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SUBMISSIONS TO - Board of Education,  
City of Toronto.

RE - The Resolution Requiring Discharge  
For Advocating FLO Policies

FROM - The Canadian Civil Liberties Association  
  
per A. Alan Borovoy  
General Counsel

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October 29, 1970

Toronto, Ontario.

...ence continues. The Canadian people seek, at the earliest

The Canadian Civil Liberties Association respectfully submits that the adoption of this resolution would create a number of dangerous risks without simultaneously producing any positive benefits.

Of course, there is an apparent virtue in enacting additional deterrents or punishments against those who support the savage antics of the FLQ.

This unspeakable band of terrorists has violated the most elementary standards of human decency. It is understandable that decent human beings would wish to give expression to their feelings of moral outrage.

Unfortunately, however, good intentions alone cannot justify every measure we adopt. History has taught us that the most highly motivated deeds can produce the most undesirable consequences. It is from this standpoint that the Canadian Civil Liberties Association addresses itself to the dangers which are involved in the resolution before this Board.

One of the most serious risks created by this resolution grows out of the unique role of the teacher. The good teacher is an intellectual stimulator. He is not concerned with what his students think; he is only concerned that they think. In order to stimulate them to think more clearly, more relevantly, and more profoundly, the teacher will often engage in role play. He will pose as the devil's advocate; he will champion novel and radical ideas. He does this in the hope that controversy will generate inquiry. By threatening to discharge teachers for the mere advocacy of certain unacceptable political ideas, this Board might very well inhibit the most creative pedagogical techniques employed by our better teachers. The teacher who is bold, innovative, and experimental might prefer silence to the risk of dismissal.

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Moreover, the adoption of this resolution could easily become an invitation to surveillance of the teacher. It could invite trustees, inspectors, principals, parents, colleagues, and unfortunately even pupils to become spies and informers. The knowledge that the advocacy of certain ideas could precipitate a discharge might transform innocent pupils into suspicious informers. As we well know, this is precisely what happened in many reputable academies in the United States when similar policies were enacted during the unhappy McCarthy period. Resolutions of this kind could undermine the most vital relationships in the academic setting.

The issue which this Board must face is why. Why should it incur all of these risks to academic freedom, political expression, and the teacher-student relationship? If the objective of the resolution is to assist in the security of the state, surely it is not necessary. The police, the bar, the judiciary are much more reliable instruments of state security than the Director of Education.

If the objective of the resolution is to protect pupils, it is also unnecessary. No educational system worthy of the name will seek to protect its students against political ideas. It will seek to protect its students against dishonest manipulation. Surely, however, the standards of ethical conduct normally expected of teachers are sufficient for the task. Breaches of academic integrity, whether they take the form of indoctrination, favouritism, or prejudice, will be dealt with by the teaching profession and the academy. The normal canons of pedagogical ethics would in no way be enhanced by the adoption of this resolution. With this resolution, we might silence the good teacher. Without it, we can still deal with the bad teacher.

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It is crucially important that we retain our sense of perspective and balance through the disquieting era in which we are living. All democrats, whether in favour of or opposed to the invocation of the War Measures Act, are anguished by the suspension of normal democratic liberties. The ability of our precious democratic institutions to survive the current crisis requires calm, intelligence, and restraint. We must respond in a measured manner to the challenges which face us. We must be careful to avoid any measure, restriction, or imposition that goes one bit further than is absolutely required by the circumstances at hand.

In the light of the foregoing, the Canadian Civil Liberties Association respectfully requests the Toronto Board of Education to reject, in its entirety, the resolution at issue.

Respectfully submitted

A. Alan Borovoy

General Counsel,

Canadian Civil Liberties Association