

## **Attack on the Right of Free Expression and Assembly York University, Toronto, Ontario**

The Ontario Federation of Labour (OFL) has a long history of advocacy for human rights for all Ontarians. Part of this ongoing struggle must be to ensure that our society's institutions and organizations reflect the high priority we give to human rights. That is why we believe that public education is a human right. We believe in a publicly-funded system of higher learning governed by the principles of quality, accessibility and public delivery. We believe that this is vital to Ontario's economic, social and cultural development.

We support the view that a critical role of our Ontario universities is creating and sustaining an environment which nurtures the development and expression of a diversity of ideas and actions. Such an environment is respectful of the rights and contributions made by students and workers who are members of the university community. The ideas and actions flowing from Ontario's universities do improve the lives of Ontarians.

We know that there are forces both within and outside of Ontario universities who wish to erode or abandon this approach in favour of a more corporate approach - an approach which treats the university and all of its activities as a business undertaking. All university space is privatized, while the student is treated as a mere consumer. Education and discussion are confined to the classroom (discussion is also allowed in food courts). Spaces that used to be public are now regularly turned over to commercial promotions and fairs. We see this approach in recent events at York University in Toronto. The York administration has turned its back on its own progressive traditions and instead attacks the right of free expression and assembly of members of the university community. The Ontario Federation of Labour shares the concerns of its affiliate, the York University Faculty Association (YUFA) regarding these unfortunate developments.

### **January 20, 2005 incident**

On January 20, 2005 in response to the inauguration of U.S. President Bush and to draw attention to his policies of globalization and York University's corporate connections with these policies a demonstration involving 40 to 50 students was held in a large public space (Vari Hall) at York University. The demonstration involved a speak-out and the distribution of information pamphlets. After one hour the University's administration called on Toronto Police to disperse the demonstrators.

A *Statement of Concerned York Faculty*, prepared by YUFA and signed by 334 members states in part: *“the evacuation of students was violent, with police officers chasing, holding down and hitting students in the group. Five students were arrested and have been charged. One student was hospitalized briefly after the arrest.”*

The complete text of this statement is available on the YUFA web site ([www.yufa.org](http://www.yufa.org)). The number of people charged with a variety of offences was later increased to seven. These charges are proceeding through the legal system.

### **Administration attempts to justify their actions**

The administration's initial media release said that student violence precipitated the clash with police. Workers and students at York University say that photos, amateur videos and even a tape of the demonstration by York University security staff (from a camera in the ceiling) counter the Administration's position and show the police suddenly advancing on the selected demonstrators as well as the dragging and handcuffing of individuals by the police.

The administration's "justification" that it had to act because exams were disrupted and classes had to be cancelled because of the demonstration has been challenged by our affiliate YUFA. YUFA asked their members by e-mail on January 27 if exams and classes had to be cancelled or disrupted at Vari Hall because of the January 20 demonstration. On March 2, YUFA members released the response from its members which indicated that no classes or exams were cancelled or disrupted. These responses covered about half of the classes at Vari Hall on January 20.

The administration's "justification" that the demonstration violated the university's policy and procedure regarding the temporary use of university space has been challenged by YUFA. On February 7, YUFA pointed out inconsistency in existing university policies. It is not clear when portions of the policy and procedures concerning the temporary use of university space actually became official policy of York University. The policy and procedures are murky leaving it up to the Administration to apply them when and how they see fit.

### **Response from inside the University Community**

The January 20 actions by the administration at York University have been challenged by many in the university community. At York University itself, a joint statement by the executives of YUFA, the York Federation of Students, York University Graduate Students Association and Canadian Union of Public Employees (CUPE) Local 3903 states:

*“As unions and associations representing students and workers at York and concerned with the level of repression of student activity and political assembly on campus, we were appalled by the York administration's response to this rally.”*

*Faculty Associations from across Canada have written to the President of York University to challenge and condemn the administration's response to the January 20 demonstration. On March 5, 2005 the executive of the Canadian Association of University Teachers (CAUT) unanimously passed a motion at the request of YUFA to set up a committee of inquiry "to investigate issues respecting free speech and governance at York University."*

### **Response from the wider labour movement**

Solidarity is important in the labour movement. The voices of affiliates (in this case YUFA and CUPE) are heard and they play a full role in the activities of our Federation. At this time we must support our brothers and sisters at York University to overcome the challenges they are facing from this current administration.

The YUFA web site ([www.yufa.org](http://www.yufa.org)) is a useful source of information concerning the situation at York University.

The situation at York University is an example of the kind of challenges facing our brothers and sisters and their unions on university campuses across Ontario. Their active involvement in the labour movement at all levels will assist all of us to realize that all workers are facing similar challenges.

The ongoing work of the OFL with affiliates and the Canadian Federation of Students (CFS) on the array of issues concerning post secondary education (most recently with the *Review of Post-Secondary Education*) is a concrete example of how we learn from each other and work together to bring about progressive change in our province.