

# The Province

## Protecting unpopular views is key to freedom

BY JOHN CARPAY JULY 5, 2013

The choice between upholding the free-speech rights of unpopular minorities or pandering to the popular mob has long daunted those in authority.

Quebec Premier Maurice Duplessis attacked the free expression rights of communists and Jehovah's Witnesses — both highly unpopular minorities in his province in the 1950s. A Quebec City bylaw prohibited the distribution of literature unless first approved by the chief of police. The chief would, of course, never approve of a Jehovah's Witness tract with a title like, "Quebec's Burning Hate for God and Christ and Freedom."

The bylaw, as well as An Act to Protect the Province Against Communist Propaganda, were ultimately invalidated by the Supreme Court of Canada, which recognized the importance of free speech for unpopular minorities long before the Charter came into force.

In 1961, then-Alabama governor John Patterson refused to protect the peaceful but highly provocative Freedom Riders from violence at the hands of Ku Klux Klan mobs. The Freedom Riders travelled through southern states by bus to defy local racial segregation laws.

Black Freedom Riders would seat themselves in "whites only" restaurants and waiting areas at bus stations. White Freedom Riders also broke local laws, which had been rendered illegal by several U.S. Supreme Court decisions. Nevertheless, the Birmingham police stood by and watched while an angry mob beat up the unpopular activists, many of whom were hospitalized. Patterson accused the "rabble-rousers" of "asking for trouble," declaring "we can't act as nursemaids to agitators" who are "creating a riot."

Patterson absolved the mob and blamed the unpopular minority for endangering safety and disturbing the peace. In the interest of "safety and security," the Freedom Riders were told to cease their unpopular but perfectly legal activism.

In Canada today, university presidents face a choice similar to that faced by Duplessis and Patterson. University presidents can uphold the right to express unpopular opinions on campus or they can assist the mob in silencing controversial ideas.

At the University of Waterloo, speakers Christie Blatchford (2010) and MP Stephen Woodworth (2013) were shouted down by protesters, while campus security stood by and watched. In recent years, the shutting down or covering over of unpopular expression on campus has been condoned by campus security at McGill, the University of Calgary, Dalhousie and other universities.

Sometimes a university will do the mob's work by cancelling an event so that protesters don't even need to show up to disrupt it. This past April, Mark Evered, president of the University of the Fraser Valley, cancelled an event featuring a presentation against sex-selection abortion because "protesters" might attend.

Like University of Waterloo president Feridun Hamdullahpur, Evered has refused to instruct campus security to uphold and protect the legal right of students to express unpopular opinions on campus.

Pandering to mobs undermines universities as a crucible for the development of ideas. Whenever a university cancels an event of a minority group because the majority (or another vocal minority) threatens to protest, those making the threats are rewarded. This quickly produces a

spiral of more threats and more censorship. Bullies are emboldened, and those who wish to peacefully express their views are wrongly silenced in the very place where dissent is essential to maintain the vibrancy of our society's intellectual life.

Fortunately, some university presidents reject the approach of Governor Patterson. In 2011, University of B.C. president Stephen Toope upheld the free-speech rights of students who set up a controversial and graphic anti-abortion display on campus. Campus security informed counter-protesters that they had every right to express their disagreement peacefully, but no right to block, obstruct or disrupt the display, as had been done in prior years. The right to free expression does not justify trampling or obstructing the rights of others to express themselves, assemble peaceably or use property.

Like Toope, the presidents of Canada's universities need to instruct their campus security guards to preserve free speech on campus, especially unpopular speech, which can be quickly and easily silenced by a small number of "protesters." Freeexpression rights are fragile. Failing to protect them invites even more mob rule on campus, as selfappointed "protesters" determine which opinions will be tolerated, and which will be silenced.

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