

Carleton was wrong to fire Hassan Diab

THE OTTAWA CITIZEN AUGUST 1, 2009

This opinion article is signed by 30 members of the Department of Sociology and Anthropology at Carleton University.

The firing of Dr. Hassan Diab from his teaching post at Carleton University on Tuesday is an attack on widely held democratic values, and on the need to achieve justice through the law and due process. The unfolding of Diab's tale is also a bleak chapter in the story of injustice and discrimination in the dark shadow of 9/11.

Diab, a Canadian citizen since 1993, faces allegations by French authorities of having participated in a bombing of a synagogue in Paris in 1980. It has not even been legally determined yet whether there is any reasonable evidence to extradite Diab just to stand trial, let alone to convict him. The judge in his case, Robert Maranger, said, "In my view, this is not a case where extradition is a rubber stamp or foregone conclusion."

Certainly, reasonable restrictions are, and should be, placed on those accused of violent crimes. But in our society, determining those restrictions and assessing any risk to the community is the role of the judge -- not of media commentators with limited familiarity with the situation.

While Diab awaits an extradition hearing in January, the judge has approved his bail and, indeed, specifically approved his employment as a university lecturer.

Diab accepted an offer of renewed employment at Carleton that was vetted by the university's upper administration. As his colleagues in Carleton's Sociology and Anthropology department, we unequivocally oppose Diab's abrupt and unacceptable dismissal, a decision taken by the university administration in undue haste, and one that we hope will be reversed.

Diab is a widely published scholar, and an accomplished teacher. He has lectured effectively for years in our universities without incident. He was hired following the transparent rules laid out in the collective agreement that governs contract teaching at Carleton. As the candidate with the most seniority who also possesses appropriate qualifications, Diab was the obvious choice.

In a startling move, Carleton University's administration fired Diab, thus breaching their legally binding contract with him and contravening the collective agreement. But why? The letter Diab received did not state a reason for the dismissal. What we do know is that Diab's dismissal followed on the heels of a statement released by the Canadian chapter of the Jewish advocacy organization

B'nai Brith, a statement that suggests that Diab, who has lived peacefully and without conflict with the law in Canada for years, is a threat to "the safety and security of the community."

The university administration, apparently succumbing to political pressure, issued its own brief statement, saying Diab's dismissal was needed to provide a "stable, productive academic environment that is conducive to learning." Surely, replacing instructors in the middle of a course is neither "productive" nor provides "stability."

What is the university administration teaching our students? By demonstrating that the presumption of innocence and due process are not values to uphold, the university administration is offering a dangerous lesson. It is no surprise that the national professors' union -- the Canadian Association of University Teachers -- has condemned Carleton's move.

The administration's decision that rules don't matter, that contracts can be breached, that collective agreements can be ignored, and that rights can be violated, however, fits within a bigger picture. The bigger picture is one whereby Diab can be fired because of allegations, suspicions, and, apparently, external political pressure. Certainly, Diab faces accusation in another country, but we as a society have a duty to maintain his innocence unless he is proven guilty.

Many Canadians have good reason to be concerned that the "war on terror" has gone too far in trampling on basic freedoms -- such as the right to be presumed innocent -- not only in George W. Bush's America, but also here at home, as horrific cases such as that of Maher Arar have shown.

Yet again, Canada is at a crossroads. We must make a choice about what kind of society we choose to live in and what sort of universities we choose to build: ones where the rule of law, due process, the presumption of innocence, freedom and human rights are our core values, which every individual enjoys equally -- or ones where suspicion trumps all.

Signed by: Nahla Abdo, Claudio Aporta, Tullio Caputo, Nicolas Carrier, Xiaobei Chen, Jacques Chevalier, Andrea Doucet, Aaron Doyle, Peter Gose, Alan Hunt, Jared Keil, Jacqueline Kennelly, Bernhard Leistle, Rianne Mahon, Amina Mire, Michael Mopas, Carlos Novas, Augustine Park, Donna Patrick, Justin Paulson, George Pollard, Jennifer Pylypa, Blair Rutherford, Janet Siltanen, Frances Slaney, Daiva Stasiulis, Rania Tfaily, Pum Van Veldhoven, William Walters, Melanie White.

© Copyright (c) The Ottawa Citizen