Opinion Piece

Following Dr. Ben Levin’s Case: Posing Difficult Academic-Ethical Questions

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* The opinions in this article are the author’s only, and do not necessarily reflect those of other CIE Editorial Board members.

A few months ago, academic and political circles in the province of Ontario were stunned by the arrest of Dr. Ben Levin, a professor at OISE, on charges related to the very serious offence of child pornography. It goes without saying that we must consider potential victims of his alleged crimes. Moreover, the direct implications of these charges for his family, his students, and his colleagues, as well as OISE, the University of Toronto, and the wider academic community, are far from clear. However, at this time, I would like to raise some ethical-academic questions regarding the status, legitimacy, and relevance of Dr. Levin’s research in light of these charges, and through them provoke questions about the broader linkage between a scholar and his or her non-academic life.

Preliminary questions have already been posed by some: Can, and should, we separate a person from her or his scholarship? Do we need to evaluate research or proposed research according to the private life of the researcher? If the researcher has committed reprehensible acts, what does this mean for her or his research? In this specific case, what will happen to Dr. Levin’s work? For example, will Knowledge Mobilization (KM)—Levin’s current flagship project—lose credibility within the scholarly community? Will scholars continue to cite Dr. Levin’s work? If you had published with Dr. Levin as co-author, would you leave the publication in your CV? These questions seem appropriate considering that the public media has already raised concerns regarding educational policies and curricula that Dr. Levin was involved in shaping and implementing during his time as Ontario’s Deputy Minister of Education from 2005 to
2007 and again from late 2008 to June 2009 (e.g., see “Ben Levin letter raises questions” by Joe Warmington, 2013).

In this article, I will take a different approach to the issues raised within the public news media by focusing on the ethical-academic matters that are directly and indirectly evoked by this incident. This is not an easy task for me, a student who knows Dr. Levin from taking one of his courses. However, difficult questions must be asked. If not already, these questions may prove relevant in the near future for many of us at OISE, students and faculty, and for others involved in scholarly communities. For instance, students of Dr. Levin, students who read his work or those who draw upon it in order to support their own research likely wrestle with some of the questions I pose below.

I want to explicitly declare that by raising and discussing the ethical-academic implications of the Levin case, I do not take any side in the discussion regarding the guilt or innocence of Dr. Levin. These matters are for the legal system to handle. However, I believe that challenging questions must be raised and addressed by the academic community. These questions also must be considered and addressed by OISE and University of Toronto administration as an act of academic leadership. It would be a mistake to evade this ethical matter, not just because of the caliber of the accused scholar, but also because the circumstances appear to threaten the reputation, integrity, and prestige carried by other scholars and their institutions.

Alleged discrepancies—and/or severe contradictions—between the ideas, theories, insights, and ideologies devised by a reputable thinker and scholar on the one hand, and the person’s life, conduct, or statements on the other hand, are, of course, not unheard of. Jean-Jacques Rousseau’s treatment of his own children is perhaps one of the most salient examples (Kessen, 1978). In order to address Dr. Levin’s case from an academic-ethical perspective, it is useful to examine relatively similar cases in the scholarly arena, and to review literature that looks upon the meanings and implications of these cases. With this in mind, I draw on secondary literature regarding the linkage of Martin Heidegger with the Nazi regime and Nazi ideology. Heidegger (1889 –1976) was a famous twentieth century German philosopher who is well known for his existential and phenomenological explorations of the “question of Being.” In 1933 he was elected rector of the University of Freiburg and joined the Nazi Party. He resigned from the rector position a year later, but remained a member of both the academic faculty and of the Nazi Party until the end of the Second World War.

It should be emphasized that the Heidegger case is essentially different from the one concerning Dr. Levin, and Heidegger’s case is actually quite unique in its specifics. However, the complexity of this historical case, and its subsequent discussion in the broader philosophical literature, can elucidate several of the difficulties and questions arising from the Levin case. In particular, the Heidegger case brings forth a variety of ethical positions, as well as different points of view, which cast light on underlying issues within the scholar-scholarship relationship. The Heidegger case also assists us in exploring the ethical questions in a thoughtful manner that attempts to overcome the emotional shock that accompanies such allegations. Some of the questions are appropriate for any case in which a public intellectual has transgressed, but it seems that some of the questions are more applicable to cases within the academic community. For

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1 I focus on the person’s private life and not on the ethics of the study itself. Hence, I also do not mention unethical collective studies initiated or conducted by governments or companies.
the purpose of raising the ethical-academic questions later in this article and igniting future discussion, the differences between philosophical and educational contexts, and between allegations of racism and child pornography, are not crucial here and should not preclude us from drawing from the Heidegger case to the current one, especially when both are discussed within an academic context. The importance of the historical case is not necessarily in the details of the events but in the concerns and the doubts that have been articulated by scholars regarding Heidegger’s work.

Heidegger’s case is interesting to review also because it occurs within a discipline that has proximity and intimate relationships with education: philosophy (Clark, 1989; Griffiths, 1997; Kakkori and Huttunen, 2010). The controversy around Heidegger’s work has been widely analyzed (e.g., Neske & Kettering, 1990; Rockmore & Margolis, 1992; Wolin, 1992; Young, 1998). Some voices explicitly or implicitly identify Heidegger as racist or associate his philosophy with racism (Bernasconi & Cook, 2003; Maldonado-Torres, 2007). Moreover, there is doubt and skepticism regarding drawing an ethics—and therefore practical implications—directly from Heidegger’s texts (Bialystok, 2007; Goldberg, 2009; Paley, 2000; Philipse, 1999; Zuidervaart, 2007). Here, it will suffice to follow Polt’s (1999) exhaustive analysis of Heidegger's politics in order to raise possible relevant questions facing the current case. For my purpose, only a review of Polt’s (1999) general conclusions is brought in order to draw questions that should be raised following Dr. Levin’s arrest regarding his work in particular, and broadly regarding a wrongdoer’s work in general (again, without implying either the guilt or innocence of Dr. Levin).

Polt distinguishes between “facts” and “thoughts” within the Heideggerian controversy, asking, “what are the facts about what Heidegger did and said in the political realm during the Nazi period?” and, “How should these facts be interpreted in relation to his philosophy in general?” (p. 153). After analyzing Heidegger’s references to his own actions, Polt argues that, “it is hard to avoid the conclusion that Heidegger's postwar self-interpretation is cowardly and self-deceptive. To speak the language of Being and Time: it is glaringly inauthentic” (p. 159). Polt raises the question: “What is the relation between Heidegger's philosophical thought and his involvement with Nazism?” and he describes a spectrum of interpretations for the case that “range from sensationalist demonizations to worshipful apologetics” (p. 159). At either end of this spectrum are two dogmatic approaches that Polt emphatically rejects as they stem from a priori assumptions, whether about a direct relationship between Heidegger the man and Heidegger the philosopher, or dismissal of any possibility of such a relationship. Between these two extreme interpretations, he recognizes several more nuanced attitudes, but criticizes or points to problems with all of them for not being based on Heidegger’s texts, or for being incomplete, highly speculative, or not in line with Heidegger’s other statements as well as historical facts. As such, Polt’s criticism highlights the complexity in assessing the place of a scholar’s personal life in her or his academic work, and thus opens the door to consider aspects beyond the scholar’s actions, such as the nature of the academic work itself.

This brief review raises a set of questions regarding Dr. Levin’s case. I would like to highlight the ethical ones that concern his academic work. Concerning the status of the alleged actions: should our reaction depend on what is clearly known about the actions, their severity and/or formal standing? For example, does it matter whether a person only wrote or said unacceptable statements or actually did explicit unacceptable actions? Does...
it matter whether the matter has been settled in court? Does it depend on the type of wrongdoings? What weight should we give to media publications in our judgment? Furthermore, is there room to consider political, social, professional, mental, or any other pressures that might have led to particular actions, in contrast to conduct made out of free will?

Different types of questions arise in cases in which the wrongdoer takes some kind of responsibility for her or his actions. For example, do sentiments of regret, or the official acknowledgement of mistakes made, mediate the value of research conducted by said person? The issue, I stress, is not a matter of forgiveness, but of attitude toward the scholarly work of the individual. Does it depend on the type and intensity of the regret or confession? Should authentic repentance affect our judgment?

A final set of questions, perhaps the most difficult, concern the status of the work that has already been done by a scholar in light of a personal reputation that is severely damaged, whether the matter has been settled legally or not. Referring directly to the case at hand: should we be suspicious, now, while reading Dr. Levin’s work? If professors choose to direct their students to Dr. Levin’s books and papers, should they inform these students of the charges laid against the author? As different topics have different relationships to the allegations, is the specific required reading relevant to faculty judgment over whether it is appropriate to include the piece in a course syllabus? For example, does it matter whether Dr. Levin’s paper is about knowledge mobilization, leadership, or curriculum, or whether his paper mentions sex education? And, of course, what will happen to Dr. Levin’s prominent role within educational administration courses at OISE and other schools of education worldwide? Should administrations and faculties take any direct action or should this dilemma be left at the doorstep of individual instructors? If Dr. Levin did do wrong, are his actions linked to his scholarly thought?

Beyond scholar’s specific work, questions arise also regarding the broad academic context of this work. Specifically, what is the impact of the researcher’s discipline in considering the reaction toward particular reprehensible actions? Does it matter if these actions relate to the author’s academic work? For example, is it easier to use findings of immoral researchers (within or outside the academic world) in the natural sciences than in the human sciences? There is certainly more comfort separating the person from his or her scientific contributions when the latter deals with physical objects. After all, if a chemist discovers a new element or an astronomer finds a remote galaxy, the scientist’s behavior—despicable as it may be—will not erase the actual finding. The element and the galaxy are still there. Can the same be said for an insight or conclusion in our field of education? It seems that these questions should be situated within the extensive reflection that has taken place over the past half century on the essence and status of “truth” within the social sciences and the place of the researcher related to research “findings.” Thus, critiques regarding issues such as positivism, researcher bias, and objectivity might be in mind while contemplating the case in question.

I believe that following Dr. Levin’s case, these questions are not just academically and ethically interesting; rather, the act of acknowledging and facing them is important for achieving, maintaining, and strengthening self-reflexivity and critical scholarship in an academic community. For OISE faculty, students, and administrators, confronting these dilemmas is central to the institution’s ability to recover, and grow from, this distressing situation.
References


York. In his past research he conducted a longitudinal qualitative study focused on educational entrepreneurship. Doron’s current research interests include philosophy of education with emphasis on existentialism and Heidegger, educational policy, and teachers' initiatives.