

# The Need for Courage in American Schools: Cases and Causes

Jack L. Nelson with contributions from Carole Hahn

**A**cademic freedom is the freedom to inquire—to study, learn, teach, express, and debate ideas. Academic freedom is essential to education in a democracy, a professional responsibility of teachers, and the fundamental purpose for social education. These ideas occur in our traditional education literature. Is the freedom to teach and learn so well entrenched in the United States that it is no longer a current issue? Should educators shift their concern to other problems, and show courage in other settings? On the contrary, there is considerable contemporary evidence that academic freedom is extremely fragile, highly vulnerable in times of social stress, and often forsaken by teachers and ignored by social educators. It is a time to renew our concerns and our courage.

Censorship and political restrictions on teachers and students are more than an antique issue from the McCarthy period, 50 years ago; they are of continuing significance for education and social studies. Consider a very small fraction of recent examples of threats, censorship, and teacher restriction:

- A Jefferson County, Colorado, geography teacher was suspended in 2006 for displaying United Nations and Mexican flags, along with the U.S. flag, in his classroom. About 10 years earlier, a 20+ year veteran Jefferson County teacher was fired for showing his class the popular Bertolucci film, *1900*, to illustrate issues in fascism;<sup>1</sup>
- In 2009 and 2010, the Texas State Board of Education considered the removal of César Chávez and

Thurgood Marshall from the state social studies curriculum because “expert reviewers” said Chávez “lacked stature” and was linked to Saul Alinsky, and that Marshall, who argued the *Brown* decision before the Supreme Court (before being selected for that Court), was not an “appropriate example of a historical figure of influence”;<sup>2</sup>

- In 2009, a list of “Best books for young adults,” selected by the American Library Association, was removed from the Williamson County, Tennessee Schools website for being “too salacious”;<sup>3</sup>
- In 2009, the Pelham, Massachusetts School District removed a novel by John Irving from a summer reading list after a parent complained about language and sexuality;<sup>4</sup>

- In 2010, the Menifee Schools, Riverside County, California, pulled the 10th edition *Merriam-Webster Dictionary*, in school use for a decade and used in the County Spelling Bee, from schools after a parent complained that the dictionary included a definition for oral sex;<sup>5</sup>
- A few years ago, a Fort Pierce-Westwood, Florida, high school teacher, among “Teachers of the Year” and nominated to *Who’s Who among American Teachers*, was fired for giving her students a quiz that included critical thinking questions about language use;<sup>6</sup>

The extent of contemporary threats to teacher and student freedom—in number and geographic distribution—is illustrated in the bi-monthly publication of The American Library Association (ALA), the *Newsletter on Intellectual Freedom*. Each issue is several pages long, organized state-by-state, and lists new specific threats by censorship or political restriction on teachers, librarians, and students.<sup>7</sup> In the words of James LaRue, “Censorship is not dead.”<sup>8</sup>



St. John's University's Brooklyn Center is picketed after 31 faculty members were dismissed in New York on Jan. 4, 1966. Strikers claimed the firings were in retaliation for teachers' demands for academic freedom. (AP Photo/John Rooney)

Over the past decade, the ALA recorded about 6,500 direct and formal challenges to books, magazines, speakers, topics, and classroom activities of teachers and librarians.<sup>9</sup> Approximately 75 percent of these were school-related.<sup>10</sup> Of all challenges, some 1500 were for sexually explicit material, 1,000 for offensive language, 1,000 for unsuitability in school, 750 for having an occult theme or Satanism, 500 for promoting homosexuality, 300 for nudity, 250 for racism, 200 for sex education content, and almost 200 for being anti-family. The list of authors and books most subject to censorship recently includes: Mark Twain, Maya Angelou, John Steinbeck, J.D. Salinger, Judy Blume, Maurice Sendak, Toni Morrison, Aldous Huxley, Kurt Vonnegut, the *Harry Potter* series, *Diary of Anne Frank*, *Catch-22*, *Great Gatsby*, *Little Black Sambo*, *The Sun Also Rises*.

It is an extraordinary list of classic, popular, and award-winning literature.

Many more efforts to censor or restrict teachers, students, and librarians go unreported each year. In calmer times, and in more enlightened communities, these challenges to teacher and student freedom can be addressed in settings that provide reasoned discussion within a context that values democratic education. At some points in time, and in some communities, however, the censors win and get books removed, teachers fired, and courses sterilized; the big chill settles on the district, and teacher self-censorship becomes standard procedure for self-protection. There are success stories, where educational policies assure that freedom wins, but restrictive efforts often exact a broad chilling effect on colleges and schools. Critical thinking is obstructed or denied; education and democracy suffer.

Intellectual freedom is fragile.

### Political Stress and Challenges to Academic Freedom

In times of political stress, challenges to teacher and student freedom reach new and more imposing dimensions. It is not only individual censors or small clusters of them pressing for restrictive education. The pressure also comes from government, corporations, media, and other sources as well as other, sometimes well-meaning, publics. When perceived social values are threatened, there is a tendency to limit what and how educational institutions examine controversial topics and there is a corollary effort to mandate a unilateral view that is not subject to critique.

### Historic Examples

Colonial American schoolmasters were

expected not only to teach but also to be church leaders, doing baptisms, issuing funeral invitations, and even digging the grave; if they did not attend to these duties, they could be fired. In the 1800s and up to the 1920s, a teacher could be fired for dancing, drinking publicly, or going to a pool hall. In many cities at the turn of the twentieth century, teachers were hired and fired as a result of political patronage—they were or were not on the right side in an election.<sup>11</sup> That creates obvious threats to academic freedom.

The liveliest session at the national meeting of NCSS in New York in 1935 was on teacher freedom. Bessie Pierce, who had published important books in 1926 and 1933 on censorship and the negative impact of patriotic organizations on social studies instruction, chaired the session.<sup>12</sup> The notable Commission on the Social Studies of the American Historical Association, headed by Charles Beard and George Counts, asked historian Howard K. Beale to study and write about the issue. Beale found significant oppressive restrictions on teachers and noted that teacher dismissal was only the tip of the iceberg of restrictions on freedom. He found so much that he produced two volumes in the Commission series: *Are American Teachers Free?*, 1936, and *A History of Freedom in Teaching*, 1941.<sup>13</sup>

Gellerman studied the American Legion's threatening effort to have their own super-patriotic American history text written and forced upon schools.<sup>14</sup> He was castigated in a publication by E. Merrill Root, a leading anti-communist activist in the McCarthy period,<sup>15</sup> and Gellerman left Northwestern University where he had been a professor of education.

The McCarthy period is a prime example of efforts to restrict teachers and students. State laws were passed to censor teachers from presenting information on socialism or communism, and teachers were fired for being outspoken, or even being suspected of being sympathizers. Both authors of this article,

Nelson and Hahn, personally experienced the firings of our favorite social studies teachers. Nelson's was fired after running for Congress and writing about global peace in the local newspaper, and Hahn's for taking the 5th Amendment in hearings of the House Un-American Activities Committee. Loyalty oaths for teachers were common until the landmark Supreme Court case *Keyishian v. Regents of New York* in 1967.<sup>16</sup> The American Legion, the John Birch Society, and individual extremists attacked progressive education, the school curriculum, social studies itself, textbooks, teacher education, and individual professors and teachers. The John Birch Society mounted campaigns to force schools to establish Freedom shrines in libraries where patriotic material and Birch leaflets were available.

### More Recent Examples

In 2001, a committee of the Arkansas state legislature endorsed a bill prohibiting state money from being spent on teaching materials that presented scientific theories as fact and required teachers to force students to note false information or theory in textbooks. The bill was intended to curtail discussion of evolution and offer creationists an entry to science education, but was also a serious attack on intellectual freedom for all teachers. The bill has application to historical, economic, political, and philosophical theories that undergird what we consider facts, eliminating such material and making teachers monitor student markings of all such theories. Virtually nothing would be left, since most of what we teach as social knowledge, e.g., The Columbian Encounter, Manifest Destiny, and "price is the result of supply and demand" are actually interpretations based on or used in theory.

Diane Ravitch questions efforts from both right and left to limit and sanitize topics in school texts and classrooms, including: dinosaurs (because they suggest evolution); pictures of a mother fixing dinner or a black family in an urban

neighborhood (because they convey gender or racial stereotypes); Mickey Mouse and Stuart Little (because they could be upsetting); owls (because some cultures think they represent death); and cake, donuts, coffee (because they represent unhealthy eating).<sup>17</sup>

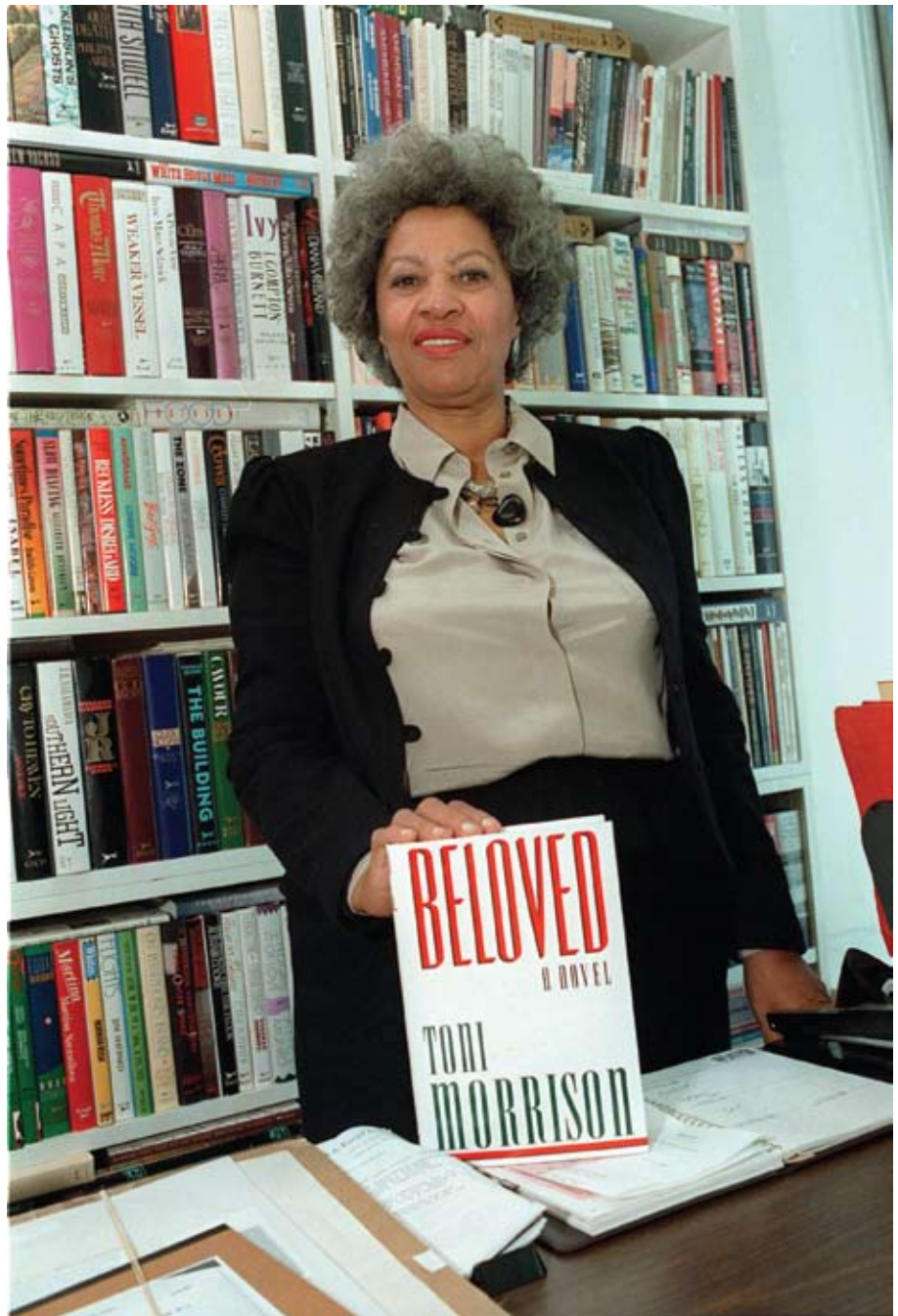
Another current and disturbing example of serious threats to academic freedom emerges from educational reform efforts over the past decades, like the No Child Left Behind and Race to the Top acts. The rush to establish specific national, state, and local subject matter standards, and the excessive standardized testing that results, has reconfigured schools into training camps where deviation from established information and ideas is not acceptable. Unfortunately for education, the standards often do not include critical thinking or consideration of controversy, and the tests do not provide for divergent but legitimate answers. There is no controversy, because the standards and the tests offer only one measurable view.

De-professionalization of teaching accompanies the standards movement; it has serious repercussions within and beyond the classroom. The narrow and traditionalist context of the standards debate leads to serious concern about the protection of academic freedom for teachers and students. These standards pose a threat to the essential purposes of education in a democratic society. If not in schools, where will students be able to examine controversial topics and engage in democratic citizenship in a reasoned setting? But the public argument about standards, tragically, has been focused on the comparative scores of students, not on the insidious limits the standards and the tests pose for intellectual freedom in a democracy.

Since the attacks of September 11th and the resulting war, we have a new period of political stress and can expect more threats to academic freedom. The terrorists will have won a major battle if the United States reacts by imposing stringent limits on our freedoms, simi-

lar to those terrorists impose on their followers. Wartime not only brings out the best in people, it can bring out the worst—evidence the Alien and Sedition Acts, Japanese Internment in World War II, and the McCarthy period.

The USA Patriot Act, the anti-terrorism bill that was rushed to passage and only slightly modified since, contains some ominous signals for teacher and student freedom. This bill moves toward making legitimate political dissent a terrorist act, creating a new crime called “domestic terrorism”—i.e., engaging in acts of political protest that are dangerous to human life. We might all agree that clear and present danger to life deserves restriction (as in crying “Fire!” in a crowded theater), but we already have that concept embedded in our laws.<sup>18</sup> Had the Patriot Act been law, what might have happened during protests of the Vietnam War, or globalism protests at World Trade Organization meetings, or civil rights demonstrations in the 1950s and 60s? The law is not clear about how the danger is determined and who gets to decide which protests are potentially dangerous. We already have criminal laws that can be applied when protestors destroy property or inappropriately threaten others. The law seems to equate protest acts with terrorist acts, and it undermines constitutional protections for political association. The title, USA Patriot Act, confuses with language symbolism hiding its liberty-restricting parts, and it gives much broader power to conduct searches without notice—secret searches that deny 4th Amendment rights—as well as examine library and other records without warrant. It identifies “cyber terrorism,” making hacking a possible terrorist act. The McCarthy period used terms like “communist,” “fellow traveler,” “un-American,” “pinko,” and “socialist” in condemning people to loss of job, blacklisting, and worse; now we have the term “terrorist.” Further, the secrecy permitted by the Act has forced the ACLU, ALA, and other groups to go to court simply to find out how many



Author Toni Morrison poses with a copy of her book, *Beloved*, in New York City in September 1987. *Beloved*, which won the Pulitzer Prize for fiction, has been challenged by parents and banned in some schools. (AP Photo/David Bookstaver)

times the Justice Department has made use of it. Early reports showed that the Justice Department had used secret warrants that require no notification about 1,300 times, a record 30 percent more than in 2001. Teacher and student freedoms continue to be threatened.

**Democracy and Academic Freedom**  
Schooling is a primary avenue for a democracy to develop knowledgeable citizens, and that knowledge depends upon the freedom of teachers and students to examine and critique. John Dewey clearly stated this relationship: “Since freedom of mind and freedom of

expression are the root of all freedom, to deny freedom in education is a crime against democracy.”<sup>19</sup> It is one of the freedoms most deserving of protection in our democracy.

Academic freedom and democracy, however, are always under some strain. Censors, moralists, absolutists, and extremists on all sides of the political, religious, or economic spectrum press schools to teach monolithic views, namely, to avoid controversy. Right and left wing absolutists would mandate opposite views in schools, but each would censor or restrict opposing ideas they consider controversial.

Justice William O. Douglas wrote a half century ago:

The chief enemies of . . . freedom are mental sloth, conformity, bigotry, superstition, credulity, monopoly in the marketplace of ideas and utter benighted ignorance.<sup>20</sup>

If democracy’s defense requires educational freedom as Dewey and others have noted over a long time, then we should be very concerned about teaching and teacher education. Academic freedom does not happen on its own and schools are particularly sensitive to social events and conventions. Censorship by left and right wing zealots, super patriotism, neo-McCarthyism, legislated denial or restriction on civil liberties, school standardization and standardized testing, and self-censorship by teachers all present clear and present dangers to academic freedom because of the limits they impose on schooling.

### **Academic Freedom as a Professional Responsibility**

Without academic freedom, teachers have limited professional purpose: they become functionary trainers. Students also need academic freedom. Without it, there can be no critical thinking. When critical thinking is limited, the profession of teaching is demeaned, students are poorly educated, and democracy withers. Academic freedom is, then, the

prime purpose of education and the center of the teaching profession.

Lawyers, physicians, and ministers need some freedoms to practice their professions according to ethical guidelines, subject to professional and legal review. But they do not require academic freedom in order to practice. For teachers, however, they cannot accomplish their professional purpose without academic freedom for themselves and their students. Teachers’ professional ethics must include liberation from ignorance and superstition and the development of critical thinking—a setting where ideas are challenged and other legitimate views are given respect and examination. That is education.

Of course, all freedoms have limitations. Academic freedom is not a license to indoctrinate, to proselytize, or to serve as an all-purpose cover for incompetence. Indoctrination and proselytizing are in opposition to open inquiry and critical thinking. Just as there are lawyers who are unethical and unjust, doctors who knowingly engage in malpractice, and ministers whose lives demonstrate the opposite of their sermons, there are teachers who are inadequate, censors, bullies, or narrow-minded absolutists. Academic freedom does not protect teachers who are incompetent or unprofessional, and teachers should be on guard against those in their ranks.

Professional teacher practice incorporates a search for evidence-based truth. Substantial evidence leading to reasoned conclusions moves toward truth; contrary views should be expected to offer equivalent evidence and reasoning in order to be legitimate in school settings. Not all ideas or opinions are equally sound or valid, and fantasy or fanaticism do not replace facts and reasoning in schools. Indoctrination and vapidness are not educational approaches. Academic freedom protects reasoned discourse, using evidence-based information. It does not give “the right to rewrite history without reference to known facts.”<sup>21</sup>

### **Social Studies Instruction, Controversy, and Freedom**

Social studies is the school subject most directly responsible for civic and social knowledge and critical thinking for citizens in a democracy. It is the school subject most likely to deal with controversial social topics, and is the most vulnerable to external and self-censorship, political restriction, and the chilling effect of potential scrutiny. Social and civic knowledge is necessarily controversial—it involves conflicting values and views. Divergent views of history, economics, politics, sex, religion, morality, law, race, gender, science, art, philosophy, tradition, progress, and myriad other topics are social knowledge. History is the documentation of previous controversies, and critical thinking is the most important process taught in social studies courses. Confronting controversy is an educational necessity, not a frill.

Over the years, researchers have consistently found benefits to students exploring controversial issues, hearing diverse viewpoints on such issues, and feeling that they are encouraged to express their views on controversial issues. Data from large nationally representative samples and single school samples show the same conclusion: students reporting encouragement to discuss controversial public issues in an open classroom environment were more likely to have higher levels of civic knowledge, political efficacy, political interest, sense of civic duty and expectations of voting as adults than peers without such experiences.<sup>22</sup> They were also more likely to follow current events in the media, discuss political matters with friends and family, show increased levels of civic tolerance, report interest in social issues, and develop critical thinking skills.<sup>23</sup> Recently, researchers found that students who experienced interactive discussion-based civic education that included the discussion of controversial issues had the highest scores on a measure of 21st century competencies, including economic knowledge, skill in interpreting media, and positive attitudes toward diverse groups.<sup>24</sup> In addition, Hess recently conducted a longitudinal study of students in classes of teachers who

regularly lead discussions of controversial political issues (CPI), revealing both the benefits and challenges to leading effective CPI discussions.<sup>25</sup> It is not easy to teach controversial issues in social studies classes, but it is essential that teachers do so, if we want young people to be politically and civically engaged.

Bertrand Russell published an essay on the threats of authority to freedom.<sup>26</sup> In it, Russell noted that teachers are the best hope in society for resisting interference with intellectual freedom, but he wondered if teachers had the preparation and courage to maintain the vigilance required. We think teachers at all levels must recognize their responsibilities to education and to democracy in the defense of such freedom, but we need to educate teachers about this concept. That education does not happen in standardized, restrictive and fearful settings. Our association's record in advocating and protecting teacher/student freedom is uneven, but work of the NCSS Academic Freedom Committee and the Defense Fund and Annual Freedom Award are positive. Re-visitation of this issue and its importance in NCSS journals like *Social Education*, and in sessions at national meetings are a strong reminder to each teacher generation.

Finally, each of us has a role to play. As Hahn noted years ago in speaking of the temptation to self censor, when we are faced with a choice to omit a topic, cancel a speaker, or delete a passage, we should consider not only the costs to ourselves (e.g., possible harassment, legal fees, and job loss), but we should also weigh the costs to democracy if students cannot inquire into controversial issues.<sup>27</sup> It is easy to think that "just this time won't matter," but if everyone responds that way we will fall into the danger Clarence Darrow warned against in the famous Scopes Trial about teaching evolution. He told the judge:

Today it is the public school teachers. Tomorrow the private. The next day the preachers and the lecturers. The magazines, the books, the newspapers. After a while, your honor, it's the setting of man against man and creed

against creed, until...we're arching backwards to the glorious ages of the 16th century when bigots [burned] the man [or woman] who dared to bring intelligence, enlightenment and culture to the human mind.<sup>28</sup>

To summarize: Academic freedom is not just a professional privilege; it is a professional obligation. Only teachers have this compelling obligation to intellectual freedom, and social studies educators bear a special responsibility. In this period of stress, as in others, we need to continue our strong advocacy for freedoms necessary to democracy, education, and teaching as a profession. We must support, monitor, protect, and continually improve freedom of inquiry for students and teachers. This takes vigilance and courage. 🏠

#### Notes

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