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Student group launches appeal after university reprimanded them over graphic anti-abortion display

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A group of anti-abortion students appealed to the court Wednesday to re-open the University of Calgary's decision to reprimand them over a public display featuring graphic photos of aborted fetuses.

Members of the group, Campus Pro-Life, asked a Calgary judge to review the university's decision to slap them with a ruling of non-academic misconduct in 2010 after they refused to obscure the images. They maintain that the university unreasonably interfered with their right to free expression by requiring them to put the signs out of public view.

The university responded with its own submissions arguing against a judicial review.

Peter Linder, the university's lawyer, said the school's requirement that the group conceal the signs was a reasonable limit on the students' free-speech rights, and their refusal, when ordered to do so by campus security, constituted misconduct.

"Provisions were made that allowed them to express their views," Mr. Linder said Wednesday. "There was a concern that this type of material was put forward in a potentially hostile environment."

The university maintained that there was a risk of someone responding violently to the pictures, which included pictures of terminated human fetuses and compared abortion to the Holocaust and the Rwandan genocide.

"The photos and signs are inherently confrontational and designed to provoke a strong response in anyone viewing them," Mr. Linder said. He argued that

the group was improperly conflating its objection to the non-academic misconduct ruling and the underlying directive that required the signs be obscured.

The group argues that the university is using its own internal security and disciplinary processes to stifle freedom of speech.



"They said the situation might escalate. They just predicted it might, so then they wanted our signs to be turned inward, which we refused to do because we see that as an infringement on our freedom of speech," said Asia Wilson, a recently graduated member of Calgary's Campus Pro-Life wing.

Campus Pro-Life first began displaying their anti-abortion exhibit in 2006. In 2007, counter-demonstrators blocked the campus display, putting up banners and screening the posters from the view of passing students.

At that time, it was the students' lawyer, John Carpay, from the Justice Centre for Constitutional Freedoms, who raised the possibility of a violent altercation between the pro-life students and the

protestors, in correspondence with university administrators.

Cameron Wilson, Asia Wilson's brother-in-law and another member of the group, said it is Campus Pro-Life's policy to maintain a calm and rational discussion. He said members would never resort to violence.

"If another person is going to be violent towards you, is the person having the violence inflicted upon them supposed to back away?" he asked outside the courtroom. "Should they be the ones who change their pattern of behaviour? Or is it the people who are violent?"

The students insist that the school singled out anti-abortion displays after permitting graphic imagery to be displayed in other public exhibits on campus. One exhibit showed disturbing photos of victims of Chinese torture. Another, raising awareness for seatbelt-safety, displayed gory images of car-accident victims.

"Tuition-paying students can expect, and should expect to be exposed to a variety of viewpoints on campus. That's what university is all about," Asia Wilson said.

"Because you disagree with something is not a good enough reason for a viewpoint to be banned," Cameron Wilson added.

Mr. Carpay said that by asking the pro-life group to concede to the protesters, the university was "pandering to mob rule."

"By censoring expression the mob wants censored, it's going to encourage more of that [mob] activity," he said.