

From: **John Carpay** <jcarpay@jccf.ca>

Date: 22 March 2013 14:17

Subject: RE: Waterloo University President: protect campus free speech by providing adequate security at tonight's event (screening of "She's a girl")

To: Waterloo President <presiden@uwaterloo.ca>

Cc: "Dr. Steve Noble" <steve.noble@gmail.com>, Carol Crosson <ccrosson@jccf.ca>

Dear Dr. Hamdullahpur,

Thank you for taking the time to respond.

Based on the Blatchford and Woodworth incidents, it appears that campus security has not been instructed to uphold the rights of Ms. Blatchford and Mr. Woodworth (and potentially other individuals, be they invited speakers or your own students) to speak without interruption or disruption.

I do not doubt the sincerity of your intentions in upholding free expression rights on campus.

However, good intentions need to be acted upon by campus security when confronted with a situation such as the Blatchford and Woodworth incidents. Without campus security actually enforcing the right of individuals to speak and otherwise express their views, good intentions will not carry the day.

I think it is good that Mr. Woodworth has received an apology in respect of how he was treated by the protesters. However, Mr. Woodworth should receive an apology from campus security for their decision to allow the protesters to shut down his speaking engagement. The protesters are not the problem. The problem is campus security condoning the protesters' unruly conduct.

Please keep me posted as to whether you will be instructing and training campus security on how to take action to uphold free expression rights, rather than standing by and watching while a small unruly mob shuts down the expression of views it dislikes.

I am taking the liberty of copying my colleague Carol Crosson, as well as Dr. Steve Noble who is with the Ontario Civil Liberties Association, which, like the Justice Centre, is strongly committed to free expression rights.

Yours sincerely,

John Carpay

John Carpay, B.A., LL.B.

President|

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"Defending the constitutional freedoms of Canadians"

From: Waterloo President [mailto:presiden@uwaterloo.ca]
Sent: March-20-13 1:23 PM
To: 'John Carpay'
Subject: RE: Waterloo University President: protect campus free speech by providing adequate security at tonight's event (screening of "She's a girl")

Dear John Carpay,

Thank you for your email regarding the actions of protestors at a recent event held at the University of Waterloo.

As the president of a university that treasures the principles of free speech, I am extremely disappointed that a guest invited to speak at a University of Waterloo Federation of Students-sanctioned club event on Wednesday, March 13, was interrupted by vociferous protest by a group of nearly two-dozen Waterloo and non-Waterloo students.

I consider the events of March 13 to be an attack on our presence as a place where issues are explored, discussed and debated. The freedom to speak and to learn is fundamental to the values of this institution. The silencing of anyone who proffers an opinion is unacceptable.

I want to reassure you that I have spoken to Mr. Woodworth to apologize for the way he was treated by the protestors.

We are examining ways in which we can ensure all invited speakers, whatever the topic, are able to speak in a safe and productive environment. We are also exploring ways in which we can partner with student groups to provide appropriate support for their events on campus. A review into this incident is underway.

Feridun Hamdullahpur

President & Vice-Chancellor
University of Waterloo

From: John Carpay [mailto:jcarpay@jccf.ca]
Sent: Thursday, March 14, 2013 3:34 PM
To: president@uwaterloo.ca; akkelman@uwaterloo.ca; lori.gamble@uwaterloo.ca
Cc: cblatchford@postmedia.com; 'Kay, Jonathan (National Post)'; 'Clive Seligman'; stephen.woodworth@parl.gc.ca
Subject: Waterloo University President: protect campus free speech by providing adequate security at

tonight's event (screening of "She's a girl")
Importance: High

March 14, 2013

Dr. Feridun Hamdullahpur
President, University of Waterloo
200 University Avenue West
Waterloo, ON, N2L 3G1

Dear Dr. Hamdullahpur,

Not long ago, your campus security guards condoned the disruption of a speaking event at the University of Waterloo featuring award-winning journalist and author Christie Blatchford. Ms. Blatchford came to the University of Waterloo to speak about her controversial and politically incorrect book "*Helpless*" and was shouted down by protesters, who effectively brought an end to the event.

Your University of Waterloo campus security guards stood by and watched, doing nothing to stop the protesters from shouting down Ms. Blatchford. Campus security knowingly condoned this forcible censoring of the expression of ideas that the protesters disagreed with.

The University of Waterloo apologized to Ms. Blatchford the following day, stating:

The University of Waterloo was disappointed that a guest invited to share a particular perspective on a topic of importance to Canadians was silenced by protesters. Christie Blatchford was scheduled to appear at the university on Friday night to discuss her new book *Helpless: Caledonia's Nightmare of Fear and Anarchy, and How the Law Failed All of Us*. Due to safety issues, the university decided to reschedule the event.

The university considers Friday's events as an attack on its presence as a place where issues are explored, discussed and at times debated. The freedom to speak and to learn is fundamental to the institution. Waterloo's ethical behaviour policy states: 'The University is an autonomous community which exists to further the pursuit and dissemination of knowledge and understanding through scholarship and teaching. The University aims to ensure an environment of tolerance and respect and believes that the right of individuals to advance their views openly must be upheld throughout the University.' To ensure there is no doubt of the university's convictions, Waterloo President Feridun Hamdullahpur apologized to Ms. Blatchford, on behalf of the university community, for Friday night's disruption. He has asked the community to begin planning for a safe, open and respectful dialogue featuring Ms. Blatchford and her book."

Unfortunately, it appears that the University of Waterloo has learned nothing from the forcible silencing of Ms. Blatchford.

On Wednesday March 13, 2013, campus security stood by and did nothing to prevent protesters from shutting down a University of Waterloo event featuring local area Member of Parliament Stephen Woodworth. MP for Kitchener Centre, Mr. Woodworth had brought forward Motion 312 in the House of Commons last year, calling for a re-examination of the 400-year-old definition of a human being in the Criminal Code of Canada. His presentation on March 13 was about Motion 312, to be followed by questions from the audience. Mr. Woodworth was only able to get through one third of the presentation before loud chanting and yelling prevented him from being heard any further.

Campus security was present and refused to take any kind of action to uphold Mr. Woodworth's right to express his opinions at this University of Waterloo event. At <http://www.ncln.ca/blog/uwvideo/> a video shows how campus security allowed protesters to silence ideas they disagree with, in the same way that campus security allowed Ms. Blatchford's ideological opponents to silence her and prevent her from speaking.

Despite campus security having allowed protesters to forcibly shut down an event last night, Waterloo Students for Life will be going ahead with a screening of the award-winning documentary "*It's a Girl*" at 7:00 p.m. this evening, in room 308 of the J.R. Coultts Engineering Lecture Hall (RCH). The documentary "*It's a Girl*" deals with gendercide, and has been screened by countless groups including Amnesty International.

Will those who disagree with the ideas contained in this documentary be permitted to shut down this event tonight?

Will campus security once again stand by and watch, while protesters silence the expression of ideas they disagree with?

I write to request that you take action to uphold the campus free speech rights of all individuals at the University of Waterloo, including guests who have been invited to speak on campus.

Your University cannot be a place of thoughtful debate and discussion if campus security guards allow protesters to shout down and shut down the expression of ideas they disagree with.

If you wish to uphold the right of people on campus to speak, to listen, to discuss and to debate than you cannot accommodate a co-existing "right" of loud disruptive protesters to shut down events and silence the expression of ideas they disagree with. Nobody has a "right" to prevent other people from peacefully expressing their opinions. The right to free expression is protected by Section 2(b) of the *Canadian Charter of Rights and Freedoms*, and is also protected by the rules, regulations, policies and principles of the University of Waterloo. The right to free expression does not include a right to disrupt, shout down, shut down, or silence those with whom you disagree.

The solution is simple. Anyone who attempts to disrupt an event on campus should be asked by campus security to leave immediately. A disruptive protester who refuses to leave when asked should be forcibly removed from the room, and charged with non-academic misconduct, or trespassing, or both.

Last night, some comments made by some of your security guards suggest that they believe that free expression rights somehow include a “right” to disrupt and silence other people. Such belief is absurd, and also poses a serious threat to free expression. If individuals possess a “right” to silence others, than there is no safe space for anyone to express their opinions.

Those who disagree with Christie Blatchford, or MP Steven Woodworth, or anyone else, have a right to express their opinions in a peaceful manner, but without preventing others from speaking. Free expression rights do not include any kind of right to silence other people.

When your campus security guards allow protesters to silence their ideological opponents, your campus security guards violate and disregard Waterloo’s ethical behaviour policy, which states:

“The University is an autonomous community which exists to further the pursuit and dissemination of knowledge and understanding through scholarship and teaching. The University aims to ensure an environment of tolerance and respect and believes that the right of individuals to advance their views openly must be upheld throughout the University.”

If you (or your campus security guards) recognize a “right” to disrupt and silence the speech of others, how can the University of Waterloo further the pursuit and dissemination of knowledge and understanding through scholarship and teaching?

If the University of Waterloo truly believes that “the right of individuals to advance their views openly must be upheld,” how can campus security stand by and do nothing to prevent academic discussion and intellectual debate from being disrupted and shut down?

Shouting down a speaker you disagree with, such that she/he cannot be heard at all, ought to be completely unacceptable on a university campus. And elsewhere too, for that matter.

I request that you uphold the free expression rights of those who have planned and organized the screening of “It’s a Girl” on your campus at 7:00 p.m. this evening, as well as the free expression rights of audience members who wish to listen and to participate in thoughtful discussion and debate.

I also request that you apologize to Mr. Woodworth for what happened. I ask you to express your commitment to campus free speech by re-scheduling another speaking opportunity for Mr. Woodworth at the University of Waterloo, and providing proper security to ensure the next event is not shut down by those who disagree.

Yours truly,

John Carpay, B.A., LL.B.
President
Justice Centre for Constitutional Freedoms

cc. Stephen Woodworth, MP
Christie Blatchford, National Post
Jonathan Kay, National Post
Dr. Clive Seligman, Society for Academic Freedom and Scholarship

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