

# Untangling Intricacies of Academic Freedom: An Interview between ReLeah Lent and David Moshman

**ReLeah:** NCTE's recently adopted position statement on academic freedom clearly demonstrates the Council's commitment to intellectual freedom. As former chair of the Standing Committee Against Censorship, I was pleased that NCTE's Executive Committee found the issue to be of sufficient importance to charge us with the task of crafting the statement but, frankly, I was doubtful that we could transfer the extremely complex concepts inherent in academic freedom into a simple statement. As our work began, it didn't take us long to turn to one of the nation's foremost experts on the topic, David Moshman, professor of educational psychology at the University of Nebraska-Lincoln, who has studied and advocated for intellectual and First Amendment rights of students of all ages since 1981. He also writes an insightful blog on intellectual freedom and related issues for the *Huffington Post*.

In 2009 I wrote a foreword for one of David's books, *Liberty and Learning: Academic Freedom for Teachers and Students*, where he outlines five principles of academic freedom that I thought would be useful as we began our work. As it turned out, David's principles created the foundation for our entire document. Even as the proverbial ink was drying on the statement, however, questions began to emerge, most of which begged for clarification. What is the difference between academic and intellectual freedom, for example? Isn't academic freedom protected by the First Amendment and, if so, why do we even need a state-



ReLeah Lent



David Moshman

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ment? Does academic freedom protect speech by educators who may express unpopular views on social media? In the following interview, David responds to these and other questions as we attempt to untangle some of the intricacies embedded in academic freedom—and thus make this important concept both understandable and usable.

**ReLeah:** David, teachers often feel they have little control of their lives in the classroom because of the many mandates, standards, testing protocols, and, in some cases, scripted curricula they are expected to follow. Why should teachers care about academic freedom when it seems that everywhere they turn someone is telling them what or how to teach?

**David:** Ideally, academic decisions about curriculum and instruction would be made by teachers and other experts, with substantial room for individual judgment. Higher education often approximates this ideal but K–12 education, unfortunately, falls far short. Teachers should be realistic about their circumstances but they should also be idealistic in

exercising whatever freedom they have on behalf of their students and by working in collaboration with others to protect and expand academic freedom.

**ReLeah:** Recently, Professor Steven Salaita was “unhired” for remarks on social media that some found objectionable. Writing in the *Huffington Post* you noted that political speech, regardless of its civility, is protected by the First Amendment. Many teachers have told me that if they

voice unpopular views they run the risk of being reprimanded or not being retained. To what extent is speech for K–12 teachers protected under the First Amendment?

**David:** Professor Salaita was not engaged in teaching or research when he made those remarks. They are protected by the First Amendment precisely because they were public statements on matters of public interest. Under current Supreme Court precedents, the First Amendment provides little protection for curriculum-related expression (Hazelwood, 1988) and little protection to public employees when they are doing their jobs (Garcetti, 2006). All persons, including teachers at all levels of education, have a First Amendment right to engage in political and other expression in their personal lives, but no one should count on the First Amendment to protect academic or other job-related speech.

**ReLeah:** You write that a teacher may restrict student comments irrelevant to the current topic of discussion but must not restrict relevant ideas simply because they are objectionable. Suppose a student says something that is objectionable to some members of the class or may hurt someone’s feelings. How does a teacher know where to draw the line?

**David:** I’m not sure there’s any need to draw any line. Teachers should model civility, urge and remind students to respect each other, engage students in serious argumentation, and evaluate students’ oral and written work on the basis of its contribution to serious discussion, which includes convincing others rather than humiliating them. Censorship is uncivil. Teachers can promote civil discussion without censoring or punishing uncivil speech.

**ReLeah:** Despite academic freedom, shouldn’t elementary teachers need to be more careful than teachers of older students about what they say because younger children are so impressionable?

**David:** We’re all impressionable, and teachers at all levels should be careful to educate rather than indoctrinate. But it’s true that young children may be more eas-

ily indoctrinated than adolescents and adults even where there is no intent to indoctrinate. An adolescent who finds out that a teacher belongs to a particular church or political party can understand that the teacher is a person with her own religious and political views, whereas a second grader may perceive his teacher as representing what the school expects everyone to believe. So the second-grade teacher may need to be more careful.

**ReLeah:** One of your principles is the freedom of inquiry. You write that inquiry must not be suppressed by restricting access to particular authors, topics, or viewpoints, or by hindering the formulation of objectionable

conclusions. With all of the misinformation available online, how does a teacher uphold a student’s freedom of inquiry and, at the same time, direct his inquiry to reputable sources?

**David:** It is part of the teacher’s role to direct student inquiry toward reputable sources, to help students understand how to identify such sources, and to evaluate how well students coordinate multiple sources in their work. Providing such guidance does not impede freedom of inquiry. There is no need to restrict access to anything.

**ReLeah:** NCTE works diligently against censorship through its Intellectual Freedom Center. Could you expand on the connection between academic freedom and censorship of books?

**David:** Part of the responsibility of the educator is to decide what students should read. The mere fact that a book is not chosen for students to read is not censorship. But if a book chosen on academic grounds is then removed for religious, political, or other ideological reasons, this infringes on the academic freedom of teachers to make the academic decisions for which they are responsible and on the underlying right of students to an academic curriculum.

**ReLeah:** Is there a difference between academic and intellectual freedom? For educators, does the distinction really matter?

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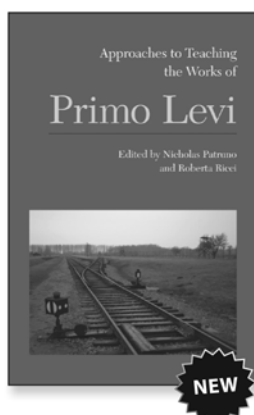
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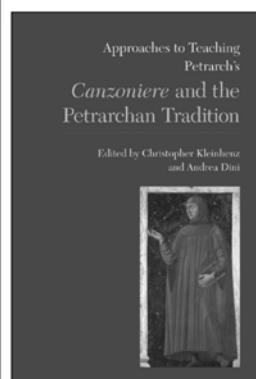


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**David:** I define academic freedom as intellectual freedom in academic contexts. Intellectual freedom includes freedoms of belief and expression and free access to information and ideas. This is important for many reasons in many contexts but it is particularly important in contexts of teaching, learning, and inquiry.

**ReLeah:** While academic freedom is often seen as a legal issue, you have written that in aspects such as nonindoctrination it is, in fact, a moral imperative. Virtually every teacher I know considers morality, especially in the classroom, a sacrosanct value. Can you explain more fully the connection between academic freedom and moral obligations in teaching?

**David:** Education often involves the replacement of old concepts and ideas with better concepts and ideas. Moral respect for students as persons requires that we accomplish this by convincing them the new concepts and ideas are better, not by restricting their access to information or their opportunity to encounter and discuss alternative ideas.

**ReLeah:** You advocate in *Liberty and Learning* that curricular decisions should be made on academic grounds through deliberative processes by teachers and other professionals. When challenges arise, administrators sometimes cave in to demands simply to resolve a complaint. How should challenges be handled in an environment of academic freedom?

**David:** The role of the administrator in this situation is to protect the academic integrity of the curriculum. Complaints should be taken seriously but should not be granted simply to avoid trouble. If a mistake has been made it should be corrected. But if a reasonable academic curriculum has been devised by teachers and other experts through appropriate processes, the administrator should defend those processes and explain the need to protect academic freedom.

For more information on this topic, read David Moshman's *Liberty and Learning: Academic Freedom for Teachers and Students* (2009), and ReLeah Cossett Lent and Gloria Pipkin's *Keep Them Reading: An Anti-Censorship Manual for Educators* (2012).