

NAT HENTOFF

Nat Hentoff (1925–) was born in Boston. The author of more than 25 books, Hentoff is also known for his numerous articles in the Village Voice, New Yorker, and the Washington Post. A committed liberal, he has been outspoken on issues ranging from drug testing and the draft to racism and abortion. Although considered a leftist, Hentoff has criticized those on the Left who have advocated suppressing what they consider "hate speech."

Should This Student Have Been Expelled?

BEFORE YOU READ: *You have probably heard the comment that the right to free speech does not give you the right to cry "Fire!" in a crowded theater. When is speech unacceptable? Some colleges have passed "hate speech" codes that prohibit racist and sexist "actions." In this article Hentoff asks whether a college student should have been expelled for making offensive statements.*

TIPS FOR READING: *Hentoff begins the essay by relating the events of October 18, 1990, and then explains Brown University's response. Notice how Hentoff builds his argument by quoting and analyzing the university speech code and President Gregorian's statements. Consider your own definitions of "speech" and "action." When does speech become action?*

Words to Know:

imbibed	consumed, drunk
juncture	point in time
penance	apology, atonement
enshrined	made permanent
detached	objective
dissenters	those who protest or object
flagrant	very obvious
tenor	mood

*The day that Brown denies any student freedom of speech
is the day I give up my presidency of the university.*

—Vartan Gregorian, president of Brown University,
February 20, 1991

"Should This Student Have Been Expelled?" by Nat Hentoff from VILLAGE VOICE, 1991. Reprinted by permission of Nat Hentoff, columnist, Village Voice.

1 Doug Hann, a varsity football player at Brown, was also concentrating on organizational behavior and management and business economics. On the night of October 18, 1990, Hann, a junior, was celebrating his twenty-first birthday, and in the process had imbibed a considerable amount of spirits.

2 At one point, Hann shouted into the air, "Fuck you, niggers!" It was aimed at no one in particular but apparently at all black students at Brown. Or in the world. A freshman leaned out a dormitory window and asked him to stop being so loud and offensive.

3 Hann, according to reporters on the *Brown Daily Herald*, looked up and yelled, "What are you, a faggot?" Hann then noticed an Israeli flag in the dorm. "What are you, a Jew?" he shouted. "Fucking Jew!"

4 Hann had achieved the hat trick of bigotry. (In hockey, the hat trick is scoring three goals in a game.) In less than a minute, Hann had engaged in racist, anti-Semitic, and homophobic insults.

5 He wasn't through. As reported by Smita Nerula in the *Brown Daily Herald*, the freshman who had asked Hann to cool it recruited a few people from his dorm "and followed Hann and his friends."

6 "This resulted in a verbal confrontation outside of Wayland Arch. At this time, [Hann] was said to have turned to one of the freshman's friends, a black woman, and shouted, 'My parents own your people.'"

7 To the Jewish student, or the student he thought was Jewish, Hann said, "Happy Hanukkah."

8 There are reports that at this juncture Hann tried to fight some of the students who had been following him. But, the *Brown Daily Herald* reports, he "was held back by one of his friends, while [another] friend stretched his arm across the Wayland Gates to keep the students from following Hann."

9 John Howard Crouch—a student and Brown chapter secretary of the American Civil Liberties Union there—tells me that because Hann had friends restraining him, "nobody seriously expected fighting, regardless of anyone's words."

10 Anyway, there was no physical combat. Just words. Awful words, but nothing more than speech. (Nor were there any threats.)

11 This was not the first time Hann's graceful drunken language had surfaced at Brown. Two years before, in an argument with a black student at a fraternity bar, Hann had called the student a "nigger." Thereupon he had been ordered to attend a race relations workshop and to get counseling for possible alcohol abuse. Obviously, he has not been rehabilitated.

12 Months went by after Hann's notorious birthday celebration as Brown's internal disciplinary procedures cranked away. (To steal a phrase from

Robert Sherrill, Brown's way of reaching decisions in these matters is to due process as military music is to music. But that's true of any college or university I know anything about.)

13 At last, the Undergraduate Disciplinary Council (five faculty or administration members and five students) ruled that Doug Hann was to leave the university forevermore. Until two years ago, it was possible for a Brown student to be dismissed, which meant that he or she could reapply after a decent period of penance. But now, Brown has enshrined the sentence of expulsion. You may go on to assist Mother Teresa in caring for the dying or you may teach a course in feminism to 2 Live Crew, but no accomplishments, no matter how noble, will get you back into Brown once you have been expelled.

14 Doug Hann will wander the earth without a Brown degree for the rest of his days.

15 The president of Brown, Vartan Gregorian—formerly the genial head of the New York Public Library—had the power to commute or even reverse the sentence. But the speech code under which Hann was thrown out had been proposed by Gregorian himself shortly after he was inaugurated in 1989, so he was hardly a detached magistrate.

16 On January 25, 1991, Vartan Gregorian affirmed, with vigor, the expulsion decision by the Undergraduate Disciplinary Council.

17 Hann became a historic figure. Under all the "hate speech" codes enacted around the country in recent years, he is the first student to actually be expelled for violating one of the codes.

18 The *New York Times* (February 12) reported that "Howard Ehrlich, the research director of the National Institute Against Prejudice and Violence, said that he did not know of any other such expulsions, but that he was familiar with cases in which students who had harassed others were moved to other dormitories or ordered to undergo counseling."

19 But that takes place in *educational* institutions, whose presidents recognize that there are students who need help, not exile.

20 At first, there didn't seem to be much protest among the student body at Brown on free speech grounds—except for members of the Brown chapter of the ACLU and some free thinkers on the student paper, as well as some unaffiliated objectors to expelling students for what they say, not for what they do. The number of these dissenters is increasing, as we shall see.

21 At the student paper, however, the official tone has changed from the libertarian approach of Vernon Silver, who was editor-in-chief last semester. A February 13 *Brown Daily Herald* editorial was headed: "Good Riddance."

22 It began: "Doug Hann is gone, and the university is well to be rid of him."

But President Gregorian has been getting a certain amount of flack and so, smiting his critics hip and thigh, he wrote a letter to the *New York Times*. Well, that letter (printed on February 21) was actually a press release, distributed by the Brown University News Bureau to all sorts of people, including me, on February 12. There were a few changes—and that *Brown Daily Herald* editorial was attached to it—but Gregorian's declaration was clearly not written exclusively for the *Times*.

Is this a new policy at the *Times*—taking public relations handouts for the letters page?

Next week I shall include a relentlessly accurate analysis of President Gregorian's letter by the executive director of the Rhode Island ACLU. But first, an account of what Gregorian said in that letter to the *Times*.

President Gregorian indignantly denies that Brown has ever expelled "anyone for the exercise of free speech, nor will it ever do so." Cross his heart.

He then goes into self-celebration: "My commitment to free speech and condemnation of racism and homophobia are well known. . . ."

"The university's code of conduct does not prohibit speech; it prohibits actions."

Now watch this pitiable curve ball:

"Offense III [of the Brown code]—which deals with harassment—prohibits inappropriate, abusive, threatening, or demeaning actions based on race, religion, gender, handicap, ethnicity, national origin, or sexual orientation."

In the original press release, Gregorian underlined the word *actions*. There, and in the letter to the *Times*—lest a dozing reader miss the point—Gregorian emphasizes that "The rules do not proscribe words, epithets, or slanders, they proscribe behavior." Behavior that "shows flagrant disrespect for the well-being of others or is unreasonably disruptive of the University community."

Consider the overbreadth and vagueness of these penalty-bearing provisions. What are the definitions of "harassment," "inappropriate," "demeaning," "flagrant," "disrespect," "well-being," "unreasonably"?

Furthermore, with regard to Brown's termination of Doug Hann with extreme prejudice, Gregorian is engaging in the crudest form of Orwellian newspeak. Hann was kicked out for *speech*, and only speech—not for *actions*, as Gregorian huffily insists. As for behavior, the prickly folks whose burning of the American flag was upheld by the Supreme Court were indeed engaged in behavior, but that behavior was based entirely on symbolic speech. So was Hann's. He didn't punch anybody or vandalize any property. He brayed.

Art Spitzer, legal director of the ACLU's National Capital Area affiliate, wrote a personal letter to Gregorian:

"There is a very simple test for determining whether a person is being punished for his actions or his speech. You just ask whether he would have received the same punishment if he had spoken different words while engaging in the same conduct."

"Thus, would your student have been expelled if he had gotten drunk and stood in the same courtyard at the same hour of the night, shouting at the same decibel level, 'Black is Beautiful!' 'Gay is Good!' or 'Go Brown! Beat Yale!' or even 'Nuke Baghdad! Kill Saddam!'"

"I am confident," Spitzer said, that "he would not have been expelled for such 'actions.' If that is correct, it follows that *he was expelled for the unsavory content of his speech*, and not for his actions. I have no doubt that you can understand this distinction. (Emphasis added.)"

"Now, you are certainly entitled to believe that it is appropriate to expel a student for the content of his speech when that content is sufficiently offensive to the 'university community.' . . ."

"If that is your position, why can't you deliver it forthrightly? Then the university community can have an open debate about which opinions it finds offensive, and ban them. Perhaps this can be done once a year, so that the university's rules can keep pace with the tenor of the times—after all, it wouldn't do to have outmoded rules banning procommunist or blasphemous speech still on the books, now that it's 1991. Then students and teachers applying for admission or employment at Brown will know what they are getting into."

"Your recent statements, denying the obvious, are just hypocritical. . . ."

And what did the *New York Times*—in a stunningly fatuous February 21 editorial—say of Vartan Gregorian's sending Doug Hann into permanent exile? "A noble attempt both to govern and teach."

The *Times* editorials should really be signed, so that the rest of the editorial board isn't blamed for such embarrassments.

Understanding Meaning

1. What events led to Hann's expulsion? Why does Henroff call him "a historic figure"?
2. Can one make both a "commitment to free speech" and a "condemnation of racism"?

3. What are "hate speech" codes? Does it strike you as odd that no one seemed offended by Hann's use of the infamous "f-word"? Is obscenity less disturbing than racial slurs?
4. Would comments about Irish drunks or Italian gangsters be considered "hate speech"?
5. **CRITICAL THINKING.** How do you separate "speech" from "action"? Does the concept of free speech, for instance, allow one to insult a person without facing the legal consequences that would arise from a physical assault?

Evaluating Strategy

1. Hentoff begins his article with a quote from the president of Brown University. How does this set up his argument?
2. Label where Hentoff uses logical, emotional, and ethical appeals.
3. Do you find Hentoff's inclusion of the press release effective?
4. **BLENDING THE MODES.** Where does Hentoff use narration, comparison, and definition?

Appreciating Language

1. Hentoff refers to Hann's activity as a "hat trick of bigotry"—scoring racist, anti-Semitic, and homophobic insults in one outburst. Does the use of this hockey term suggest mockery? Would "triple threat" have different connotations?
2. What tone does Hentoff create with comments about military music and statements such as "Doug Hann will wander the earth without a Brown degree for the rest of his days"? How seriously does he seem to take the issue of "hate speech" and those who condemn it?

Writing Suggestions

1. Assume you were a student at Brown University during the Hann controversy. Write a short statement to the editor of the college paper arguing whether or not Hann should be expelled. Support your argument with more than one persuasive appeal.
2. **COLLABORATIVE WRITING.** Discuss the concept of hate speech with a group of students. Ask group members to consider the fate of Doug Hann. Should he have been expelled? Is "hate speech" protected by the Bill of Rights? Record comments, and write a brief argument for or against disciplining students for expressing racist statements.

7

MARY SHERRY

Mary Sherry (1940-) writes from her experience as a parent, a writer, and a teacher. She writes articles and advertising copy, owns a small publishing firm in Minnesota, and for many years has taught remedial and creative writing to adults.

In Praise of the "F" Word

BEFORE YOU READ: Have you ever considered the possibility that making an F could be a positive learning experience?

TIPS FOR READING: Even if at first glance you don't feel you want to listen to someone who says more students should fail, read this piece with an open mind and find out what students who were passed when they should have failed now say about being passed along.

Words to Know:

semiliterate
impediments
trump card

knowing how to read and write a little
obstacles

in playing cards, an advantage held until one needs it

1. Tens of thousands of 18-year-olds will graduate this year and be handed meaningless diplomas. These diplomas won't look any different from those awarded their luckier classmates. Their validity will be questioned only when their employers discover that these graduates are semiliterate.
2. Eventually a fortunate few will find their way into educational repair shops—adult-literacy programs, such as the one where I teach basic grammar and writing. There, high-school graduates and high-school dropouts pursuing graduate-equivalency certificates will learn the skills they should have learned in school. They will also discover they have been cheated by our educational system.
3. As I teach, I learn a lot about our schools. Early in each session I ask my students to write about an unpleasant experience they had in school. No writers' block here! "I wish someone would have made me stop doing drugs and made me study." "I liked to party and no one seemed to care." "I was a good kid and didn't cause any trouble, so they just passed me along even though I didn't read well and couldn't write." And so on.

"In Praise of the 'F' Word" by Mary Sherry as appeared in *NEWSWEEK* May 6, 1991. Reprinted by permission of Mary Sherry.

I am your basic do-gooder, and prior to teaching this class I blamed the poor academic skills our kids have today on drugs, divorce and other impediments to concentration necessary for doing well in school. But, as I rediscover each time I walk into the classroom, before a teacher can expect students to concentrate, he has to get their attention, no matter what distractions may be at hand. There are many ways to do this, and they have much to do with teaching style. However, if style alone won't do it, there is another way to show who holds the winning hand in the classroom. That is to reveal the trump card of failure.

I will never forget a teacher who played that card to get the attention of one of my children. Our youngest, a world-class charmer, did little to develop his intellectual talents but always got by. Until Mrs. Stifter.

Our son was a high-school senior when he had her for English. "He sits in the back of the room talking to his friends," she told me. "Why don't you move him to the front row?" I urged, believing the embarrassment would get him to settle down. Mrs. Stifter looked at me steely-eyed over her glasses. "I don't move seniors," she said. "I flunk them." I was flustered. Our son's academic life flashed before my eyes. No teacher had ever threatened him with that before. I regained my composure and managed to say that I thought she was right. By the time I got home I was feeling pretty good about this. It was a radical approach for these times, but, well, why not? "She's going to flunk you," I told my son. I did not discuss it any further. Suddenly English became a priority in his life. He finished out the semester with an A.

I know one example doesn't make a case, but at night I see a parade of students who are angry and resentful for having been passed along until they could no longer even pretend to keep up. Of average intelligence or better, they eventually quit school, concluding they were too dumb to finish. "I should have been held back" is a comment I hear frequently. Even sadder are those students who are high-school graduates who say to me after a few weeks of class, "I don't know how I ever got a high-school diploma."

Passing students who have not mastered the work cheats them and the employers who expect graduates to have basic skills. We excuse this dishonest behavior by saying kids can't learn if they come from terrible environments. No one seems to stop to think that—no matter what environments they come from—most kids don't put school first on their list unless they perceive something is at stake. They'd rather be sailing.

Many students I see at night could give expert testimony on unemployment, chemical dependency, abusive relationships. In spite of these difficulties, they have decided to make education a priority. They are motivated by

the desire for a better job or the need to hang on to the one they've got. They have a healthy fear of failure.

People of all ages can rise above their problems, but they need to have a reason to do so. Young people generally don't have the maturity to value education in the same way my adult students value it. But fear of failure, whether economic or academic, can motivate both.

Flunking as a regular policy has just as much merit today as it did two generations ago. We must review the threat of flunking and see it as it really is—a positive teaching tool. It is an expression of confidence by both teachers and parents that the students have the ability to learn the material presented to them. However, making it work again would take a dedicated, caring conspiracy between teachers and parents. It would mean facing the tough reality that passing kids who haven't learned the material—while it might save them grief for the short term—dooms them to long-term illiteracy. It would mean that teachers would have to follow through on their threats, and parents would have to stand behind them, knowing their children's best interests are indeed at stake. This means no more doing Scott's assignments for him because he might fail. No more passing Jodi because she's such a nice kid.

This is a policy that worked in the past and can work today. A wise teacher, with the support of his parents, gave our son the opportunity to succeed—or fail. It's time we return this choice to all students.

Understanding Meaning

1. Why do Sherry's students feel that they have been cheated by the educational system? What does she try to help them do?
2. When Sherry discusses the students that she works with in night school, what reasons does she say they have for not doing well in school? How do they feel about their education when they look back on it?
3. Why are the students that Sherry teaches motivated to learn what they failed to learn when they were younger?
4. What is Sherry's solution to the problem?
5. Why does Sherry call the threat of failure a positive teaching tool?
6. Why would it take a concerted effort of parents and teachers for her suggestion to work?
7. **CRITICAL THINKING.** Do you feel that the threat of failure would motivate students to do better in school? Is Sherry right in thinking that students do not perceive failure to be a real threat? Have things changed since Sherry published this essay in 1991?