

Ontario
Civil Liberties
Association

"The OCLA takes a vigorous and highly principled approach to defending free speech rights, which is an approach that is sorely needed in Canada today."

— John Carpay,
President,
Justice Centre for
Constitutional Freedoms

"I am very pleased to learn of the Ontario Civil Liberties Association, and wish it the greatest success in its work, which could not be more timely and urgent as elementary civil rights, including freedom of speech, are under attack in much of the world, not excluding the more free and democratic societies."

— Noam Chomsky,
Institute Professor, MIT

"Freedom of expression is our most fundamental and most precious freedom. It has been under attack in Canada for years. The Ontario Civil Liberties Association has taken a position on freedom of expression that is both courageous and principled. The OCLA now stands alone and its position should be supported by all Canadians who cherish democracy and freedom."

— Robert Martin,
Professor of Law,
Emeritus,
Western University

ocla.ca



June 17, 2013

By mail and email

Dr. Mamdouh Shoukri, President, York University
1050 Kaneff Tower
4700 Keele Street
Toronto, Ontario
M3J 1P3

Dear President Shoukri:

I am writing on behalf of the Ontario Civil Liberties Association (OCLA) to express our deep concern over reports we have received that York University recently cancelled student group status for the campus group Students Against Israeli Apartheid (SAIA).

SAIA is said by the University to have "disrupted academic activity" during protests at Vari Hall which took place in March 2013. A specific charge of "using a loudspeaker" formed part of the University's reasons for the serious sanction of cancelling SAIA's student group status. In addition, Hammam Farah, an alumnus who participated in the protests, was trespassed from campus until April 2014.

York University's mission statement describes the University as "a community of faculty, students, staff, alumni and volunteers committed to academic freedom, social justice, accessible education, and collegial self-governance [which] makes innovation its tradition".

York's decision to cancel a group's status following demonstrations on campus is incompatible with the University's mission: students have academic freedom and a guaranteed place in the collegial governance of the institution. Public protest through congregation and expression is an essential component of democratic participation, and academic freedom permits students to formulate criticisms from any point of view, without restriction.

More than incompatible with the Canadian principle of academic freedom, York's heavy-handed suppression of this student group is an unjustified political intervention which abuses the power invested in the University by a provincial statute. This sort of administrative action puts all Canadian universities in disrepute in the global environment of free thought and expression on university campuses.

It is cynical, disproportionate, and absurd to use "disruption" at a campus event as a pretext to definitively suppress a political student group and its members, where that "disruption" involves voice amplification in the main large assembly venue on

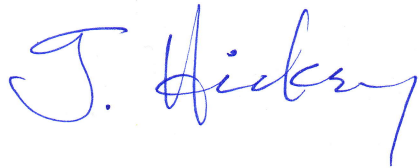
the campus, a venue clearly designed for free and open assembly and communication, and a venue known in the broad society as the symbolic nexus of debate on the York University campus.

These developments of suppression of political views and of political expression on a Canadian campus, at York University, are profoundly disturbing and create a general chill on expression and debate, irrespective of the views and criticisms being advanced.

In light of York's responsibility to protect and advance the freedom of association and freedom of expression of its community members, we urge you to immediately restore SAIA's student group status and revoke the trespass order against Mr. Farah, as well as make a public statement to students and alumni that they will not face discipline for organizing protests expressing controversial political views at Vari Hall or elsewhere on campus.

Thank you for your attention.

Sincerely,



Joseph Hickey
Executive Director
Ontario Civil Liberties Association (OCLA) <http://www.ocla.ca>
613-252-6148 (c)
joseph.hickey@ocla.ca

Cc: SAIA York (by email: saiayork@riseup.net)