

CANADIAN
CIVIL LIBERTIES
ASSOCIATION



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CANADIENNE DES
LIBERTES CIVILES

April 4, 2025

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Dear The Advocates' Society's Board of Directors,

We are writing on behalf of the Canadian Civil Liberties Association (CCLA) to express our concerns regarding your recent decision to rescind Tareq Hadhad's invitation to be the keynote speaker at The Advocates' Society (TAS) 2025 End-of-Term Dinner.

CCLA is a legal advocacy organization led by, and to a large extent staffed by, lawyers. We view ourselves as part of the broader legal community. We offer these comments in the spirit of one legal civil society organization speaking to another, and on the premise, aligned with our mandate, that contributing to debate and discussion is a civic duty in a healthy democracy.

As a civil liberties organization, CCLA's primary focus is on unjustifiable government incursion into democratic rights and freedoms. For over 60 years we have worked to defend the expressive rights of all those in Canada against unreasonable government censorship. We object to overly broad and vague legal restrictions on speech in part because we know that, once they are on the books, they will chill a wide range of expression and can easily be used to silence marginalized voices challenging the status quo. In a vibrant democracy, there must be space for a very wide range of expression. One of the reasons CCLA exists is to protect that basic civic space.

Our approach has always been a principled one: our advocacy is not grounded in whether we agree or disagree with the views that are expressed, but rather in individuals' and communities' democratic rights to express themselves.

Each of us has an individual responsibility to reflect on how and when we exercise our constitutionally-protected expressive rights. Similarly, civil society organisations have a responsibility to critically reflect on who does, and who does not, get offered a platform to share their experiences and views.

We frequently witness societal debates about who to hand the microphone to - what voices to showcase, at what times. The conversations about who is *not* being invited to speak in these civil society spaces of privilege are less frequent, but equally important. It is incumbent on responsible civil society actors to reflect on which communities and forms of speech are being societally sidelined, critically examine the reasons for those reactions, and think about what impacts our own choices will have on meaningful democratic debate and discussion.

We understand that TAS' decision to rescind Mr. Hadhad's invitation was motivated by concerns expressed by some TAS members. We acknowledge the pain and trauma the Israel-Palestine conflict has caused, and continues to cause, for members of both the Jewish and Palestinian communities in Canada. Largely, however, it seems, the focus is not on what Mr. Hadhad has said or would say, but rather what he did not say. To our knowledge, this is not a standard or analysis that has been applied to past TAS speakers, some of whom have opined on issues of significant controversy. We are concerned that this decision is reflective of a broader tendency within our society for there to be disproportionate scrutiny of, and expectations placed upon, individuals who publicly express concern regarding the loss of life in Gaza and the legality of the actions of the Israeli state.

Ultimately, we leave it to TAS to determine what kind of organization it wants to be. We would simply urge TAS to reflect on its civic role, and the chilling impact its decisions might have on people's decision to speak up about issues they care about. We also urge TAS to consider the impact its decisions have on racialized individuals and diverse communities, and the diverse and respectful civil society space that we all have a collective responsibility to work towards.

Sincerely,



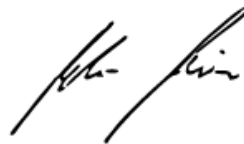
Abby Deshman
Interim General Counsel and Executive
Director
Canadian Civil Liberties Association



Anaïs Bussièrès McNicoll
Director, Fundamental Freedoms program



Harini Sivalingam
Director, Equality program



Shakir Rahim
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