Wednesday, July 3rd, 2024
UTSU Statement RE: Injunction Decision

The University of Toronto Students' Union (UTSU) is deeply disappointed in the decision to grant an injunction against Occupy UofT's encampment. In Governing Council of the University of Toronto v. John Doe et al., the decision of Justice Koehnen has set a dangerous precedent that hinders student expression and protest, fails to protect at-risk encampment members, and will have a chilling effect on future peaceful protests and student advocacy writ-large.

We echo the sentiments of Occupy UofT's legal counsel that the justice's decision is not based on the contents of the protest, but rather on the applicability of private property laws. UofT's attorneys argued the encampment was anti-semitic and violent; however, the justice firmly acknowledged that this was not the case! Instead, Justice Koehnen cited case law on a single legal principle: the university's right to private property. This legal principle has been used time and again to limit the public's right to expression or association on the basis that damage to an institution's reputation or property supersedes that fundamental Charter right. UofT claims to welcome vigorous debate and protest as per President Gertler's most recent message; however, the university's response to the encampment contradicts this. UofT has invested over a million dollars in legal fees in an effort to unleash police violence against against their own students.

This effort to use legal force against its students is shameful, and will go down as a stain on this institution. The university has once again chosen to stand on the wrong side of history, as they did with South African apartheid roughly 40 years ago.

As stated by Occupy UofT, the bare minimum is neutrality. Through its investments in genocide, and its longstanding efforts to protect these investments, the university has shown that it is far from neutral.

Despite the result of this decision, our students have remained steadfast in their efforts to hold the university accountable for the past 63 days. We commend them for their commitment to peaceful demonstration in advocating for a more just world. This act of protest is protected under Charter values, as found by Justice Koehnen, and we will continue to stand in solidarity with our students.

Nearly 40,000 innocent civilians have been killed in Palestine; a number comparable to UTSU's membership: the entire full time undergraduate population at the University of Toronto St. George. Our university is directly complicit in funding these deaths. We demand divestment.

In echoing Occupy UofT organizers, the fight will continue, because it must continue.

The UTSU Executive Committee