

## Freedom to Teach

According to a UCLA study released in January 2022, almost 18 million public school children attend school in states or school districts that ban the teaching of “critical race theory,” but effectively restrict teaching about race, racism, and gender. By January 2023, at least 42 states had passed or were considering anti-CRT legislation and restrictions on classroom teaching. These legal restrictions on what can be said and what can be talked about in classrooms, even if they do not threaten someone’s job, are acts of intimidation and silencing.<sup>1</sup>

The effort to censor is not a grassroots parental movement inspired by outrage against what their children are taught. Much of the proposed legislation uses the same template, often with the exact same language. A study published in *Education Week* found that the legislation was being promoted by rightwing think tanks and individuals associated with these groups, including ALEC (American Legislative Exchange Council), the Manhattan Institute, Heritage Foundation, Citizens for Renewing America, and Alliance for Free Citizens. The last two groups are connected to former Trump administration officials.<sup>2</sup>

As part of its campaign against “WOKE” teaching, but should more accurately be described as a war against teaching the truth about America’s past and present, Florida state legislature passed legislation that Governor Ron DeSantis claims is designed “to give businesses, employees, children and families tools to stand up against . . . woke indoctrination . . . we will not let the far-left woke agenda take over our schools and workplaces.” On his gubernatorial *Twitter* account, DeSantis declared, “*In Florida, we require the truth about American history to be taught in our classrooms. We will not allow schools to twist history to align with an ideological agenda.*” Left unstated in the DeSantis tweet was that an ideological agenda is okay, as long as it is his. In September 2022, DeSantis claimed that it was the “American revolution that caused people to question slavery.” According to the Florida Governor, “Nobody had questioned it before we decided as Americans that we are endowed by our creator with inalienable rights and that we are all created equal. Then that birthed abolition movements.”<sup>3</sup>

Apparently, despite being a history major at Yale University, DeSantis never learned about religious dissenters like the Quakers in the United States and Great

Britain who opposed slavery starting in the late 1600s, that in the Declaration of Independence Thomas Jefferson, a slaveholder himself, paraphrased 17th century British philosopher John Locke, the Constitution of the United States required that fugitives from slavery be returned, the United States did not prohibit the importation of enslaved people until 1807 while still permitting the domestic slave trade to continue, Congress passed a series of laws prior to the Civil War protecting the institution of slavery, and southern states, including Florida, fought a Civil War against the United States to preserve slavery.

DeSantis' and Florida's latest moves in their war on history and education seem to be based on the idea that if we refuse to teach it, maybe it didn't happen. The College Board, which develops curriculum and assessments for Advanced Placement classes is piloting an Advanced Placement African American Studies (APAAS) curriculum in high schools across the country, except in Florida where it was banned by Florida's Department of Education as "lacking educational value" and as a violation of the state's 2022 "Stop WOKE" Act. That law prohibits any instruction in Florida schools about race relations or diversity that suggests a person's "status as either privileged or oppressed is necessarily determined by his or her race, color, national origin, or sex." Apparently that precludes instruction about slavery, segregation, and racism because they were based on race. In Florida, government educational policy seems to be that ignorance is bliss.<sup>4</sup>

Policies like those imposed in Florida would permit any parent who claimed their child was made uncomfortable by a teacher or lesson, a lesson on slavery in the United States, genocide during World War II, the evolution of species, that Walt Whitman, the preeminent 19th century American poet, was gay, how Joan of Arc was burned at the stake as a witch because she wore men's clothes, or the role industrial capitalism plays in global inequality and human-caused climate change, to censor what gets taught to every student in the class.

Florida argues that in-class instruction offered by state-employed educators is government speech, not the speech of the educators themselves and when "public employees make statements pursuant to their official duties, the employees are not speaking as citizens for First Amendment purposes." Florida's argument, if accepted by the courts, poses an existential threat to public schools that would end free and unfettered inquiry and undermine academic freedom. It is by no means certain that the rightwing majority that controls the United States Supreme Court will not side with Florida.<sup>5</sup>

The National Council for the Social Studies argues that producing knowledgeable, thinking, and active citizens is essential for preservation of a democratic society. Preparing students to be active citizens in a democratic society is not about a teacher either pontificating or pretending to be neutral. It means defending democracy, democratic institutions, democratic values, and the use of evidence to support opinions. There was race-based slavery in the United States and racism continues, but the extent

of racism and its impact should be evaluated by students. Six million European Jews were exterminated by Nazi Germany and why genocide continues in the world today must be discussed in classrooms. Evolution happened and its mechanisms need to be explored in Biology classes without interference by religious ideologues who want to impose their views on others. People who identify their sexuality and gender differently from established norms need to be recognized for their contributions and their humanity and human rights must be accepted. Neither global inequality nor climate change can be effectively addressed if teachers and students are not permitted to discuss their root causes in classrooms.<sup>6</sup>

A free society, a democratic society, requires that teachers have the freedom to teach and explore controversial and difficult topics with their students.

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## Notes

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<sup>1</sup> Eesha Pendharkar, “Efforts to Ban Critical Race Theory Could Restrict Teaching for a Third of America’s Kids.” *Education Week*, January 7, 2022, <https://www.edweek.org/leadership/efforts-to-ban-critical-race-theory-now-restrict-teaching-for-a-third-of-americas-kids/2022/01>; Sarah Schwartz, “Map: Where Critical Race Theory Is Under Attack,” *Education Week*, January 25, 2023, <https://www.edweek.org/policy-politics/map-where-critical-race-theory-is-under-attack/2021/06>.

<sup>2</sup> Sarah Schwartz, 2021, July 19. “Who’s Really Driving Critical Race Theory Legislation? An Investigation.” *Education Week*, July 19, 2021, <https://www.edweek.org/policy-politics/whos-really-driving-critical-race-theory-legislation-an-investigation/2021/076>.

<sup>3</sup> Katie Reilly, “Florida’s Governor Just Signed the ‘Stop Woke Act.’ Here’s What It Means for Schools and Businesses.” *Time*, April 22, 2022, <https://time.com/6168753/florida-stop-woke-law/>; Ron DeSantis, “Ron DeSantis @GovRonDeSantis.” *Twitter* September 20, 2022, <https://twitter.com/GovRonDeSantis/status/1572314687542288386>; James Bickerton, “Historians Trash DeSantis’ Understanding of U.S. History—‘Beyond Ignorance’.” *Newsweek*, September 24, 2022, <https://www.newsweek.com/historians-trash-ron-desantis-understanding-us-history-slavery-1746001>.

<sup>4</sup> Cheyanne Daniels, “AP African American studies will be offered for the first time. Here’s what students may expect.” *The Hill*, September 4, 2022, <https://thehill.com/homenews/3626216-ap-african-american-studies-will-be-offered-for-the-first-time-heres-what-students-may-expect/>; Eliza Fawcett and Anemona Hartocollis, “Florida Cites Why It Refused A.P. Course.” *The New York Times*, January 22, 2023, <https://www.nytimes.com/2023/01/21/us/florida-ap-african-american-studies.html>.

<sup>5</sup> Susanna Granieri, 2022, October 27. “Florida’s ‘Stop WOKE’ Act and the Outrage of Public University Professors.” *First Amendment Watch*, October 27, 2022, <https://firstamendmentwatch.org/floridas-stop-woke-act-and-the-outrage-of-public-university-professors/>.

<sup>6</sup> National Council for the Social Studies, College, Career, and Civic Life (C3) Framework for Social Studies State Standards: Guidance for Enhancing the Rigor of K-12 Civics, Economics, Geography, and History, *National Council for the Social Studies*, 2013, <https://www.socialstudies.org/standards/c3>.