



House Committee on Oversight and Reform
Subcommittee on Civil Rights and Civil Liberties
Hearing on “Free Speech Under Attack Part II: Curricular Sabotage and Classroom Censorship”

*

Testimony of Suzanne Nossel, CEO, PEN America
May 19, 2022

Good morning. Thank you Chairman Raskin, Ranking Member Mace, and members of the Subcommittee for convening today’s hearing. My name is Suzanne Nossel, and I am the CEO of PEN America.

It is an honor and a privilege to submit testimony on this critical topic. I will first offer an overview of PEN America, our mission and work, as well as a bit about my own background. I will then turn to the current crisis affecting free speech in our educational system and why it represents such a proximate threat to our democracy.

I am grateful that this Committee is examining the powerful wave of censorship that has come to engulf both our higher education institutions and public schools over the past year. Freedom of speech is a lifblood of our society. It is both an enabler and a guarantor of other freedoms, including freedom to worship, civil rights, women’s rights and the right to an education. It is a catalyst for social change, technological innovation and scientific progress. It is the foundation of a thriving culture of literature, film, art, theater, television and myriad other creative forms. But it is under grave threat due to an unprecedented about-face in our legislatures, communities and school boards; we are turning our backs on free speech for fear of certain ideas and narratives. Some Americans have become convinced that so-called divisive concepts or even stories about diverse families are so menacing to our children and young people that it is worth sacrificing the Constitution and betraying the First Amendment in order to suppress them.

Given our work all over the world to fight threats to free speech, we at PEN America see this as a dangerous direction that risks unraveling much about what we treasure in terms of freedom and openness in the United States of America. We are also cognizant that, at a time of rising authoritarianism, America’s role as a global standard-bearer for free speech is being tarnished, imperiling the state of freedom not just in this country but worldwide. The consequences of this retreat are potentially grave, and we are thankful for this Committee’s attention.

ABOUT PEN AMERICA

PEN America stands at the intersection of literature and human rights to protect free expression in the United States and around the globe. This year we are proud to celebrate our centenary. Our staying power as an organization is rooted in our nationwide membership of more than 7,500 writers, our solidarity with PEN writers’ organizations worldwide but above all in our



mission, which centers on the freedom to write. The [PEN Charter](#), adopted in 1948, calls us to uphold “the principle of unhampered transmission of thought within each nation and between all nations.” Alongside steadfast devotion to free expression, the Charter commits us to do our “utmost to dispel all hatreds and to champion the ideal of one humanity living in peace and equality in one world.” Like the framers of the United States Constitution, the authors of the PEN Charter were prescient about the threats to freedom. The Charter goes on to state that “since freedom implies voluntary restraint, members pledge themselves to oppose such evils of a free press as mendacious publication, deliberate falsehood and distortion of facts for political and personal ends.”

We are a nonprofit, nonpartisan organization with an unwavering commitment to free speech, a principle that we view as an underpinning of democracy and a cause above politics. PEN America has united to protect imperiled Jewish writers in Germany, championed authors imprisoned in Stalin’s gulags, rallied behind Salman Rushdie when he was targeted by a fatwa by the Ayatollah of Iran, championed Liu Xiaobo and launched the campaign that led to his winning the 2010 Nobel Peace Prize. In 2015 we gave an award to the surviving staff of the satirical French magazine Charlie Hebdo and, as a result, faced a boycott from our own members who believed the publication was racist. We are accustomed to controversy, and to taking on powerful foes.

I also want to share a bit about my own personal background. I am a daughter of immigrants, a mother of high school students and a lawyer by training. I have a deep interest in racial justice and equality, and began my career working to curb political violence during South Africa’s transition from apartheid. I have served two proud stints in the United States government. During the Clinton Administration I had the great privilege of working to implement the Helms-Biden agreement on U.S. arrears to the United Nations, effectuating a historic, bipartisan deal to restore the U.S.’s proper place and station within the world body.

During the Obama Administration I served at the State Department helping to defend and promote U.S. interests at the UN Human Rights Council. It was there that my deep interest in freedom of expression was ignited, in the context of working to fend off an Islamic Conference proposal for a binding treaty to ban the so-called defamation of religion. This grew out of the Danish cartoons controversy and the violent uproar that those drawings triggered. Islamic nations believed that international law should bar insulting depictions of the Muslim prophet, along with other religious offenses. The United States vehemently opposed such a ban, as a violation of freedom of expression.

In that negotiation, the U.S.’s global leadership role as a standard-bearer on free speech was essential. It was pointed out that, in much of Europe, Holocaust denial was illegal partly in order to avoid stoking animus against Jews. The Muslim nations said they were only asking for similar protection, as a matter of equality under the law. It was a powerful argument, but we had



a forceful rebuttal. We pointed out that in our country, Holocaust denial is not prohibited. In our system, the answer to offensive, false or baseless speech is more speech, not legislated prohibitions. The moral authority the United States enjoyed based on the First Amendment and our rejection of government bans and punishments for speech was decisive. Ultimately the Islamic Conference dropped their proposed treaty. In its place we agreed to a consensus resolution providing for strategies to address religious intolerance that are consistent with free speech.

Since I took the helm at PEN America nearly 10 years ago, we have tackled a wide gamut of free expression issues, including the implications of dragnet surveillance on free expression; gaps in protection for national security whistleblowers; China's restrictions on free speech in the mainland and Hong Kong and its rising global influence -- including in Hollywood; threats to dissent in Turkey, Russia and Myanmar; the crisis in local news across the United States; online harassment; disinformation; press freedom; and much more.

THE CURRENT CRISIS

Beginning in 2015, we at PEN America began to be alarmed by what we saw as a rising pattern of censoriousness on college campuses. A trio of incidents -- uproar at Yale University over messaging about Halloween costumes, the physical accosting of Charles Murray and a professor at Middlebury when he attempted to give a lecture there, and the manhandling of student journalists covering protests at the University of Missouri -- alerted us to a rising trend of students seeming to brush aside free speech norms in the name of advancing equity and inclusion. We became concerned that the drive to make campuses more inclusive was increasingly seen as inconsistent with maintaining robust protections for free speech and academic freedom.

We began a series of reports – [*And Campus for All: Diversity, Inclusion, and Freedom of Speech at U.S. Universities*](#) and [*Chasm in the Classroom: Campus Free Speech in a Divided America*](#) – spelling out in detail our belief that diversity, equity and inclusion and firm, uncompromising protections for free speech and academic freedom need not - and must not - come at one another's expense. We convened an ideological cross-section of students, faculty and administrators at the Berkeley, Middlebury, and UVA Charlottesville campuses to seek common ground on the imperative of reconciling the values of equal education and freedom of speech. We published the [*PEN America Principles on Campus Free Speech*](#), giving practical guidance on how to deal with threats to free speech, including calls for so-called safe spaces, trigger warnings, and demands for speaker disinvitations. I encapsulated our approach in my 2020 book, [*Dare to Speak: Defending Free Speech for All*](#), which offers 20 principles for how we can live together in our diverse, digitized, and divided society without curbing free speech.



When we began our campus free speech work, our concerns in that area emanated mostly from a rising awareness that many on the left had become disaffected with free speech as a value, and that many students had never been educated on the essential role of free speech protections in enabling social progress. As a result, students and some faculty did not view free speech as related to the battles they were fighting -- whether for racial justice, gender justice, immigrants' rights, or other issues. They did not prioritize the need to stand up for free speech protections as part and parcel of the quest for social change. I have spoken all over the country about my fear that we are at risk of losing a rising generation's commitment to the principle of free speech, which many young people see as a smokescreen for hatred. That fear has galvanized me, precisely because I believe that free speech is elemental to so much that we value in this country. We need young people to understand the value of free speech, to believe in it, and to ensure its place firmly in the foundation of the future that they will create.

As a result of these concerns, we found ourselves making common cause with a range of free speech groups worried about the state of our discourse and the rising climate of intolerance on campus. We continue to speak out concerning speakers who are silenced on campuses, including both conservative and liberal scholars and thinkers. We engage in training, outreach, and institutes aimed to address the tide of censoriousness that we have witnessed among some in the rising generation and those who teach them.

But over the last few years, the tables have turned. Drastically.

In dozens of states, censorious restrictions are now impeding the essential work of teachers and impairing students' freedom to learn. We have documented prohibitions on curriculum, government edicts about what can and cannot be taught, book bans, measures to impose surveillance in schools, and educators being harassed, threatened or fired. What began with a concern over how issues of racial justice and American history were being taught in schools has burgeoned into a full scale campaign to ban, prohibit and punish the discussion of certain ideas in education. This has been described as a debate over "critical race theory," though that was never an accurate characterization of the breadth or nature of what was targeted. Rather, it is a concerted campaign to try to halt and roll back the implications of our evolving, pluralistic society. These efforts aim to muzzle discussion of essential questions and vital, contested topics that we need to be able to talk about freely.

The restrictions we have documented affecting free speech in education take on multiple forms: proposed and enacted legislation limiting what can be taught in high school and higher education curricula, and book bans, politicization, and surveillance taking place in public schools and libraries. I will describe each.

Since January of last year, PEN America has tracked the introduction of 185 bills, which we categorize as "[educational gag orders](#)," in 41 states. Of these, 19 have become law in 15



states, and four more states have enacted such restrictions without legislation. Laws in seven states currently apply to colleges, restricting the education of adults. We estimate that about 122 million Americans live in the 19 states where these government restrictions on teaching are now in force.

Some bills have been explicit in their targets—prohibiting the teaching of specific curricula or squarely banning certain concepts from the classroom. Others do not explicitly target the classroom, but impose broad prohibitions that target all public institutions and employees, including public school teachers and college professors. A handful of proposed laws would censor education in private and even parochial schools. Still others prohibit the introduction of specific concepts within trainings, workshops, seminars, or orientations ranging beyond curricula and classroom discussions. In Tennessee, for example, teachers are currently banned from discussing 14 distinct ideas; the prohibitions include mentioning anything that “promotes resentment” of any current or historical “class of people” or anything questioning whether individual rights are endowed by a Creator. In Florida, a law taking effect in July will effectively make it illegal for teachers to reference LGBTQ+ families before fourth grade, even when such families are present in the classroom.

Collectively, these bills are illiberal in their attempt to legislate that certain ideas and concepts are out of bounds to even discuss or debate in educational settings. Legislators who support these bills appear determined to use state power to deny students the freedom to read masterworks by some of our nation’s greatest writers; to learn our history in its full complexity; and to see themselves, their families, and their communities represented in their curricula and libraries. It must also be recognized that the movement behind these bills has brought a single-minded focus to bear on suppressing content and narratives by and about LGBTQ+ individuals and people of color. These trends cannot be separated from the role that bigotry, race, and racism still play in our society and politics.

These bills will have tangible consequences for both American education and democracy, distorting the lens through which the next generation will study American history and society and undermining the hallmarks of liberal education that set the U.S. system apart from those of authoritarian countries. In a very short time, we have already seen the chilling effects of this kind of legislation, which has been used to justify suspending a sociology course on race and ethnicity in Oklahoma, to provide professors at Iowa State University written guidance for how to avoid “drawing scrutiny” for their teaching under their state’s law, and led a trainer to propose to teachers in Texas that they needed to balance having books on the Holocaust with those with “opposing” views. An Iowa high schooler recently described how a lecture on the Three-Fifths Compromise in the Constitution left most of the class confused because the teacher was unable to explain its purpose while complying with the state’s educational gag order. “Some faculty are revising their courses to sanitize them,” reported one Iowa State University professor. “Fear of what the punishment may be is also motivating people to restrict their speech.” In North



Dakota, meanwhile, K-12 teachers are prohibited from even discussing the ways in which widespread racism has inflected American society and the legal system.

In ring-fencing certain ideas, these laws force teachers to tiptoe around important elements of curriculum, and distort teaching and learning. The legislation has created a patchwork of no-go zones, with perverse results for public education.

In a compounding trend, over the last 10 months we have seen an unprecedented surge of books being banned by school administrators and board members. As PEN America has [documented](#) in our April 2022 report *Banned in the USA*, there were more than 1,500 book bans in 26 states in the period between July 2021 and March 2022. Nearly every day brings new bans to light: 24 books barred in Nampa, Idaho; 58 titles banned in Walton County, Florida; 350 new, unused books slated “to be destroyed” in Rapid City, South Dakota; 432 books removed from shelves in one Texas district at the behest of a state representative; access to 40,000 books through a digital app suspended in Tennessee following a single parent’s complaint. Books banned so far include Toni Morrison’s *The Bluest Eye*; the Pulitzer Prize-winning graphic novel *Maus*; and biographies of Ruby Bridges, Rosa Parks, and Martin Luther King, Jr.

In the United States, public libraries have available books such as *Mein Kampf* and *The Communist Manifesto* so that patrons can study them as historical texts. We must not confuse access to books and ideas with indoctrination in their content. Books with dated, racist language, themes and stereotypes such as *Uncle Tom’s Cabin* or *Gone With the Wind* are also on library shelves, as they should be. The right approach to such materials is to contextualize them and to read and teach them with sensitivity and a critical eye, not to deny access.

A few groups purporting to represent parents are waging a misleading campaign to brand books about LGBTQ+ characters or families as “obscene” or “pornographic.” The book *Mommy, Mama, and Me*, a picture book for young children, was flagged as “inappropriate” because it depicts same-sex parents. “When books are removed or flagged as inappropriate,” a letter signed by hundreds of children’s authors correctly points out, “it sends the message that the people in them are somehow inappropriate. It is a dehumanizing form of erasure.”

Building on this momentum, elected officials have in many states thrown their weight behind more systemic and pernicious measures aimed to constrict access to books and ideas. We are documenting calls to screen and censor school library holdings, with demands to remove specific book titles, launch investigations, or withhold funding if edicts are resisted. In many communities, politicians have gone on the lookout for books to ban, in some cases compiling lists of hundreds of books that neither they nor their staffs could possibly have read or reviewed. Calling to ban books based on rumor, innuendo or suspicion is a particular affront to open inquiry, and casts a pall on intellectual curiosity. State lawmakers have advanced legislation with the same aims in mind, including a bill in Tennessee that would empower a politically-



appointed statewide committee to determine all library holdings in all public school libraries, running roughshod over local librarians.

The current legislative session has also seen proposals for greater scrutiny and surveillance of teachers, under penalty of discipline for perceived acts of ideological defiance. New Hampshire politicians have proposed loyalty oaths, a McCarthy-era relic. Lawmakers in Iowa and Mississippi have suggested installing video cameras in public school classrooms. Bills introduced in numerous states would create searchable online databases allowing politicians, parents, and the general public to microscopically scrutinize all learning materials given to students in any class, even those that grow organically out of classroom discussions. So if a child asks a question that calls for a chart, article or report to be provided in response, teachers would need to consider how anything they shared might be received not just by their students and their families, but by politicians. Teachers found in violation of these gag orders or monitoring bills may face fines or official reprimands. The draft laws are structured to threaten financial ruin to schools or districts that risk the loss of state funding if they don't police their teachers intrusively enough. The proposed penalties appear clearly designed to intimidate teachers. Look no further than Virginia, where a telephone hotline was set up for the public to snitch on teachers with the same intent in mind.

These efforts are politicizing our classrooms and sowing distrust in educational professionals--the librarians, teachers, and school leaders on whom we depend to educate rising generations. These measures also violate bedrock, constitutional principles that undergird our public educational system: a commitment to the free exchange of ideas, open access to knowledge, and robust academic inquiry.

RISKS AND CONSEQUENCES

As a proud advocate who has championed the U.S.'s stalwart leadership on free speech issues in forums all over the world, I barely recognize my own country. When I first joined PEN America in 2013 I was amazed to learn that the organization still worked on book bans. It seemed so anachronistic. In my first several years at PEN we dealt with a few book bans a year, and often a letter to the school district or library was enough to get the volume put back on the shelf. But in 2021, things changed.

At PEN America we recognize that parents have a right to express concerns about their children's education. We also recognize that some calls for censorship come from parents seeking what they genuinely believe is best for their children. We are in a time of rapid transformation in society. Demographics are changing, and with them expectations, norms, traditions, and relationships. We are working to take on the unfinished business of the civil rights, women's rights and LGBTQ+ rights movements. It is the founding promise of America to strive toward a more equal, inclusive society.



At PEN America we believe that free speech and equality are linked, in that you cannot have an open, thriving marketplace of ideas if some voices are persistently silenced, drowned out, or denied the education and opportunity necessary to be heard. The drafters of PEN's Charter were right to link the defense of free speech to a commitment to fight against hatred: In a setting where bigotry runs free, there will be intensifying calls to ban and punish free speech. That's why, as I argue in my book *Dare to Speak*, it behooves free speech defenders to oppose hateful speech and especially hate crimes.

Transition is not easy. We don't all agree on our country's direction, on how best to vindicate our rights or on how far and fast the changes should go. When it comes to racial justice and the role of race in American society there are sharp disagreements. Issues of gender and sexuality can be similarly contentious, implicating tradition, religion and deeply personal beliefs, particularly when it comes to how these matters are presented to children. Some of the forms that social change takes may feel unsettling, misguided or even counterproductive to some. I have seen a set of materials used for workplace diversity training that amounted to a replacement of one set of pernicious racial stereotypes with another. I have seen some curricular materials that seem tendentious or ill-considered. I haven't agreed to the letter with every lesson or decision that's happened in my own children's classrooms; but these became opportunities for engagement with my kids and their teachers -- rather than opportunities for rancor. Sometimes well-intended efforts can veer off course or simply go too far. Sometimes third parties move in where they see an opening and seek to advance goals that are not widely shared, or may go beyond what a school is even asking for. Some of these approaches can themselves silence speech by suggesting that challenges or contrary perspectives are unwelcome or worse. Such doctrinaire approaches are inimical to free speech and open inquiry. They seek to deny or paper over doubts and ultimately sow further division on the very subjects over which they seek to impose uniformity.

When these concerns arise they provide a crucial opportunity for us as parents and citizens to model for students how such disagreements are handled in a democracy. They are openings to spotlight the role of an open marketplace of ideas -- the importance of questioning, casting a critical eye, verifying facts, engaging in back-and-forth and figuring out how to persuade others. They offer chances to hone our capabilities in presenting our opinions, rebutting baseless claims and finding common ground, essential skills for citizenship in our democracy. Wholesale silencing, or the insistence that certain views must be imposed by fiat across an entire curriculum, are not the answer--nor are such approaches compatible with the letter or spirit of our constitution.

As a free speech advocacy organization, we are mindful that not all threats to open discourse are created equal. If one were to make a hierarchy prioritizing the most grave dangers to free speech, at the top of the pyramid would be the threats that the framers of the Constitution most



feared--namely viewpoint-specific, politically or ideologically motivated prohibitions on speech enacted by the government with the force of law. Restrictions on speech that are backed by the authority of government are more absolute and silencing than other forms of censoriousness. The idea that poorly thought-out training materials or tendentious classroom discussions can properly be met with official government sanctioned bans on free speech replaces one incursion on open debate with another. But the second one, rather than remedying the first, constitutes a far more potent and permanent incursion on speech, and that sets a worrying precedent of government control over discourse.

Supreme Court jurisprudence has repeatedly made clear that the First Amendment applies in public schools, where young people are taught to understand and appreciate democratic citizenship. Though there is discretion granted to state and local school boards in matters of education, these responsibilities must comport with the First Amendment and the Constitution. As Justice William J. Brennan wrote in the majority opinion in the 1967 case of *Keyishian v. Board of Regents*, the state cannot “cast a pall of orthodoxy over the classroom.”

The Supreme Court has also made clear that students have the right, under the First Amendment, to access ideas and information in public school libraries, and that school boards may not “contract the spectrum of available knowledge,” as Justice Brennan noted in his plurality opinion in *Board of Education, Island Trees Union Free School District v. Pico* (1982). School boards do not have discretion to remove and ban books based on an effort to restrict their content. If there are challenges to books, school districts should follow regular, established processes for the review of such materials rather than summarily whisking them from shelves. The current trend is precisely toward such highly irregular decision-making, with books banned by school administrators or school boards without formal reviews, or input from educators, parents, or students.

A prime concern of PEN America’s about the measures that we have termed “educational gag orders” is their vagueness. Though courts have specified that even permissible restrictions on speech must be narrowly tailored to meet a legitimate government end, the current slate of bills targeting speech in educational settings mostly lacks definitions or guidance. Many bills include bans on vague or contradictory “divisive concepts,” or bar “race and sex stereotyping” and “race and sex scapegoating,” with little explanation of what is meant by these sometimes novel terms. This vagueness casts a wide shadow, leaving educators uncertain about how lessons may be interpreted by students, parents, or government officials. Courts insist on tightly delimited restrictions on expression out of a recognition that speech prohibitions wield chilling effects, often silencing not only what is expressly prohibited, but a wider band of speech that might be considered close to the line. The imposition of vaguely worded prohibitions governing classroom speech risks rendering entire subject areas and topics off limits as teachers fear that anything they say on contested issues--for example, the fugitive slave clause in the Constitution,



the *Plessy v. Ferguson* decision legalizing racial segregation, or the Civil War--may run afoul of these restrictions.

Educational gag orders and teacher monitoring laws risk having [devastating direct effects](#) on public education in affected states at both the K-12 and college levels. Our university system is overseen by seven regional accreditation agencies that oversee the quality of education provided. Some of these agencies have voiced concern about bills that substitute the judgment of politicians for that of educators on matters of curriculum and teaching. States that enact educational gag orders may be risking the accreditation of their public universities, an outcome that could result in a loss of access to financial aid for students and a diminution in graduates' employment prospects.

The College Board has also warned that students in schools that ban materials covered in Advanced Placement curricula could lose certification for their AP courses. Concurrent enrollment courses in history and literature that offer early college credit for high school students could likewise disappear. In K-12 schools, these restrictions are also compounding a [nationwide teacher shortage](#) as teachers withdraw from the profession, in some cases motivated by the hostility and pressures generated by these divisive measures. All this comes amid what experts have called a "seismic hit" to public schools as a result of the pandemic, with plunging student enrollments, test scores and financial resources.

PEN America's global perspective casts a particularly harsh light on government edicts that ban books or restrict curricula. Such measures, which fortify the power of government at the expense of the rights of the people, come straight out of the global authoritarian playbook. International examples offer an ominous clue as to where this could lead. In the 20th century the South African apartheid state banned 12,000 books, at one point commandeering a steel factory furnace in order to burn reviled texts. And in the 1930s, the Nazi Party railed against "un-German books," staging book burnings of Jewish, Marxist, pacifist, and sexually explicit literature.

More recently, in 2018, Iran banned the study of English in primary school to ward off "cultural invasion." Legislation adopted in Hungary last year banned all curriculum referencing homosexuality from schools in the name of "protection of children." In 2014 Russia passed a new law adding Nazi propaganda to the subjects it bans and restricts — which includes LGBTQ+ content (via a law titled "For the Purpose of Protecting Children from Information Advocating for a Denial of Traditional Family Values"), offenses to traditional values, and criticisms of the state. Booksellers in Russia were so fearful of running afoul of the broad law that they removed Art Spiegelman's Pulitzer Prize-winning graphic novel *Maus* from stores because of the swastika on the book's cover, despite its potent anti-fascist message. At the time, PEN America issued a forceful statement about the perverse result of Moscow's ham-



handed censorship. It was hard not to think back on that episode earlier this year when the McMinn, Tennessee school board banned *Maus* from its curriculum.

Americans overwhelmingly disapprove of this multi-pronged resort to censorship in our schools. In a 2022 poll by CBS/YouGov, 83% of respondents said they opposed banning books criticizing U.S. history from school libraries and curricula, 85% said books should not be banned for including political ideas they disagree with, and 87% said they should not be banned for discussing race. According to a 2022 poll from the American Library Association, 71% of voters – including 75% of Democrats and 70% of Republicans – oppose efforts to remove books from local public libraries. The poll also found that 74% percent of parents trust school librarians in their selection of books available to children. Further, a 2021 poll by the American Historical Association and Fairleigh Dickinson University found that 76% of Americans, including 78% of Democrats and 74% of Republicans, support teaching the accurate history of slavery and racism in the United States, even if such lessons make students uncomfortable. [A number of prominent conservatives](#) have spoken out against these laws, too, including two Republican governors and the executive director of the Charles Koch Foundation. Letters opposing these laws have been signed by [155 academic professional organizations](#), [90 higher education organizations](#), numerous faculty senates, and over 200 current and former State Teachers of the Year.

LOOKING AHEAD

This is not the first time in American history that ideas seen as threatening have prompted us to turn our backs on the principles of free speech. During the 1920s, politicians and activists launched a campaign to expel the theory of evolution from the classroom, an effort that culminated in the infamous Scopes Trial of 1925. During the Red Scare of the 1950s, dozens of state governments required teachers and professors to sign loyalty oaths to the United States as a condition of employment.

At PEN America we think of our current moment as an *Ed Scare* -- in which ideological battles, fears, and intimidation are manifesting in book bans, fired educators, censorious laws prohibiting classroom speech, and other proposals to curtail freedom of thought and discussion in our schools.

The test for us as a society, and a democracy, is in how we respond. Everyone agrees that parents need to be closely involved in what happens in their children's schools. That's why we have Parent Teacher Associations, parent-teacher conferences, parent liaisons, family engagement plans, public curricular standards, and much more. Educators know that the best predictor of academic success is parents' involvement in their children's education. Schools, students, and families have a shared interest in keeping parents actively involved and on board with what is happening in the classroom.



But this effort is not, ultimately, about how to ensure that parents can have their proper say. For generations parents have had input in schools without resorting to bans and legislative prohibitions. In fact, such prohibitions risk denying some parents a say in their children's education by privileging the opinions of others who have the ear of politicians. Educational standards and approaches are ideally the product of a dialogue with input from subject matter experts, educators, parents, elected officials, and students themselves -- the product of processes that build consensus and offer classes and materials that enlighten and inspire.

Instead, we are now witnessing a concerted effort to polarize, intimidate, and punish the expression of ideas in American classrooms. We see a repudiation of the fundamental pillars of our constitutional democracy through a resort to viewpoint-based, government imposed bans on speech. We see an embrace of the very types of prohibitions that the First Amendment abhors.

The resort to these tactics cannot be justified by a quest to vindicate parents' rights or an effort to tamp down divisive ideas. On the contrary, these measures seek to inflame divisions by inserting the heavy hand of politics into the schoolroom. As a parent, I know that if I'm worried about what's being talked about in the school or the community, I have options. If I have a concern, want to raise an objection, or think something is going off the rails, I voice my opinion in an email or a call. I connect with those in charge, attend a meeting, make a proposal about what might be done differently, or produce some evidence or analysis. I don't ridicule, or bully, or threaten to get people fired. If I don't like the way things are done, I can vote for new leaders.

Teachers, school administrators, and local school boards make considered judgments about what material will advance students' intellectual, academic, and social development. Insisting that an entire school or even state school system defer to the subjective judgments of individual parents or politicians about what material can appropriately be taught in the classroom is a recipe for lowest-common-denominator curricula that puts the avoidance of controversy ahead of the imperative of a broad and challenging education.

Our schools are where we teach children not just math and reading, but citizenship—how to raise concerns, handle problems, or influence institutions. Do we really want them to grow up believing that the right response to books or ideas that they find objectionable is to get them banned? To run teachers and principals out of their jobs? To impoverish the marketplace of ideas by locking away offerings that make us uncomfortable? These tactics evoke dark eras in American history, when neighbor was pitted against neighbor, reputations and careers were destroyed based on rumor, and our country turned its back on its treasured ideals. These tactics are uprooting the moorings of free speech as a firmly grounded American value that sits above politics. If you're afraid of how this country is changing, what could be more frightening than seeing the First Amendment itself shunted aside to score political points and sow division?



These laws are turning our public schools - an essential unifying institution, knitting together the fabric of American democracy - into raw, shredded battlegrounds. These developments are coming at what we already know to be a precarious time for our public discourse and, indeed, for our democracy. We know we are deeply polarized. The rest of the world cannot help but witness the dysfunction, and wonder whether America's global leadership can survive the schisms we face. Our social-media-saturated culture has deepened our siloes while rendering our discourse shallow and shrill. People with different views have a hard time talking to one another, much less finding common cause.

In this time of widening fissures, the role of our public educational institutions is essential. Schools are where we get to know people unlike us, where we make friends, encounter new ideas, and gain the tools to make our way in the world. Our public universities are proud meeting grounds where students from all parts of a community, state, or the country at large meet; their friendships, mentorships and shared experiences help to solder us together as a nation. Our educational institutions expose America's young people to the complexities of our own society and the world, preparing them to help take on the challenges of the future as a new generation of Americans.

But the current spate of measures to shutter open inquiry and schools is creating a climate of intimidation and fear that detracts from teaching and learning. It risks giving students only a sanitized, narrow education that will constrain their ability to understand and engage with the multiplicity of ideas, perspectives, people, and stories that make up our world. It risks hobbling our ability to contend with social change, grapple with contentious issues, and move forward together as a nation. With that erosion of trust in our educational institutions, our education professionals, and one another, comes the undermining and dismantling of our democracy.