

When the freedom to express becomes the freedom to oppress

It is perverse that the disciplining of Wilfrid Laurier grad student Lindsay Shepherd has generated more condemnation than the transphobia that imperils the lives and expressive freedoms of trans people.

"Where were the odes to the absolute importance of free speech when Dalhousie University student Masuma Khan (above) was threatened with disciplinary action for posting Facebook comments criticizing Canada 150 as a celebration of anti-Indigenous colonial violence?" writes Azeezah Kanji.

By AZEEZAH KANJI
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The leaked recording of Wilfrid Laurier University teaching assistant Lindsay Shepherd being reprimanded — for showing a debate on the use of gender-neutral pronouns in a tutorial she teaches on grammar — has ignited a firestorm of outrage about the supposed assault on free speech by left-wing, anti-discrimination ideologues.

The debate in question featured University of Toronto professor Jordan Peterson, infamous for inflaming opposition to human rights protections for transgender people by inaccurately claiming they criminalize free speech.

In the wake of the furor at WLU, media commentators have condescendingly caricatured students who complain about transphobic speech as overly delicate, lacking the necessary resilience to engage with uncomfortable and challenging points of view.

These representations reverse reality: far from being sheltered from perspectives that oppose their own, trans people in Canada are forced to endure regular dehumanization and aggression.

According to a 2011 national survey by Egale Canada, 79 per cent of trans students feel unsafe in school, and almost half had been sexually harassed.

And according to data from the Trans Pulse project, 20 per cent of trans people in Ontario have been physically or sexually assaulted, and 24 per cent have been harassed by police. As well, 96

per cent of trans Ontarians have been told that trans people are abnormal, and 25 per cent have been ridiculed by an emergency care provider.

Two-thirds of trans Ontarians reported avoiding public spaces out of fear and 43 per cent of trans people in Ontario have attempted suicide at least once.

“Contrary to the notion that depression and suicidality are primarily attributable to distress inherent to being trans,” the Trans Pulse report notes, “we found that discrimination and violence had strong adverse impacts on mental health.”

For instance, when British writer Laura Kate Dale tweeted critically about an occasion when she had been misgendered (repeatedly referred to with the wrong pronoun), she was subjected to a barrage of abusive phone calls and death threats.

It is perverse that the disciplining of Lindsay Shepherd has generated more condemnation than the transphobia that imperils the lives and expressive freedoms of trans people.

The almost-universal acclamation of Shepherd as a valiant defender of freedom of speech highlights a disturbing double standard.

It is telling that the Globe and Mail, for example, has published three editorials so far on the Shepherd case, castigating perceived institutional attempts to restrict freedom of expression and inquiry — but not a single one in response to other recent incidents involving repression of speech, in which the speech being repressed was challenging oppression rather than reinforcing it.

Where were the odes to the absolute importance of free speech when Dalhousie University student Masuma Khan was threatened with disciplinary action for posting Facebook comments criticizing Canada 150 as a celebration of anti-Indigenous colonial violence?

Or when elementary school teacher Nadia Shoufani was demonized, suspended, and threatened with termination over a speech she gave at a rally in support of Palestinian rights? (Shoufani was eventually exonerated by the Ontario College of Teachers: a fact that none of the mainstream media outlets that published the accusations against her bothered to report. “This case should never have gone before the College of Teachers, and Ms Shoufani should not have been put through the ordeal of the past months,” commented Liz Stuart, president of the Ontario English Catholic Teachers’ Association.)

Where were the denunciations of institutions abusing their power to quell free expression when the RCMP created fake social media profiles to surveil Black Lives Matter activists, and categorized peaceful BLM protests as “unfolding events” of “serious crime?”

Or when it was exposed that Canadian security agencies have been intensively profiling and monitoring dozens of Indigenous activists, identified as “threats” because of the challenging content and tone of their speech?

“This reckless program was undertaken without reasonable grounds and in violation of the Charter-protected rights to free expression and privacy,” concluded Canadian Journalists for Free Expression.

Unlike Lindsay Shepherd, however, the Indigenous activists targeted for exceptional surveillance were not widely exalted as heroes of free expression. Instead, they were deprecated in the Globe and Mail as “threats” to “Canada’s energy sector.”

It speaks volumes that debates on the basic humanity of trans people are vigorously defended as an exercise of free speech, but the social activism of marginalized groups is not.

Azeedah Kanji is a legal analyst and writes in the Star every other Thursday.