and lead us without pain to a workers' paradise. The union will bring increased responsibilities to represent the interests of faculty collectively and individually, requiring even greater diligence and effort. I do know that we cannot go back, and we cannot stay where we are (*Western News*, March 5, 1998).

In the end, over three quarters of the 1,250 eligible faculty members cast a ballot, 65 per cent voting in favour of certification; of the part-time members who voted, 82 per cent voted in favour. The *CAUT Bulletin* carried the following report:

UWOFA President Andrew Osler was ecstatic with the results, calling attention to the hard work of the certification committee chaired by Marjorie Ratcliffe and her team of "incredibly enthusiastic" volunteers (April 1998).

I was interviewed by CBC radio the morning after the certification results were announced—we were a union, though it wasn't yet clear whether we had one or two bargaining units (that would not be decided until June when the Ontario Labour Board ruled that full and part-time members had more in common than not and therefore would be represented as one bargaining unit). The journalist noted that Queen's had also recently certified (1995), and asked whether the fact that two traditional and conservative universities now had faculty unions represented a "sea change" in university relations? I was still delirious from the excitement and festivities of the night before, and barely articulate, but I was able to say that I thought this was a major shift in the balance of power, the playing field had become more level, and rather than signalling the end of collegiality, we were on the brink of building better relationships both among faculty and between faculty and university administration. We had a clear mandate from our members.

{It should be noted, in parenthesis, that we had approached the librarians/archivists during our certification drive, since most faculty unions also included this group; however, they were not quite ready to take that step, and the invitation was left open to join us later, if they wished. We welcomed UWOFA-LA into the family in 2004, and though we

are separate bargaining units at the moment, we hope to be united in the future.}

Having experienced two sets of collective agreement negotiations for faculty, and now preparing for the third, while currently negotiating the first contract for our newest members, the Librarians and Archivists, I can reflect on whether in fact conditions and relations have improved, or not. As Mike Dawes noted in his pre-certification letter to the editor of *Western News*, we have not yet achieved a "workers' paradise"; but neither has the sky fallen in.

Eight years later, I find myself agreeing with Peter Mercer, though not because I have changed my mind about the value of certification, but because it has produced the very outcomes he feared and these are not so bad. We have not (yet) had a strike, though we did have a strike vote during our last negotiations, which led to a much better agreement in the end. We do, in fact, share common cause with other workers, both on this campus and in the surrounding community; the professoriate has become more united in the ensuing years, and relations with the Administration have also improved as rights, responsibilities and expectations have become mutually defined, better understood, and implemented in a more equitable fashion. Yes—we were fuelled by "dashed expectations, frustration, and anger"—but also by hope and the anticipation of the rebirth of a real sense of collegiality. As one of our guest speakers from Queen's (Frank Burke, then QUFA President) pointed out to us:

A concern frequently voiced during our [Queen's] certification drive was that unionization would erode collegiality, creating a purely adversarial relation between academic staff and administration. ("Collegiality" can mean different things to different people, but we assume the concept encompasses such things as a cooperative relation between academic staff and administration, a high level of faculty input into decision making, and high faculty morale emerging from full engagement in a university community with a shared sense of purpose.) In fact, academic staff at Queen's would never have unionized had genuine collegiality existed....The principal lesson for us here has been: without a legal structure that enforces equality between academic staff—both

full and part-time—and administration, collegiality quickly becomes a myth. (February 26, 1998 in a letter circulated to all faculty at UWO).

Has Western arrived at a state of nirvana? Of course not. We have many issues to negotiate in this third round, and our librarians and archivists are experiencing the struggles of a first contract negotiation at this very moment. Part-time and other contract faculty continue to experience difficulties in their working conditions and workloads. On the other hand, faculty members have become much more engaged in the work of their Association, and in collegial bodies throughout campus. We continue to

have arguments and debates amongst ourselves, and with the current administration—but this is a good thing, this is what academics thrive on, and it is hoped that in most instances it is in the context of mutual respect and for the betterment of this university and everything it stands for. We stood together during the recent controversy over the Morgentaler convocation with unprecedented solidarity. Whatever we may think of rankings, Western's star is rising in national polls. We have much to look forward to, we have much to work on. From my perspective, I can honestly say that certification has been a good thing for Western.

The Present and Future of UWOFA

Kim Clark, UWOFA Vice-President, 2005-06

Today I want to look ahead, and discuss the present and future of UWOFA, rather than its past and present. In a nod to the theme of this panel, however, I will say that I remember fondly the certification drive that Aniko discussed. I was an untenured faculty member who became annoyed enough that I worked up the nerve to get involved with our Certification Committee. Whatever courage I had in doing that was not matched by my reaction when I arrived to scrutinize the certification vote and found my Dean sitting on the other side of the representative from the Labour Relations Board, overseeing the vote on behalf of the administration. I tried to pretend I wasn't really there, in the hopes that he wouldn't notice me; he was quite gracious, and had the courtesy to pretend he didn't see me!

Currently, the membership of the Association is changing, most importantly with the addition of our colleagues the academic librarians and archivists, who voted to certify and join UWOFA in March 2004. In a sense they are "coming home," taking their place alongside faculty as participants in the academic work of the university. In most Canadian universities, librarians and archivists have always been part of faculty associations, and it was an anomaly that here at Western they were part of the PMA, the association of professional and managerial staff. They are also coming home in the sense that, in

the past, there were librarians who were members of the pre-certification UWOFA, at least until the late-1970's; it is still not clear to me when we parted paths. In any case, librarians and archivists provide a link between the world of scholarly knowledge and the research needs of students and faculty. They are also teachers, providing instruction in many contexts. And they are scholars, discovering new knowledge, integrating existing knowledge across disciplines, and applying that knowledge. We are very happy to have them in UWOFA, and to be working together with them to improve the working conditions of all academic staff on campus.

There are also demographic changes afoot that are affecting the make-up of our membership: both rising student enrolments and increasing retirements have led to an influx of new faculty members from more diverse backgrounds. Just as one example, among Full Professors at Western only 11% are women; among Assistant Professors, 32% are now women.

Faculty members hired since 1998 come to an environment that, for them, has always been unionized. I know in my own case, and this is why I began my comments with my experience during certification, I have always felt a sense of ownership of this faculty union, having been involved in its certification. I want to encourage those who were not

involved, whether they are long-standing members of the faculty here or more recent arrivals, to also develop this sense of ownership. While there are certainly advantages to belonging to a very large labour union, I think our situation is very special as an independent union, limited to this campus: the union is entirely ours, and everyone involved in it is familiar with, and becomes involved because of, the specific issues affecting this campus. The union is us—not someone else, “over there”—and its strength comes from all of us. Looking to the future, the bad news is that we have members who have been very active in the Association for a long time, and who, even though mandatory retirement is soon to be eliminated, might actually retire one day (I suspect their very sensible spouses have something to do with this, but I was reminded recently that even some of our members are themselves sensible enough to make this choice). But the good news is that we are also very privileged to have enormous amounts of expertise on almost every imaginable issue among our membership, and my own fond desire is to take as much advantage as possible of that expertise, and to have as many people as possible involved in the work of the Association—not only at negotiating time, but always. (Of course, I say that not just to be inclusive, but as someone who will take over the presidency next July and really wants—really—as much help as possible!)

Finally, I want to comment on what I see as the Faculty Association’s dual role, going forward. We are a union, and, as such, our relationship with the

administration is mediated by the Collective Agreement. UWOFAs’ work in that regard has two branches: first, contract negotiations (which, dare I say, are limping along for librarians and archivists, and soon to begin for faculty), and second, when the Collective Agreement is violated, the grievance process. Over the years since certification, our energies have had to go into developing our role as a union. However, as our unionized relationship to the administration matures, we are also reclaiming our other role, as a faculty association. In this role, we are interested in all kinds of issues of concern to our members—librarians and archivists, part-time, limited-term, probationary and tenured faculty—not all of which are covered, nor should they be, by our Collective Agreements. For instance, the UWOFAs Board has recently developed a new project that aims to strengthen Senate. My experiences in UWOFAs over the last few months suggest to me that perhaps we should be paying more attention, in the future, to how we might strengthen the participatory and democratic aspects of Faculty Councils as well. In other words, as an association of academic staff, we are interested in issues of democracy, participation and accountability on this campus. Over the next few years, and on into the future, I hope that we can move forward in both of our roles, as union and as faculty association, to improve the working conditions of our members and to make this university the best institution it can be for all its employees and for its students.

The Future of Faculty Associations: Plus Ça Change...

Michael Doucet, President, OCUFA

On behalf of the 13,000 professors and academic librarians in Ontario, I’m very pleased to represent OCUFA at this milestone event here at Western.

In deference to the 10th anniversary of the Quebec referendum, which occurred last Sunday, I have entitled my talk on the future of faculty associations “Plus Ça Change.” Nowhere in society today is the

old adage “the more things change, the more they stay the same” truer than in our universities.

I was particularly struck by this fact one year ago when I had the delightful opportunity to address the topic of Academic Freedom at the 50th anniversary symposium of the University of Guelph Faculty Association. Although we often refer to “new attacks” or “new challenges” to academic freedom, in

reality, we are really talking about new variants on a very old theme. Threats to academic freedom have always arisen when the funders of the university, whether private donors or governments, have attempted to distort the mission of the university to serve the goals of the funder.

Yet, at the same time, every academic year brings new challenges and new approaches to old problems. Perhaps I should have entitled this talk “The Future is the Past, With a Twist.” Predicting the road ahead requires a solid understanding of the path we have taken to get to here, the roadblocks we have overcome, and most importantly, the distance to the next gas station.

Although I am not a mechanic, I am, in fact, an urban Historical Geographer, for whom place and historical process matter a great deal; so, it is with some trepidation that I will attempt to describe for you the lay of the land ahead (at least as I see it). I wish to comment on three specific obstacles out on the horizon: absolute levels of funding for universities, as well as the sources and expectations of the funders; the definition and role of a professor in the university of the future; and changing faculty demographics.

Despite the very welcome and important initiatives for universities contained in the 2005 Ontario Budget, there can be no doubt that a perennial lack of funds has been, and continues to be, the greatest obstacle on the university superhighway. The 2005 Budget will increase funding to universities by 35 per cent by 2009-10, with an increase of about 12 per cent coming in this academic year. While this is an important first step, many challenges remain if we are to raise the quality of our universities to a level that is competitive with our peer jurisdictions.

One of the curves ahead in the road is the accountability expectations of the government for this new funding. During the fall and winter of 2005-06 the government will consult with the university sector to develop new system-wide and institution-specific performance indicators across a range of areas, including faculty recruitment. While faculty support the view that universities must be accountable for the public money received, this new initiative potentially will overlap with local bargaining on issues such as faculty complement and workload. However, just last week the Minister assured

OCUFA that he is cognizant of the role faculty bargaining plays in determining these issues locally, so we are confident that faculty associations should be able to steer clear of the guardrail on this one.

My final comment on the funding obstacles ahead is the following: too much of our research and capital funding continues to be tied to partnerships with the private sector. Private sector funding comes with high expectations for a return on investment. When government research funding is inadequate, faculty, in their attempts to negotiate funding arrangements with private donors, often get squeezed between the productivity expectations of their employer and the need to maintain the vitally important principles of autonomy and academic freedom. Increasingly, we are seeing donations that, on the surface, appear to be capital grants to build infrastructure, but which actually have a steering effect on programming and hiring decisions of the university, matters which, rightfully, should be within the exclusive purview of the Senate and the faculty association. And as attempts have been made to marginalize university Senates, faculty associations have taken the lead in defending academic freedom. The future points to an even more vigorous role for our associations in this regard.

One of the greatest challenges lying ahead for faculty and our associations is the changing nature of the profession itself, and the definition and role of the professor in the university of the future. We have come through an era in the last 25 to 30 years or so of an ever-expanding use of contract, sessional, and part-time faculty as our universities have attempted to deal with the perfect storm of rapidly rising enrolment coupled with rapidly declining levels of government funding. Sadly, until very recently, Ontario has been at the leading edge of this storm. Only time will tell if the storm has passed, or we simply are in its reasonably tranquil eye.

Faculty associations have been caught in a bind: on the one hand we have worked hard to ameliorate the situation by negotiating better terms and conditions of employment for our non-tenure stream colleagues. Yet, at the same time, we have been forced to recognize that the use of non-permanent faculty circumvents the tenure process, that the precarious nature of contract work acts as a *de facto* control on the academic freedom of these professors, and that

for many of our colleagues, these jobs fall far short of the career aspirations they held when they entered graduate school.

Faculty associations continue to wrestle with the dichotomy of improving working conditions for sessionals and part-timers while striving to eliminate the use of such positions through hiring limits and conversion to tenure-stream rights. At the same time, university administrators have seemed rather keen to introduce a new wrinkle in the form of teaching-only permanent positions. For university administrators, this, I am sure, seems the logical next step in dealing with the ever-growing number of students demanding access to a university education. And in fairness, many of our members are supportive of this initiative, as they struggle to deal with ever-larger classes and rising workloads. For those teaching on a per-course basis, such teaching-only positions hold out the promise of some degree of financial and career certainty; but will they be able to help young scholars to perform to their full potential as trained researchers? Get ready for some interesting new grievances.

The move towards teaching-only positions strikes at the very nature of the role of a university professor, and opens the door to even further modification of the profession down the road. The obvious next step is to hire a small number of curriculum creators, and a large workforce of course deliverers. We are certainly capable of that today, through the use of rather commonplace software and technology which has made it possible to deliver a university curriculum to a large number of students once a course has been created. One only has to look to Athabasca University, or the private, for-profit University of Phoenix for contemporary examples of this model.

The final challenge for faculty associations that I wish to raise today is related to the changing demographics of the academy. With the new hiring that has occurred in the last five years or so, the average

age of faculty has declined from a peak of 49.5 years in 1998 to 48.4 in 2003 (although some scientists may dispute our seeming ability to violate the laws of the physical universe in this way). The number of faculty under 35 in Ontario has risen from 525 in 1998/99 to 1,089 today (in percentage terms, this cohort has increased from 5.6% to 9.5% over this period), and women are making up a growing percentage of both faculty and our graduate students, who are the faculty of tomorrow. Hiring is increasingly global, adding new cultures and ethnicities to the academic mix over time. At the same time, the elimination of mandatory retirement will add a small but important demographic to the mix that we in Ontario have not dealt with much in the past: faculty over the age of 65 (though many of us are familiar with administrators of such vintage).

Each of these groups has its own needs and aspirations, and one of the most important roles the faculty association plays in the university is to reach out to its members, listen to their dreams and their concerns, and craft an environment, through bargaining and consultation, that ensures the highest possible quality of working life for all faculty.

The March 2006 issue of OCUFA's new publication, *Academic Matters: The Journal of Higher Education* will have as its theme the changing demographics in academia (which we have called "Generation Next"). We hope you will read and enjoy the magazine, consider contributing to it, and provide us with your feedback.

In closing, on behalf of all of OCUFA's members, I congratulate the University of Western Ontario Faculty Association on its 50 years as guardians of the quality of education here at Western, for protecting the working conditions of your members and the learning conditions of your students. May the road ahead of you be flat, wide, and pot-hole free.

The Future of Faculty Associations: “We are family”

Joyce Lorimer, Past President, WLUFA

Let me first offer the congratulations of Wilfrid Laurier Faculty Association and my own good wishes to UWOFA on its 50th Anniversary. I have a strong family feeling for this Association since I was personally involved at the very beginning and the very end of its progress towards certification. UWOFA's willingness to embrace a change in its own structure by becoming a trade union under the Ontario Labour Relations Act, by bringing its Contract Academic Staff Members into that union, as well as its subsequent incorporation of academic librarians, for whom it is currently negotiating, demonstrates why we should be optimistic about the future of faculty associations. I am a historian and historians always first look backward to think forward. Any historical analysis of the Collective Agreements in CAUT's data banks must demonstrate the ever-broadening range of issues which have fallen within the purview of faculty associations. We have never just been about the bedrock issues of salaries, benefits, pensions, workload and responsibilities, and grievance. Our evolving collective agreements demonstrate that faculty associations have:

- exercised constant vigilance in matters of academic freedom, the most recent being efforts to protect the integrity of research against the restraints imposed by commercial providers of research funding
- worked for truly inclusive employment equity
- tried to improve the working conditions of part-time academic staff and prevent the casualization of academic labour
- defended the structures of collegial governance
- defended the quality of the classroom experience by the negotiation of faculty complement and student/teacher ratios
- led the struggle to end mandatory retirement in Ontario.

Faculty Associations, whether we are talking about their work at the national level through CAUT, at the provincial level through OCUFA, or within their individual universities, have and will continue to be the front line defence of university excellence.

The President of OCUFA has presented the big picture for faculty associations. I want to pick up on his last point, about the changing demographics of faculty associations, and talk about what this may mean for how we conduct our business in the near future at the micro-level of the association. Our national and provincial associations have been enormously effective in publicizing the looming faculty shortage. The end of mandatory retirement will ameliorate this somewhat by retaining a body of faculty over the age of 65 in the faculty complement, but this will be small compared to the young faculty who are now miraculously flooding in to replace them. Michael Doucet notes that 22% of the faculty body are now under the age of 30. At Laurier, as a result of the faculty complement language we won in the last collective agreement, our faculty has grown by 40% in the last 4 years and still lags behind our sky-rocketing student enrolment. In 2001 we had 307 full-time faculty. In 2004-5 we had 430. 2004 data indicates that 32% of our full-time Bargaining Unit is pre-tenure and another 13.5% is limited term. 10% of our full-timers are under 35. 25% are less than 40. We have been thrust into a period of transition and we are having to think on our feet about how we respond. This has perhaps happened unusually fast at Laurier, but is occurring everywhere as the retirement of those who were hired in the 1960's boom takes place.

So how do we need to adjust our Collective Agreements to this predictable and very welcome influx of younger faculty? What do we need to provide in terms of counselling, mentoring, and training to assist our new colleagues at the outset of their careers? At the same time, how do we encourage them to be active participants in faculty associations where our established activists are rapidly approaching retirement?

The first thing that faculty associations can count on is that this incoming generation of academics has already had the experience of belonging to a union as graduate assistants, Contract Academic Staff (CAS), or limited-term Sessionals. On the other hand they are overwhelmed with class preparation, carrying mortgages, and starting families, and also worried by the scholarly demands of preparing for candidacy and tenure. We in faculty association executives have to re-orientate ourselves to the needs and concerns of younger faculty, having been de-sensitized by the long hiring drought when the prospect of new young faculty was just a tantalizing mirage on an unattainable horizon. Laurier, for example, is now negotiating its sixth contract. Previously, the Association was hardly ever called upon to give advice on the Pregnancy and Parental Leave article in the Collective Agreement. Now it is routine to give advice on this three or four times a term—a sure sign that the faculty complement is changing. So what can we do to foster the interests of our new, younger colleagues and at the same time bring them into active involvement in our associations? There is a great deal that could be said here but these are just some of the things that we should be doing:

- We have to make sure that qualified faculty have fair access to employment and get off to a good start in their professional careers. If full-time jobs are opening up then so are the opportunities for qualified colleagues who have been locked into CAS positions. We have to make sure that the hiring provisions in our contracts allow qualified CAS Members to be given a fair opportunity to achieve full-time positions. It is they who have carried on a stipendiary basis the courses which are now being absorbed into tenure-track jobs. When new faculty are offered positions it is critical to offer them association assistance with negotiation of individual starting salaries, credits for service, start-up funds, and help with the other details of the first letter of employment. Various associations in Ontario and across the country are now playing a much more active role in advising new hires in the process of negotiating their letters of appointment. It is important to remember that the euphoria of being offered a new job is quickly followed by the stress of having to negotiate with the Dean who can play very hard ball. Very few of our young colleagues have any real experience of how to do this and yet the

settlement they make at this point can have enormous effect on their lifetime earnings. Offering help at this stage allows for a truly positive first contact with the faculty association.

- We have to make sure that our young colleagues have the time to do the scholarship which is a necessary qualification for tenure and promotion. My own association, like others, has negotiated a term free of teaching in the first two years of the tenure-track contract.
- We have to pay attention to teaching work-load and to the burden of teaching large introductory classes which too often falls on junior faculty members. We are learning by hard experience at Laurier that teacher/student ratio language will not solve this issue. We are currently negotiating workable and enforceable caps on the total number of students which each individual Member is responsible for.
- We have to press, either in contract language or policies and procedures, for approaches to course timetabling and expectations of participation in departmental or other levels of collegial committee work that is sensitive to those trying to balance career and family. We have to make sure that we don't create the conditions which drive promising young scholars into the private sector because they find it to be far more generous and more flexible in these matters.
- At Laurier we are finding that it is WLUFA which provides the academic mentoring and counseling on how to prepare for candidacy and tenure, as well as on the more standard issues relating to departmental relationships, working conditions, salaries and benefits. Associations are assuming the roles of career mentoring which decanal offices are not equipped to provide and which do not fall within the purview of Human Resources.
- As we expand our bargaining units to incorporate full-time and contract academic staff and provide these individuals more extensive Member-support services, we have to think about the number and the development needs of our own professional association staff who are on the immediate front-line of this service provision.

- In the transition period, as our newer colleagues begin to come onstream and start to get active, Associations can and should make more use of the services of retiring activists. They represent wonderful resource banks of expertise which associations can draw upon to train and advise newer Executive, Grievance and Negotiating committees.
- We need to pay more attention to inter-association networking and think about how we as individuals first got involved. CAUT and OCUFA do a splendid job of bringing senior Grievance Officers and Chief Negotiators together, but we have devolved basic training down to on-campus workshops given by outside experts. This may be more cost effective and more efficient but I am not convinced that it is the best way to get new Members involved in grievance and collective bargaining. I first got involved in generating collective bargaining and grievance by attending national conferences where neophytes like me came to learn. Those conferences were invaluable for friendships and contacts and just sheer excitement about being involved in association business. If we want new

Members to become involved in association work we should be prepared to support giving them this kind of training and experience.

WLUFAs are currently engaged in protracted and difficult contract negotiations. Our Membership has given us solid support throughout. They have been recently buoyed by our support staff, who plastered the campus with signs reading “We are family:

WLUSA supports WLUFAs.” We built this family feeling during the support staff strike when faculty gave a great deal of emotional as well as financial support to our friends in the staff. I think we have to take this “family-building” approach in the management of our faculty associations. As a historian I am reminded that the earliest trade union and labour federations in the late nineteenth and early twentieth century took this approach. They built the union on families and into family. It is a simple lesson really which we should not forget as our association Membership expands and changes. If the association gives support and service it will win support and service.

Academic Freedom and Arbitration in Canada

Michael Lynk, Faculty of Law, UWO

Speaking on a panel on the future of faculty associations in Canada, and being invited in large part because I am a labour arbitrator as well as a labour law professor, what I want to talk about today are three observations of mine on the recent past and the probable near future of the issue of academic freedom in the arbitration setting.

The protection of academic freedom was certainly one of the most significant reasons why university professors first organized into loose faculty associations in Canada, and why these associations eventually evolved into certified bargaining units. And, unlike the United States, where much of the litigation that has taken place on academic freedom has occurred in the courts around the *Bill of Rights*,¹ the primary legal forum in Canada has been before labour arbitration boards—a reflection of the obvious fact that Canadian university facilities are much more heavily unionized than the US.

1. Contractual

The first observation is that—for all of our rhetoric as university professors about the right to academic freedom in Canada—the legal foundation for asserting the right rests on a very thin legal reed. Academic freedom is based almost entirely on *contract*, that is, what a faculty association negotiates with its university in a collective agreement, or, in a non-unionized setting, what a professor can negotiate in his or her individual contract of employment. Academic freedom, as an assertable legal right, has no grounding in the *Charter of Rights and Freedoms* or human rights codes, or in any legislative statute.

The Supreme Court of Canada has commented on academic freedom in a 1990 decision involving mandatory retirement and universities—a case called *McKinney v. University of Guelph*.² There, in some secondary remarks offered without a lot of

elaboration or precision, Mr. Justice LaForest mentioned the importance of two features of academic freedom: (i) the institutional autonomy of universities, and (ii) the significance of tenure as a bulwark in promoting the fearless search for knowledge. Academic freedom, he wrote, is the basis for “the legal autonomy of the universities”; it “is essential to our continuance as a lively democracy”; and it is protected by tenure which “is fundamental to the preservation of academic freedom.” LaForest continued: “Tenure provides the necessary academic freedom to allow free and fearless search for knowledge and the propagation of ideas.” But, beyond this *obiter* comment, the Supreme Court has been silent on the substantive issue, and the lower courts have not had much to say since.

This has almost entirely left the issue of defining and refining the boundaries of academic freedom to contractual language and the labour arbitration process. While a number of the arbitrators who have adjudicated university grievances over the past decade are or have been themselves university law professors, they nevertheless operate in the prevailing decision-making culture of contractual analysis and procedural rule interpretation. They—we—do not easily depart from the security of the printed word and the established rule, such as to comment on grander concepts that may lack fulsome legal content.

What you have as a result, if you like, is academic freedom by proxy—the focus by lawyers and arbitrators on whether the *procedural process* was honoured—and correspondingly little attention paid in the arbitral law to the *substance* of academic freedom. In other words, the right to academic freedom—that concept that so easily rolls off all of our tongues—is, in reality, not much stronger than the ability of faculty associations to pour constructive meaning into a collective agreement definition. And if this not done either through strong collective agreement language, and, as a back-up, not done through associational statements and commentaries that have acquired a broad public acceptance, then academic freedom will continue to be decided largely on procedural issues, with its legal content remaining largely an empty vessel.

Having said that, I do not want to be seen as denigrating the importance of procedure. Establishing a fair procedural process builds respect and confidence in

decision-making, and it has a fundamental role in protecting academic freedom. A fair process is the essential pre-condition to reaching substantive equity.

But if academic freedom is worth being defined as a core right of academic employment and the university mission in arbitration cases where its worth is actually determined, then, unless the hard intellectual work is done to provide scope and breadth and meaning to the definition—not just its professional meaning, but its legal meaning as well—then academic freedom as a working term will remain subject to the whims of particular fact situations and the quality of the lawyering at this or that arbitration proceeding. If you don’t know where you are going, you can be sure that you are not going to get there.

2. Academic Freedom in Arbitration Awards

The second observation I want to make has to do with what the recent body of arbitration awards are telling us on some of the core issues related to academic freedom: specifically on tenure, discipline and promotion. In preparation for this symposium, I looked at virtually all of the Canadian arbitration awards between universities and their faculty associations issued since 1995 on these issues.

I have already mentioned my mild surprise in finding that very few decisions have actually grappled with the concept of academic freedom itself, and how poorly defined the issue is in the law. But I was also surprised at the high number of awards that struck down university administration decisions on tenure, promotion and discipline, largely for procedural failings. Of the 22 decisions I reviewed on tenure or re-appointment, the faculty association won, in whole or in part, fully two-thirds of these decisions—a much higher rate of success than in the broader industrial relations field. In discipline cases, the faculty association and the aggrieved professor won—wholly or partly—in 3/4s of the cases, and in the smaller sample of promotion cases, the faculty association won 4 of the 5 cases.

At first blush, one could interpret these findings to suggest that university administrators are dropping the ball when it comes to applying their own regulations respecting a core component of university operations. While not discounting this argument, I

find it not wholly persuasive, especially if we set these figures against the background of how many tenure and promotion cases are successfully handled annually by universities. A more compelling explanation is that there exists a deep arbitral unease about the virtual death sentence that termination from an academic position implies. Understood not in the sense of academic freedom, but, more prosaically, as simply an employment right, the loss of an academic job means to arbitrators that the aggrieved professor person is unlikely to ever work as an academic. With no fulsome definition of academic freedom provided in the collective agreement language or in the facts of the particular case, arbitrators have looked closely at the procedural safeguards in the tenure process, and found them wanting in a number of occasions.

And this leads me to my second observation—that the labour arbitration forum (while it remains the best available legal forum for adjudicating faculty and university collective relations, because of its expertise, its relative speed and its comprehensive remedies) will always be primarily a forum for adjudicating employment rights as opposed to simply academic freedom rights. We have to collectively decide as a community whether academic freedom is an intrinsic right all by itself, and should find legal expression in some other forum, or if it has to be understood as a feature, albeit a core feature, of an employment right, to be negotiated through collective agreements and to be adjudicated in a labour arbitration setting. Presently, I lean towards the later, but I don't think we have yet had the debate that we need on this.

3. Copyright

My third and final observation that I want to leave with you is to point you to an important arbitration award that came out of British Columbia in early 2004. It involved the issue of copyright and whether a university professor—Mary Bryson, who teaches educational psychology at the University of British Columbia—could assert her right, as a component of her academic freedom, to ownership in the course materials for a course that she was developing.³

This award is important for three reasons. First, on the issue itself, the arbitration award established that copyright matters are part of the core of the employment relationship between employers and employees,

and that Prof. Bryson could successfully claim her right to ownership in the materials that she was creating. Her concern was, should she not have a copyright claim to these materials, the university could alter, censure or suppress what she had created. A rebuttable presumption exists in law that ownership rests with the author, and the employer has to negotiate to obtain first copyright ownership.⁴

Second, the Arbitrator, James Dorsey, found that it was within the scope of the faculty association's bargaining authority to negotiate about matters going to copyright issues, and that the university, by negotiating directly with the professors on this matter, had breached the exclusive bargaining agent status of the association.⁵ This part of the ruling provides some important clarity on the representative role of faculty associations.

And third, and probably most importantly, the Bryson award anchored its finding on copyright squarely within the realm of academic freedom. The collective agreement between the UBCFA and the University did not specifically mention copyright. However, it did include a provision that the University was "not to interfere with academic freedom," which was said to be essential "to instruction and the pursuit of knowledge." Arbitrator Dorsey found that copyright questions are "inimical to academic freedom and scholarly pursuits." He went on:

In the university employment context, because of the importance of the expression of ideas to academic freedom and the presumptive first ownership of copyright in faculty, issues related to copyright are part of the core of the relationship between employer and employee. They are part of the conditions of employment.⁶

The Bryson award does not go much further in articulating the scope of academic freedom. However, its implicit reasoning suggests that a legal platform is emerging in Canadian arbitral law to give meaning and breadth to the concept.

4. Conclusion

Academic freedom is part of the DNA of any university. It is richly debated in scholarly books and professional journals. It is the focus for elegant

commentaries by national faculty associations. It is evoked at a moment's notice in the common room. Yet, in law, it remains elusive, unformed, undefined. The heavy lifting to provide both a principled and a functional legal meaning to the concept will have to come through the bargaining table and through the ongoing refinement by faculty associations and universities in the way of endorsed commentaries and statement. Otherwise, by default, academic freedom will continue to be incrementally defined by hard-fact cases at labour arbitration, hardly the best option available to us.

Notes:

¹ See generally W. Metzger, "Professional and Legal Limits to Academic Freedom" (1993), 20:1 *Journal of College and University Law* 1; and W. Metzger, "Profession and Constitution: Two Definitions of Academic Freedom in America", (1988), 66 *Texas Law Review* 1306.

² [1990] 3 S.C.R. 229

³ *University of British Columbia Faculty Association v. University of British Columbia (Bryson)* (18 February 2004, J. Dorsey–Arbitrator).

⁴ "...[A] union representing employees, who author literary works including course development, does not have to negotiate to have the employer agree to give first copyright ownership to the employees. The employer has to negotiate to obtain first copyright ownership. [UBC] has to negotiate to obtain that ownership both at law and under its Policy # 88." *Ibid.*, at p. 85.

⁵ "I conclude that the scope of the union's exclusive bargaining authority includes the right to negotiate about matters related to the copyright ownership of bargaining unit employees in works made in the course of their employment". *Ibid.*, at p. 88.

⁶ *Ibid.*, at p. 88.

My Wish List for Canadian Universities (Short Version)

Loretta Czernis, President of CAUT

1. I wish that students and academic staff not be treated as commodities. Students are not revenue units and faculty are not service-providers and/or patent-generators. No real learning can take place if the classroom and the library become service counters. I wish that learning will thrive in a humane and safe environment under the guidance of professional intellectuals.
2. I wish that professional librarians all across Canada will continue to be recognized as our academic colleagues and that they continue to be entitled to the same benefits and protections that faculty have.
3. I wish that federal funding of post-secondary education will once again become significant.
4. I wish that undergraduate education can become truly public, that is, free.
5. I wish that all of us would remember that teaching and research are interdependent.
6. I wish that copyright of intellectual property remain with the creator.
7. I wish that tenure remain essential to the academy.
8. I wish that the academic workplace become a pleasant environment once more, free of harassment and relatively free of stress.
9. I wish that corporate interference in universities be kept under strict control and that companies attempting to exert pressure on institutions and individual researchers be lambasted with humour. How might we do this? Perhaps we can be guided by the following example, taken from the "Letters"

section of SCIENCE, 2 Sept. 2005, Vol. 309, p. 1490, reprinted here by permission of the author. The following is reported to have been found in the files of the Swiss Patent Office.

21 September 1904

TO: Patent Office Headquarters

FROM: Albert Einstein

SUBJECT: Commercial Prospects for my Research

I am responding to your request for more information concerning my proposed research for the coming year. In particular, you asked me to describe the prospects for the economic development of Switzerland that will arise from my current work. You have also asked me to explain my work and its commercial prospects in terms that are understandable to the typical Swiss voter.

I am working on three related topics: Brownian motion, the theory of relativity, and the photoelectric effect. Although the work on all three is far from complete, I believe that it is not too soon to see great commercial prospects for Switzerland in at least two of these projects.

Brownian motion is the movement of small particles that float in a liquid. No one is quite sure why these little fellows jump around so much, but previous research confirms that their motions are random. My research is based on the idea that liquids are composed of tiny little pieces of matter, so small that they cannot be seen by the most powerful microscope, and that these little beggars are always jumping around. Occasionally, they bump into the specks floating in the liquid, causing the specks to jump, too.

The commercial prospects here depend on finding a way to control and make use of the jumping specks. If my research is successful, we may be able to create new types of liquids and specks that cause specks to jump around more frequently and in entertaining ways. If so, bartenders will be able to sell beer and schnapps with colourful bouncing specks. Maybe we can find ways to get the specks to sparkle or explode when they are bumped, in ways that are not damaging to the intestinal track of the consumer. If I

am allowed to patent a device that implements this idea, I commit to licensing it only to Swiss brewers and distillers, so that Switzerland can dominate the world market in these products.

The theory of relativity is an attempt to interpret time, distance, matter and energy into a unified theory of everything. My progress here is slow, and so I have decided to leave out gravity for this version. I am now concentrating on the implications of the fact that light, unlike other forms of energy, travels at the same speed in all mediums, even a vacuum. This seems to imply that if several people see the same light, it will travel in relation to each one at the same speed, even if they are moving in relation to each other.

The commercial prospects of this work are enormous. If I can prove one or two more conjectures, the implication will be that it is possible to grow younger if we just travel fast enough. The implications for the Swiss travel industry are staggering. If I can use this theory to build a device for traveling to youthfulness, I will patent it in Switzerland and grant licenses only to Swiss travel agencies to offer such excursions to the public.

The photoelectric effect refers to the fact that under some conditions, one can generate electricity by shining light on matter. My research pursues some implications of my conjecture that energy, too, is comprised of tiny little things and that these explain how light is transformed into electricity.

I have thought long and hard about the commercial implications of this project, but, sadly, I have not been able to see any. Electricity is useful for lights and trolleys, but its commercial potential does not seem particularly great. Moreover, Edison and Westinghouse have been successfully pursuing other means of producing it rather than shining lights on certain materials. My initial thought was that one could manufacture an electric light that would shine on your newspaper as you walked down the street, but I now realize that for this to work it would have to be light out anyway. Perhaps I should abandon this project in favor of the others because its commercial prospects are so dim.

(Roger Noll, Department of Economics, Stanford University)

10. I wish that all members of the academic community would feel free to use their academic freedom to cultivate not only a just and civil university, but also a just and civil society.

I would like to close by congratulating UWOFA, on behalf of the 48,000 members of CAUT, on the extraordinary occasion of your 50th anniversary. May all your dreams come true.

The Future of Universities in Canada

Paul Davenport

It is a pleasure to join with colleagues from Western, other Ontario universities, OCUFA, and CAUT in offering my warmest congratulations to The University of Western Ontario Faculty Association on the occasion of the 50th anniversary of its founding. The fascinating historical material presented earlier this afternoon by Jan Trimble and Aniko Varpalotai shows the commitment to academic freedom, academic excellence, and collegial governance which have characterized UWOFA's progress over five decades. I wish in particular to congratulate Jane Toswell and Kim Clark, and thank them for the invitation to speak at this symposium.

I also wish to thank the many faculty who have held leadership positions in UWOFA during my eleven years at Western. You greeted me warmly when I arrived here in 1994, and you have worked hard and effectively, as Aniko has pointed out, to maintain an environment of collegiality and mutual respect before and after certification.

I am delighted that Loretta Czernis and Jim Turk from CAUT, and Michael Doucet and Henry Mandelbaum from OCUFA, are with us today. I wish to offer them my profound gratitude for the generous support they gave to me and to Western during a difficult period last spring. The strong support from UWOFA is equally appreciated.

I intend to speak to three themes during my ten minutes: education, technology, and autonomy. The three are closely related. On balance, I am highly optimistic about the future of Canadian universities. The good news on university education is that there has never been a greater demand for what we do at Canadian universities, among young people and, increasingly, among mature students. This is due in part to the strong economic outcomes experienced by

our graduates when they leave university for the work world. That success is fully shared by our graduates in the humanities and social sciences, as Robert Allen's 1998 study showed so clearly. It would be a mistake, however, to ignore the non-economic motivation of those seeking entry to university education.

We live in a knowledge-based society, which has generated a significant increase in the average standard of living in Canada over the past half century. There are those who fear that the knowledge-based society will undermine the liberal arts, as our students increasingly turn to very technical or professional programs. I think the contrary is evident in Canada today: our knowledge-based society has not reduced, and may even have increased, the natural interest of young people, and society generally, in the great questions of the liberal arts: Who am I and why am I here? What are beauty, virtue and justice? How can we build societies that reflect our values of justice and compassion?

These questions in many ways define us as a species: we humans alone among living things can contemplate them. The urgency of such questions has never been greater, as we seek to deal with the ethical and technological challenges of modern life, in such areas as the environment, human reproduction, and health care. There is, I believe, a continuing strong interest among young people and society generally in individual and social *values* and the foundations of a good society, an interest which promises that liberal arts education in our universities will remain healthy and relevant.

University education is based in research, and the demand for university research has never been stronger from governments, social agencies, and the

private sector. A major challenge here will be ensuring that the narrow definition sometimes given to the outcomes from university research—e.g. commercialization—is broadened to the concept of *knowledge transfer*, which includes the spread of knowledge through graduating students, research and community involvement in a non-profit setting, and the impact of research discoveries on the commercial economy. My own view is that commercialization is a very small part of the enormous positive impact of university research on society and the economy.

If I may turn to my second theme, the spread of computer technology in higher education has led some to predict a sea change in our academies, and indeed the possible rapid decline of the residential university. I am sometimes asked why Western has constructed four new residences during the last decade—am I not worried that the online private universities will empty those buildings and leave Western with heavy debts? On the contrary, I believe that even with growing online opportunities, there will continue to be strong demand for residential universities like Western which have a strong grounding in the liberal arts and sciences.

For many students, university education will continue to be a contact sport, at the heart of which is the face to face interaction of a student with faculty and other students. While web-based educational companies may expand, there will always be a strong demand for a high-quality education on a real university campus. Students who choose a residential university may at the same time desire more online programming: at Western for example, credit courses taught online through Distance Studies have expanded rapidly in recent years: from 216 course registrants in 1998-1999 to 3,758 in 2004-05.

It is sometimes suggested that the traditional liberal arts, and in particular the study of language, is threatened by technology and the tech-savvy generation born after 1980, sometimes called the “Net Generation” or “the Millennials.” The October 7, 2005 issue of the *Chronicle of Higher Education* devoted a long article to this issue, which in part featured the ideas of Richard T. Sweeney, who is university librarian at the New Jersey Institute of Technology and very much in demand on the lecture circuit, as he explains that the Millennials have short attention spans, want to multitask, and in many cases

will not sit still for a one hour lecture. Sweeney cites approvingly Marc Prensky, a video-game designer and futurist. Here’s what Prensky told the *Chronicle*:

What we’re really losing is the sense of why kids need an education. The things that have traditionally been done—you know, reflection and thinking and all that stuff—are in some ways too slow for the future.... Is there a way to do those things faster?

Despite the predictions of such futurists, I am confident that both faculty and students at Western will continue to attend lectures, and think and reflect on the major issues of the liberal arts and sciences, even as we use technology more effectively in education.

A short comment on my third issue: Canadian universities will need to be vigilant in the defence of their autonomy as we enter a period of increasing accountability. In Ontario, for example, the Premier has clearly stated that the significant increases in public funding of postsecondary education announced in the May 2005 Budget will involve improved accountability for the funds, so that the public can see the results of the investment. Canadian universities are well run, and increases in funding will produce better student learning experiences, so we should welcome both the funding and the chance to show how we have used it. The measures of accountability, however, should be derived from our institutional missions—one size does not fit all in this case. While responding effectively to the accountability challenge, we at Western must be certain that we maintain our ability to set our own course and establish priorities specific to our traditions and our strengths.

In conclusion, I once again congratulate UWOFA on 50 years of service to Western’s faculty, and I thank the organizers of this excellent symposium for inviting me to speak.