



Voices from the Margins: The Regulation of Student Activism in the New Corporate University

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ABSTRACT *This article critically examines recent revisions to student codes of conduct in Ontario's universities, by focusing specifically on York University. It illustrates how these policy changes have been informed by a new rights and responsibility discourse designed to reduce political conflict on campuses. Couched in terms of promoting student inclusion, fairness, and campus safety, this discourse works with managerial technologies to increase the surveillance and regulation of student political advocacy work. I argue that these changes to student codes of conduct obfuscate the ways in which corporate-service sector relations operate to depoliticize student dissent and silence marginalized student voices, especially voices that raise controversial issues of oppression and challenge the status quo. In developing this argument I also discuss the contradictory and uneven ways that student activists respond to these discourses, and the effects of this new regime on the social organization and social relations of students' political activist work.*

KEYWORDS student activism; universities; corporatization; institutional ethnography; risk management

Over the past decade, student activists on university campuses throughout North America have had to contend with new institutional policies that attempt to regulate student social justice advocacy work. Under the banner of student rights and responsibilities, activists are increasingly monitored and regulated through what Alison I. Griffith and Dorothy E. Smith (2014) refer to as managerial technologies. These technologies – in the form of risk management assessments, surveillance technologies, and university use-of-space policies – are used to align students' non-academic behaviour with a corporate understanding of students as clients. Increasingly, students who exercise their constitutional rights to express political views and challenge administrators' authority over university space have been sanctioned for

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having transgressed institutional rules and regulations, jeopardizing their status as students as well as the status of the campus clubs they are working with (Nadeau & Sears, 2010, 2011; Stewart, 2010; Smeltzer & Hearn, 2015).

The actions administrators have taken against student activists at York University in Toronto, Canada, highlight the increasing tension between students' rights as stipulated under the university's new Code of Student Rights and Responsibilities (2010) and their constitutional rights as protected under the Canadian Charter of Rights and Freedoms (1982). As a social justice advocate and a post-secondary education scholar teaching at York, my concern lies with how the process of university corporatization is transforming the internal social organization and social relations of students' political advocacy work. Using Dorothy E. Smith's (1999, 2010) methodology of institutional ethnography, I start from the standpoint of student activists at York, and examine how their work intersects with the university's changing student codes of conduct and university use of space policies and practices. In contrast to a positivist ontology where the social world is understood in quantitative scientific terms, institutional ethnography provides a conceptual framework with which to understand how people produce their everyday reality.

Of particular importance to institutional ethnography is the focus on documentary forms of knowledge and textual practices (D.E. Smith 1999, 2010). In this article I investigate how student codes of conduct, as documentary forms of knowledge central to contemporary relations of ruling, are being used in the regulation of student political advocacy work on campuses in Canada. Using student informant accounts and textual analysis, the study examines how codes of conduct have enabled new ways of regulating student dissent and activism specifically on York's campus.¹ In examining these policy changes, I show how a rights and responsibility discourse works with managerial technologies to increase the surveillance and regulation of student political advocacy work. I argue that, by adopting a language of civility and inclusiveness, such a discourse reframes students' social citizenship rights as a matter of individual choice and reasonableness, thereby promoting their interests as clients while undermining the most basic social rights of others.

My aim in this article is to analyse how this new corporate-service sector framework, and the policies and managerial technologies it employs, is transforming the social organization and social relations of student activist

¹ This article is based on my doctoral dissertation for which I interviewed 20 students engaged in advocacy work at York University from 2007 to 2011. Their activist group participation ranged widely and focused on various political causes, including environmentalism, human rights, student rights, women's rights, LGBTQI rights, and Aboriginal rights. The interviews were confidential, with semi-structured questions aimed at investigating students' knowledge of how their activist work was socially organized within the university setting. In this sense, student activists were viewed as informants, rather than interviewees, regarding how institutional processes enter into the social organization of their everyday activist work activities.

work. In doing so, I hope to provide a means for student activists to recognize and challenge these regulatory policies and to discover the limits and possibilities that exist within this new institutional regime. What follows is an analysis of this institutional transformation at York, beginning with President Lorna Marsden's changes to the code in 2004 and then her successor Mamdouh Shoukri's initiatives in 2010. I then turn to examine student activists' responses to these new codes and managerial practices, and their effect on student activism.

The Evolution of York's Student Code of Conduct

York University, established at Glendon, Toronto, Ontario in 1959, then expanded in 1965 to its suburban North York, Keele location, has become Canada's third largest public university with over 53,000 undergraduate and graduate students (York University, 2014). In 1970, five years after the opening of its Keele campus, President Murray Ross established York's first Code of Student Conduct, which was based on the report of The President's Committee on Rights and Responsibilities, commissioned by the Honourable Bora Laskin (1970). Following the upheaval of the 1960s students' freedom of expression and social justice movements, university administrators in Canada and the United States developed student codes of conduct to replace the centuries-old *in loco parentis* rules that had governed student non-academic behaviour.² This new framework reflected contemporary conceptions of social citizenship, and emerged as part of a widespread reengineering of capitalist relations of classical liberalism, which included a reorientation of the 'proper' role of the university toward meeting the industrial sector's occupational needs.³ Since this time, codes of conduct have evolved to resemble a quasi-judicial system based loosely on principles of natural justice and have become a new documentary form of knowledge that has served to mediate students' non-academic behaviour.⁴

In recent years, York's administration has used managerial technologies and risk management assessments to further entrench this system of monitoring and surveying students' non-academic behaviour. Revisions to students' use of space policies, particularly the use of Vari Hall, have played an important role in regulating student activism. Since its construction in 1992, students have claimed Vari Hall as *student space*. The main foyer,

² *In loco parentis* ('in place of parents') is a legal doctrine first established in 16th century European universities. According to this doctrine, university administrators assumed the role of parents in relation to students, meaning that they were responsible for students' moral development, and had full authority to govern their lives. See McGrath (1970).

³ For analyses of the corporatization of Canadian universities, see Côté & Allahar (2011), Brownlee (2015), and Sears (2003).

⁴ Natural justice stems from English law and refers to the rule against bias and the right to a fair hearing. In Canada the right to a fair hearing is enshrined in Section 11 of our Charter of Rights and Freedoms (Canadian Charter of Rights and Freedoms, 1982).

known as the Rotunda, is where students have held rallies and political protests and have gathered for special events. Some of the most controversial political protests held in the Vari Hall Rotunda have been those that address global conflicts, including ones involving the Middle East, especially student activists' support of and opposition to Israel's occupation of Palestine. In an attempt to prevent student activists from using the Rotunda as a space for public gatherings, political rallies and speeches, the previous president of the university, Lorna Marsden (1997-2007), employed academic sanctions, student suspensions and expulsions, monetary fines, and the removal of student protestors by Toronto police (Noble, 2005; O'Conner, 2009; YUFA, 2005).

One of the most infamous incidents under Marsden's presidency involved student activist Daniel Freeman-Maloy, who was expelled from the university in May 2004 for three years for having used a megaphone during his participation in two Pro-Palestine demonstrations held in Vari Hall. His student status was later reinstated when he took the matter to the provincial court for judicial review. On July 19, 2004, Madame Justice Epstein ruled that President Marsden's actions had not provided Freeman-Maloy with any meaningful process to appeal the decision and questioned the validity of her actions in expelling him (*Freeman-Maloy v. York University*, 2004).⁵ Following the ruling, York's administration revised its Temporary Use of University Space (TUUS) policy by restricting use of all public space to university-approved student groups, increasing the application times for students to secure space, and requiring an arduous risk assessment that required a detailed list of all students who would be involved in the event including a statement of their participation in past activities (YUFA, 2005). In addition, security cameras were installed in the Vari Hall Rotunda and other restricted areas to monitor student activity (Z. Smith, 2005).

Shortly after the Freeman-Maloy incident, on January 20, 2005, students from the Grassroots Anti-Imperialist Network (GRAIN) challenged President Marsden's new TUUS regulations by gathering in Vari Hall to protest the inauguration of United States President George W. Bush and York's connection to military arms manufacturer Lockheed Martin and the oil conglomerate Exxon (O'Conner, 2009). President Marsden, having acquired the privately paid services of the Toronto police force a day prior to the protest, had the students charged with trespassing on private property. Her attempt to enforce the new policy regarding unapproved speech and assembly on campus resulted in the arrest of four York students and one non-student (Macdonald, 2005). During the confrontation, the police were accused of taking two of the students into a classroom that had been secured for them by

⁵ Freeman-Maloy went on to sue President Marsden for misfeasance in public office, reaching an out-of-court settlement on May 3, 2007. Prior to the settlement, President Marsden's legal team appealed the claim, arguing that Marsden was not a public official. The appeal was struck down, reinforcing the public role and statutory obligations of university presidents. For the Ontario Court of Appeal ruling, see *Freeman-Maloy v. Marsden*, 2006 CanLII 9693 (ON CA).

the administration prior to the protest, and beating them (Jeffers, 2006).

As with the Freeman-Maloy incident, President Marsden's administration responded to the academic community's harsh criticism with a policy change: a moratorium on student use of Vari Hall and the introduction of a new Student Code of Conduct. On February 10, 2006, York's Office of Student Conduct and Dispute Resolution announced that it was partnering "with key University stakeholders to establish a committee to develop" this new code (YFile, 2006). Introduced in the fall of 2006, the code, which had remained unchanged since 1970, represented a fundamental reorientation away from a focus on principles of natural justice, free speech, and collegiality where mutual respect and equality were emphasized, and toward a preoccupation with safety, security, student surveillance and discipline. While acknowledging students' rights to various freedoms, including free speech, the new code emphasized the need for students to exercise these rights in "an atmosphere of safety and security" (York University, 2006, p. 1). Accompanying this discourse of safety and security was a litany of prohibited student behaviours and strict procedures as outlined in the new TUUS policy on student use of space. In addition, rather than basing the tribunal proceedings on principles of natural justice as the previous code more closely did, the new code prohibited students from having legal counsel present and closed all proceedings to the public. It also imposed strict confidentiality on the outcome of any student tribunal. The code's new disciplinary orientation seriously diluted students' ability to defend themselves and removed any accountability of the adjudication process to the wider university community. Moreover, it stressed that under the York University Act, 1965, 13(2)(c), the President had the unilateral power to "formulate and implement regulations governing students and student activities" (York University, 2006, p. 1).⁶

These new disciplinary measures emerged within the context of a global neoliberal restructuring of state services, including post-secondary educational services. In contrast to a welfare form of liberalism where state legitimacy was premised on maintaining the conditions for social citizenship, neoliberal policy reforms have resulted in new interventionist and regulatory mechanisms, which have enabled governments to promote a public sector market place (Brulé, 2004). Within post-secondary institutions, these regulatory mechanisms have involved accountability processes, standardization measures, performance indicators, benchmarking and achievement audits, all of which have provided the means for the regulation and surveillance of more and more aspects of academic work, including student activist work (Brulé, 2004).

Mamdouh Shoukri, who replaced Marsden as York's president in 2007, has further revised the code by introducing a new discourse on student rights and

⁶ Canadian courts have been reluctant to interfere in universities' internal matters, especially regarding student conduct. The courts have been more willing to rule in cases involving a university's statutory obligation as a public institution. See David Hannah (1996).

responsibilities. The revised code calls for balancing one's rights with one's responsibilities to fellow students in cases of student conflict (York University, 2010). The push for balance, respect and civility is closely linked with the university's managerial technologies of risk assessment, use of space policies and surveillance measures. The conflation of personal safety with ideas of fairness and inclusion is highly problematic. Not only do calls for balance and inclusion lead to increased surveillance and regulation of student activist activity, they also obscure the ways in which a corporate-service sector framework is being used to silence marginalized student voices. The following analysis of the current Student Code of Rights and Responsibilities reveals how the administration has attempted to limit the use of Vari Hall in support of the University's new corporate-service sector framework (York University, 2010).

Managing Dissent through a Discourse of Student Rights and Responsibilities

When Mamdouh Shoukri became York's president in 2007, he attempted to appease student unrest by lifting the ban on Vari Hall, only to re-impose it a year and half later. During this time, students had unrestricted access to public space. On February 11, 2009, Shoukri reinstated the ban after a confrontation between students broke out during a press conference held by campus group Hillel at York, to announce its petition to remove executive members of the York Federation of Students (YFS) for supporting York's contract faculty and teaching assistants during their two-and-a-half month strike (Stewart, 2010).⁷ The following day, another student conflict erupted: members of Students Against Israeli Apartheid (SAIA), who were protesting Israeli's recent bombing of educational institutions in Gaza, were confronted with a counter-protest by Hillel and the Hasbara Fellowship, another Jewish student group on campus (Kankesan, 2009).⁸ The media coverage following these two incidents was extensive. As Stewart (2010, p. 49) notes:

The *National Post* newspaper carried a full-page ad by B'nai Brith Canada headlined – Stop the Hate Fests on Canadian University Campuses. It called on university presidents, boards of governors, professors, alumni, and benefactors to step up to prevent Israeli Apartheid Week and stop the daily, ongoing, anti-Jewish agitation that had taken root on campuses across the country.
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⁷ Hillel at York is part of an international Jewish student organization that supports Israel's occupation of Palestine.

⁸ See Denoja Kankesan's live report from February 12, 2009, on the *Excalibur's* website, Excalweb, at <http://www.youtube.com/watch?v=AjEWeZyvSyM&feature=related>

To avoid any further damaging public relations scandal, President Shoukri subsequently banned all student advocacy activities on campus and set up the Presidential Task Force on Student Life, Learning and Community. The Task Force, comprised of a hand-selected group of ten faculty members and ten students, including representatives from the YFS, the Graduate Students' Association (GSA), and several other student groups, was mandated to explore students' needs and to examine opportunities to improve student interrelationships on campus (York University, 2009). Following an extensive consultation with students, faculty, and outside stakeholders, the Task Force presented a total of 82 recommendations to the president on how to improve campus life. These included maximizing space for student activities and commercial services through an expansion of the Student Centre and the renovation of Vari Hall, revising the rules and regulations on the TUUS policy, and introducing a new code of student conduct that focuses on student rights and responsibilities (York University, 2009). The new Code of Student Rights and Responsibilities (York University, 2010) that was developed subsequent to the Task Force report instead introduced a new discourse on students' rights and responsibilities, which redefined legitimate student activism as depoliticized, neutral, and focused on a rhetoric of student inclusion, fairness, and campus safety.

Premised on a series of permissions and prohibitions, the code outlines the features of academic life that are relevant to educational accountability, and as such provides the parameters of what constitutes legitimate student activities and student use of university space. The new code also outlines students' rights, including the right "to academic pursuits," "to participate in activities without harassment, intimidation, discrimination, disruption or acts of violence," "to freedom of inquiry, expression and assembly on campus," and "to engage and participate in dialogue to examine diverse views and ideas" (York University, 2010, p. 3). As the code further stipulates, these student rights are not mutually exclusive and are coupled with a list of responsibilities that identifies what is and is not permissible on campus. For example, "students have a responsibility to not disrupt or interfere with University activities" such as "classes, University programs, student co-curricular activities and tabling," to "uphold an atmosphere of civility, honesty, equity and respect for others which values the inherent diversity in our community," and to "consider and respect the perspectives and ideas of others" (York University, 2010, p. 3). When conflicts between rights and responsibilities arise, students are asked to strike a balance between them.

According to the code, academics, students and staff must uphold others' rights to be free from discrimination, harassment, or violence, and to foster an atmosphere that welcomes dialogue and debate, which is understood as a fundamental premise on which academic freedom is based. This said, in attempting to define the moral landscape of how debate and discussion should take place, the code counters students' rights to free speech and assembly with a loosely defined list of responsibilities that are open to the

discretionary interpretation of university administrators. In addition, the code potentially prohibits any speech act that could be construed as offensive, disruptive, or causing discomfort. For example, although the code includes a student's right "to freedom of inquiry, expression and assembly on campus," it places parameters on those rights by stipulating that others also have the right to be free from "disruption" (York University, 2010, p. 3). As any political discourse has the potential to call into question others' political beliefs and values, all political discourse risks being disruptive, thereby potentially violating the code. The subjective nature of civility and respect raises questions about the usefulness of such a rights and responsibility discourse in determining who is permitted to voice their political views.

Moreover, the new code reframes social citizenship rights as a matter of individual choice and reasonableness, treating students as clients rather than citizens. As will be illustrated below, students' accounts of being refused space on campus reveal how the rights and responsibility discourse, and the managerial technologies that accompany it, do more to increase surveillance and regulation of students' political advocacy work, and to maintain York's corporate image, than to balance students' rights with responsibilities.

The Vari Hall Rotunda Transformed, 2010: A New Prescriptive Use of Space

Following the introduction of the new Code of Student Rights and Responsibility, the administration put in motion the Task Force's recommendations to align the university use of space policy with a corporate service framework and a commodification of Vari Hall's physical structure. Using a consumerist discourse of increasing student utility and meeting clients' service needs, the Task Force specifically recommended that the Vari Hall Rotunda be used to increase available student lounges, commercial food services, and information services, and that a space be created outside the building for *debate* and *dialogue*. The Task Force further suggested that any revenue generated by such services be reinvested in "better serving students' needs through the purchase and installation of a possible market board and electronic map displays" (York University 2009, p. 14). Advocating a prescriptive use of the Rotunda, the administration offered up three design options for students to consider and from among which to choose.

Student response to the proposed renovation was swift and varied, representing a multiplicity of narratives. Students with disabilities contested the design options in terms of access and mobility, citing acoustics, washroom accessibility, and the obstruction of space and access to transportation. They requested that plans for the renovation be "scrapped altogether" in favour of much-needed funding to establish an environment that supports disabled members of the community (Rinaldi & Flook, 2010). The Committee to Defend Student Space contested the new design options,

because they obstructed the space for students to gather, hold rallies, or protest (Committee to Defend Student Space, 2010). Other groups, such as the YFS, contested the commercialization of space that the proposed renovations would entail. After much student protest, a letter-writing campaign, and an attempt to have the space designated as a heritage site, the university decided to abandon the million-dollar renovation, and instead simply installed an information services desk that had previously been housed in another building (McLean, 2009; see Figure 1).



Figure 1. The new Vari Hall Rotunda information desk, September 10, 2010. (Photo: E. Brulé)

Since the installation of the services desk the administration has dubbed the student services area the ‘Red Zone.’ The desk, which takes up a third of the space and is accompanied by banners that stand three metres high, dwarfs the small student tables that are now relegated to the periphery of the Rotunda. The YFS’s table is littered with pamphlets protesting high student tuition and the lack of government support for education. At the beginning of the school year, YFS also promotes Disorientation Week – a series of events that engage the student body in political issues as a counterpoint to the university’s orientation events for first-year students. During orientation week, the YFS’s tables are hardly noticeable and the voices of the student representatives are barely audible against the drone of the well-staffed information desk, which now obstructs the centre of the Rotunda, disrupting the flow of human traffic.

Benches also line the perimeter of the Rotunda and a circle of counters with electrical outlets surrounds the two upper tiers of the space. The administration has installed this new structure to hinder student activists' ability to gather, hold rallies, and protest (McLean, 2009). In what many students refer to as the administration's "takeover" of Vari Hall, student clubs and groups are prohibited from using space in the centre of the Rotunda (student informant, Valerie). Even the Aboriginal Students' Association at York (ASAY) must now work around the structure when they hold their annual international Pow Wow.

The administrations' justification for the Vari Hall renovation is consumer-oriented, based on providing timely information services to its clients (York University, 2009). Only officially sanctioned York activities are now permitted in the Vari Hall Rotunda. The space opposite the information booth has been allocated to members of the Standing Committee on Campus Dialogue, which is composed of students, faculty, and staff members. The committee members have been "appointed for their commitment to promoting civil and decorous dialogue" (York University, 2010, p. 16), and are considered official representatives of the university. Students appointed to the standing committee play the role of ambassadors who "engage students in adopting appropriate ways to debate and dialogue about important global issues" (York University, 2010, p. 16). The ambassadors' role is to provide information, with a focus on client service. Sporting York's red and white colours in the centre of the Rotunda, they also play a visible marketing role.⁹

Protest in the Rotunda, or anywhere else inside York's buildings, corridors, and foyers, is now strictly prohibited, as is the use of sound-amplification devices. In short, what *is* permissible is a language of neutrality. By altering the space, the administration reoriented the university's use of this space to emphasize client services over student advocacy. As one student informant insightfully observed, "in placing the information desk in the centre of the Rotunda, the administration is telling students that we value you as clients, not citizens." Although students as clients can exercise a degree of power in terms of consumer preference (Schudson, 2006), in this context choice is limited and apolitical.

The Regulatory Texts

The transformed Vari Hall Rotunda and the policies surrounding its use, as outlined in TUUS and the new Code of Student Rights and Responsibilities (York University, 2010) described above, significantly influence how student activists organize their advocacy work and the choices they make in advocating for their rights. The capacity to use space at the university is

⁹ For more on Student Community and Leadership Development's client orientation, see <http://redzone.yorku.ca/2012/06/1598/#more-1598>

organized through the use-of-space policy texts and the application process, which provides a means to actively monitor student club activities. Violations of TUUS regulations can result in hefty fines, revocation of a student club's status, and the potential suspension of students themselves. The rules and regulations governing violations to the TUUS policy come under the code and are enforced through the university's Office of Student Conflict Resolution. The following description of these regulatory texts reveals how student activists' work is discursively mediated and coordinated across multiple university policies.

The number of regulatory texts that students must adhere to in order to access space on campus is extensive. Students must be either affiliated with or co-sponsored by a student organization or student governing body that is recognized by the Student Community and Leadership Development Office (SC&LD) before they can submit an application to use space on campus, whether for an event, a meeting, to put up posters, or for tabling information. Established in 2005 in the aftermath of the Freeman-Maloy case, the SC&LD coordinates registration and approval of student groups and student use of space on campus. Once students are affiliated with a recognized group, they can submit an application to either SC&LD or one of the colleges, which may also authorize use of college space on campus.

Although a student group's initial application allows a space to be held temporarily, its safety plan, along with any other documents requested by TUUS, determine whether a group eventually receives a permit. With increased perceived risk comes increased consultation with other administrative bodies, such as the university's Advisory Committee on External Speakers and the Office of Insurance and Risk Management. The intertextuality of the policy is extensive, requiring student groups to provide greater or lesser documentation of their activity depending on the assessment of risk. Moreover, if the event has the potential to draw media attention or outside attendees to the university, the TUUS rules identify the event as a 'special' one, which requires a more thorough risk assessment.

Following the recommendations of the Task Force in 2009, the TUUS office simplified the application process by introducing an online application form for booking space and improving response time in getting back to students. Despite these improvements, student informants report that they still spend inordinate time and energy to secure space for their activities. Students must apply 15 days in advance of any event, and a minimum of three months before events that involve controversial or high profile speakers or that are likely to attract media attention to the university. Several student informants indicated that even when student groups submit their applications to SC&LD or one of the colleges well in advance of the event date, they are often denied the use of space based on the level of risk that the event may pose. To give a sense of how complex and time-consuming the application process remains, and how uncertain its outcome, it is worth noting that a recognized student group's application for temporary use of space involves three adjudication

stages for a ‘regular event,’ and four stages for a ‘special event’ or an event with a high profile or controversial speaker; up to three different administrative offices or committees may be involved in making a decision.

Student Activist Narratives

Despite the extensive application process described above, the criteria used by administrators to assess risk are not clearly defined. Student accounts of difficulties securing long-term space on campus to run programs or hold regular activities reveal the arbitrariness of risk assessment. One group running a program for at-risk youth lost its space because of a theft that occurred in the college. Even though the theft occurred when the youth program was not operating, group members claimed that the college administration forced them to shut down the program a month before its end date, stating that the youth “posed too high a risk” for the college (Student Informant, Collette). College administrators also argued that the program could not continue because the youth participants were not York students. Although York students were running the program, and despite its positive contribution to the local community, the percentage of non-university members involved was cited as grounds to discontinue the program (Student Informant, Collette). The student organizers were told that by inviting non-community members onto campus they were putting everyone at risk. The students believed that because the youth involved in the event were Black, they were perceived as more dangerous than had they been White. The group filed a complaint with York’s Human Rights Office against a support staff member who told them the community youth were “ghettoizing the college” (Student Informant, Coltrane).

Equally problematic is TUUS’ lack of clear criteria for determining whether a student event requires security. A group’s ability to hire expensive security to mitigate risk is used as the basis for permitting student use of space on campus. The more politically controversial an event is deemed, the greater the perceived risk and the less likely the group will be to secure university space. A student informant explained their frustration with the process of getting space for a group activity as follows:

Yeah, often it would take months and months and months for the university to get back to us. Or the university would just flat out say, “No. Why don’t you go somewhere else? You know, there’s another spot where you can do this.” But we said, “No, Vari Hall is the spot that we want to be in.” . . . We would be given a whole bunch of obstacles, a whole bunch of hurdles that we would have to pass through. But then other groups, you know, that may not necessarily be on that side of the argument, if they booked a table, they would get in the next day. So these are the kinds of contradictions that we started to notice. (Student Informant, V)

When I questioned V as to why his student advocacy group was denied space in Vari Hall Link – the space that joins Vari Hall with the Ross Building – he recollected his group’s discussion with TUUS administrative staff:

Oh well, the main argument was: “You’re creating an unsafe space on campus.” And to that we argued, “Well, we’re talking about human rights, and part of the mandate of this university is to promote human rights, to promote social justice, and we are completely in line with that mandate.” (Student Informant, V)

Other student activist groups voiced similar concerns about a lack of transparency and fairness in allocating space to student groups. SAIA reported that they were denied space due to their political affiliations. After being identified in the media as “creating a poisonous environment,” SAIA argued that a politicized media campaign influenced why the administration had denied it use of university space (Grainger, 2008).

In an effort to avoid the critical gaze of TUUS, some activist groups have altered their political rhetoric and activities – essentially depoliticizing their work – in order to use university space. Other groups have resisted its restrictive policies. One group at the forefront of such defiant actions is SAIA. On March 27, 2013, SAIA held a rally with approximately 100 students and faculty to celebrate the GSA and YFS’s endorsement of the Boycott, Divestment and Sanctions movement, which represents those groups opposing Israel’s occupation of Palestine. To much of the York community’s alarm, the administration revoked SAIA’s club status until January 2014, and served long-time Palestine solidarity activist and York University alumnus, Hamman Farah, a trespass notice, banning him from university property for one year (Barrows-Friedman, 2013). The university cited the use of a noise amplification device and the disruption of classes as the reasons for initiating the suspension and ban. Prior to revoking their club status, however, a local adjudicator assigned to SAIA’s case by SC&LD verbally stated that their demonstration had not caused a disruption to classes, yet the university proceeded with its sanctions (Barrows-Friedman, 2013). Student members of SAIA felt singled out, especially after other clubs used sound amplification devices in Vari Hall without having their status revoked. For example, a month prior to SAIA’s rally, approximately 100 students, sporting bullhorns, loud speakers, and blaring music, attempted to perform the loudest and most boisterous version of the *Harlem Shake* (Azadian & Bild-Enkin, 2013). In this instance, the administration did not suspend or ban student organizers.

The risk management discourse of compromise and disruption highlights the contradictory experience of students’ activist work. These students know that a double standard is being applied to groups, allowing some groups to secure space, while denying others without providing a clear rationale. Assessing risk is a subjective activity based on the presumed potential volatility or controversy of any particular person, event, or group activity. The use of risk criteria to determine students’ use of space presents a façade

of neutrality, but there is nothing neutral in its application. In their analysis of risk management discourses as a governing rationality, Aaron Doyle and Richard Ericson (2003, p. 6) argue that risk management systems within individualistic neoliberal regimes are invoked “as a defensive mechanism to protect individuals from encroachment by others... Of course the tactical use of risk can be abused, enhancing liberty for some at the expense of others.” Indeed, much of the discourse around risk management “is directed at making new sets of organizational actors responsible and accountable for their actions” (Doyle & Ericson 2003, p. 6). The selective application of York’s regulatory policies, for example, enables administrators to justify revoking a club’s official status or banning an alumnus as reasonable restrictions on individuals who have chosen to violate the code. Sears (2003) argues that the shift to a neoliberal state, or what he refers to as the “lean state,” has involved “a major reorientation in the direction of coercive discipline” (2003, p. 18). He contends that “[s]tate disciplinary activities reinforce market discipline by visibly suppressing forms of ‘deviant’ conduct that threaten the norms of commodity exchange” (Sears, 2003, p. 18). In a similar way, the administration’s rights and responsibility discourse, along with the managerial technologies of surveillance and risk assessment, have been designed to uphold the market discipline of the university’s new corporate-service sector framework – one whose image as a safe and welcoming environment, depoliticized and free from ideological confrontation, must be maintained at all costs.

Conclusion

Institutional ethnography allows us to see from the standpoint of students how codes of conduct as a documentary form of knowledge contribute to the social organization of students’ advocacy work. By reorganizing space, and instituting risk management protocols and use of space policies, a new version of student rights has emerged – one that diminishes the physical and the discursive spaces where student activists can voice their concerns. Moreover, in discouraging the political orientation of students’ social actions, York’s regulatory policies undermine students’ everyday competency to act with responsibility and integrity. Rather than allowing students’ voices to be heard, York’s use of managerial technologies has served to reinforce administrative ruling relations, negating the real political struggles in which students are engaged.

Not surprisingly, such administrative efforts have resulted in a hyper-politicized environment, where student resistance has increasingly drawn attention to these restrictive policies specifically, and to the corporatization of post-secondary education more broadly. At York, revoking SAIA’s official status in 2013 captured the attention of the Canadian Civil Liberties Association, who publically condemned the administration’s actions and

defended students' rights to peaceful protest (Azadian & Bild-Enkin, 2013). At the University of Toronto, students, faculty, and staff have joined together to form a General Assembly which contests policy initiatives that further corporatize the university and silence student activism (Jeppesen & Nazar, 2012). Student unions, inspired by the 2012 eight-month long student strike in Montreal, Quebec (dubbed the Maple Spring), are joining forces by mobilizing with other student unions to fight increases in tuition fees and the general onslaught of corporate relations within our educational institutions (Brownlee, 2015). Internationally, students and academics have started free universities, established academic-student research coalitions such as Edu-factory, and are publishing widely in free presses (Hanke & Hearn, 2012). Together, these actions and others illustrate the extent to which students are willing to go to resist the increasing corporatization of our educational institutions. However, as Dorothy E. Smith (2007) asserts, celebrating resistance does little to change ruling relations. She argues that by seeking to understand how these relations operate within our institutions, we can begin to develop effective strategies to make change from below (Smith, 2007). Smith states:

Organizing to make change from below builds how-to knowledge, builds connections, builds a knowledge of how the ruling relations are operating and what might be key foci of organizing to make change, and, perhaps most important, it enables people to become active and conscious as political subjects (2007, p. 26).

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