

Editor's Notebook

Academic freedom has long been a core principle of NCSS. In a position statement of 2007, our organization emphasized that “The democratic process involves the ability to freely discuss ideas and values that exist in our society and in other countries. Without this ability in our secondary and higher-level institutions, our democracy would disappear. That is why it is so important to protect the academic rights of teachers and students” (p. 334 of this issue).

Most of the contents of this edition are devoted to the issue of academic freedom. The guest editors, Nancy C. Patterson and Jack L. Nelson, provide their own foreword on page 297, but I would like to complement it with some words about the importance of the contributions they have assembled.

First of all, academic freedom is an *ongoing issue of importance to us all*. As Jack L. Nelson and Carole Hahn point out, social studies is “the school subject most likely to deal with controversial topics, and is the most vulnerable to external and self-censorship, political restriction, and the chilling effect of potential scrutiny.” (302)

James Daly points out, however, that many teacher education programs do not prepare future teachers properly to deal with issues of academic freedom. (306–309) Nancy C. Patterson reports the results of a survey she conducted that shows that teachers often

make up for a lack of pre-service training in the issue through in-service training, but their uncertainty about the extent of academic freedom and wariness of dealing with “hot button issues” can lead to self-censorship. (326–331)

This makes it all the more important for teachers to have a strong grasp of the *legal framework and protections* that exist for academic freedom. Two articles in this edition, one on freedom for teachers, and the other on freedom for students, summarize the current situation. In the first, Michael D. Simpson, a legal expert at the National Education Association, warns that teachers should not presume that their legal rights are protected by the First Amendment rather than by legally enforceable teacher contracts. (310–315) In the second, Robert M. O’Neil, author of several works on academic freedom, reviews legal decisions related to student freedom, noting that many “contemporary speech issues involving student use of computers, cellular phones and other available technologies are just emerging.” (325)

How do teachers navigate the issue of academic freedom in this legal context? Diana Hess, in her special column for this issue, makes the point that social studies teachers have a *professional responsibility* to educate students, no matter what protections might or

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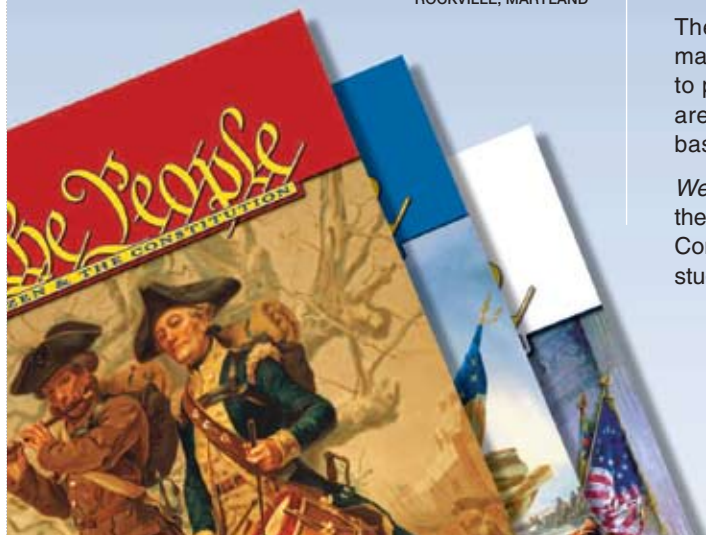
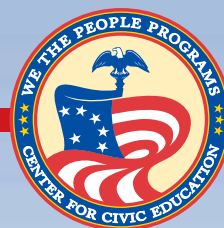
“Students are never too young to learn about the Constitution, or political philosophy, or their rights and responsibilities.

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might not be provided by the law, and that “as professionals, their expertise about content, pedagogy, and their students makes it not just acceptable, but mandatory, to make decisions about what and how to teach.” This requires academic freedom, and she urges that “teachers should act in accordance with the responsibilities that come with academic freedom rights,” (319) even if the law does not guarantee these rights. In her judgment and experience, it is a characteristic of highly

effective schools for teachers who assume these responsibilities with professional care and dedication to be accorded the academic freedoms they seek.

Two former NCSS presidents offer supportive words for social studies teachers: Todd Clark, who edited an earlier edition of *Social Education* on academic freedom, and Anna Ochoa-Becker, who offers guidelines for teachers who come under challenge. This issue also provides a list of institutions that

support teachers in cases of academic freedom, and reproduces the NCSS position statement on academic freedom.

Apart from the special theme of academic freedom, this issue offers articles by our regular columnists on some engaging subjects. In our Teaching with Documents feature, Lee Ann Potter examines the practice of the filibuster, using as the featured document the signed cloture motion in the Senate for an end to the filibuster to block the Civil Rights Act of 1964. The accompanying teaching activities enable teachers to introduce their classes to the history and practice of the filibuster.

Our Looking at the Law feature focuses on contemporary piracy. In an interview conducted by Tiffany Willey Middleton, Douglas Guilfoyle outlines the legal issues surrounding the prosecution of pirates. He notes that pirates cannot be considered to be military combatants, and must be tried under criminal law. International law provides authorization and powers for states to combat piracy, but some countries do not have a clear or effective national law against piracy, so that unresolved questions remain.

In his Internet column, C. Frederick Risinger examines the common core standards movement, and recommends websites that will allow readers to identify the goals of the movement, as well as the objections of its detractors. Risinger, a former NCSS president, emphasizes his support for expanding this initiative to include social studies standards, and expresses his belief that “the marginalization of social studies/citizenship education in the U.S. curriculum is not only a disaster for all social studies educators, but is also a danger to the future of American democracy.” (336) In support of this belief, he recently wrote an open letter to President Obama urging a stronger national commitment to citizenship education. That letter concludes this edition of *Social Education*.

As always, the editors of *Social Education* welcome the comments of readers on any of the contributions to this issue at socialed@ncss.org. 



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