



Justice Centre for Constitutional Freedoms

News Release

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New Report: 51% of Canadian universities fail to uphold free expression rights on campus

OTTAWA: The Justice Centre for Constitutional Freedoms (JCCF.ca) today released the *2013 Campus Freedom Index*, a report which measures the state of free speech at 45 Canadian public universities.

Using a five-tier letter scale—A, B, C, D and F—the *Campus Freedom Index* grades universities and student unions on their stated policies (what they say) and their practices (what they do). Each university receives four letter grades for each of university policies, university practices, student union policies, and student union practices.

With 180 letter grades awarded to 45 campuses, Canada's universities and student unions receive only six 'A' grades. Conversely, and troublingly, 'F' grades were earned 32 times: 13 by universities and 19 by student unions. The *Campus Freedom Index* also assigns 19 B's, 80 C's and 43 D's.

In total, 23 campuses earned at least one 'F'. Put another way, this means that more than half of the 45 universities studied—51%—have engaged in the censorship of student expression on campus, and have thus failed in their duty to protect free expression rights.

Taking an average of universities' policies and practices, the *Campus Freedom Index* names Carleton University and the University of Ottawa as the worst universities in Canada for free expression. Both Carleton and Ottawa have actively censored student speech, earning D's for their policies and F's for their practices. McGill University and York University do only slightly better, each earning a 'D' average.

Three student unions have the dubious distinction of earning *straight F's*. The Lakehead University Students' Union (LUSU), the University of Victoria Students' Society (UVSS) and the York Federation of Students (YFS)—receive 'F' grades for restricting campus free speech through both their *policies* as well as their *practices*. These three are the worst student unions in Canada when it comes to campus free speech.

Seven student unions tied as the second-worst student unions in the country, namely, Brandon University Students' Union, the Students Society of McGill University, the Memorial University of Newfoundland Students' Union, Queen's University's Alma Mater Society, the Ryerson Students' Union, the University of Calgary Students' Union, and the University of Manitoba Students' Union. These seven student unions earned one 'F' grade and one 'D' grade—only slightly better than the worst three.

Fortunately, some universities are doing a good job of living up to their missions of respecting academic freedom, and fostering the debate of controversial ideas. Acadia University, the Memorial University of Newfoundland, Ryerson University, Simon Fraser University, the University of British Columbia and the University of Regina tie as the best universities in the country. All six of these universities earned a 'B' average. No university, nor student union, earns an 'A' average in the *Campus Freedom Index*.

When it comes to the policies and practices of student unions, the best in Canada are the Carleton University Students' Association (CUSA) and the University of King's College Students' Union (KSU). Both earned a 'B' when averaging grades awarded for policies and practices. CUSA is one of only two student unions in the country to earn at least one 'A' in the *Campus Freedom Index*, after having earned "straight F's" in the 2012 edition. CUSA's transformation from one of the worst student unions to one of the best is truly commendable, and explained further in the *2013 Campus Freedom Index*.

Saskatchewan and New Brunswick rank as the best provinces for campus free speech. In both provinces, none of the institutions surveyed received an 'F' grade. By contrast, the worst provinces for campus free speech are Alberta, Prince Edward Island, and Newfoundland and Labrador. In these provinces, every institution surveyed received at least one 'F' grade. Seventy-three percent of Ontario universities likewise earn at least one 'F', as well as sixty-seven percent of Manitoba universities.

JCCF looks forward to the day when every university, and every student union, earns only A's for their policies and practices. For more information, contact the authors of the *2013 Campus Freedom Index*:

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"Defending the constitutional freedoms of Canadians"

The 2013 Campus Freedom Index: worst universities

- Queen’s University twice shut down a free speech wall which had been built by a student group to raise awareness about free expression rights, claiming unspecified concerns about “offensive content” while refusing to cite any specific examples thereof.
- Carleton University denies equal access to resources and facilities to a campus pro-life group, Carleton Lifeline. Carleton had four of its students arrested for trespassing because they tried to set up a controversial display in a prominent location on campus.
- The University of Calgary has allowed the physical obstruction of displays of its campus pro-life club, and demanded that the club turn its signs inwards when displaying unpopular images on campus, and in 2010 found eight students guilty of non-academic misconduct for having peacefully expressed their opinions on campus.
- Dalhousie University cancelled two lectures on grounds that the invited speakers, British MP George Galloway and American journalist Jared Taylor, were too controversial.
- Western University denied equal access to prominent locations on campus to the campus club Western Lifeline. Western also condoned actions by its student union to censor and restrict Western Lifeline during displays and awareness events.
- The University of Ottawa failed to provide adequate security for a lecture by American author Ann Coulter, which forced the cancellation of the club-sponsored event just hours before it was to begin. The University also sent Coulter a letter prior to her arrival, warning her to “watch her words” while visiting the campus.
- The University of Prince Edward Island forced the confiscation of an issue of the campus paper, *The Cadre*, because it contained images of the Prophet Mohammed which the University felt was too controversial for the campus press. The University further pressured the student union to confiscate or remove from circulation the remaining issues of the paper.
- Cape Breton University fined one of its professors, Dr. David Mullan, two weeks pay for telling a student he considered homosexuality an “unnatural lifestyle”.

The 2013 Campus Freedom Index: worst student unions

- The University of Toronto Students’ Union (UTSU) denied certification to the student group Men’s Issues Awareness Society in December of 2012, stating that the student group had violated UTSU’s *Discrimination on Campus Policy* and the *Ontario Human Rights Code*, for “perpetuating harassment towards women.”
- The Trent Central Students Association (TCSA) rejected a pro-life club’s application for certification in January 2013, because “campaigning for pro life or pro choice [sic] is not allowed on campus... since there is [sic] so many opinions to this it can lead to a very exclusive group, while all groups at Trent must be inclusive”.
- On March 15, 2013, the Ryerson Students’ Union (RSU) denied certification to a student men’s issues group because it was allegedly affiliated with two external organizations, A Voice for Men and the Canadian Association for Equality, which RSU deemed “hate groups”

- The Brandon University Students' Union (BUSU) denied certification to a pro-life student group throughout the 2012-2013 school year, because "a pro-life club would be redundant since the Women's Collective deals with all gender issues."
- On April 11, 2013, the University of Manitoba Students' Union (UMSU) Council passed a resolution to remove official student group status from Students Against Israeli Apartheid (SAIA), and to ban the club from UMSU spaces, because SAIA's annual event (Israeli Apartheid Week) discriminates against "Zionists".
- In September of 2012, the registered Saint Mary's University student group "SMUdent Gaming society" was denied the opportunity to advertise their upcoming social event because of the image of a "pistol" contained on the advertisement poster. The students' union (SMUSA) stated, "We, as SMUSA, the students association here, have a responsibility to our students as well as our societies to ensure that everything remains tasteful and appropriate."
- In 2012, the Students' Society of McGill University (SSMU) told a student group (McGill Friends of Israel) that they had to change the name of their planned event "Israel-a-Party" because SSMU executives felt it made "a mockery and/or trivialization of various oppressions some people of the world are subject to on a day-to-day basis".
- The University of Calgary Students' Union stripped Campus Pro-Life of its official club status in February of 2009, even while admitting that the club had not violated any rule, policy, bylaw or regulation of the Students' Union or of the University of Calgary. The club obtained legal representation, and was eventually reinstated.
- The University of Victoria Students' Society (UVSS) banned one of its student groups, the Catholic Students' Association, from distributing leaflets during Clubs Days, entitled "Pure Manhood," "Pure Womanhood" and "Pure Love." UVSS also mandated that the group write a letter of apology to the student body, and attend training regarding "oppressive language".

Grading criteria for university policies

To earn an 'A' with respect to university policies, the university must have a clear and unequivocal commitment to free speech on campus, set out in the university's mission, vision, statement on academic freedom, or other policy documents; the university's anti-discrimination policies cannot be used to censor unpopular, controversial, or politically incorrect speech; There is no prohibition on speech which a listener might find "offensive," "discriminatory," "disrespectful," "inappropriate", or "creating a negative environment", etc.; written policies ensure that security fees will not be used as an indirect method to censor controversial or unpopular speech; and an anti-disruption policy makes it clear that the university will not condone students (or other people) engaging in the blocking, obstruction, suppression or interruption of speech with which they disagree. A 'B' grade is awarded when the university satisfies three of these criteria, a 'C' grade when only two criteria are met, and a 'D' grade when the university satisfies only one criterion. An 'F' is awarded when the university fails to meet any of these criteria.

Grading criteria for university practices

By earning an 'A' in this category, the university has acted decisively to permit the expression of unpopular speech on campus, by rejecting demands to cancel events or otherwise suppress speech, and by providing adequate security to ensure that people cannot engage in the blocking, obstruction, suppression or interruption

of speech with which they disagree. In cases where the student union has restricted unpopular speech or discriminated against clubs on the basis of the club's belief or opinion, the university has publicly spoken out against such censorship. To earn an 'F', the university has actively censored student speech, by engaging in one or more of the following: imposing security fees on groups because their expression is unpopular; denying equal access to campus spaces, rooms, or facilities; imposing special conditions or restrictions on the expression of some groups; canceling scheduled events upon hearing that "protesters" might be present; charging students with trespassing because of the content of their peaceful expression; or charging students with non-academic misconduct for expressing unpopular opinions on campus. Grades of B, C, or D are awarded based on how the university's conduct and practices compare with the high benchmark of 'A' and the failure of 'F'.

Grading criteria for student union policies

To earn an 'A' in this category, a student union must have a stated commitment to free speech on campus, set out in its mission, vision, or policy documents; written policies which expressly protect diversity of opinion, and prevent the student union executive from discriminating against a club on the basis of its beliefs, opinions, or philosophy; policies which prohibit discrimination in regards to club certification, club funding, and the allocation of resources such as room-booking and space-booking; student elections rules and regulations which do not empower elections officers to censor speech during elections or referenda; policies which restrict the student union's advocacy on issues related to post-secondary education, without adopting or promoting formal positions in respect of provincial, federal or international issues. A 'B' grade is awarded when the student union satisfies three of these criteria, a 'C' grade when only two criteria are met, and a 'D' grade when the student union satisfies only one criterion. An 'F' is awarded when the student union fails to meet any of these criteria.

Grading criteria for student union practices

To earn an 'A' grade, the student union has spoken or acted to support freedom of expression for unpopular opinions and beliefs on campus, by rejecting demands to cancel events, or by speaking out against university actions that suppress free speech rights, or both. Regarding campus club certification, club funding, and allocation of resources to campus clubs, the student union does not discriminate against any campus club on the basis of the club's beliefs, opinions, or philosophy. To earn an 'F' grade, the student union has actively discriminated against campus clubs purely on the basis of the club's beliefs, opinions or philosophy, by refusing to certify a proposed campus club; refusing to provide a club with funding on par with other campus clubs; refusing to provide a club with equal access to resources such as room-booking or space-bookings; or imposing other restrictions on clubs based on the content of the club's expression, or based on the club's beliefs, opinions or philosophy. Grades of B, C or D are awarded in relation to the A and F standards.

2013 Campus Freedom Index

	University		Student Union	
	Policies	Practices	Policies	Practices
Acadia University	B	B	C	C
Bishop's University	C	C	C	C
Brandon University	C	D	D	F
Brock University	B	C	C	D
Cape Breton University	C	F	D	C
Carleton University	D	F	C	A
Concordia University	C	D	C	C
Dalhousie University	C	F	D	C
Kwantlen Polytechnic University	B	D	D	C
Lakehead University	C	C	F	F
McGill University	D	D	D	F
McMaster University	B	D	C	C
Memorial University of Newfoundland	B	B	D	F
Mount Allison University	C	D	D	A
Mount Saint Vincent University	C	C	D	C
Queen's University	C	F	D	F
Ryerson University	C	A	D	F
Saint Mary's University	C	F	C	F
Simon Fraser University	B	B	C	C
St. Francis Xavier University	D	B	D	C
St. Thomas University	C	B	C	C
Trent University	C	F	C	F
Université de Montréal	C	C	C	C
Université du Québec à Montréal	C	D	B	C
University of Alberta	C	D	F	C
University of British Columbia	C	A	D	D
University of Calgary	C	F	D	F
University of Guelph	C	B	C	F
University of King's College	C	B	B	B
University of Manitoba	C	C	D	F
University of New Brunswick	C	C	D	C
University of Northern British Columbia	C	C	C	B
University of Ottawa	D	F	D	D
University of Prince Edward Island	C	F	C	D
University of Regina	C	A	D	C
University of Saskatchewan	C	C	B	C
University of the Fraser Valley	C	F	D	D
University of Toronto	A	D	C	F
University of Victoria	C	F	F	F
University of Waterloo	C	D	C	D
University of Windsor	C	D	C	C
University of Winnipeg	C	C	C	C
Western University	B	F	C	F
Wilfrid Laurier University	C	F	D	D
York University	D	D	F	F