

## Queen's University acted badly in removing the free-speech wall

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At 8:20 pm Tuesday 2 April, just nine hours after it was erected, the free speech wall on display at Queen's University was removed by university security guards. The guards were acting on orders from Arig Girgrah, the Assistant Dean for Student Affairs at Queen's.

The wall had been erected that morning by Students for Liberty, a Queen's group concerned to raise awareness of the condition of freedom of expression in Canada. A registered student society, Students for Liberty had earlier been granted permission to maintain the wall until 5 pm Friday 5 April.

Queen's also confiscated the next wall Students for Liberty erected, on 4 April, this time on orders from Provost and Vice-Principal (Academic) Alan Harrison.

Well, what did Students for Liberty expect? That no one would write a slur on their wall? That it would remain free of vulgarity and obnoxious sentiments? That despite the discriminatory and harassing language that found its way onto it, the university would let the wall stand?

Just as the administration at Queen's University sees to it that offensive graffiti is removed from the walls around campus, the administration acted responsibly in having the free-speech wall removed as soon as offensive remarks appeared on it. Or so the university and its supporters say.

For my part, I think that by removing the wall, Queen's University demonstrated that it hasn't a clue what a university is for.

But let's begin with the argument that the university acted well—or, indeed, dutifully—in removing the wall once offensive remarks appeared on it.

According to statements made by Provost Harrison and others, and reported in *The Journal*, the student newspaper at Queen's, the poster contained hate speech. The presence of hate speech creates an unpleasant public environment for everyone. Furthermore, hate speech causes the people to whom it is directed to feel unwelcomed, which, moreover, might well affect their studies. Finally, were the administration to tolerate hate speech on campus, those whom toward it is directed might become quiet and withdrawn.

In any case, as we know, hate propaganda is illegal in Canada, under Section 319 of the Criminal Code. It is also prohibited by Section 13 of the Canadian Human Rights Act (CHRA), which, recently, in the Whatcott case, the Supreme Court of Canada upheld as constitutional, despite the fact that it conflicts with the Canadian Charter of Rights and Freedoms. Queen's

might have run afoul of a human rights commission, at least, had it not quickly removed hate speech from its campus.

The first thing to note in response to these considerations is that whatever offensive remarks the poster contained, they were situated in the context of the free-speech wall. Though those who inscribed them might have meant them, the Students for Liberty didn't, at least not necessarily. The wall was a piece of politics, or art, or theatre. Or it was an experiment, a piece of research.

For that reason, removing it against the will of those who erected it is nothing like erasing offensive graffiti. It is more like closing down a play or a peaceful demonstration or a science project, one that had already received a permit.

The argument that suppressing hate speech is permitted in Canada won't wash, for no matter how hateful some of the contributions to the wall might have been, the wall itself wasn't hate speech but the protected expression of the Students for Liberty.

By the way, does Queen's distinguish between offensive graffiti and graffiti, and remove only the former? The comparison to offensive graffiti is beside the point, as the policy is against graffiti generally.

Still, if the wall contained offensive language, it might have offended people, and thereby made them feel unwanted or silenced them. Even if the wall itself, as a piece of theatre or an experiment, spoke no hate, its effects on campus were harmful and that is reason enough to remove it.

Here is where we come to the purpose of a university. One of the purposes of a university is to protect and nourish intellectual community. One of the marks of intellectual community is the commitment of its members to evaluate things dispassionately. (It is no paradox to say that intellectuals are passionately dispassionate.) To evaluate something dispassionately is to ask whether it is true or false, or good or bad, and to seek to gather, through observation, experiment, or critical discussion, the relevant evidence.

Members of an intellectual community are concerned to leave each other free to think and say and investigate what he or she wants, for the point of the whole thing is for each of us to hold our conclusions for our own reasons. Those reasons are always up for discussion, of course, but no one is to be required to hold any view.

If a university's administration is serious about protecting and nourishing intellectual community, it will not close a play or halt a demonstration, no matter how offensive the material in the play or demonstration is. It will, instead, try to explain to those who complain how they, as intellectuals, should respond to that material. The administration will encourage them to investigate what offends them and to respond to it thoughtfully, perhaps with a play or demonstration of their own.

That, then, is how the administration at Queen's University should have responded to those who complained about what they believed to be hateful writing on the free-speech wall. Provost Harrison failed in his duty to help students, especially those from marginalized groups, to take their place among those able to think for themselves.

Indeed, he confirmed them in their vulnerability and in their need for the care of a paternalistic authority.