

Responses submitted by Mach Form October 26- November 9 Updated with Additional Responses to November 30

Do you have feedback on the draft definition of free speech and draft principles?

The current legislation of "free speech" proposed by the provincial government is a step in the wrong direction and an excuse to sanction hate speech in spaces of academic discourse. The intent of this legislation is to provide a platform for white supremacists, white nationalists, anti-Semites, anti-abortion activists and anti-LGBTQ activists that want to legitimize their hostile discourse under the guise of open discussion. The university and governing bodies should reject all attempts by the provincial government to interfere in the established governance of the university. Supporting this stance on fake freedom of speech will adversely affect York's reputation, not only nationally but also internationally, creating a hostile and unwelcoming environment for the international students that see York as a destination of choice for their postsecondary and English language studies. This phenomenon of declining international students is already a trend in the United States, and Canada, Ontario and YorkU can easily follow suit if they allow the education spaces they have fought so hard to establish with credibility worldwide to become spaces of sanctioned hostile speech for vulnerable populations. Please, don't be complicit in this travesty.

<https://www.forbes.com/sites/niallmccarthy/2018/05/30/international-student-enrollment-declining-in-the-u-s-infographic/#2d161df91cfb> (Staff)

Be positive at the outset. It is a privilege we should celebrate. (Unknown affiliation)

Free speech should not be limited or protected with inclusion of political correctness clauses (Staff)

Although I think the Irwin Toy explanation of freedom of expression is a good start -- expression is an activity (the form) that has meaning (content) -- there are at two least ways in which pressure could be put on this definition:

1. Not all activities that have meaning are expression. For example, ice hockey is an activity (form) that has meaning (content). But presumably it would be too expansive to say ice hockey is expression.
2. Often this distinction between form and content is used to say that the limits to freedom of expression should be focused on the form, but not the content. I can accept this line of thinking. But I don't see in the definition any effort to mobilize on this line of thinking in the definition.

I doubt that York's policy can resolve these conceptual issues in the next 6 weeks, but it may be helpful to tie in how the quotes from the former president address these two points. (Faculty)

The final paragraph (5) of the draft definition of "free speech" is an affront to the actual practice of free speech in an academic setting. There is a clear and concerted effort, especially by far-right groups, to skirt rules around hate speech in universities by asserting the presence and power of persons who regularly advocate hatred in other contexts. It doesn't matter if speakers recite mundane dog-whistles to their followers in their remarks on university campuses. Those that explicitly or implicitly incite and promote hatred against identifiable groups in defense of entrenched and recalcitrant privilege create an atmosphere of fear in the university. This fear - justified by generations of violence in this country and others - suppresses free speech among those who most need to be heard on university campuses including indigenous, LGBTQ2, immigrant, and visible minority students. (Staff)

Yes, students, faculty and others do need freedom to inquire and debate. However, statements that are demonstrably false, should not be permitted under a free speech policy, when the evidence that such statements ARE demonstrably false, is well known, and the false statement is likely to cause significant harm. For example, "Adolph Hitler's Nazi Germany did not murder millions of people." is a demonstrably false statement that should not be permitted under a free speech policy, because the evidence that this statement is demonstrably false, is well known, and the spread of this false statement is likely to cause significant harm, specifically, this false statement has been used in the past, and is used today, to further Antisemitism. Here is another example of a demonstrably false statement that should not be permitted under a free speech policy because the evidence that the statement is false, is well known and the spread of this falsehood is likely to cause significant harm: "There are biological differences that make men smarter than women." Of course, the harm here that is likely to be furthered by the false statement is gender discrimination. (Faculty)

Freedom of speech is being used to cloak hate speech. The university is predominantly students of colour. It's offensive that the university supports white supremacy. I am in favour of people having opposing views and that's freedom of speech but let's not conflate that with hate crimes. (Student)

I completely and utterly reject the entire proposition that the Ford government should be compelling universities to adopt phony "free speech" policies. The entire purpose of this agenda is to allow hate speech on campus through the false notion that "both sides" of a "debate" should always be heard on our campuses. Please do not be naive. You must realize that what the Ford government has in mind is opening our campus to misogynistic and fascist speakers who want to "debate" "questions" like whether the Holocaust happened, or whether women should have autonomy over their bodies. This is absolutely obvious from the fact that the Ford government has insisted on the University of Chicago statement as the template for York's policy. This statement has been used in Chicago to invite right-wing extremist Steve Bannon and white supremacist Richard Spencer to speak on campus, and to silence students who protested giving a platform to these vitriolic hate mongers. The premise of this agenda is that students should be exposed to all ideas, regardless of academic merit, and should be allowed to decide for themselves which ideas they like. This is nonsense. Our

campuses are not a "free market" for ideas, where the most popular idea wins. They are places of learning and research, where ideas advance because they are supported evidence instead of opinion. By complying with the Ford government's fascist demands instead of protesting them, we are committing a travesty against learning and reason. (Faculty)

I am for freedom of speech. But freedom of speech does not mean insensitivity to and inconsideration for others. There are many different ways of saying the same thing. There are university courses that teach us those many different ways (i.e. consciousness of our choice of wordings, tone of voice, nonverbal communication, etc....) to say the same thing so we can choose the most harmless to communicate with others. In one of my university classes, I learned that my freedom stops where another one's freedom starts. We are however a university community and should be able to have passionate intellectual discussions with our university groups without having those discussions becoming personal. Discussion are just ideas. Ideas are not us. Ideas can be and are challenged, that's how we grow and discover that the world is not just us or our little circle. The world is big. I do think that as a University, YorkU could start teaching York students and us staff how to debate constructively, without having our feelings and emotions entangled with them. That prevents us from listening good, learning, growing, and opening our mind to other realities that also have so much richness. As part of their job, I believe that academics must have freedom of speech. That is why university courses can be so exciting. What we discuss in class makes us think beyond the everyday routine and dissect unpalatable and inconvenient truths we would never have thought about in other ways. (Staff)

While the definition mentions limitations based on the functioning of the university as a university, I believe that the limitations to free expression based on hate speech should be explicitly mentioned in the definition portion of the policy. As far as I can tell, the comments by Shoukri were made in response to a specific incident that divided the community and if this is the case, it is not appropriate to include them within a policy of this nature. I'm sure it is possible to find language communicating similar points that are not a reaction to a specific incident but the result of a careful consideration of the university's values and are more pro-active than reactive. (Staff)

The main laws of the land, whether Canada or Ontario are still the Canadian Constitution, which includes the Charter of Rights and Freedoms, and the Ontario Human rights Code. This means that no other law, or policies can contravene the rights therein guaranteed. In the Canadian Charter, that includes the right of expression and belief, & assembly and of association - meaning that anyone has the right to hold a demonstration in order to express those rights, regardless of what the Conservative government thinks it can impose on university. They also include protected grounds for citizen, against discrimination and also hate speech. Therefore, should a white supremacist group or speaker decide to hold an event where they advocate immigrant and nonwhites be shipped out of Toronto- as Faith Goldy did in her platform in the mayoral race - they would be discriminating against people according to ancestry, colour, race, citizenship status, ethnic origin and place of origin. In such a case, that

group and/or speaker(s) are deploying hate speech in campus. I would expect York administration to shut down such hate speech, and if they did not, I would expect them to support the right of any groups and persons on campus to demonstrate against them. I encourage York administration to consider a Human rights case against the Ontario government should they reduce funding in this issue. (Student / Faculty)

I suggest the Working Group consider expanding the definition of free speech beyond the conventional, liberal conception based on a negative right, to include other conceptions--such as an Indigenous conception--that would ground a positive right. To understand what this would entail, we can begin by situating the conventional concept of freedom of expression within the normative framework that grounds it, namely, liberalism, including the assumptions of the autonomy of the individual and formal equality that underpin liberalism. The result is that freedom of expression is understood primarily as a negative right, or in other words, as a right to be free from interference with one's ability to express oneself. Conventionally, it is a right to be free from interference by the state, although in current discourse the concept is being used to justify preventing interference by individuals. Other normative lenses do not share these assumptions, and so do not define freedom of expression as a mere negative right. For example, at least some Indigenous normative orders, such as an Anishinaabe constitutional order, eschew a rights discourse altogether as well as the vision of the individual as fundamentally autonomous. The focus instead is on responsibilities. The point is that the university has an obligation (responsibility) to consider which communities within the university have traditionally been marginalized or disadvantaged when it comes to having access to forums for engaging in speech/expression or when it comes to having their speech/expression heard, and to provide the means for supporting those communities in their efforts to fully exercise their freedom of speech. Thus, my suggestion is to add a positive conception of freedom of speech, as the definition is currently framed primarily only as a negative right. (Faculty)

I think we should adopt the University of Chicago statement. (Faculty)

I understand that the provincial government has threatened coercion in the form of reduced funding for institutions that fail to implement such policies. However, we should all be cognizant of the fact that this threat is being levied in support of proto-fascist organizations and their ability to voice hate speech in public in an effort to win the minds of vulnerable students while intimidating members of those races, religions, and sexes which they deem to be superfluous to Canada and the ideal of what Stephen Harper codedly called an, "old stock Canadian" - this of course referring to white people. If the definition of free speech must be amended, it should only be to say that it does not include racially, religiously or sexually coded language that makes anyone afraid or uncomfortable. We should all have the right to freedom of expression, but this does not include the right to spread fear. (Student)

Freedom to protest MUST be upheld and covered under free speech. Students should be allowed to protest and speak out against the administration when students disagree with their actions; students should be allowed to protest hate speech without

persecution; free speech isn't only for hate speech; free speech on campus must engage with academic theories and proof. (Student)

I have been deeply disturbed by the erosion of free speech on a growing number of campuses, including our own. I have been deeply disturbed by the use of notions such as a "safe space" to shut down the expression of opinions and ideas. For the moment, I agree with the University of Chicago's approach. (Faculty)

Free speech means there should not be any repercussions as a result of speech. Students get reprimanded for exercising their free speech by bodies like the Centre for Human Rights and policies like the Student Code of Conduct that is far too overreaching. (Student)

Freedom of speech discourse is most often weaponized not against right-wingers (as is sometimes suggested), but rather against members of marginalized communities and their allies who stand up to oppressive institutions and the status quo. I have rarely seen a "free speech advocate" stand up for the racialized professor or the Palestinian student in the room. The university has extensive institutional power that is already abused in limiting expression distasteful to those in power or read as "threatening" on the basis of classism, racism, and other dynamics, and it is frankly incredibly disturbing that the provincial government is strengthening the university's hand in this regard. While I have little hope for any consultation under the legislative framework that Ford and co have set out, at minimum there needs to be some discussion of personal responsibility vis-a-vis personal expression (much as how we have responsibility for academic expression, in that it is expected to be evidence-based and defensible). Speech has a real impact on people, and when it is depicted merely as something intrinsically valuable in and of itself, we lose sight of how it replicates and reinforces existing dynamics of power and oppression in our society. (Student)

If you follow and stick to the U of Chicago statement it's fine by me. It would be great if you explicitly mention the U of Chicago statement in your eventual policy. (Student)

I think the document is thorough, informed in legal principles and human rights. It would be good to ask a group of faculty members outside the law faculty to closely read and discuss its language. There are many terms that require defining for a general audience. The document is necessarily dense which makes it hard to parse. (Faculty)

The draft policy does not appear to state a clear and unequivocal distinction between "points of view" and factual content. A free speech policy, for the current age of misrepresentation and public debate of settled scientific facts and alternative versions of verifiable aspects of history need to address these issues. For example, it is inappropriate on a university campus to sponsor debate on whether the earth is flat, whether the Holocaust occurred, whether climate change is the result of human activity, whether any race is superior in intellect to another. It would be appropriate to sponsor debate on how best to deal with the issues of climate change, but not on whether to not it exists as the result of human activity. (Staff)

I think the definition and draft principles need to be shortened, so that they are both easy to understand and accessible to all. (Staff)

The policy needs a notwithstanding clause. (Faculty)

I would like to know why there are no students represented in the working group?

I'm sure the working group has carefully considered how this whole exercise reeks of a political ploy to feed a right wing bias that universities and colleges have become bastions of political correctness, stifling racist, homophobic, and misogynist commentators. This has obviously played out in exaggerated fashion south of the border where free speech on campus has become the new banner for odious and manipulative political operatives like Milo Yiannopoulos who cost Berkeley over a million dollars in security because the university believed it had no choice but to defend his right to speak (to less than 30 students it turned out). The New Yorker published an illuminating essay which might be of some use. <https://www.newyorker.com/magazine/2018/07/02/how-social-media-trolls-turned-uc-berkeley-into-a-free-speech-circus>

The essay asks whether classical liberal defence of free speech doesn't ignore harms caused to others by odious speech? While the documents reference the possibility that "legitimate constraints" might be considered given "disproportionate impact for certain individuals and groups," I feel I'm not seeing a robust intervention around potential harms caused by racist, sexist or homophobic 'free speech.' Where is the consideration of how to balance classic liberal interpretations of free speech with issues around diversity, equality and social harms? (Faculty)

Unfortunately I am teaching during those time slots. I think this is an important issue at York, particularly given the attempts to shut down discussions re the strike and afterwards. I see no problems with adapting the Chicago statement. (Faculty)

Want to thank the members for doing this difficult job working on York's Free Speech Policy. A much needed policy, as some at York want politically correct students and faculty and are not open to debate ideas. (Faculty)

This needs to be done. (Faculty)

York University Administration should team up with other colleges and universities in the province to collectively reject the provincial requirement to introduce a freedom of speech policy. Faculty, staff, and student coalitions have issued public statements rejecting the requirement on a principled basis. It is a concerning precedent to tie institutional funding to the mandatory creation of institutional policy. Given that public funding of our universities is at an all-time low, such a demand becomes even more absurd. In Canada, the fundamental freedom of expression is protected by the Charter of Rights and Freedoms. This is a sufficient framework of protection for the right of members of the University community to express themselves freely. The legal tradition

for safeguarding speech rights in Canada is that of freedom of expression and not freedom of speech, the latter of which exists as a framework in the United States. This distinction produces both a different nature of right that is protected and a different culture in the American context. It is not recommended to import the American legal framework of freedom of speech into Canada. Freedom of expression is a qualified right, unlike freedom of speech. Freedom of speech is deployed to stifle the political activity of marginalized groups in society (racialized people, women, sexual minorities) and to embolden expressions of violent and hateful ideologies, including white supremacy and misogyny. For all of these reasons, York University administration should reject the provincial government's requirement to introduce a freedom of speech policy. (Student)

Hate speech should not be protected just because it comes from religious beliefs. Doing so casts non-religious people as second-class citizens who have fewer rights to free speech. (Student)

It is comprehensive and seems to align with York's values and organizations (e.g, Centre for Human Rights). (Faculty)

I believe that the definition and principles fail to address an important distinction between communications which are identified with student groups/clubs and those which are identified with the university itself - in the conferral of honours, in invitations to speak extended by the university. I speak in particular of the law school where I am adjunct faculty but also about York generally. The right of free speech carries with it responsibility for the message. Where that message is a university-sanctioned message, it behooves us as administration and faculty to engage in appropriate and responsible deliberations over its impact. It is not sufficient, for this purpose, to take the attitude that "anything goes" short of violence and hate speech when it comes to sanctioned events and conferring honours (e.g. naming a building or chair, selecting art for public spaces, conferring honorary degrees). Our existing commitments to inclusion, to decolonization and reconciliation with First Peoples, to the equality of our students without regard to race, gender or gender identity, sex, religion, creed, national or ethnic origin, mental or physical disability, and sexual orientation, and to integrity in scholarship matter and the messages we send as an institution need to be consistent with those pre-existing commitments. It is not sufficient that university-endorsed messages do not give rise to a viable human rights complaint or constituting hate speech. (Faculty)

Paragraph 1 contemplates that speech that "violates the law" is not protected speech. In my view, the policy document should go on to specify that free speech includes the freedom to openly question what speech should and should not violate the law. The law as it presently exists should not be blessed with an assumption of correctness or inevitability. Paragraph 3 draws on the Supreme Court of Canada's decision in *Irwin Toy* for a conception of free speech. I do not specifically disagree with that conception of free speech. That said, given that the Charter of Rights and Freedoms deals with relations between citizen and state, I question whether York University - a non-state

actor - should wed itself to a Charter conception of free speech. The same point calls into question why the Charter of Rights and Freedoms is cited later in the draft policy statement as a relevant source of law. Section 4 (paragraph 3) specifies that faculty are not permitted to "humiliate students". In my view, that is too open-textured a formulation of the principle. What is offensive (and thus protected speech) to one person is potentially a humiliation to another. Perhaps an example would clarify the intended meaning. The prohibition against "hate propaganda" seems right in principle but too open ended. Principled disagreement is increasingly framed as the propagation of hate. The ideal policy statement would narrow what qualifies as hate propaganda. (Faculty)

A lot of words at taxpayer expense but from what I've have seen here totally meaningless except to keep the money flowing. (Staff)

I assume that most of the feedback you will get is critical. It seems to make more sense to suggest changes than to simply express support. Why bother when things look good? I nevertheless want to do the latter. I think that the Working Group did a great job in putting it together and that the wording of the policy itself (at the end of Section 4) is clear and to the point. I don't think anything is missing in the key points formulated in section 4, but I am still wanted to point to a confusion that I see often in the context of free speech discussions and that I also sense, only very weakly though, in some of the earlier sections of the current document. My thought doesn't really apply to your document, but to the discussion as such. It may also help when it comes to better define what "hate speech" and other forms of expression that may justify regulation – something that is missing both from your document and also from the legislation that you appended. (Faculty)

Useful to compile it all in one place but I hope it is only that an not a revision of existing policies in order to satisfy the current government. (Staff)

Speech if someone or group is offended - please make it clear as to what this means. In a graduate class, a student did not want the discussion on LGBT as it was offensive due to religion. Another class did not want the "N" work which was in a judgement read out by another student as that was offensive - and that Black students have rights to stop this in the classroom. Students and professors who support the discussion of these intersecting issues using scholarly work are not allowed because of the current culture at York - Those limiting Free speech must be told that it is their behaviour that is not allowing a free flow of ideas. The "issues" and "word" police at York are alive and well and use verbal bullying/ reporting to push students and professors around at York University. Agree on hate speech - please define clearly if it is Canadian law and not one invented on the spot by a colleague as control of content at a meeting. (Faculty)

I am submitting this on behalf YUGSA (York University Graduate Students' Association).

Overall, YUGSA is concerned about the political motivations of Doug Ford's decision to tie University funding to the development of a free speech policy. While at the town hall we were repeatedly told that no substantive changes were going to be made to York's existing policies, but rather that these would be amalgamated, we worry that York might

be pressured by the government into making deeper changes. In short, we know that Doug Ford is not doing this simply to consolidate existing policies, and we remain skeptical and very concerned that, despite the working group's efforts to do no more than consolidation, this process could open up more space for far-right discourse on campuses. In fact, far-right groups have welcomed Ford's free speech directive, and eagerly await the results, hoping it will give their deeply racist and sexist ideas more legitimacy. What follows is a list of points we hope the working group considers moving forward:

1) Senator Mina Rajabi-Paak made a direct request of President Lenton at the senate forum last month to include elected student representatives on this working group. The YUGSA is deeply frustrated that this request was ignored, and instead only one student was put on the committee, and they were appointed, not elected. The working group should consider ways of highlighting this deficiency in their final recommendations to the community, perhaps with a statement of regret that the working group was not more representative of the community.

2) Despite the working group's claim that no changes will be made to our free speech policies, the YUGSA is requesting a summary of changes that will be distributed to the Senate to aid in their review and decision-making. By summary of changes we mean a document that lists all new language (i.e., all language that was not directly copy and pasted from pre-existing policies).

3) The YUGSA welcomes the working group's statement that free speech will not overpower York's commitment to anti-racism, but more needs to be done to clearly define racism, and outline the processes for enforcing York's commitment to anti-racism

Similarly, the working group should adopt a clear definition of hate speech, and outline the processes for preventing it

4) The "minimum standards" as set by the government require York to punish those whose protest "significantly interferes with the ability of an event to proceed." In our opinion, the working group needs to develop a clear definition of what "significantly interferes" means and detail a process for enforcing this. This definition must preserve the right of student groups to protest. (Student)

- Need to have protection for student organization and protest
- Need to have a plan in place to address far-right/white nationalist actors becoming emboldened by this policy
- Have an equity group (including gender/sexual/disability/race/religious minorities) to provide feedback on the implementation of the policy to help monitor its implementation after the policy has been released
- Defined outlet to approach to make complaints of hate speech (Student)

Thank you to members of the working group for their efforts on this important issue.

I am concerned that people are conflating misguided or unpopular ideas, on the one hand, with homophobic, racist, sexist, or misogynistic comments, on the other. It may

help, in your draft document, to provide examples.

For instance, the comment "white men have it hard these days" may be "disagreeable" or "offensive" (to use the language of the Chicago statement) but it merits debate and discussion. The comment -- which I have heard more than once in York classrooms -- that "homosexuals are deviant perverts who should be reprogrammed and/or exiled from social space" is a homophobic comment that "constitutes harassment or a threat" and is therefore unacceptable. So, examples may be useful. (Faculty)

In my view the following additional points need to be included, perhaps in the mandate for the Ombudsperson and/or the Working Group. These issues and many more were discussed at an excellent forum on Academic Freedom at OISE on November 23, 2018:

- Transparency must be ensured regarding sources of funding for perpetrators of hate speech, and inequities in funding for speakers from different perspectives; there is no "level playing field," and the "marketplace of ideas" reifies historical and ongoing inequities. York and other publicly-supported university campuses cannot be used as sites for disseminating lies, bigotry and disinformation to further the "industry of hate".
- Academic scrutiny, critical analysis, and content discrimination must be brought to the messages conveyed on campuses, as a key part of academic freedom and free speech. Perpetrating lies is not acceptable, especially on university campuses. The material consequences of hate speech, in terms of induced violence and its impacts on particular individuals and communities, must be part of this scrutiny and analysis. See the editorial in today's Toronto Star by Amira Elghawaby, "Hate crimes stats a warning to those who pander to fear" -- <https://www.thestar.com/opinion/contributors/2018/12/03/hate-crimes-stats-a-warning-to-those-who-pander-to-fear-and-loathing.html>
- Silencing, online harassment, and "doxing" of individuals, in relation to their identities and the ideas they express in exercising their academic freedom, also have material consequences and are a crucially important element of "free speech" discussions. (Faculty)

I have thoroughly assessed the draft-definition of free speech, as well as the principles outlining the draft's contents - and I am very thankful for the effort employed in compiling this thoughtful assessment of free speech on campus. Most of the feedback I have is laid out below, with respect to certain tools the administration may find useful in employing after January 1st, as well as a concern which I believe is relevant to the civil continuation of a relationship between York University and its Student Government. One comment I'd like to make here is one that others likely brought up as well, but I think it would be extremely useful to address it. What /exactly/ will the university define as "disrupting", with respect to the Chicago Principles and their definition of conduct which warrants a breach of free speech rights? I think it would be useful to outline the definition/actions clearly and unambiguously, so that students do not mistake this element of the policy as a breach of their own freedom of assembly. Additionally, the particular "existing disciplinary measures" outlined in the Ontario Gov. policy should

perhaps be elaborated upon, due to the vagueness of what constitutes fair disciplinary action for breaching freedom of speech.

Are there any gaps in our existing policies you believe should be addressed?

As stated above - please define and not allow "hate speech" to be used as I do not like how you think on this issue - Think like me or I will call it hate speech. (Faculty)

The definition of sexual violence seems excessively open-ended. Gender and gender identity are contested norms. The policy statement would ideally make more clear that faculty and students are permitted to stake out diverse views on the nature of gender and gender identity. As drafted, the draft policy statement contemplates that speech should be limited if it causes psychological harm to the listener. This is an application of the "thin skulled plaintiff" rule to free speech. I question whether this is the right standard for limiting free speech. (Faculty)

How will you address the government's requirement about student groups? (Unknown affiliation)

It has become apparent with regard to enforcement of the Student Code of Conduct that there are two issues:

1. In practice, enforcement/concerns with non-compliance are complaint-based and the Vice-President, Finance has sought to enforce the Code when specific complaints have been made. But this complaint-based character of the Code is not well understood in the student body (and seemingly among Senators). This may prove to be very relevant if the Student Code of Conduct ends up carrying a lot of weight around the freedom of expression policy.

2. My sense is that those responsible for enforcing the Student Code of Conduct are not well versed in the future-looking educational nature of the compliance model underpinning the code -- a model that has largely been borrowed from the Ontario Human Rights System. This is evident from the procedural errors that have occurred in the past two months. Presumably, we would want this to be corrected when the Student Code comes to bear the weight that is required of it by the proposed policy. (Faculty)

This free speech exercise comes from a radical, hard right govt which doesn't want demonstrations and /or protests when hard right, pro-Nazi, white nationalists and white supremacist speakers come to university campuses. The university has an obligation to protect its community from white supremacists, white nationalists and racism. Your new policy must explicitly uphold the Canadian Charter of Rights and Freedoms as well as explicitly express inalienable support for Ontario Human Rights. This provincial government will try to sidestep those in order to give voice, profile and platform to white supremacists and white nationalists. York must not disallow protesting. (Faculty)

The fact that white supremacist groups can hold meetups, forums etc. at our school is offence. That's a gap in policy. (Student)

York does more to protect the rights of homophobes, transphobes, misogynists, white supremacists than it does for LGBTQ people, trans people, women, POC, Black people, immigrants, new Canadians, poor people. As recent events have shown, the Ontario Conservative government's goals DO NOT align with York's. This government is neither a friend of Ontario university, nor of York particularly. You will not be rewarded in getting behind an unjust policy that undermines our democratic society and our goals as a nation as set out in the Canadian constitution and the Ontario Human rights Code. You will find yourself on the wrong side of history, and, you will encounter resistance. There is no policy that contravenes our laws that will stop students, staff and faculty to publicly demonstrate against it. Our community is precious and it should be defended. I am still hopeful that York administration will wake up to that fact soon, and stop using profit as the measure of whether a policy/rule/procedure/orientation/goal is successful or not. (Student / faculty)

Yes, York University has taken an aggressive legal approach to silencing students, activists and faculty who dissent to their policy and business decisions. York University must stop using the Student Code of Conduct or other legal forums to silence those who disagree with their unfair labour practices and the ongoing corporatization of the campus. Administration at this campus is the biggest threat to freedom of speech. (Student)

I understand that the provincial government has threatened coercion in the form of reduced funding for institutions that fail to implement such policies. However, we should all be cognizant of the fact that this threat is being levied in support of proto-fascist organizations and their ability to voice hate speech in public in an effort to win the minds of vulnerable students while intimidating members of those races, religions, and sexes which they deem to be superfluous to Canada and the ideal of what Stephen Harper codedly called an, "old stock Canadian" - this of course referring to white people. If the definition of free speech must be amended, it should only be to say that it does not include racially, religiously or sexually coded language that makes anyone afraid or uncomfortable. We should all have the right to freedom of expression, but this does not include the right to spread fear. (Student)

Threatening to discipline students, staff, and faculty actually limits expression rights on campus, especially for systemically marginalized groups. Members of the campus community may be discouraged from speaking up for fear of being disciplined. Threatening to withhold financial support or recognition from campus student groups suppresses student voices and denies students their right to freedom of association. (Staff)

A general concern I have is that faculty must be made aware of the fact that free speech is not just an idea that applies out there. When, for example, in meetings faculty belittle, or scorn, the opinions of others they are acting in a way antithetical to free speech;

however, many don't see it that way. the result is that minority positions sometimes remain unexpressed. I think that the same problem exists in classroom interactions. Perhaps we need some everyday examples of threats to free speech to drive the point home. (Faculty)

Allow students to protest, don't punish students for speaking out against a person/group they disagree with. (Student)

It needs to apply to everyone on campus: that is, members of CUPE should not use the fact that CUPE is not itself a university organization to justify acting in ways not in accordance with established university principles and, by the same token, the university should not use CUPE's non-university status as a way to avoid dealing with issues that might arise. Members of CUPE's York locals are members of the York University community. In the past, this has been a problem. (Faculty)

The student code of conduct goes too far. York has no right to regular behavior off-campus. The Centre for Human Rights should be closed down. Individuals should not be subject to sensitivity training for expressing themselves freely on campus. (Student)

I saw that hate speech was mentioned but not defined specifically, like freedom of expression was. I would recommend giving it a tight definition (perhaps incitement to violence). And obviously the university should condemn fascist/neo-Nazi views as hate speech. But if hate speech is defined too broadly, people with harmless views could be accused (wrongly) of hate speech. (Student)

I welcome the provincial government's initiative to assure free speech protections among universities and colleges, and applaud the enactment of principles based on the University of Chicago Statement (which is slowly, but surely, changing the trajectory among universities in the USA). Thankfully, the most egregious violations of freedom of speech in Canadian universities over the past generation have not taken place at York University. In fact I was particularly impressed some years ago when a former VP Students, Rob Tiffin, intervened to ensure that a speaker who represented the "pro-life" position was to be permitted to speak on campus after "pro-choice" groups had effectively barred the speaker from campus. I have confidence that this committee will arrive at a fair, thoughtful definition of the freedom of speech and will ensure that the spirit behind this initiative will lead to a healthier environment for scholarship, as well as intellectual and social engagement on this campus. Where I am less optimistic, however, is how this initiative might be ignored in the classroom. I've eagerly followed "freedom of speech" issues on campuses throughout my long career as a professor. I've listened to many students at York share stories of how they were compelled to toe an instructor's political line - contrary to their own position - in order to gain a "good mark." I see this form of intellectual bullying as a freedom of speech issue and I hope that this committee will consider this context in their deliberations. Good luck! (Faculty)

The draft policy does not appear to state a clear and unequivocal distinction between "points of view" and factual content. Any free speech policy, for the current age of

misrepresentation and public debate of settled scientific facts and alternative versions of verifiable aspects of history need to address these issues. For example, it is inappropriate on a university campus to sponsor debate on whether the earth is flat, whether the Holocaust occurred, whether climate change is the result of human activity, or whether any race or gender is inherently superior in intellect to another. It would be appropriate to sponsor debate on how best to deal with the issues of climate change, but not on whether or not it exists as the result of human activity. Sponsoring debate on such verifiable facts could have the potential to invite students and others to take up positions and support causes that run counter to the role of institutions of higher learning and ethical, verifiable research. (Staff)

There is too much antisemitism at York University - it is pervasive, even though I have been told on occasion that it doesn't exist. That is just false. Whatever policies are put in place, I really hope that they are sufficient to make sure that antisemitism, and veiled antisemitism are no longer allowed to rear their ugly heads at York University. And this includes from the Student Union, and other Unions and Associations on campus. (Staff)

Due to it's nature a University should allow a liberal free speech in it's principles. That does not include hate speech, racially motivated, harassment etc and should be part of the draft.

Freedom of speech Closely and related to Freedom of believe because what we speak What we believe. Every person must have the right to `believe'. This right is the basic & most important. When we loose this right all other rights will automatically loose. I think we should more prioritize and emphasis to `Freedom of BELIEVE and have the rights to Change the believes' at any time according to their knowledge and understanding. Please excuse me if I am wrong. (Staff)

To my eye liberty means that even obnoxious ideas should be heard, and not silenced by shouts and racket. It falls to us to debate them. That includes ideas offensive to one or another group that has suffered, or still suffers, gross injustice and abuse. We have the right to object angrily when offended, but we should not silence the person who offends us. To my eye, we draw the line at advocacy of grievous harm. I do not include outrage, shock, and moral pain as grievous harm. I write that as a person often outraged and shocked by things said these days, especially by conspicuous political leaders who bank on fear and hatred to increase their hold on a populace. The world would be a better place if they were silenced, but silencing is dangerous. It cuts both ways. (Faculty)

Given there are no students represented in the working group, at least as far as I can tell, how will their views be solicited and incorporated? I'm concerned about the language around penalizing students for 'interrupting' speech--surely there is a spectrum? How will you balance the right to protest (say a white supremacist) and the right of free speech? Whose rights are prioritized? How is an interruption to be defined--a picket sign? 30 seconds of chanting? 30 minutes of chanting? Who decides? York

security? Should free speech take precedence over all other rights or concerns?
(Faculty)¹

The diverse student population within a class has for the past several years has made it difficult for students to express ideas as someone in class states it is unacceptable. Students use their norms from specific cultural groups/religions - not the Canadian Charter to judge what is free speech. I manage the voices on both sides in the classroom - those who want students who wish to silence students who do not believe or express politically correct terms - need to know that the student needs to be heard and learning can occur which usually happens. Faculty who are on contract are vulnerable. Faculty and students need to know that silencing is not part of the university's behaviour. How you express these free speech norms? (Faculty)

I am concerned about the baseline repression of the freedoms of expression and association on campus. Student expression and dissent has long contributed to the evolution of universities and broadly to social change in society. It is concerning to learn that students who exercised their rights of expression and association to support CUPE 3903 are currently facing academic discipline. Such repression is antithetical to the safeguarding of the right of expression. (Student)

"The University upholds the principles of freedom of speech and freedom from intimidation and harassment." Which one of these principles takes precedence when a speaker has recently made comments that are inciting harassment against a certain group? Harassment comes in many forms. (Student)

There is little mention of social media use and free speech - including some guidelines or references to free speech in these York-affiliated platforms (e.g., student club facebook, twitter or instagram accounts) could be useful. Also, some clarity could be provided when the free speech guidelines are applicable to our York employment/being a student here, versus in our personal lives (e.g., a personal twitter account that identifies someone as being affiliated with York - when are free speech guidelines relevant). (Faculty)

¹ Response: I am writing to thank you for your submission to the Working Group on Freedom of Speech Policies and acknowledge your expression of concern about student input. One of the members of the Working Group is a student who serves as co-chair of the Student Senator Caucus. The Working Group will host a virtual town hall on November 8 to accommodate students who are not able to attend one of the open forums next week. Early in the consultation phase the Chair met with the Student Representative Roundtable, a group that brings together student leaders from the campuses. We have received a number of submissions from individual students as well.

<http://vp.students.yorku.ca/initiatives/roundtable>

Thank you again. We will continue our outreach efforts.

Robert Everett
Senior Assistant Secretary of the University
University Secretariat

As mentioned above, the policy needs to speak of responsibilities and not just of rights. The institution needs to bear responsibility for its own messaging.

Classrooms/seminars/lectures and presentations have reasonable expectations of decorum, good scholarship and integrity. Ad hominem attacks on faculty or fellow students (not just those which rise to "violence" or "harassment") fall below this standard, and students can expect to be admonished or ultimately excluded if they engage in such conduct. Students can expect to be graded poorly for expressing "opinions" in written assignments that substitute propaganda for scholarship. The right of free speech does not imply that every message, regardless of its content, is of equal value in the classroom. Other policies of the university should be referenced. Free speech does not stand on its own or above all other values. (Faculty)

Academic discipline and expulsion is quite extreme and should not be the default method of punishment. I believe increasing security and removing those who disrupt events should be enough, and perhaps the banning of students who repeatedly disrupt events from attending further events. Harassing the attendants of events and generating disruption that prevents a speaker from continuing is unacceptable, and I am glad that this issue is being addressed. Unfortunately, this occurs far too often; just a few days ago a Munk Debate was disrupted by a heckler in the audience, and audience members had to "brave the protestors" on their way into the event because some thought it was their right to harass those who wished to view a civil debate. Far too often are moderate public intellectuals are labeled alt-right, misogynist, racist, Islamophobic, etc. See Jordan Peterson, who is consistently labeled "far right" even though there is very little evidence of that being the case. (Student)

The gap is very large do to the corruption at the highest levels of the administration and faculty. When you can use your position at the expense of others to further your career goals with no checks and balances this is a big problem. (Staff)

The point is a lack of a distinction between the act of expression and the way it is perceived. When we use terms such as "offensive" we can either talk about the intention of a speaker to offend someone, or we can talk about the listener who feels offended. // "Hate speech" or "hate propaganda" is characterized by the intention of the speaker to offend. On the other hand, lots of the discussion around "save spaces" and "trigger words" and similar issues focus on the listener feeling offended (or "triggered" or impacted in other ways). // I think the distinction is critical. The intention to offend a person or a group is dangerous, maybe not in every context, but definitely for critical discourse that universities stand for. On the other hand, the attempt to avoid that nobody feels offended, no matter what the intention of the speaker is, has elsewhere resulted in ridiculous policies that stifle critical discourse in dangerous ways, creates an authoritarian environment, and can become a means for populist policies and politics. // What applies to "offensive" content of course also applies to other terms. Here is example from the Supreme Court of Canada citation in Section 3 of your document: While an expression can be unpopular in an objective sense, it cannot be "distasteful" in

the same way. It can be intended to be distasteful by the speaker, and/or it can be perceived as distasteful by the listener. The distinction is critical, in my opinion. (Faculty)

Clear definition of hate speech (Student)

Yes. Please emphasize the point that freedom of speech is not absolute at York. A freedom of speech policy that does not contain a reference to this important limiting factor is only half done. The Student Code of Rights and Responsibilities and the Ontario Human Rights Code also contain important sections about freedom from discrimination. Please excerpt these sections as well in your Appendix. (Faculty)

Addressing the York Federation of Students

- During Last Year's YFS AGM, a motion was presented by students called "Motion on Fighting the Far Right" which included "Be it further resolved that if a far-right speaker is invited to speak on campus, that the YFS organize mass mobilizations of students, workers, and marginalized communities to shut down the far-right."

Here are the initial concerns students had, and why I'm here reciting them for your notes and consideration.

1. That we should define far right
2. That we should amend "shut down" to "protest"
3. These concerns were overturned, with a response "if we aren't trying to shut it down, why protest at all?" - suggesting the aim is to stifle free speech, not peacefully protest
- Here are the concerns that were had after the motion passed:
4. Far Right was finally defined as quote: groups that openly espouse verbal, mental and physically violence against racial, religious, sexual minorities, leftists and women activists".
5. What does "Emotional" or "mental" violence entail?
6. Because of this motion, The YFS is now mandated to use its resources and funds to shut down events and speakers invited to campus, which violates the free speech policy.. I understand that the two entities are often separate, but in this case they may certainly come in conflict. How does the working group intend to deal with this conflict?
(Student; Students for Free Speech at York)

What tools/information/resources do you believe would assist with protecting the exercise of free speech on our campuses?

Advocacy and education (Unknown affiliation)

Inviting people such as Jordan Peterson and other people who are opposed to the government policing speech (Staff)

A very important policy/tool is the Balancing Competing Human Rights Policy developed by the Ontario Human Rights Commission (in partnership with myself and Lorne Foster here at York), in part, with freedom of expression on university campuses in mind:

<http://www.ohrc.on.ca/en/policy-competing-human-rights> (Faculty)

No promoting white supremacists on campus!!! No guests who espouse white nationalism on campuses!!! They will be de-platformed and disallowed and protested. (Faculty)

Naming what is hate speech and separating that from free speech (Student)

Taking university courses that relate to communication, diplomacy, tactfulness, voice, speech. Debating classes are excellent primers. The thing is that so many people forget that this is a university environment where a lot of things can be said that are not meant to be personal. A University prof need to start the first day of the classes reminding every one that their university stay will be a meeting of the minds, and not a meeting of emotions and feelings. Students need to leave emotions and feeling outside the door. (Staff)

Please hire the help of a human rights lawyer, external to York. Those working at the centre for human rights or in higher administration are woefully ignorant of actual human rights issues. Ask the help of student groups, the YFS, YUGSA and yes, CUPE 3903, in drafting this policy. Not in this way you have chosen here, an online forum that enables you to then check off the box that indicates you have consulted with students, but doesn't commit you to take anything stated here at all. These groups have years of experience in creating anti-oppressive spaces within the constrain of York's rules which do not always support them, and to push the envelope on social justice issues and foster greater equality and acceptance. Never forget the slut march started here. Meet us around the same table, in real time, as co-writers. Get rid of your ego, get rid of your desperate need to have full authority over all policies and to think that because you make the best salaries it means you know more what's best for York. Be humble. Recognize the experiences of students, their knowledges, as important and as what will save this university, in this instance and in the long run. Meet us as true equal at a drafting table and write this policy with student groups, with the YFS, YUGSA and CUPE 3903. (Student / faculty)

There are many students/student groups that wish to oppose the manifestation of hate speech. Permit them the freedom of assembly to oppose the so called "free speech" fascist groups. (Student)

There are improvements that could be made to foster stronger speech freedoms on our campuses. The rise of precarious academic work means that a majority of university and college faculty cannot depend on the academic freedom protections afforded to tenure-stream faculty. Meaningfully addressing the real challenges our campuses face will require postsecondary institutions to embrace collegial governance by adopting more transparent and accountable decision-making bodies that represent all members of the campus community. (Staff)

I don't believe counter-speech will be fully protected (i.e. It seems like people have the right to organize their own event (say a white supremacist group) but that people can't organize a protest of said group, which means free speech is not being upheld); the policy does not distinguish between hate speech and speech that incites violence and so-called 'free speech' (Student)

A free speech and privacy ombudsperson. (Student)

Neo-Nazis and others spouting hateful or oppressive ideas do not need to be legitimized or given wider platforms by universities, which can never be neutral in these kinds of tacit endorsements (including where such figures are invited by student groups). Rather, we need to stand up for the freedom of speech of those who are rarely heard due to systemic factors, including voices that are under-represented on York campus based on identity, in line with our commitments to human rights and equity. Furthermore, protest and civil disobedience is core to free speech in a society that has historically and continually failed to recognize the rights of so many and insists on labelling members of marginalized communities as violent or disruptive when they do assert their rights (Charter and otherwise). (Student)

Offering immediate tenure to all racialized tenure-track faculty. (Student)

Check out heterodoxacademy.org and Jonathan Haidt's videos on YouTube on the topic of free speech. (Student)

I think a pedagogical and/or academic definition of free speech can supplement the legal definition. For example, we lecturers make decisions about who and what we teach all the time. We refuse some knowledge and speakers on the basis of principle, aesthetic, epistemological tradition etc. The idea that a university is a place that does not vet knowledge according to their special responsibility and duty to develop student's capacities for thinking, dialogue, debate etc is one not widely understood by the public. Because we operate on the assumption that our role is to help promote and generate these capacities we vet what we feel is in the student's best interest all the time. The idea that the university is completely like the public, political sphere is mistaken and misunderstands the fundamental role of education which is to lead students into the world as they participate in learning about and from it. We should include students in debates about free speech rather than tell them what it is. I would like to see pedagogical principles on free speech developed for all faculty members one that takes its basis in thinking, debate, and dialogue, and knowledge rather than legal imperatives that cannot account for learning and teaching that exceeds prescriptions. (Faculty)

1. Public education on what a university is. Instead of using PR for branding we ought to be using it to bring education of what academic work is and does for a society. Why free speech is a responsibility as well as a right. The Canadian version of free speech is not the American one--our universities are publically funded still and so our universities are a public good. Not only should we be mobilizing research findings to the public but academic ones. The debates we are having in the university around free speech are

ones that the public needs educating on. No one should be able to say anything without impunity. Nothing in life works this way and we should stop letting those who are most violent and power-abusing say their piece to the detriment of all others.

2. Legal literacy--we need public education to parse out the specialized language of the law in ways that we can all access (speaking of how speech is not free--the language of the law provides a good example of a small population of having access to a governance mechanism that affects every aspect of our lives). More translation work is necessary across discourse communities. (Faculty)

The ability to disband any organization that interferes with free speech, or at least ban it from organizing events on campus. (Staff)

Free speech is already protected! Are you really serious in asking this question? Do you not understand that the Ford government is paving the way for neo-nazis and racists to use universities and colleges as platforms for their bigotry and hate? (Faculty)

Vari Hall was used as a free speech outlet until the University decided to install the info centre desk and not allow individuals/groups to use that space. The University said the space disturbed classes. (Staff)

The University should provide central spaces to allow for free speech. (Staff)

Heterodox Academy has resources precisely for this type of thing. If all students and faculty were given the opportunity to participate in the information-gathering ability that these resources provide, I believe it could be very beneficial.

If you are not already familiar with them, here are descriptions from their website:

"OpenMind is a free, psychology-based educational platform designed to depolarize campuses and to foster mutual understanding across differences. OpenMind helps students cultivate intellectual humility, empathy, and trust, while equipping them with the essential skills to discuss the most sensitive and difficult topics. The platform is interactive, highly engaging, and can be assigned to students in a particular classroom, or used campus-wide."

<http://www.openmindplatform.org/>

"Are students and/or professors afraid to speak openly at your school? How can you know? Everyone wants an open environment where all members of the academic community can express their ideas honestly. But increasingly, we hear reports that students and professors are heavily self-censoring. Many talk about needing to "walk on eggshells." Is this going on in your classroom, or at your school? If so, then it is vital to know: which students are feeling intimidated, about which topics, and why? Are students primarily afraid of the professors, or of other students? Is it happening in all departments, or only in a few? Heterodox Academy has designed a tool to provide good

data on these questions."

<http://heterodoxacademy.org/index.php/campus-expression-survey/>

(Student)

I would imagine clear guidelines. And also well structured devices for rebuttal. Certainly, interested groups may be keen to demonstrate their opposition to a speaker or other communicator, and they need a good place where they can do so. I have always been sorry at the conflict Vari Hall Rotunda presents, as there are many classrooms around the periphery, and, having taught there amidst demonstrations, I know that the two functions clash. So we need a space as prominent, and as well set for observing what is going on, where one can demonstrate. York sat on the Vari demonstrations and changed the furniture, which is both good and bad. Now what are we to do to facilitate the freedom of students and other York people to express their positions? One solution would be to set a time when there were no classes in those Vari rooms and declare the hall a demonstration space. Mondays from 2:30 to 4:30, be my guest! The Ford government has in mind the freedom of politically incorrect speakers, but there is another important freedom a bit tamped down at York, that of engaged students.

(Faculty)

1) Everyone at York should have to take an online in-service on this policy

2) York needs to make sure we at York really support Free speech - we are a multicultural university and every group gets offended - groups must know that what offends them is not hate speech. They do not want one group to speak out because of a conflict in another part of the world. Groups should be able to speak about issues and discuss them without one side trying to obtain power to shut the other side down.

(Faculty)

An online interactive project where we can go to when we have questions. Have all departments schedule a discussion with faculty, staff and students - with a trained leader? to facilitate the discussion after everyone has read the new policy. (Faculty)

Resources - training on free speech issues and guidelines for faculty, staff, students, peer leaders; how to deal with conflicting views in our classrooms, optional training on mediation and conflict resolution; university could adopt free speech guideline that is added to our course syllabi (similar to academic integrity) that includes a brief statement about our values around free speech, while being respectful etc. (Faculty)

You have to start removing incompetent and corrupt people in the Faculty and the Deans offices. (Staff)

- a resource that is available to students (e.g. a flyer or other material) that defines hate speech and clearer outlines the rights and responsibilities they have with respect to free speech on campus

- visibility and awareness raising of how to make a complaint and address issues with respect to hate speech so that a productive outlet available (Student)

A tip sheet, bookmark/info card, web resource, outlining limitations on freedom of speech would be helpful. (Faculty)

Free speech policies and academic institutions must explicitly protect the rights of all members of academic communities to express their views free of harassment, both during specific events and in their ongoing roles as students / university employees / public intellectuals. (Faculty)

In the past, groups supporting freedom of speech have been forced to abandon and shut down their own events due to incredibly high security costs being forced upon the often financially challenged campus groups, making it impossible to reach students. Is there any existing policy that hasn't been covered which addresses this issue? We humbly request that the working group and administration keep this in mind moving forward. One suggestion may be to construct a policy or approach for administration to assist campus clubs in affording security for events that may require it. (Student; Students for Free Speech at York)

Any other comments/suggestions?

Like the idea of not starting from scratch. We generally know about this freedom and how it is bounded.

CUPE 3903 has effectively eliminated free speech among dissenting members (i.e. those who are fed up with the endless senseless striking). How will freedom of speech policies on campus be applied to groups such as CUPE 3903?

Abide by the Charter of Rights and Freedoms. Abide by the Human Rights Code. (Faculty)

The university has an obligation to not support hate directed at people of colour. This also applies to homophobia and transphobia. It's not acceptable. It creates an unsafe and toxic environment for vulnerable students. (Student)

Please think about what is happening in the United States as a result of these policies. The dismantling of democratic processes and institutions is proceeding in plain sight. These so-called "freedom of speech" policies are part of this. Universities are one of the few strong institutions in Ontario that can stand up to Ford's authoritarian agenda. We cannot allow our campuses to become a place where fascists and white supremacists can indoctrinate our students. (Faculty)

It's stated in the section on sexual violence that "any sexual act or act targeting a person's sexuality, gender identity or gender expression, whether the act is physical or psychological in nature, that is committed, threatened or attempted against a person

without the person's consent". I understand this completely protects for physical, but for verbal violence could it be stated that 'disagreements in certain beliefs such as gender types do not qualify under sexual harassment nor violence, and will be tolerated as free speech provided that it doesn't incite any hatred' or something along these lines? I believe this will clarify part of the free speech allowance. (Student)

Protest is a form of expression and can be conducted in a way that does not harass, it deserves at least as much consideration and leeway as you have provided for controversial speakers. I would like to see language within the policy regarding homophobia and transphobia that is similar to the language around racism. I am very concerned that the intent of the legislation is to give a platform to people who will spread racism, misogyny, homophobia, and transphobia - most likely in ways that they can argue do not meet the legal definition of inciting hate but in reality make York a less safe place for racialized people, women, and LGBT people. My hope is that York creates a policy that is a strong statement in support of these marginalized groups. I am trans and I am not confident that this policy as written will protect my safety. It is not about "disagreement" or "offence" it is about safety. (Staff)

MAKE IT ACCESSIBLE AND DO SOME RESEARCH ABOUT WHAT THAT MEANS. YORK DOES NOT UNDERSTAND ACCESSIBILITY OR THE SPIRIT OF THE AODA. (Student / faculty)

I am incredibly concerned by the aggressive legal tactics that York University has undertaken in the last few years to silence dissent on campus. It is also concerning the extent that York has partnered with private security companies as a means of intimidation. (Student)

Academic freedom and academic integrity must be upheld at all times (unlike during the strike) (Student)

York will not pass the new regulations unless it changes the Student Code of Conduct and gets rid of or reforms the Centre for Human Rights. (Student)

We will continue to protest speakers who espouse hateful, far-right, and otherwise oppressive ideas, whether you sanction us or not. That includes Premier Ford. (Student)

My main suggestions are to develop educational principles and policies to accompany the statement on free speech in public educational institutions. These could be helpful to faculty members across the province. (Faculty)

This is a golden opportunity to make our rules and regulations clear, concise, and easy to understand, so that we can operate as a cohesive unit in welcoming diverse opinions, while protecting the rights of people to enjoy a welcoming environment. Antisemitism, misogyny, anti-LGBTQQIP2SAA speech and actions should be clearly excluded from protection under the new rules/guidelines that are being crafted. (Staff)

I hope that, in addition to enforcing the policy that prohibits "no-platforming" by means of intimidation or violence against speakers, the university will also be assiduous in taking action against existing campus groups that engage in incitement to violence and hate propaganda under the guise of social progressivism. Notorious for this type of thing are groups such as "Socialist Fightback Club," "Revolutionary Student Movement," "YU Divest," "Students Against Israeli Apartheid," and others who make the campus feel unsafe for students and faculty who are forced to subsidize our own demonization and threats to our communities at our own school. The very fact that certain groups are falsely claiming that the freedom of expression policy is an "anti-protest law" speaks exactly to this issue. They believe they have an ideological right to incite violence against certain groups and have been allowed to get away with it. I hope that the Working Group will take this seriously. (Student)

This whole theatre of mandating freedom of speech policies is vile, reactionary trash. Some good & thoughtful reads on the subject:

<https://saultonline.com/2018/09/ontario-universities-and-colleges-coalition-on-government-mandated-free-speech-policies/>

<https://www.universityaffairs.ca/opinion/policy-and-practice/the-theatrics-of-the-ford-government-regarding-free-speech-on-campus/>

<https://nationalpost.com/opinion/chris-selley-its-not-free-speech-when-the-government-compels-it>

<https://reviewcanada.ca/magazine/2018/05/the-new-campus-puritanism/> (Staff)

In order to have Free Speech at York - acknowledge that in some parts of the world is speech is attached to religion - the discussions in the classroom is no longer about the topic but is laced with gender/ sexuality discrimination. Free speech cannot survive if the country of origin is dominating our classrooms because of religion which trumps gender and sexuality. Time to stop religious clubs at York. York must remind students and faculty that York is a secular university and ideas are important in our growth as individuals and a thriving community. (Faculty)

To safeguard the freedom, safety, and dignity of all students, staff, and faculty, York University and other colleges and universities must openly challenge acts and agents of state violence, repression, and incarceration. This includes the banning of police and military on university campuses. By challenging state violence and repression, we can reject a police state and create a true academic asylum for students, staff, faculty, administration and all members of the community. (Student)

Free speech workshops and discussion groups for students. (Student)

As it currently reads, the definition lacks balance. It speaks of the rights of free speech without addressing the responsibility of the speaker for the consequences, something

which is of vital importance when it comes to the messages sent by the university and its departments/faculties to its students and to the general public when it comes to "university sanctioned speech". (Faculty)

There are two fatal risks associated with implementing policies that constrain protesting. On one hand, the policies could be too vague, not well specified, so any protest becomes "disruptive." Protest is supposed to be disruptive, however, protest does not have to disrupt events or generate harassment against the attendants of events. On the other hand, the policy could be weak and ineffective, and events would continue to be shut down by "activists" who can toss the "far-right" label on everyone they disagree with. There are plenty of professors and speakers that I do not agree with, even those that have potentially destructive views, but by stifling their free speech ideas are not able to be exchanged, ideologies become rigid, and freedoms are revoked. (Student)

Free speech is part of democracy; hate speech is not. (Staff)

Einstein: doing the same things over and over and expecting a different result! : expecting the people that are the problem to solve it is crazy. : you can't find what you're not looking for. I didn't expect to find such a corrupt institution in my own country. SAD!! (Staff)

My only concern is the government's motive in asking for this. I feel it is done in bad faith, aimed at allowing thinly-disguised hate groups a platform for their propaganda. I sincerely hope that the government is not trying to provide cover for the proponents of racism and misogyny to tour University campuses. I also hope that the discussion around this effort doesn't become another battleground for on-campus efforts to proscribe actions by rival groups. (Staff)

I am asking the committee to seriously consider simply endorsing the Chicago Statement, and my reasons are as follows:

1. The Chicago Statement strongly supports freedom of expression as a cornerstone of university life, with only very narrow limitations.
2. The Chicago Statement has been adopted by many universities, among them several top-20 institutions (world rankings), including John Hopkins and Princeton.
3. Like a legal Convention, the more parties there are that sign on to the one document, the greater will become its significance and the stronger will be the consensus on freedom of expression.
4. As a quasi-legal document, legal or applied interpretations of the Chicago Statement in the years to come will constitute a body of work that will be beneficial in protecting freedom of expression and will allow it to be a living statement.
5. While the creation of a made-in-York statement seems attractive, a one-institution statement will mean it will have impact here and no where else, in contrast to the

opportunity for York to be, effectively, a signatory to a document that speaks for the community of universities in North America. (Faculty)

Thank you. (Faculty)

I am the current president of Students for Free Speech at York University, and my executive team has been eager to help in any of the processes which address this policy. The Working Group has done an excellent job thus far, and we would be happy to discuss these issues further if the Working Group is interested. Our e-mail is SFSYorkU@gmail.com, and we look forward to your future developments. Thank you for your consideration and hard-work drafting this policy. (Student; Students for Free Speech at York)

Prior to coming to **York**, my profession as a public health nurse provided me with the privilege of sitting beside and bearing witness to the lives of individuals, families and communities experiencing every aspect of societal privilege or disadvantage. This bearing witness more often than not did not reflect my own lived experience, but soon one comes to realize that it is not about that. Wisdom truly is about hearing the other's viewpoint

One skill honed in this privileged social role of a public health nurse, was an ability to sense situations in schools, in homes or in broader communities that had remained for the most part unspoken. While some would erroneously assign that to an essentialist suggestion of "intuition" – that ability rather came from a steadfast commitment to ask questions, to seek out diverse and conflicting viewpoints or experiences and to listen for the sole purpose of a *collective* good.

The only thing that pried me from that role, was the opportunity to create a curriculum for York's young nursing program that would be rooted in social justice and to strengthen nursing's ties to academia. Now appointed to 6 programs across the university and serving as the Director of York's innovative Graduate program in Interdisciplinary Studies, these cross and interdisciplinary conversations and relationships showed me what I already knew:

York is **hugely diverse**. We are not a **status quo** institution. We relish in taking multiple perspectives, considering them all, so as to find solutions that we'd never have arrived at if we didn't consider perspectives we didn't like, know about or align with. Like many of you, we came to York specifically because of its' reputation of providing space for multiple lenses and for its' support of courageous approaches. That ability to sense which I mentioned just a moment ago, also brings with it its' own set of disadvantages..... for I am a porous being who feels at a cellular level, the energy of a space – in this case – the energy of our shared space that is York University. Perhaps like many of you, I felt the unresolved emotions stemming from our past spring and summer, and I know I want to be a part of the future.

We are better than some of the divides that now weaken us.

We are better than some of the misogynist comments made about our leadership team said to preside in "an OVARY TOWER.'

We are better than simplistic suggestions that being in support or against a strike somehow reflects our commitment to peers, to York or to students.

Whether true or not, we are better than hurtful characterizations that further divide.....

For us to move forward.... rather than an either-or approach. we need a **both/and** approach.

Yes, of late there are many fractures we have collectively endured. To get to a place where we can again, share a space that is made stronger *because* of diverse views, we need:

- An approach that is intentionally collaborative.
- An approach that is intentionally beneficent.
- An approach that strives for the collective where mattering matters.

Where my emails, conversations, office hours and demeanor in meetings stand on an ethos of shared wisdom – not my wisdom –

- Of shared lenses - not my lens alone.
- Of shared lived experiences – not my own experiences alone.

In the 3 years I spent in Interdisciplinary Studies working with faculty and students from **all 5 faculties** and from over **100 programs**... I am convinced of this:

That not only does York “tolerate” diverse views. York **celebrates** them. York is **strengthened** by them. York is **built** upon them.

I want to be a part of a positive way forward where we seek out and truly listen to views not our own and where we all matter. To shift us from an ethos of “this is my time” to that of York is Us.

From purchasing to the president’s office ... from the lab tech to the grounds crew ... from the newcomer bridging student to the Phd student about to defend.. we are stronger when all contributions are welcomed whilst we seek out common ground. Today, I’m asking you to reach across to reach across a metaphorical aisle between the divisions that have been created of late.

That to me is the way forward. The **TENTANDA VIA.**

I hope you’ll join me.