



Justice Centre

for Constitutional Freedoms

Dr. Max Blouw
President and Vice-Chancellor
Wilfrid Laurier University
75 University Avenue West
Waterloo, ON N2L 3C5

February 4, 2014

Dear Dr. Blouw:

We write on behalf of Ian Merkley and Laurier Students for Liberty (hereafter “LSFL”), a registered student group at Wilfrid Laurier University (hereafter “WLU”).

We understand that LSFL is hosting a discussion titled “The Importance of Free Speech” at 7:30pm this evening, in room 2-101 of the Dr. Alvin Woods building at WLU. The event will include a presentation by advocate and public speaker Justin Trottier, who will share his first-hand experience with censorship on Canadian university campuses. We further understand from Mr. Merkley that students at WLU are planning to attend this evening’s event in protest.

There has been a trend at some universities on the part of some individuals to silence speech they disagree with through the deliberate disruption and physical interruption of events. Recent developments at the University of Waterloo and other Canadian universities have seen the disruption and cancellation of events by loud and unruly protesters. Rather than upholding the rights of students to express – and to listen to – the expression of all views, some Canadian universities have chosen to capitulate to mob rule and allowed events to be shut down by those who disagree with the opinions that would be expressed at the event. The University of Waterloo condoned the silencing of *National Post* columnist Christie Blatchford (2010) and MP Stephen Woodworth (2013). Both were invited to speak on campus, and in both cases campus security stood by and watched while loud and unruly protesters effectively forced the speaking engagements to be cancelled.

Freedom of expression is a broad right, including the right to communicate controversial messages. In *R. v. Zundel*, [1992] 2 SCR 731, Justice McLachlin (as she then was) stated that the purpose of protection for freedom of expression extends to protecting “beliefs which the majority regard as wrong or false”, frequently involving “a contest between the majoritarian view of what is true or right and an unpopular minority view”. She also said

that “the view of the majority has no need of constitutional protection; it is tolerated in any event”.

WLU’s *Student Code of Conduct and Discipline* (Section 12.2.I) states that students are allowed to pursue their learning through “free enquiry and free expression” without interference. The University “recognizes academic freedom...acknowledging that the common good of society depends upon the search for knowledge.” It further states:

Members of the Laurier community enjoy the freedom to pursue their intellectual and personal interests without interference, provided that their actions do not limit the rights of other members of the University or the community in which it is situated. The objects of the University are the pursuit of learning through scholarship, teaching, and research within a spirit of free enquiry and expression. The University recognizes academic freedom and the right to peaceful protest, acknowledging that the common good of society depends upon the search for knowledge, and its free expression.

The University is committed to the belief that the exchange of knowledge and ideas in an environment of intellectual freedom is indispensable to quality education. Academic freedom is one means to ensure that an environment of intellectual freedom is sustained. Academic freedom includes the right of all members of the University community to inquire, discuss, speak and express themselves, study, conduct research, teach, publish, associate, create and exhibit their work without hindrance or restriction by the University or any of its representatives.

We sincerely hope that you will take the necessary measures to uphold and defend the right of all students to express their views peacefully, without being silenced or intimidated by those who disagree.

Yours truly,



Carol Crosson
Barrister and Solicitor

cc. Ian Merkley, President, Laurier Students for Liberty