
Reply to Rejoinder

Teaching in Class versus Free Expression

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Terry Heinrichs's rejoinder (in this issue, 169) criticizes me and the Canadian boards of education for firing Malcolm Ross and Paul Fromm. In essence, Heinrichs agrees that the firing of James Keegstra was justified, as Keegstra brought his hatred into his classroom. Heinrichs thinks the case is very different when hate mongers preach hatred only outside of the classroom. Then their position as "educators" should remain intact. In essence, while I think that you can either be a hate monger or a teacher, Heinrichs thinks there is no inner contradiction between the two. You can spew your venom in all public places, but as long as you refrain from explicitly bringing it to the classroom, that's fine. Well, I remain convinced that it is not. I explained my case thoroughly in "Hate in the Classroom" (Cohen-Almagor 2008) and do not intend to repeat myself. Let me add the following reflections on this quite puzzling rejoinder. It is puzzling because Heinrichs failed to understand that my article deals with education and the role of the teacher. Heinrichs instead interprets my article as a restrictive thesis of free expression. It is also puzzling because of its particularly harsh and inflamed tone. And it is puzzling because it is marred with inaccuracies as well as sweeping and sometimes demagogic assertions. Let me explicate.

Heinrichs writes that I said (1) teachers must keep their nonconforming views to themselves both in and out of the classroom and that they must either (2) refrain from expressing these views publicly or (3) express only those approved by the relevant board of education. What I did say is that teachers should keep their hateful views to themselves and not pronounce them publicly (i.e., involve themselves in hate mongering) if they wish to serve as educators. I never made the third claim.

Heinrichs asserts that "Cohen-Almagor's contention that it is right to fire

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teachers on the basis of their out-of-classroom speech, activities, or associations is clearly flawed” (170). Yet, both Ross and Fromm were fired after thorough and robust deliberations during which far more forceful arguments than Heinrichs’s were seriously weighed and ultimately dismissed by different boards of education and by the courts. According to Heinrichs, all of us fail to see how flawed our logic is and how bright is the contra-argument.

Heinrichs’s argumentation becomes demagogic when he writes, “For if Ross’s mere ‘presence’ could create a ‘poisoned environment,’ why restrict its environmental reach simply to the school district? Why not extend it to the whole of Moncton or, say, New Brunswick?” (171). Heinrichs fails to comprehend the crux of the matter: The issue at hand is not free expression as such. Ross was free to air his racist and anti-Semitic ideas in public speeches, media interviews, newspapers articles, and his series of books, all on the same themes. I never said that Canada should have restricted his right to free speech, simply because this is not the issue at hand. I should add in this context that I believe Ross has the right to preach his vile ideas, provided that he does not incite to violence. As a follower of John Stuart Mill, I believe that preaching ideas is legitimate protected speech, while incitement falls outside the remit of the Free Speech Principle (Cohen-Almagor 1994, 2005, 2006).

Thus, I do not take upon myself “censorial scissors” to undermine free expression. I never took upon myself the role of a censor. I am not arguing that we should shut the mouths of Keegstra, Ross, Fromm, and their like. The issue is education—whether these people should educate children.

I do not argue, nor did the boards of education, that teachers should be fired simply because they publicly expressed “nonconforming” views outside the classroom. To depict Ross’s and Fromm’s views as “nonconforming” is interesting and most troubling. Ross and Fromm gained notable notoriety by their numerous publications and public speeches in which they were explicit about their bigoted views of certain minorities that they vehemently disliked. Malcolm Ross was a Moncton, New Brunswick, school teacher who over a 15-year period published a series of books, the titles of which alone reveal their agenda: *Web of Deceit* (1978), *The Real Holocaust* (1983), *Spectre of Power* (1987), *Christianity vs. Judeo-Christianity* (1987).¹ All of them offered a turgid amalgam of Jewish conspiracy theory, drawing on the *Protocols of the Elders of Zion*, Holocaust denial literature, and classic Christian anti-Judaism. Ross’s virulent form of anti-Semitism espoused the myth of a Jewish conspiracy to dominate the world in its social, political, and economic facets so as to destroy Christian civilization. In addition to his writings—which were widely available throughout New Brunswick—Ross made himself a public figure as well, appearing variously in the media and remonstrating in the press (Kuttner 2004).

Curiously, Heinrichs gets into a lengthy discussion to defend Fromm’s right to uphold his teaching post. He said that all that is advanced in my

article against Fromm as evidence of a “poisoned educational environment” is “speculation based on preexisting ‘assumptions,’ ‘inferences,’ ‘traceables,’ and ‘likelys’ of the most dubious sort” (172). There is nothing dubious about Fromm, as he is the most well-known figure among the three “luminary educators” discussed in my article.

Due to his relentless activities since the 1970s, Fromm is one of the Canadian far right’s most prominent figures. Fromm founded the neo-Nazi Western Guard. In December 1990, Fromm attended a Martyr’s Day Rally sponsored by the Heritage Front, a white supremacy group. A year later, he celebrated Adolph Hitler’s birthday, also organized by the Heritage Front. Fromm associated himself with the Tri-City Skins, Blood, and Honour, the Canadian Ethnic Cleansing Team. He traveled to the United States for the Revilo P. Oliver Memorial Symposium, put on by the National Alliance, another white supremacist organization. Oliver was an advocate for Aryan segregation, and Fromm spoke publicly at the event with the former head of the Knights of the Ku Klux Klan, David Duke. He described Oliver during his speech as a “man to be admired” (Tomlinson 2002; Lauder 2001). Gerlad Caplan (1992) wrote that although Fromm tried “to softpedal his malignant racism and has lied outright about his close connections to many of the scummiest elements in this country, in fact he has labored for a lifetime to turn Canada into a pure white Christian fascist state.”

Heinrichs argues that my “order of the day” is guilt by association, ignoring the fact that Fromm not only associates himself with racists, Nazis, and like-minded hate mongers but also founded associations such as C-FAR, CAFE, and the “Canada First Immigration Reform Committee” that support apartheid, Holocaust deniers, Aryan Supremacists, Hitler worshippers, cultural intolerance, and the “science” of eugenics. My understanding of education and free “expression” is clearly different from that of Heinrichs’s; so is our sensitivity to minority rights, on the one hand, and to Nazism, on the other. Heinrichs presumably would have no qualms sending his son to school to study under Fromm, who only recently appeared at a Nazi rally. I do. Justice LaForest wrote in his judgment on the *Ross* case words that are certainly appropriate in the case of Fromm: “It is on the basis of the position of trust and influence that we hold the teacher to high standards both on and off duty, and it is an erosion of these standards that may lead to a loss in the community of confidence in the public school system.” In his concluding disposition of the appeal, Justice LaForest branded Ross as “a notorious anti-Semite,” a characterization adopted by the court at large.²

LaForest maintained, “where a ‘poisoned’ environment within the school system is traceable to the off-duty conduct of a teacher that is likely to produce a corresponding loss of confidence in the teacher and the system as a whole, then the off-duty conduct of the teacher is relevant.”³ Indeed, hate speech is

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not only behavior, physical or verbal, that stems from hostile, discriminatory, and prejudicial attitudes toward another person's or group's innate characteristics (Barnett 2007, 18); it creates a climate that can lead to depriving certain groups of their civil rights. The danger need not be concrete and immediate; sad experience has shown that the verbal stigmatization of particular groups in a community can build up negative attitudes in the population at large, which can lead to discrimination and may even erupt into violence against the group (National Research Council 2001, 109).

Heinrichs writes that my "entire argument is politically discriminatory in that the only teachers cited for censure are those on the extreme right" (172). My argument has nothing to do with left or right. It is about hate. People who publicly promote hate should not be educators.

Finally, Heinrichs argues that my argument is "incoherent" because it has to be either an argument from principle or an argument from contract. His reading (or misreading) does not entertain the idea that both arguments can be made, and there is nothing that forces one at the expense of the other. The arguments are not exclusionary. Instead, they are complementary.

To say that I pay mere lip service to free expression is as true as saying that Heinrichs pays lip service to free expression in order to protect and promote hate speech. I am not making such a claim. I argue that outspoken hate mongers, inside or outside of the classroom, cannot and should not be educators. Students should not be subjected to a teacher who is unable to appreciate difference and pluralism, who understands liberty as a tool for hate, who abhors tolerance, and who exemplifies the opposite of moral, humanistic education.

Fundamentally, I care about people, especially about vulnerable individuals—people who are targeted and victimized because of their gender, race, religion, or culture. When we have competing values at stake, we need not adhere to one value blindly, without balancing the pros and cons of the policy.

We are all products of our families, upbringing, culture, society. I suspect my sensitivity to racism plays a role when I come to balance one against the other the right of hate mongers to teach and the well-being of children. The harm inflicted on children in the classes of the likes of Keegstra, Ross, and Fromm outweighs the right of blatant racists to "educate." One cannot be a hate monger and an educator. When one opts to the former, one should stay out of the classroom. Our children deserve protection.

Notes

1. All four books were published by Stronghold Publishing Company. Some of them were quite popular. *Christianity vs. Judeo-Christianity* had five printings. The

Stronghold Publishing site is concerned only with Malcolm Ross. See <http://www.strongholdpublishing.com/store.htm>.

2. *Ross v. New Brunswick School District No. 15*, 1 S.C.R. 825 (1996).

3. *Ross v. New Brunswick School District No. 15*, 1 S.C.R. 825 (1996), at <http://www.canlii.org/ca/cas/scc/1996/1996scc35.html>.

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