



NCH STATEMENT ON “DIVISIVE CONCEPTS” LEGISLATION (5/20/21)

Legislation currently under consideration by numerous state legislatures around the country menaces the academic freedom essential to all classrooms, especially those where history is the focus of discussion and debate. The National Coalition for History opposes the passage of so-called “divisive concepts” legislation in these legislatures. Such bills have been introduced in eight states and are designed to limit discussion about racism, sexism, and discrimination in the classroom and/or the workplace. What is especially pernicious about these bills is that they masquerade as legislation defending free speech, but in fact have been purposely designed to curb consideration of subjects controversial and in any way critical of American society and culture.

A bill which recently passed the Iowa state legislature, for example, states that it does not “inhibit or violate the first amendment rights of students or faculty, or a school district’s duty to protect to the fullest degree intellectual freedom and free expression.” Yet, only a few sentences later it proposes prohibiting “discussing divisive concepts as part of a larger course of academic instruction.” It even goes so far as to censor what can be published in student newspapers.

While each one differs slightly from the other, many of these bills, according to *Education Week*,¹ forbid any mention of:

- the continuities and systemic nature of racism, whether nationally or within a state;
- The idea that individuals, because of their race or sex, are inherently oppressive whether consciously or unconsciously;
- suggestions that individuals bear responsibility for actions committed in the past by members of their same race or sex;
- or indication in class that anyone should feel “discomfort, guilt, anguish, or any other form of psychological distress” because of their race or sex.

The National Coalition for History deplores the intent of these bills to foment confusion and have a chilling effect on teachers. We denounce such bills as thinly veiled attempts to place limits on a curriculum which fosters a comprehensive and critical look at our history from a variety of perspectives. Free and open discourse promotes the critical thinking skills that students need to excel both in the classroom and later in life. Recent times have also shown the importance of robust civic education for students to evolve into informed citizens and voters.

Our nation’s history is complex. The study of it requires not just a celebration of our triumphs, but frank discussion of our shortcomings, indeed our divisions. “Divisive concepts” legislation

¹ <https://www.edweek.org/policy-politics/8-states-debate-bills-to-restrict-how-teachers-discuss-racism-sexism/2021/04>

stifles that debate and our ability to move forward as a nation. It is not possible to heal division by denying its continued existence, and its wide and deep influence on the very framework of American society and culture. We encourage our members to join with us in actively opposing all legislative obstacles to free speech and open debate on our history and institutions.