



Working Group on the Principles of Naming or Renaming University Places

Report: Phase One

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1. Executive Summary

The Working Group on the Principles of Naming or Renaming University Places was formed in December 2019, by UNB President, Dr. Paul J. Mazerolle. The group was asked to review policies and procedures related to naming or renaming university places, and to investigate named spaces on UNB's two campuses, beginning with Ludlow Hall. The Working Group is mandated to work in a phased approach, with detailed reports due after each phase of the work is complete. This report captures our work during Phase One and details our unanimous recommendations with respect to the named space Ludlow Hall.

The Working Group engaged in targeted consultation with a number of academic and community groups during Phase One of the work and also received written submissions from members of the UNB community and greater public. The Working Group also benefitted from exploring how other universities such as McGill, Dalhousie, Cambridge, and Yale grappled with the painful legacies of slavery and long overdue reconciliation with Indigenous groups.

The Working Group undertook a historical review of George Duncan Ludlow, for whom the Faculty of Law building was named. Our review included an investigation of the history of how Ludlow Hall was named in 1968. Our findings revealed that former UNB President Colin B. Mackay recommended the name Ludlow Hall to honour George Duncan Ludlow (1734-1808), the first Chief Justice of New Brunswick, in the context of the Canadian centenary and related resurgence in recognizing the Loyalist history of the province and without concern for the concurrent North American civil rights movement. While there is no clear written evidence that Ludlow owned slaves, he was raised in a slave-owning family that participated in the (Trans)Atlantic Slave Trade like many others in the New York pre-revolutionary gentry. Furthermore, in his 25 years as Chief Justice of New Brunswick, Ludlow was a member of a Supreme Court that upheld slavery in two court cases. In the 1790s, and early 1800s, Ludlow served on the local Board of Directors of the New England Company, which ran Indigenous schools in several locations. He resigned in 1803 in protest against the failure to implement the removal of Wabanaki children from their families and cultures. In broad terms, Ludlow was an extreme Tory who preferred aristocratic rule over democracy.

A variety of individuals and groups raised concerns to the Working Group regarding Ludlow's connections to slavery and an Indigenous residential school at Sussex Vale. Notably, several current law students expressed feelings of shame, embarrassment and re-victimization when entering the Faculty of Law with Ludlow's name prominently displayed above the main entrance. The concerns we heard and feedback we received were mainly in favour of the removal of Ludlow's name. Indeed, the Faculty of Law's Strategic Plan recently adopted by the Fredericton Senate and the Board of Governors recommends changing the name of the Law Building. There were a smaller number of people who were against removing Ludlow's name. Some were against removing or changing names and some feel a sentimental attachment to the name, without connecting it to the man himself.

As a result of this, and our own historical investigation, the Working Group unanimously recommends:

1. UNB should immediately remove the Ludlow name from the Faculty of Law building;
2. UNB should install a permanent display within the Faculty of Law building that explores Ludlow's history with slavery and Indigenous schooling in early New Brunswick, and outlines why his name was removed from the building;
3. UNB should hold an educational event or events that share what the University has learned through the exploration of these historical issues, identifying further paths to Truth and Reconciliation, as well as encouraging further scholarship on the African-Canadian and Indigenous history of New Brunswick.

2. Background

UNB has a rich, long-standing history in New Brunswick. Since its establishment in 1785, UNB has made significant impacts on our community, on our province, and across the country and world, while providing students with innovative, exceptional and transformative post-secondary educational experiences.

As society evolves to become more inclusive, diverse and equitable for all people, critical conversations surrounding named places including at post-secondary institutions throughout North America, have been taking place. With many of UNB's buildings and other spaces named after historical and contemporary leaders, conversations of a similar nature are taking place within our University community.

UNB students, faculty, staff and members of the public have raised concerns regarding the name of Ludlow Hall on the University's Fredericton campus. As an institution committed to equity, diversity and inclusion and Truth and Reconciliation, UNB's President, Dr. Paul J. Mazerolle, determined that an examination of all named spaces on the University's two campuses is essential.

To address this issue, the Working Group on the Principles of Naming or Renaming University Places was formed. Established in December 2019 by Dr. Mazerolle, the group is completing its work in phases outlined below.

Role of the Working Group

This report covers work completed in Phase One.

Phase One

- To assess the history of how Ludlow Hall was named.
- To consider concerns regarding the named building, Ludlow Hall, and George Duncan Ludlow's own history.
- To recommend to the President next steps relating to Ludlow Hall.

Phase Two

- To explore the process by which names are applied to entities (including buildings, rooms and roads) at UNB.
- To examine the due diligence applied to determine named entities (buildings, rooms and roads) at UNB.
- To recommend to the President a new policy on naming and changing the names of entities (buildings, rooms and roads) at UNB.

Phase Three

*To be completed by a sub-working group(s)

- To explore other named entities (buildings, rooms and roads) at UNB to assess if there are additional concerns.
- To recommend to the President next steps in relation to other named entities at UNB.

Working Group membership

Working Group members:

1. Dr. Funké Aladejebi, Assistant Professor, Department of History, Fredericton Campus
2. Mr. Patrick Hickey, President, Student Representative Council, Saint John Campus
3. Dr. Gregory S. Kealey, Professor Emeritus of History, Co-Chair
4. Ms. Christine Lovelace, Academic Archivist, UNB Libraries
5. Dr. Heidi MacDonald, Dean, Faculty of Arts, Saint John Campus, Co-Chair
6. Dr. George MacLean, Vice-President Academic
7. Ms. Amanda Reid, Piluwitahasuwin
8. Ms. Cathleen Trafton, Student, Faculty of Law, Fredericton Campus

Staff Support

1. Ms. Natasha Ashfield, Director of Strategic Projects, Office of the President, Project Manager
2. Ms. Susan Montague, Senior Advisor, Office of the Vice-President Advancement, Staff Advisor & Researcher

Leadership Advisors

1. Dr. David Bell, Retired Professor, Faculty of Law, University of New Brunswick—A specialist in New Brunswick legal history.
2. Ms. Mary Louise McCarthy, PhD Candidate, Department of Social Justice, University of Toronto & Past Executive President of the New Brunswick Black History Society.

3. Summary of activities and approach

After its establishment, the Working Group met six times over the course of five months. Our activities included an assessment of the history of how Ludlow Hall was named, a consideration of issues raised regarding the named building, Ludlow Hall, and a review of George Duncan Ludlow's own history in New Brunswick. The Working Group also explored the investigations, findings, and reconciliation processes of universities including Dalhousie, McGill, Yale, and the University of Virginia, which have all grappled with comparable contentious historical naming issues in the recent past.

The group consulted with several stakeholders throughout this phase of its work, including leadership advisors, students on both campuses, historians and law faculty. An email account (namedplaces@unb.ca) and website (<https://www.unb.ca/initiatives/namedplaces/index.html>) were established to share information and solicit additional feedback from our communities. With the support of UNB's Human Rights Officer, Sula Levesque, we registered UNB with the University of Virginia's [Universities Studying Slavery Consortium](#)¹, which has served and will continue to serve, as a resource for the University in sharing expertise and research.

What follows is a summary of the Working Group's findings and resulting recommendations. More detailed information about what was learned during Phase One can be found in the Appendices to this report.

¹ Universities Studying Slavery (USS) is dedicated to organizing multi-institutional collaboration as part of an effort to facilitate mutual support in the pursuit of common goals around the core theme of "Universities Studying Slavery." USS additionally allows participating institutions to work together as they address both historical and contemporary issues dealing with race and inequality in higher education and in university communities as well as the complicated legacies of slavery in modern American society. Source: <https://slavery.virginia.edu/universities-studying-slavery/>

4. General Findings

Assessment of the history of how Ludlow Hall was named

A search of UNB Archives & Special Collections revealed the following information:

On July 28, 1967 UNB President Colin B. Mackay sent a memo to Dr. A.G. Bailey, Head of UNB's History Department and Vice-President Academic. Attached to the memo was a copy of a letter from John L. Williamson, UNB Class of '57. (Williamson would eventually become a Deputy Minister in the Government of New Brunswick.)

In the letter, Williamson urges Mackay to honour certain New Brunswick Loyalists, including the Ludlows.

"I have in mind the following specific proposals," writes Williamson. "... [the] New Law School to be named Ludlow Hall in honour of the brothers George Duncan Ludlow and Gabriel George Ludlow." Williamson believed that the provincial Law School "could serve as a most appropriate means to honour their contribution to the legal life of New Brunswick." In the attached memo, Mackay says to Bailey: "I am inclined to think that his suggestion in regard to the Faculty of Law Building is a good one."

Mackay continued to mull over the suggestion, and in a personal letter dated April 8, 1968, to Mary Louise Lynch (former registrar of the Saint John Law School and member of the UNB Board of Governors), Mackay indicated that he suggested the names Beaverbrook, Aitken, or Bennett to UNB Chancellor Max Aitken, 2nd Baron Beaverbrook, but Aitken was not interested in those names as they already graced so many buildings. Mackay continues: "Today, I have sent him over some suggested names – Ludlow, first Chief Justice of New Brunswick..." and he goes on to list others.

Mackay finishes by saying to Lynch: "I would be inclined to pick George Duncan Ludlow since there are no Ludlows left and we neither please nor offend anybody by picking such a name."

On May 15, 1968, under the heading "Naming of Buildings" in the Senate minutes, on the motion of P.W. Oland, seconded by Mary Louise Lynch, it was resolved that the new Law Faculty building be named George Ludlow Hall. Senate minutes leading up to this day contain no discussion of the choice of name. It's worth noting that Senate's authority at the time was similar of that of UNB's Board today.

The opening of Ludlow Hall (October 8, 1968) was a grand affair, covering two days of receptions, speeches, special dinners and a law conference. Guests included Sir Max Aitken, the Federal Justice Minister, and the Chief Justice of New Brunswick. In his speech at the opening of the Hall, Mackay said:

The naming of a building is never an easy task. From time to time we receive many suggestions. In recent years a number of graduates have

put forward the proposal that one of our buildings should bear the name of George Duncan Ludlow. He served as a member of the Governor's Council which accepted the petition to establish the University and which set aside land for this purpose. He was a member of the first college council, which looked after our affairs following the granting of a charter to the College of New Brunswick in the year 1800. Moreover, he was the first Chief Justice of New Brunswick and had served on the Bench of the Supreme Court of New York prior to the Loyalists' arrival in the Province; therefore, it seems particularly appropriate that his name be associated with this new Law building.

No documentation could be found in the archives indicating that Colin B. Mackay had been told about Ludlow's association with slavery or the Sussex Vale school; however, Karl Dore, then Assistant Professor and later Dean of Law, wrote to the Working Group indicating that he had raised concerns surrounding Ludlow's connection to slavery with President Mackay in 1968 before the building opening. (Refer to appendix 7.b- Written Submission from Karl Dore)

George Duncan Ludlow's own history²

George Duncan Ludlow was born in 1734 in Queens County, Long Island, New York into an established, prosperous New York family. He married his cousin, Frances Duncan, in 1758 and they had three children. Ludlow became a lawyer in the 1760s and engaged in commercial practice. In 1769 he was appointed a judge of the New York Supreme Court and served eleven years. Ludlow was then appointed Master of the Rolls and a judicial administrator of Long Island. Because the outbreak of Revolutionary warfare interrupted the ordinary course of justice, Ludlow was given "powers on principles of equity, to hear and determine controversies [and] maintain peace and good order until Civil Government in all its forms can take place." Detractors called him the "little tyrant" of Long Island.

As a prominent office holder under New York's royal government during the Revolutionary crisis and civil war, Ludlow anticipated that the victors would not allow him to make peace with the new order and so in June 1783, while the lower Hudson River valley was still in British hands, he sailed into exile in Britain. According to UNB historian Elizabeth Mancke, Ludlow represented the Tory extreme of the Loyalists. For example, he was one of the fifty-five New Brunswick Loyalists who recommended they each receive a 5000-acre land grant to establish themselves as the elite who would organize, govern, and employ the mass of poorer Loyalists. Those "poorer Loyalists" intervened and the Petition of the 55 was not granted, but in 1784, when the British created New Brunswick out of Nova Scotia as a uniquely Loyalist province, Ludlow was rewarded for his loyalty by appointment as its Chief Justice. Ludlow was regularly questioned in his role as Chief Justice, which he held until his death in 1808, about how

² This section on Ludlow's history is largely borrowed from D. Bell's unpublished Wikipedia entry [2019].

he applied British constitutional principles in a post-Revolutionary colonial setting. Mancke has referred to Ludlow's time as Chief Justice as, "neo-feudal" and representative of "elitist extremes of both the old colonies and the post-1783 colonies."³

As the colony's first Chief Justice, Ludlow had enormous influence on New Brunswick's 1786 foundational statutes, which comprise 126 printed folio pages. For this reason Ludlow was called the regime's "prime minister." His institution of the "Reception of Law" date of 1660 is particularly significant for it set 1660 as the date past which no act of the English/British Parliament would apply in the colony. According to UNB law professor David Bell, Ludlow's rationale was that, in the years following the 1660 Restoration of Charles II, so many English statutes named the American colonies expressly that a presumption had arisen to the effect that post-1660 legislation did not extend to America except when named. Political opponents of New Brunswick's governing elite immediately pointed out that a 1660 reception date might allow judges to hold that such fundamental egalitarian measures as the *Bill of Rights Act* (1689) did not extend to the colony. These fears seemed realized when the Legislature, as the final measure of its inaugural session, passed a law to suppress political petitioning, an activity the *Bill of Rights* protected expressly. When petitioners were arrested for violating the new statute and then applied to the Chief Justice by *habeas corpus* for bail, Ludlow surprised everyone by denying them even a hearing.

The northward migration of American Loyalists at the end of the Revolution into what remained of British America included thousands of persons of African descent, both free and enslaved. Soon the question arose as to whether the continuance of slavery had a lawful basis. In Upper Canada the Legislature ended slavery by statute, albeit only prospectively. In Lower Canada and Nova Scotia, the senior judiciary avoided ruling on the general question of the lawfulness of colonial slavery while simultaneously making it so difficult for owners to prove good title to their alleged slaves that they generally lost when challenged in court. Only in New Brunswick was the lawfulness of slavery litigated as a general principle. In cases in 1799-1800 and 1805-06, the Supreme Court, led by Chief Justice Ludlow, effectively held slavery lawful, albeit with some dissension. Ludlow's own rationale was that in 18th-century America and the West Indies slavery was practiced almost universally; yet nowhere was there a law *establishing* slavery, merely laws regulating it on the assumption that it existed already. So it was that slavery as an institution continued to be lawful in New Brunswick—theoretically until the 1830s—even without an act of the Legislature establishing it.

It is important to note that while there is no documented evidence that proves Ludlow was a slaveowner, he and his family did indeed benefit from the institution of slavery. Ludlow may have been confused with Gabriel George Ludlow, his brother and the first mayor of Saint John, New Brunswick, who was a slaveholder, as was their father.⁴ While

³ Elizabeth Mancke, presentation to Working Group on Naming, 10 January 2020.

⁴ According to David Bell, the source for the assertion that Ludlow held slaves in New Brunswick is Carl Wallace's article on Ludlow in the normally meticulous *Dictionary of Canadian Biography*. Wallace's source, in turn, was W. A. Spray's *The Blacks in New Brunswick* (1972). The DCB has confirmed that Wallace's assertion was footnoted to Spray: DCB to D. Bell, 2 Aug 2019. But Wallace was misreading Spray, who wrote:

Ludlow is known to have upheld slavery in two cases in New Brunswick, including the “Nancy Case” of 1800, in a third case, *Clarke v. Street*, he ruled against a master. In the first two cases Ludlow appears to have been rejecting the shift away from slavery in other British North American Colonies, but in defeating the alleged master in the 1806 case on a clarity-of-title question, Ludlow adopted the same approach taken by more progressive judges in Nova Scotia and Lower Canada.

Ludlow died in office on 13 November 1808 at Spring Hill, N.B. Despite his prominence in New Brunswick and his 25 years’ service as Chief Justice, Ludlow left no personal papers and few judicial papers beyond the three slavery cases.

UNB’s Office Development and Donor Relations searched for any living relatives of George Ludlow and they were unable to find any existing family members.

All archival information found by the Working Group can be found at:
<https://lib.unb.ca/archives/namedplaces>.

Ludlow and Wabanaki (Waponahki) Ancestral Lands⁵

In general, and like many of his elite collaborators, Ludlow participated in the colonial violence and oppression against Wabanaki people. He served for a time on the Board of Directors of the local Board of the New England Company, which ran a number of day schools in New Brunswick situated near Wabanaki communities. In 1803 Ludlow and two others resigned from the Board because of their perception of the failure of these schools. Instead they advocated “a scheme for separating Indian children entirely from their parents.”⁶ The logic behind the new 1807 Sussex Vale Indian School, which might be viewed as a precursor to the post- Confederation system of Residential Schools, was

“The case was presented to the full bench of the Supreme Court of New Brunswick. The judges present were: Chief Justice George Duncan Ludlow, a brother of the first mayor of Saint John and a slaveowner; Judge Joshua Upham, a slaveowner; Judge Isaac Allen, a slaveowner; and Judge John Saunders, the only opponent of slavery on the bench at that time.” (Spray, 24)

An examination of Spray’s sources – principally T. W. Smith, “The Slave in Canada”, in *Collections of the N. S. Historical Society*, vol 10 (1896-98), 1 at 29, 86 -- indicates that this ambiguous passage’s first reference to “slaveholder” was meant to pertain to Mayor Ludlow, not Chief Justice Ludlow. It is possible that the chief justice was a slave owner in his pre-Revolutionary New York days, but that was not the point Wallace was making.

⁵ Wolastoqiyik, Mi’kmaq, Peskotomuhkatiyik, Penobscot, and Abenaki peoples are distinct nations who form the Eastern Wabanaki Confederacy (Speck, 1915, p. 492). The Wabanaki are “people of the dawn” (MIP, 1989, p. D9). Traditional Wabanaki territory includes areas of what is now known as Eastern Canada and the Northeastern United States – specifically New Brunswick, Nova Scotia, Prince Edward Island, Newfoundland, eastern Quebec, Maine (USA), and Vermont (USA).

⁶ Judith Fingard, “The New England Company and the New Brunswick Indians, 1782-1826: A Comment on the Colonial Perversion of British Benevolence,” *Acadiensis*, 1,2 (Spring 1972), 31-2.

to separate Wabanaki children from their families and communities and apprentice them to white people in the Sussex Vale area where they could be wooed away from Catholicism and Wabanaki culture exactly as proposed by Ludlow four years before. The incentives offered to Wabanaki families included cloth, blankets, and a weekly payment. In reality they “co-operated” because, as Fingard puts it, “deprivation produced submission” and “the distress of the Indians had turned them into tractable dependents.” The incentives to the masters included 20 pounds a year and access to the child’s labour until they reached the age of 21. While there, boys received little, if any, education and the girls received none. Labour was limited to agricultural work for the boys and domestic service for the girls. In addition, there is evidence of sexual exploitation of the girls by masters or their sons. Molly Ann Gell, for example, reported that she was raped in 1809 and later revealed that the father of the resultant child was Joseph, the son of her master, Superintendent Reverend Oliver Arnold. The child was apprenticed at birth as were other illegitimate children born to female apprentices.

Critical reports from investigations in the 1820s revealed the extent of this exploitation. Walter Bromley in an 1822 investigation found that the children were “treated as menial servants and compelled to do every kind of drudgery” and that when they completed their “apprenticeships” at age 21 they “remained a peculiar, distinct people, shut out from all society.” A second investigation in 1825 by John West highlighted “the poor moral example and rapacity of the whites in charge.” In her *Dictionary of Canadian Biography* entry on the Reverend Oliver Arnold, the Superintendent at Sussex Vale, historian Judith Fingard notes that Oliver held as many as seven “apprentices” at a time and supplied numerous others to his sons and other kin.⁷ One contemporary, John Coffin, described Arnold as “rapacious in the extreme” and comparable “more to a mad dog after his prey than a clergyman in the habit of praying for things requisite and necessary.” Fingard contends that “indentured children [served] as virtual slaves to the leading families of Sussex Vale.” In summation, she argues that Arnold “created the impression among colonists that the Indians were at best exploitable, at worst dispensable.” Sussex Vale was part of George Duncan Ludlow’s New Brunswick legacy.⁸

Concerns raised regarding Ludlow Hall

A variety of individuals and groups raised concerns about the name Ludlow Hall because of George Duncan Ludlow’s connections to slavery and an Indigenous residential school at Sussex Vale. Notably, current Law students expressed feelings of shame, embarrassment and re-victimization when entering the Faculty of Law building with Ludlow’s name overhead. There were fewer people who shared feedback that

⁷ The following *Dictionary of Canadian Biography* entries provided useful information: Judith Fingard, “Walter Bromley (1755-1838),” Vol. VII; Judith Fingard, “Oliver Arnold (1755-1834),” Vol.VI; L.F.S. Upton, “Molly Ann Gell (fl.1807-1822),” Vol.VI; Richard A. Willie, “John West (1778-1845),” Vol.VII. In addition, Nicole O’Byrne’s presentation to the Working Group of 10 January 2020 provided additional information on the Sussex Vale apprenticeship system.

⁸ Fingard, “The New England Company and the New Brunswick Indians, 1786-1826,” 29-42.

supported keeping Ludlow's name on the Faculty of Law building to recognize Ludlow as the first Chief Justice of New Brunswick and a leading Loyalist official. Further, we recognize that several generations of students have graduated from the Faculty of Law since 1968 and, for most, the name "Ludlow" is attached to their experience at UNB, not to the man himself or his actions. However, every generation understands the past anew and re-considers what in our communal history seems to have new meaning nowadays and a larger number of people promoted removing his name. The Faculty of Law itself in its 2020 Strategic Plan concluded:

An assessment of the Law Building cannot go without addressing the controversy surrounding its name. The existing name is a source of division and commemorates a person with no connection to UNB Law. As UNB Law seeks to modernize and relaunch itself after a period of decline, it is fitting for us to rebrand ourselves. A new name would symbolize a turning point and the next phase of UNB Law's development. For these reasons we recommend changing the name of the Law Building in accordance with the University's policies.

After learning about Ludlow's history and consulting with groups about their concerns, the Working Group has concluded that not taking action to remove Ludlow's name from the Faculty of Law building would be in contradiction of UNB's mission, values and commitments. In the new *Strategic Plan: UNB Towards 2030*, our values are stated as "integrity, transparency and respect" followed by "equity, diversity and inclusion." Moreover, the concept *Piluwitahasuwawsuwakon*, which means "allowing your thinking to change so that action will follow in a good way toward truth," is invoked. Later in the Plan a major aim is by 2030 that "UNB will be One UNB: a university where everyone belongs – excellent, inclusive, engaged."

There are three existing naming policies at UNB, which are found under "Resources" on the Working Group's website at <https://www.unb.ca/initiatives/namedplaces/resources.html>. Existing policies indicate that the UNB Board of Governors has the authority to terminate or revoke a name. Specifically, on page 5 of the UNB Naming Policy for Faculties, Colleges and Schools:

2. The University shall retain the discretion to revoke a naming where, in the opinion of the Board of Governors, retention of the name would be prejudicial to the University's reputation. Authority to revoke a naming is vested in the Board of Governors and shall be contingent on fulfillment of the obligation of due diligence by the individuals responsible for recommending the revocation of a naming.

In its Phase One research and deliberations, the Working Group has been conducting the "due diligence" called for in this Policy. In Phase Two of this work, the Working Group will review these policies and develop naming principles. In the absence of consistent naming principles at UNB, the Working Group borrowed [naming principles](#)

established at Stanford University⁹. The eight Stanford Principles require consideration of such key issues as the namesake's relation to the institution, the centrality of the harmful behaviour and its impact, the strength of historical evidence of the namesake's objectionable behaviour, and the harm of keeping the name versus the harm of removing or renaming.

When applying Stanford's Naming Principles to George Duncan Ludlow, it became clear to the Working Group that Ludlow is not a person who should be honoured by the University. His tenuous relationship to UNB, the fact he consistently supported slavery and the separation of Indigenous children from their families, and the distress caused to students of colour and Indigenous students attending the Law School that bears Ludlow's name, among other concerns mentioned in the foregoing, did not meet the test of the Stanford Principles, nor are they compatible with UNB's mission, values and commitments outlined in its newly released strategic vision and its commitment to Truth and Reconciliation.

We were also cognisant that the process of Decolonization must be thoughtful, considered, and focussed on action; it must extend beyond mere "virtue signalling." For these reasons, we believe that education initiatives must be a significant part of addressing the issues surrounding the space currently named Ludlow Hall.

These strong concerns about the naming of Ludlow Hall are also occurring in a broader socio-political context. Many universities are grappling with similar issues and after reviewing how other universities are addressing this serious issue, the Working Group believes UNB would be sadly out-of-step if it did not remove Ludlow's name from the Faculty of Law building.

(Refer to Appendix 7.a, Written Feedback, for more information.)

Recommendations to the President regarding next steps relating to Ludlow Hall

The Working Group came to a unanimous decision with respect to the actions recommended within this Phase One Report. Based on what we learned about George Ludlow's history, how Ludlow Hall was named, and considering all the feedback we received, the Working Group recommends the following:

⁹ Principles and Procedures for Renaming Buildings and Other Features at Stanford University. Source: <https://campusnames.stanford.edu/renaming-principles/>

5. Recommendations

1. UNB should immediately remove the Ludlow name from the Faculty of Law building;
2. UNB should install a permanent display within the Faculty of Law building that explores Ludlow's history with slavery and Indigenous schooling in early New Brunswick, and outlines why his name was removed from the building;
3. UNB should hold an educational event or events that share what the University has learned through the exploration of these historical issues, identifying further paths to Truth and Reconciliation, as well as encouraging further scholarship on the African-Canadian and Indigenous history of New Brunswick.

6. Next Stages

The Working Group has now completed Phase One of our [Terms of Reference](#) and will be proceeding with Phase Two where we will explore the process by which names are applied to UNB entities, the due diligence applied when naming entities, and recommend to the President a new policy on naming and changing names of named entities at UNB. A Phase Two Report will be completed by December 1, 2020.

7. Appendices

Appendix 7.a: Written Feedback

Written Submissions to Namedplaces@unb.ca

TO: The Working Group on the Principles of Naming or Renaming University Places

Updated: March 16, 2020

March 14, 2020

I think that all human beings are flawed. We are also the products of the values of our time and the sacrifices of our predecessors.

Our history, traditions and names animate and inform our present.

Our decisions on whether or not to rename should be governed by a great sense of responsibility and respect for our predecessors who are no longer living and able to defend themselves or explain in vivid detail the times and events behind actions and decisions. An individual flaw or historical bias or prejudicial attitude should not detract fully from the benevolence of an important gift or attempts to do good things. A gift late in life may be in repentance to past evil.

We should spend less time on the correctness of past decisions and naming and more time being kind and responsible to each other in the present.

March 11, 2020

I am not so sure examining the lives of people who have contributed to our communities in substantial ways many years ago, in the context of today's values and without hearing from their vantage point, is entirely fair and just. Notwithstanding, some of their views and actions, even by the standards of their times were not only questionable, but reprehensible.

My concern is that the focus of a review such as yours will be predetermined in that the study will be limited to wrongdoings suffered by specific groups of victims and ignore that endured by so many others. Correspondingly, if such is the case in this exercise, redress or retribution, which may take the symbolic form of "renaming" will omit substantial segments of our "founding" peoples whose early struggles both in their country of origin and here in Canada surpass almost all others in terms of severity and longevity.

The above remarks are born out of my longtime observations relating to the almost absolute lack of official recognition or appreciation of the trials faced by the Irish and Highland Scots and their vast contributions to the creation and building of both this province and country. Our public institutions, especially our public schools, are almost void of any truthful or meaningful reference to their story. It is truly perplexing to consider how thoroughly the cultural niceties, including language, of those two groups have been so entirely usurped. Between one third and one half of New Brunswick's population are not even aware that just several generations ago, their forebears' principal tongue was neither English nor French. These transforming dispossessions did not occur without the imposition of most, if not all, of the forms of discrimination and deprivations often imposed by punitive leaders.

As a descendent of one of those groups I am perhaps somewhat biased However, I do urge you to consider the above. The written accounts of much of the “true” history has not been “mainstreamed,” as some of it does not reflect positively on our early “elites.”

March 11, 2020

The thought of re-naming Ludlow Hall is repulsive. What’s next - the replacement of the Peace Tower on the Parliament Building in Ottawa because the concept of residential schools was hatched under its roof?

March 10, 2020

I have numerous thoughts regarding the name of Ludlow Hall. Personally, I do not believe the name should be change. George Duncan Ludlow was instrumental in the legal field in New Brunswick. While he did have some issues by today’s standards, at the time he was doing what he believed was right. We cannot judge the actions of 200 years ago by the standards we set today. It is unfair and it will lead to every building on the UNB campus being renamed because you will be able to find an issue with every namesake if you look hard enough.

As the first Chief Justice of the province it is impossible to ignore his impact on the profession. While in this position he determined it was right to return a slave to their owner. By the standard of 1800 it was the proper decision. Many decisions of our courts have been overturned as time has passed. That does not make the decision maker an evil person. He was also a proponent of residential schools, which still existed in the 1990s. While this is not right, as of 1800 it was believed to be the best way forward for the province and all its people. Once again, he made a decision based on the standards of the day. His decisions on certain issues should not define him, no more than the decisions to outlaw abortions before the Morgentaler decision should define the Justices who made those decisions.

A major issue I see with changing the name is the next name, whoever it may be, will face the same criticism. What happens in 50 years when the new namesake is discovered to have done things that are against the current day’s standard. While it was acceptable in their time, it is no longer accepted. Would the name have to change again and create a revolving door of name changes?

Another issue with removing the Ludlow Hall name is it whitewashes the situation. It happened. We are not going to change that. George Duncan Ludlow did these things and made these decisions. Removing his name will simply let him fade into the history books and eventually completely fade from history for a few controversies of 2020 standards. It will negate the good work he did as Chief Justice of the province and the work he did to push forward a legal system in a newly formed province. A few mistakes, as judged by the standard two centuries later, should not erase a lifetime of work.

In my opinion, a better option than removing his name would be to add a plaque at the entrance to Ludlow Hall to acknowledge both his shortcomings and his good work. It would not whitewash the situation, it would simply show that UNB recognizes what happened was wrong but still understands that a few missteps by a different generations standards does not erase everything.

While I am sympathetic to the aboriginal students who attend Ludlow Hall, the name of someone on a building does not impact your education. You will still be taught by the same professors and seeing a name in a single location on a building does not hamper your ability to attend class and

obtain a legal education. In an article written by CBC it quoted a student who graduated in October. She had made a statement about walking into a building that "honours someone like Ludlow." The building and the faculty do not condone every action that Ludlow made but to say that the building honours his mistakes without looking at his impact is naïve and it cherry picks history.

The articles written by CBC also mention that a resolution was passed by the LSS to recommend a change at the AGM. I attended the AGM every single year I was in Law School and many students attend simply for the free pizza, and do not pay attention. As long as 50 students are there, that is all that matters. This recommendation is not something I would say is an accurate representation of the students, as many would have been poorly informed prior to attending this meeting.

To summarize my thoughts on this matter briefly, I would say that changing the name will only have the impact of kicking the ball further down the road. To recognize the wrong, along with the right, a name change will not suffice. I believe a plaque, as was suggested by professors during my time there would be a more appropriate measure to address this issue. While some students may believe that it is a shame to walk under his name every day, to remove it would be to whitewash history.

March 9, 2020

I am writing to offer my full support to the campaign to change the current name of the UNB Law building.

I only became aware of the historical legacy of George Ludlow last year when this campaign commenced, but I wish now that I had educated myself on the subject sooner. I'm sincerely embarrassed to have a historical figure like this associated with my school, which I am otherwise very proud to have attended. I cannot imagine how Indigenous persons or persons of colour would feel about attending a school named in this man's honour. I have personally stopped referring to "Ludlow Hall" in reference to the school entirely - as far as I am concerned, his association with the school should have already been removed.

As I understand the history, Ludlow's affiliation to the UNB Faculty of Law was tenuous to non-existent. I cannot imagine any justification for maintaining his name on the building beyond "tradition," which to me is by no means a good enough rationale. This is a matter which UNB must step up and address - as the current Law Students' Society has demonstrated, we are well beyond the era when people are content to shrug and ignore ongoing celebrations of the mistakes of the past. You should not assume that current and future students will remain as passively ignorant of Ludlow's legacy as I was while I attended the school: they will not be.

I hope you do the right thing and remove George Ludlow's name from UNB Law as you work towards deciding upon a more worthy name for the UNB Law building. This program is too good to be associated with such a shameful legacy. March 9, 2020

I concur with my classmates that if there must be a name change, that Dean Wm. F. Ryan would be most suitable.

March 9, 2020

I concur that if there must be a name change, that the Dean Wm. F. Ryan Law School would be most suitable.

March 9, 2020

I write as one who was a student at the Law School when Ludlow Hall was being built and when it was opened. The then Dean, William F. Ryan, was the driving force behind the construction of the building and the move from Somerville House, which had been "creaking at the seams" as a Law School, especially with respect to the Library (many volumes had to be stored off-site) and the make-shift classroom in an ugly addition at the rear to accommodate a significantly increased enrolment. I vividly recall his pride in showing and discussing detailed plans for the new building, which seemed always to be on display in his office.

As a general comment relating to Ludlow C.J., any individual's prominence and legacy will be determined based on societal values at whatever particular point in time that person's worth is assessed. That seems obvious. Nonetheless I am not generally in favour of the form of revisionism that seeks to obliterate the past by tearing down structures or other physical items because of changing mores (however welcome for other reasons) or the belated knowledge or recognition of an individual's failings. Rather, I would - again generally speaking - favour appropriate and prominent mention of the changes that have taken place.

As a further general comment, not related to the renaming of Ludlow Hall, I note that the Working Group has a broader mandate - i.e. the Principles of Naming or Renaming University Places - and suggest that one principle to be taken into consideration is the extent of (in the case of an individual) the connection with and the contribution to the University.

Turning to the particular, as I recall from discussions with Dean Ryan at the time, there was little or no consideration - or perhaps even awareness - of Ludlow C.J. other than the fact that he was the first Chief Justice of the Province. There may have been some thought given to this being a way of reinforcing the connection between academia and the practising Bar, always one of Dean Ryan's concerns.

If it is decided to rename Ludlow Hall, I would suggest that the most appropriate person to recognize would be Dean Ryan. As mentioned above, he was the driving force behind the construction and the move from Somerville House.

March 7, 2020

This graduate is opposed to the renaming of Ludlow Hall.

I suspect elements of political correctness and historical revisionism are at work in this case. History cannot be changed and must be seen in its context of the time. There may instances in Ludlow's behavior that is viewed from today as being less than desirable but there must have been justifications at the time to warrant his appointment. There are many, many accomplished individuals who have regrets about something in their past and they appear to have been excused by society and, if one is determined to sanitize history, well, you have a long job ahead of you.

March 6, 2020

I am weighing in on the renaming of monuments/removal/rewriting of history.

I firmly believe that to wipe off public mention of behaviour that is NOW unacceptable destroys the context and the knowledge of better understanding and progress in human rights and true equalities. Some, such as Ludlow himself, are despised for his actions, yet he also was a significant contributor in his time.

How do we know what needs to be changed if we cannot see the unacceptable first?

It also ties into the moral dilemma for some of permitting a person to change their beliefs and position over time, and become a "better" person, or denouncing them for all time because of past events and acts. I suppose someone who does not believe in forgiveness sees no purpose in rehabilitation of criminals, or even forgiveness.

Knowing the facts as they were; in context of time and society; and presenting the need for discussion and change is far more useful, in my view, than painting over and obstructing the difficult parts of our collective past.

Leave the names and the statues and the books alone. Have something standing beside the door to Ludlow hall explaining the feelings in the year 2020. Maybe in 2050 we will need another because societal mores will have altered again. Then in 2050, add a second plaque and show progress.

March 6, 2020

If the decision is made to change the name, I suggest the Gerard V. La Forest School of Law. If the genuine motivating factor in this exercise is to become more inclusive, diverse and equitable then I suggest making Law more accessible as a true post-secondary undergraduate degree (60 credit hours or honours 72 credit hours with a written thesis), increasing enrollment, creating a graduate program centered around criminal, constitutional, administrative law and public interest advocacy and leaving matters of professional qualifications and development to the Law Society of New Brunswick.

March 5, 2020

In response to the Working Group's call for submissions from law alumni please accept the following:

1. The working group has an obligation to uphold the commitment made to the calls for action as outlined in the Truth and Reconciliation Commission report;
2. I personally support the arguments as outlined in the position statement of the UNB Student Union;
3. I personally support the resolution passed by the Law Student's Society advocating for the changing of the name from "Ludlow Hall"; and
4. I urge the Working Group to move on this issue in an expeditious manner.

March 4, 2020

I am an Aboriginal person (Micmac).

I think that Mr Ludlow was a product of his times, maybe even a little behind the times in his own day. I think that we should leave his name on the school, acknowledge that he made mistakes---in owning slaves---and use this as tool to fight racism, to acknowledge his mistakes and to build a better country free of racism.

I do not think that we should erase his name because of one offensive component of his life. It is similar to Lord Cornwallis in Nova Scotia. He was a great military leader and won many battles for the British, and now in an age of political correctness we wipe that out to appease the political left. This does not a better country make, it just angers people.

Tell me, if we did not like Justice Gerald La Forest of the Supreme Court of Canada's stance in 1995 in *Egan vs Canada*, are we to change the name of the law library as well? For fear of offending same sex couples? What if one complains?

In *Egan* Justice La Forest stated that marriage is “firmly anchored in the biological and social realities” and that men and women “have the unique ability to procreate, that most children are the product of these relationships, and that they are generally cared for and nurtured by those who live in that relationship.”

Society has since changed; same sex marriages are now accepted. But this in no way negates the accomplishments of La Forest; he was a great lawyer and jurist.

I think that UNB should not rename Ludlow Hall nor the law library.

March 4, 2020

I am opposed to renaming buildings or removing monuments for the reasons that motivate left wing ideologists. Also, I believe it is the height of hypocrisy to impose what are essentially relative moral standards from this generation and culture onto another generation and culture of the past.

Times change, and society's perception towards things does as well. However, merely because perceptions change does not mean that what happened in the past must now be re-evaluated in light of our changed perspectives. What right do we have to assume that our newly minted perceptions, born out of our currently trendy modern liberal ideology, are necessarily superior to, and worthy of judging, our ancestors' own ideological and cultural perceptions? Like each new Roman emperor, left wing ideologists seek to erase the monuments erected to their predecessors and supplant them with their own monuments extolling their own image.

History is a record of things past that should not be altered or rewritten in Orwellian fashion by some Ministry of Truth to suit its own political ends.

March 4, 2020

I fully support the renaming of the Law School. New Brunswick has a number of highly qualified and deserving individuals including Gerard La Forest, Abraham Walker, and John Humphrey who would be befitting of the honour and highlight New Brunswick's positive contribution to the global legal community.

4 March 2020

Don't Throw Out the Baby with the Bathwater

My wife and I have had long and interesting discussions on the topic of renaming institutions and monuments due to political correctness.

I am Jewish and very sensitive to situations where members of specific groups like the SS or Nazis are remembered. So I know the pain that black people and Indigenous people have respecting this type of situation.

However, I believe that changing names is a justification for re-writing or sanitizing history for what is today considered politically correct.

In my opinion, the appropriate way of dealing with the name Ludlow Hall is not to eliminate it, but to post an educational sign at the front of the school in a very visible spot explaining the positive achievements and negative aspects of Mr. Justice Ludlow. That way you don't throw out the proverbial "baby with the bathwater."

The standard of what was politically correct when Justice Ludlow sat on the bench is not the same as what it today. To retroactively evaluate his ethics seems wrong. The dominant norms and values of his day were different than they are today. Consequently, to judge his decisions according to our norms and values is not fair.

Lastly, I am not so sure how accurate the historical records are respecting Mr. Justice Ludlow's judgments and biases, but in his defense they need to be extremely solid.

March 4, 2020

I don't know the particulars of George Duncan Ludlow's career apart from what I've read in the media. Apparently, New Brunswick's first chief justice exhibited sympathies toward slavery and Indian day schools in both his personal and professional lives. I imagine that naming the Law School in Ludlow's honour was about celebrating New Brunswick history and his legacy as the first chief justice. How we acknowledge our history, however, has changed. We strive now to honour the legacies of all peoples of New Brunswick's past by acknowledging the damage of colonialism and striving to reconcile with marginalized communities.

No reconciliation is possible, however, with a name that perpetuates and exalts a legacy that dishonours disenfranchised peoples. Consequently, I have no reservations about changing the name of the Law School. It's something that needs to be done.

March 4, 2020

Do not change the name and please return the portrait to its original and rightful place!!

March 4, 2020

I welcome the re-naming of Ludlow Hall. It is shameful that a place where students are meant to learn principles of justice should be named after a supporter of both slavery and Indian Residential

Schools. I remember this being talked about 15 or more years ago, and I'm unimpressed that it has taken so long to address seriously.

March 4, 2020

I do not agree with the changing the name of Ludlow Hall. Looking back on the history of various people we can always find something wrong with them. Very few people in the past or even the present live perfect lives. We must look at the total life's work of the person to determine whether the person should be recognized for an honour. We shouldn't put today's morality on those who lived in the past for the times were different.

March 4, 2020

If the name change is being considered due to Gabriel Ludlow's anti-diluvian behavior, then I would like to suggest that the name change be to the most distinguished New Brunswick lawyer, Hampton native, John Peters Humphrey. Some years ago I requested on behalf of the John Peters Humphrey Foundation that the Law Society of New Brunswick financially contribute to the erection of a statue to Mr. Humphrey. They didn't. Now that this issue has arisen, I suggest this is even a better idea. As you are no doubt aware Eleanor Roosevelt credited Mr. Humphrey with authoring the first draft of the Universal Declaration of Human Rights. I would be available at the committee's convenience to further discuss this as I cannot think of any other New Brunswick lawyer who deserves this honour.

March 4, 2020

I would be pleased to learn that the name of Ludlow Hall was changed to something with a positive affiliation instead of the negative one that it has now.

March 4, 2020

Most emphatically, Ludlow Hall cannot continue as presently named, given the association of Ludlow with slavery.

With respect to a new name, I would suggest that the hall be named after Gerald La Forest - a native New Brunswicker, lawyer and respected justice of the Supreme Court of Canada.

March 4, 2020

I don't think we should change the name of Ludlow Hall. The law is constantly changing and applying the standards of today to the participants in the legal process from over 200 years ago is absurd. Literally everyone from that time has done things we would not find appropriate today, whether they did it publicly or not. People today are likely doing things daily that future generations will find abhorrent as well.

He fought for King and Country in America before he was forced to New Brunswick as a Loyalist during the revolution. He was the first person appointed to any position in New Brunswick and helped build the province.

In a time of next to no infrastructure, judicial system or much in terms of modern civilization found at the time in New York or London, as chief justice Ludlow helped build New Brunswick into a

modern province with legitimate cities and a true judicial system. That's why the Law School is named after him.

To take away that honour because he made a decision on slavery that offends the modern sensibilities is wrong. His decision was also wrong, but it led to controversy which abolished slavery in New Brunswick and, in his mind, he was applying the law at the time, not his own moral code (though they might have overlapped). While I think it is entirely appropriate to have a plaque somewhere explaining the slavery controversy and the decision, I don't think it is appropriate to rename the school from a great New Brunswick founder over one decision he rendered.

March 4, 2020

I think the name should remain as it is. He lived in a very different era with different values and we should not rewrite history just to be politically correct. The UNB leaders when the building was named did their research and made a decision based on the merits of his life and contribution to society.

I believe reasonable alternative would be a description of his contributions with a footnote pointing out that he was a supporter of slavery.

Please do not change the name.

March 4, 2020

I write to provide my support for changing the name of Ludlow Hall. I see no compelling reason to leave the name as it is, and plenty of reasons to change it to someone deserving.

March 4, 2020

I have no opinion on the name "Ludlow" or the change of the name "Ludlow Hall".

I have become concerned about the catch phrase "inclusive, diverse and equitable." It is, in my view, being used to justify and substitute one form of cultural, racial and gender discrimination for another.

I would suggest doing something because it is right, or the right thing to do.

In the context of the premises where law students are taught, Lord Denning, long revered in the Judicial community, at home and abroad, talked about the folly of judging someone using today's moral/legal norms, where the events, morals, laws and circumstances of another time were far different in the past. That being said, Lord Denning was no saint and referred to non-heterosexual individuals as being part of 'a cult.' So if there is a name change, do not substitute "Denning" for "Ludlow."

March 4, 2020

I think all this revisionist activity is totally unacceptable. History is what it is. Rename Ludlow Hall and my donations are gone.

March 4, 2020

I have no strong position on the naming of this building. To me, it'll always be Ludlow Hall, with many (mostly pleasant) memories.

I support UNB's decision to examine all its building names. I am not supportive of simply acceding to political correctness, and I bet Thomas Carleton, Edmund Head, Loring Bailey, Sir Leonard Tilley and others have various closet skeletons if one cares to look closely.

Why not just keep it simple (and dull) and name buildings after their primary faculty, e.g. Law Building, Arts Building (1, 2 & 3), Chemistry Building, Engineering Building, Biology Building, etc.?

March 4, 2020

Please, do not change the names of anything. That's not how names work. Doing so in the interest of inclusivity or any reason other than the name no longer describes the person, place, or thing is a completely inexcusable act of senseless censorship. A law building of all things ought never succumb to such misguided ridiculousness.

March 4, 2020

Leave the building named as it is and return the portrait to its rightful place.

Any individual's prominence is and always will be determined by the eyes of his or her beholders based on societal values extant at that particular point in history when that person's worth is assessed.

Values at the time of and throughout Ludlow's life differed drastically from those in play in the 1960s; yet the building was nonetheless so named in 1968 by the UNB Senate, legal academics, and the then and still very highly esteemed UNB President Colin B. Mackay.

Any attempt to rewrite history is a fool's game. Do not be driven by the "cancel" movement.

Cease and desist. This trend, too, shall pass.

In the event Ludlow CJ is banished as persona non grata, serious consideration should be given to renaming the building in honour of the former and highly esteemed Dean William F Ryan who was the main protagonist and driving force, and the inspiration, for the construction of the new building and the moving of the law school out of Somerville House and integrating it to the campus "Up the Hill".

As well, and probably lost to history over time, it is indeed noteworthy that Dean Ryan, through his own arduous and prolonged yet ultimately successful initiative, upgraded the academic and library standards of the UNB Law School to an extent sufficient to gain, for the first time, universal acceptance from all anglo Law Societies in Canada; with the direct result that UNB Law graduates were thenceforth qualified, without having to write equivalency exams, to enroll in Bar Admission and Articling programs in those Societies. Simultaneously, also as a direct result, the law degree conferred at UNB (commencing 1969) became an LLB (bachelor of laws), as opposed to the former BCL (bachelor of common laws).

March 4, 2020

Yes, please change it.

Ludlow's positions on slavery and residential schools are appalling now but were extreme even in his time.

As he had little to no historical connection with the school, the choice to put his name on an otherwise good school is bewildering.

March 4, 2020

I now have read a brief historical biography of Joseph Duncan Ludlow in Wikipedia. It says that he was the 1st Chief Justice of New Brunswick. But, more importantly, it says he was a slave holder and a strong advocate of slave holding. In fact, he rendered a judgement that slave holding was legal despite it having been eliminated in England. He came from the United States as a United Empire Loyalist. He also strongly advocated for the complete removal of Indigenous children from their parents and placing them in residential schools.

If all this is true, I would favour renaming the building. I don't have any suggestions for a new name.

March 4, 2020

I have no issues with the school being renamed.

If the school is considering an endowment for the renaming, I would want the new name to reflect the importance of UNB to the Maritimes and NB. Any new name chosen should have a strong connection to the NB legal community.

March 4, 2020

It appalls me that it carries the name of someone who owned slaves and who wrote a decision supporting the continued slavery of individuals who arrived in New Brunswick carrying that status. I cannot imagine what it is like for a person of colour to approach the school with that as its naming legacy, let alone how a person of colour could feel valued and equal attending classes there. There are similar issues of serious concern regarding his support for removing Indigenous children from the care of their parents. Once again, that is simply not a legacy that a law school should even consider honouring. The name must be changed, preferably to honour someone who worked to improve the conditions of all New Brunswickers.

March 3, 2020

I feel rather strongly that the name Ludlow ought to be removed from the law building. I think it is important not to forget our past or try to hide it, so perhaps reinstating the portrait of Ludlow along with a plaque explaining his questionable past would be a good idea. But I don't think the building should be named after another person, at least not yet. As the Faculty of Law will be soon starting a fundraising campaign, the option to name the building after a large donor should be available. I

think the building could just be called the Law Building for now and perhaps changed at a later date.

I also think that if there are other buildings, streets, rooms, etc., on campus that are named after people who we have since learned held disturbing beliefs or did things that today would be considered objectionable, those names should be removed as well. Again, we don't want to ignore history so perhaps information could be posted across campus about the people and what they did or stood for, but their names removed from buildings, streets, rooms, etc.

While it can be problematic to use current viewpoints to judge past behaviours and thoughts, we cannot ignore the fact that some of the people who have buildings, streets, rooms, etc., named after them did/said things that were very harmful to certain people and groups.

Before any building, street, room, etc. is renamed after anyone else (such as a large donor), there should be a section in the agreement that would be signed that if the person does/says something, or it is later discovered that something was done/said, that is considered objectionable, their name can be removed but their funds kept.

March 3, 2020

Students are clearly stating how uncomfortable and unsafe the existing name of Ludlow Hall makes them feel. Everyone needs to feel safe and comfortable where they are working.

This discussion continues only because of systemic racism and discrimination within UNB. This situation is unacceptable and must be challenged by everyone associated with this institution.

I insist that the name of this building be changed to honour the oppressed and others that Ludlow used to obtain his position of perceived power and privilege.

It is time to right all these wrongs of the past. Just do as it as quickly as possible without anymore "committees" and "consultation." Just listen to the people who are expressing their concerns in an open and honest way.

March 3, 2020

I think it is imperative that Ludlow Hall is renamed.

It is so important to examine our mistakes, understand and acknowledge them, and reconcile them. I hope the working group is able to determine a suitable solution to this issue. I believe the best solution is to directly fix our past mistakes. There is no reason to continue to recognize and idolize the harmful individuals from history by using their names to represent important buildings, places, and things. These people may have had an important place in their own time, but as we progress as a society, that progression must be reflected in our actions. The Law building must be renamed accordingly.

February 4, 2020

My suggestion is to rename the Ludlow Hall to Graydon Nicholas Hall.

Graydon Nicholas is a proponent of restorative justice in New Brunswick who has served as Lieutenant Governor and has been awarded the Order of New Brunswick. It is time for reconciliation. As an Indigenous lawyer, I believe his living legacy would be fitting to honour at the law faculty and turn the face of the negative connotations surrounding Mr. Ludlow, the current building namesake, and his treatment of the Indigenous community.

January 30, 2020

I am a student and I hope by the end of my time here the name of this building will be changed. Choosing to name a place after someone is an honour; who we chose to honour in our society reflects what we know and value about our society. Knowing what I know now about Ludlow and Canadian history, I have no doubt in my mind that changing the name of this building is the right thing to do.

In my undergrad, Native Studies was my unofficial second major. I say unofficial because I would sit in on lectures I was not registered for because I knew that what I was learning in those lectures was incredibly important. Most Canadians don't have the chance to learn about Indigenous peoples, their histories, their accomplishments and the genocide they have suffered and continue to suffer from ever since 1492.

Ludlow was a supporter of the Residential Schools policy, which is not surprising, but the fact that Canadians are not more outraged by that fact is indicative of how poorly the Canadian government has been at coming to terms with the Residential Schools policy. The Residential Schools policy was a policy of genocide, not "cultural genocide," as "cultural genocide" is not a crime, whereas, genocide is. Anyone who has read the UN genocide convention will know that there are five different acts that count as genocide. Section (e) specifically deals with policies like the Residential Schools policy and says "forcibly transferring children of the group to another group" is genocide.

Although genocide was not a crime until 1948, Canada proceeded to break that law for decades. The government of Canada has never admitted to committing genocide and it does not look like they will anytime soon. They are perfectly willing, it seems, to let the victims and perpetrators of these crimes die off and then describe these crimes against humanity as "the dark chapter in Canadian history." And thanks to their inability to deal with the truth, we have senators like Lynn Beyak and other politicians going around saying that the Residential Schools were a good thing!

Maybe I'm naive, but I honestly believe that if Canadians knew the truth, were taught what genocide actually is, they would be outraged and demand substantive change and maybe even a real investigation into crimes against humanity committed by our government. Changing the name of this building would be a small step in the right direction but each step counts. Every Canadian should categorically reject anyone who supported, supports or tried to justify the existence of Residential Schools.

Law schools have a duty to facilitate the pursuit of justice and that can only be done when we acknowledge the truth.

January 30, 2020

I am a proud Indigenous woman. Statistically I should not be in law school but against all odds I am a law student. I am proud of this achievement and I know my ancestors are as well. However, a

large black cloud hovers over my head each time I walk into my Law School and that is knowing my school is honouring someone who participated in great harms against the people in this province. Some of which are the descendants of those who suffered this great harm! If we are actually trying to move towards reconciliation, then removing his name must be done.

In addition, UNB is always speaking of its interest to diversify the student body and this is a way to show this initiative is more than lip service. In the 2018 UNB TRC Committee Strategic Action Plan they call for barrier to be removed for Indigenous people.

#6 - Access – how do we remove barriers? We will pay specific attention to identifying barriers to access for prospective students from First Nations communities so that we may begin removing those barriers. We will gain a deeper understanding of the barriers through increased touch points with high school students from First Nations communities such as enhanced recruitment efforts and the pilot program through MWC aimed at high school students. We can enhance this knowledge by speaking with current Indigenous students about their experience in choosing to attend UNB. We will develop a plan based on what we hear from the communities and students as well as learning about the work happening at other Universities. This includes attending the Bridging Reconciliation Forum in November.

How do you enhance recruitment when students are faced with the reality of a building named after the man who asked and encouraged their ancestors suffer?

It's embarrassing to be part of a Law School which still honours Ludlow with his name on the building. It is a symbol every day that UNB does not care about their students and it's hard to understand why it still hangs above the doorway. It shouldn't matter that it sits blank for some time, no one is going to get lost. I fear it will get caught up in the politics of raising funds for the school and the name will not come down until a replacement is found. This is not the correct route; this does not show UNB cares about their students and it does not show that UNB cares about reconciliation.

I want to be proud of UNB Law, but this delay is unnecessary and hurtful. Take down Ludlow and stop honouring him in this way.

January 30, 2020

The following is a quote from the current draft of UNB's Strategic Vision Plan:

"Fortunately, we live in a world today where diversity, inclusion and reconciliation are broadly valued. And fortunately, the UNB of the future is not bound by the UNB of the past. We are free to build a UNB that's right for New Brunswick's future, a future that serves everyone well."

I submit that failing to change the name of Ludlow Hall is incompatible with UNB's 2030 strategic vision. If we are to embrace the values of diversity, inclusion, and reconciliation that are espoused by the President's message, then we must begin to make these basic changes here and now.

The arguments for removing the name considering its historical context are overwhelming. They include issues of racial discrimination and subjugation that are offensive to our current social morality. On the other hand, arguments for maintaining the name are relatively weak, and based mostly on notions of legacy and tradition. I will reiterate the President's message that "the UNB of the future is **not bound by the UNB of the past.**"

If UNB is seriously committed to its Strategic Vision Plan, then the name of Ludlow Hall must change. Embracing the future does not mean forgetting the past, but it does mean that we cannot be shackled by it. Every day the name remains unchanged represents a failure of progress on the part of UNB.

I advocate for **immediate removal** of the current name, with a future name to be decided upon at a later date following proper consideration.

January 30, 2020

I'm a student at the UNB's Law School. I find attending Pro-Slavery and Residential Schools Hall to be an embarrassment, one that will make me reluctant to associate with it as an alumnus. At most there should be a plaque explaining the detestable ends to which the law can be turned and how Ludlow was involved. The legalization of treating people as property is a stain on the legal profession, something to always be remembered but certainly not honoured.

January 30, 2020

I am writing to you as a student, with strong roots in Atlantic Canada. Despite a deep connection to the area, I cannot stand behind the negative impact that the hateful legacy of George Duncan Ludlow has on students entering the doors.

I am advocating for a name change from Ludlow Hall to literally anything else. It could be based on donor gifts, other historic figures, or past graduates. However, please do a deep dive into their personal histories prior to the name change. We need a name that will last 1,000 years (not 60).

I have spoken with a good portion of the student population at UNB Law. I can say that most students do advocate for the name change. Even of the portion who disagree, they do recognize that it is a harmful legacy. Most just cling to the name for the purposes of history and continuity. "Ludlow" has gained a level of colloquialism, such as the "Ludlow High" hockey team, and such. However, in the last year students were eager to move away from the name.

I cannot speak to the experience of alumni, but soon I will be an alumnus. I will continue to strongly advocate for the name change. My future relationship with UNB will be dependent upon the action or inaction of the administration in this matter.

January 30, 2020

Please consider this email, and other emails which will be sent your way, in your committee's deliberations before making a recommendation to the president on the name Ludlow Hall.

I have had the pleasure of watching an entire student body recognize and rally around a common issue. We are a society that adapts and evolves to changing needs.

We appreciate your committee's necessary and continued work in ensuring that the historical facts line up with the social grievances raised against the building's namesake. Your work is an important step in the process of ensuring that we do not act emotionally, or reactively, and are setting a precedent for how to conduct a thorough review when issues such as this are raised.

I can say with confidence that the student body is not divided on this issue. We are a student body who thrive on debate and argument, yet we share in common recognition the need to look forward, not backwards, and ensure that all students are included in the path we forge ahead.

January 30, 2020

UNB has a strong commitment to reconciliation and bringing awareness to Indigenous rights. Almost every assembly, announcement and communication from UNB states that UNB recognizes that it is on unceded and unsurrendered land.

George Duncan Ludlow was on a commission for a Residential School. As a law student I am reminded of that information each and every time that I enter the Law School.

I find it hard to reconcile the university's position on Indigenous rights with its commitment to leaving Ludlow's name on the Law School.

I firmly believe that Ludlow should be removed from the Law School in order to uphold the university's commitment to reconciliation.

January 30, 2020

I'm writing to express support for changing the name of Ludlow Hall, home to UNB's Faculty of Law.

While I support a change because of the negative connections to George Ludlow and his views on slavery and role in residential schools, I'm also in favour of a change in order that better highlights the accomplishments of UNB and its Law School.

It is my understanding that the name Ludlow Hall is only attached to the current home of the Faculty of Law, which opened in the late 1960s. UNB Law has been around for more than 125 years. Surely there are better options in the history of UNB Law. Why is the school not named for Abraham Walker? He was the first student to enroll at the newly formed law school in 1892 and was one of Canada's first African-Canadian lawyers. George Ludlow never attended UNB, and the name seems somewhat arbitrarily chosen.

There seems to be a misconception that we are talking about changing the name of the Law School itself. But UNB's Law School does not have a name like Osgoode at York or Schulich at Dalhousie. We're talking about changing the name on a building, that's it. If nothing else, the name could simply be removed and not replaced. The building already has "Faculty of Law" carved in its front. We have already seen many student groups and other organizations begin to shift away from using the name Ludlow. Removing the name from the front of the building, in my view, is simply an extension of that shift.

January 30, 2020

While I am in favor of changing the name of Ludlow Hall, I do have some concerns. A change to a large corporation or a donor with a limited connection to UNB law would be equally problematic. Likewise, I think it is important to consider the issues that UBC has had with their law school named after a donor with a large ego (litigation, etc.) Provided the name change is to someone with

a strong positive UNB law association, I think changing the name would be a net positive choice for the university to make.

Appendix 7.b: Written Submission from Karl Dore

I know something about the naming of Ludlow Hall.

In July 1968 I was appointed Assistant to the Dean of Law. One of my first administrative tasks was to prepare a brochure for the opening of our new law building, to be named Ludlow Hall. I had never heard of Ludlow before this. So to the law library (such as it was at the time) I went in search of information. Not to do extensive research, but to get some brief biographical information for the brochure. It became apparent, with very little research, that Ludlow had come down on the side of slavery at a time when that was a live issue. He was in a position to make a difference for good. He didn't.

Having just graduated from Yale Law the month previous, and after living through the turbulent times of 1967-68, including the horror of the assassination of Martin Luther King, I was particularly sensitive to the plight of people of colour.

What to do? It was a no-brainer for me. At the next meeting of the group in charge of the opening, President Colin B Mackay, Dean William Ryan, and George McAllister, I spoke against naming of the building after Ludlow. My argument was more or less summarily dismissed by Dr Mackay. The decision had been made and that was that.

I thought it was a mistake at that time, and I still think it was a mistake at that time. Although Ludlow must have been a man of some merit, being the first Chief Justice, he was not to my knowledge a great man with a blind spot on slavery. He was virtually an unknown at UNB Law. The one thing he had going for him was that he was NB's first Chief Justice. To me that was not enough to merit his name on our building.

That was 1968. Now it is 2020. Do I feel the same today? Not as strongly. Most of our graduates know our building as Ludlow Hall, and speak of it with affection. And there is something to be said for tradition.

But I do still feel that Ludlow Hall should be renamed. It was a mistake to choose Ludlow in 1968, and it is still not too late to rectify that mistake.

When all is said and done, I do recognize that reasonable minds may disagree on this. UNB Law is a great institution whether or not it renames Ludlow Hall.

Karl Dore

Appendix 7.c: Student Union and Law Position Documents

Law Students' Society Resolution #1909-01- Oct. 2, 2019

Removal of the Name 'Ludlow' from the UNB Faculty of Law Building

Authored by the UNB Law Students' Society

Resolution to direct the President of the University of New Brunswick (UNB) and the UNB Fredericton Senate, to remove the name 'Ludlow Hall' from the Faculty of Law building without delay.

WHEREAS, the Law Students' Society is committed to fostering an environment of inclusiveness, respect, and diversity;

AND WHEREAS, the UNB Law Faculty is made up of a diverse body of students, faculty, and administrators;

AND WHEREAS, the building named in honour of New Brunswick's First Chief Justice denotes a history which undermines the rights and interests of current students, with a disproportionate impact on black and Indigenous Law students;

AND WHEREAS, the name of the building runs contrary to UNB Law's mission and values, and is discordant with the *UNB Truth and Reconciliation Strategic Action Plan (2019)*;

AND WHEREAS, continued inaction on the part of university officials contravenes s 6. of the *UNB Naming Policy for Faculties, Colleges and Schools Funded by Philanthropic Support*;

THEREFORE, be it resolved that the Law Students' Society advocate for the removal of the name 'Ludlow Hall' without delay.

[UNBSU Position Statement on the Removal of George Duncan Ludlow's Name from the University of New Brunswick Law Building- Oct. 20, 2019](#)



March 6, 2020

By email

Re: UNB Law's Strategic Plan and the Name of the Law Building

To the Working Group on the Principles of Naming and Renaming University Places:

I write on behalf of the Faculty of Law to explain its position on the name of Ludlow Hall, as articulated in its recently adopted Academic Vision (enclosed).

By way of background, the Faculty of Law began working on a strategic plan in the summer of 2018 by holding a day-long retreat to identify common values and aspirations. In October of that year, Law Faculty Council established an ad hoc Strategic Planning Committee to consult broadly and produce an Academic Vision for UNB Law. The need for a Strategic Plan stemmed from the Faculty's decade of decline, resulting in its diminished competitive position among Canadian law schools. There was a growing sense within the University community, and especially among UNB Law graduates and the legal profession, that UNB Law was in dire need of revival and reinvestment. Before doing this, a strategic plan was required.

The ad hoc Strategic Planning Committee was composed of five members, representing various UNB Law stakeholders: Catherine Cotter (alumna and Head Law Librarian), Janet Hoyt (alumna), Michael Marin (Associate Dean & Associate Professor), Fahim Rahman (law student), and Hilary Young (Associate Professor). The Committee adopted a consultation process that involved multiple stakeholder engagement strategies, including an initial wave of surveys targeted at five groups: faculty, part-time instructors, alumni, students, and staff. This wave of surveys, which was administered online and distributed by email, resulted in 268 responses, including 170 from alumni.

Although the Committee, did not ask specifically about the name of the law building, a few respondents did raise the controversy in their comments. The views expressed represented the spectrum of opinions on the issue. On the one hand, there was the view that the name represents and glorifies a person and a past that is inconsistent with the values of UNB Law and alienates members of its community, particularly those from marginalized backgrounds. On the other hand, some respondents felt UNB Law should resist the urge to erase or sanitize history by removing a name that has been associated with it for over 50 years. In the process of our consultations we also learned that, for some alumni in particular, the attachment to the name Ludlow Hall has nothing to do with its namesake, but rather is due to a sense of nostalgia for their time at UNB Law. Unlike some postsecondary programs, our students take all of their courses in the Faculty of Law. As a result, they spend all of their time in the law building. In addition, as one of

Canada's smallest law schools known for its collegial student body, and due to the intensity of legal education there is a sense of community among students that is linked to the space in which they learn.

While this somewhat unique relationship between law students and the law building explains the attachment to the name that exists among some graduates, it also explains why other alumni and current students especially are uncomfortable with the name and want it removed or changed. The central role that the law building plays in the delivery a program that is so formative, both professionally and personally, requires a name that fosters an inclusive and positive learning environment.

I should emphasize that these opinions were a small part of what survey respondents had to say about UNB Law. The key message emerging from the surveys was the need to revitalize and relaunch UNB Law after a difficult period in its history. The consensus was that UNB Law needed to stay true to its core strengths and values, but update them to meet modern standards. This would require major improvements to our physical space and development of new programming and services. As our Committee discussed how to address the name controversy, we saw a link between it and the broader objective. What better way to signal the next chapter of our history and the emergence a modern and revitalized UNB Law than with a new name?

As a result, the first draft of the Academic Vision included as an objective a vastly improved building with a new name. This proposal did not take a position on the historical controversy surrounding Ludlow himself, but rather acknowledged that the existing name is divisive and that the revitalization of UNB Law presented an opportunity to celebrate its own history. We consulted with faculty, students, and alumni regarding this proposal. These consultations included targeted surveys, individual meetings, an informal gathering of Faculty Council, and a student town hall. There was nearly unanimous agreement on this proposal. Our Final Report articulates the objective with respect to the name as follows:

An assessment of the Law Building cannot go without addressing the controversy surrounding its name. The existing name is a source of division and commemorates a person with no connection to UNB Law. As UNB Law seeks to modernize and relaunch itself after a period of decline, it is fitting for us to rebrand ourselves. A new name would symbolize a turning point and the next phase of UNB Law's development. For these reasons, we recommend changing the name of the Law Building in accordance with the University's policy (p. 27).

The University policy referenced above is the *UNB Naming Policy for Faculties, Colleges, and Schools Funded by Philanthropic Support* dated September 22, 2017.¹⁰ Although this Policy applies to the naming of academic units, as opposed to buildings or spaces, we referenced it because it provides for a consultation process. As a result, we think that choosing a new name for the law building should involve input from the various constituencies of the Faculty as well as the University.

¹⁰ https://es.unb.ca/apps/policy-repository/_resources/php/download-policy.php?id=Y5-n

UNB Law's Academic Vision, including the recommendation cited above, was unanimously approved by Law Faculty Council on November 7, 2019. It has subsequently been approved by the President's Executive Team, the Senate Academic Planning Committee, the Fredericton Senate by a unanimous vote, and most recently, on February 20, 2020, by the Board of Governors, also by a unanimous vote.

I should point out that while the Faculty of Law has come to a consensus on wanting the name of the law building changed, it has not discussed the timing of that change or who its new namesake should be. However, I note that the Law Students' Society has proposed that the existing name be removed immediately with a new name to be chosen later after due consultation.

I hope that this submission will assist you in your important work. Thank you for taking on this difficult task on behalf of our Faculty and the University as a whole. We look forward to reading your report and recommendations. Should you have any questions or require additional information, I would be pleased to assist.

Sincerely,

A handwritten signature in black ink, appearing to read 'Michael Marin', with a stylized flourish at the end.

Michael Marin
Associate Dean & Associate Professor
Chair, ad hoc Strategic Planning Committee

Encl.

cc: John Kleefeld, Dean of Law, UNB

Appendix 7.d: Terms of Reference

Working Group on Principles of Naming or Renaming University Places Terms of Reference

Background

There have been concerns raised by students, faculty and members of the public surrounding the name of Ludlow Hall at UNB Fredericton. In light of recent conversations surrounding the impact of slavery on universities in North America, as well as UNB's commitment to Truth and Reconciliation, and equity, diversity and inclusion, UNB's administration has acknowledged the need to address this issue. They have also recognized that it is a larger issue than the name of one building.

As a result, Dr. Paul Mazerolle, president and vice-chancellor of UNB, established a bi-campus working group to explore the University's naming conventions of named spaces on both campuses.

Role of the Working Group

Reporting to the president, the role of this working group is to be completed in phases:

Phase One

1. To assess the history of how Ludlow Hall was named.
2. To consider concerns regarding the named building, Ludlow Hall, and Ludlow's own history.
3. To recommend to the president next steps relating to Ludlow Hall.

Phase Two

4. To explore the process by which names are applied to entities (including buildings, rooms and roads) at UNB.
5. To examine the due diligence applied to determine named entities (buildings, rooms and roads) at UNB.
6. To recommend to the president a new policy on naming and changing the names of entities (buildings, rooms and roads) at UNB.

Phase Three

*To be completed by sub-working group

1. To explore other named entities (buildings, rooms and roads) at UNB to assess if there are concerns.
2. To recommend to the president next steps in relation to other named entities at UNB.

Outcomes of the Working Group

1. To determine whether or not we should change the name of Ludlow Hall, taking into consideration the full history, context and community views on the issue.
2. To identify actions to be taken by the university, regardless of whether the Ludlow name is removed.
3. To clarify and strengthen how we name and (if ever) rename entities at UNB.

Meetings

The working group will meet at least once per month. Relevant briefing documents, the agenda and minutes will be circulated to working group members prior to each meeting.

Term of the Working Group

The Working Group will proceed to undertake its work in phases. Phase One of the work will involve considerations of the naming of Ludlow Hall. The working group will submit its report on Phase One to the president by May 1, 2020.

In relation to Phase Two, which considers broader issues relevant to other named entities at UNB as well as a new policy, a preliminary report is expected to the president by Dec. 1, 2020.

Decision-Making Process

Any decisions or changes with respect to how we name or rename university places will go through the following decision-making process:

1. Reports with recommendations will be provided to the president by the working group by May 1, 2020; and Dec. 1, 2020.
2. The president will review and consult, as required.
3. The president will bring final recommendations to the appropriate board committee(s) and to UNB's Board of Governors for consideration for approval.

Proposed Working Group

The bi-campus working group will include representatives of students, faculty, staff and administration on both campuses.

Working Group members:

1. Dr. Funké Aladejebi, Assistant Professor, Department of History, Fredericton Campus

2. Mr. Patrick Hickey, President, Student Representative Council, Saint John Campus
3. Dr. Gregory S. Kealey, Professor Emeritus of History, Co-Chair
4. Ms. Christine Lovelace, Academic Archivist, UNB Libraries
5. Dr. Heidi MacDonald, Dean, Faculty of Arts, Saint John Campus, Co-Chair
6. Dr. George MacLean, Vice-President Academic
7. Ms. Amanda Reid, Piluwitahasuwin
8. Ms. Cathleen Trafton, Student, Faculty of Law, Fredericton Campus

Staff Support

1. Ms. Natasha Ashfield, Director of Strategic Projects, Office of the President, Project Manager
2. Ms. Susan Montague, Senior Advisor, Office of the Vice-President Advancement, Staff Advisor & Researcher

Leadership Advisors

1. Dr. David Bell, Retired Professor, Faculty of Law, University of New Brunswick—a specialist in New Brunswick legal history.
2. Ms. Mary Louise McCarthy, PhD Candidate, Department of Social Justice, University of Toronto & Past Executive President of the New Brunswick Black History Society.

The leadership advisors will serve by providing guidance and counsel through the initial examination period of the working group.