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From the Los Angeles Times

## DUST-UP

### What should K-12 kids learn?

A New Jersey high school student recently started a controversy over a conservative-leaning government textbook. Should elementary and secondary schools be making more of an effort at ideological diversity, or should they be striving for material that is as non-ideological as possible?

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*Today, Lukianoff and Shermer address the diversity of curricula in K-12 education. Previously, they discussed allegations of instructor bias in classrooms, whether it's proper for schools to set limits on the expression of their students, and if theories such as intelligent design should be taught in classrooms. Tomorrow, they'll debate whether professors should receive lifetime tenure.*

#### How rights for K-12 students affect higher ed

By Greg Lukianoff

To start off this discussion, I want to disclose that I am not an expert on the rights of high school students. [My work](#) over the last decade has been entirely with higher education. I am not even sure in what way the concept of academic freedom applies to high school students, given that the case law and the guiding statements on academic freedom primarily deal with higher education.

I am also a little confused as to the issue here. Maybe I am just too enmeshed in 1st Amendment thinking, but it looks like a student [publicly criticized](#) a textbook for being (in his opinion) biased, public debate ensued, and the publisher is now working to address the problem. Right? The student had every right to complain, and issues like this are best handled in the process of open debate and discussion. As for the political slant of textbooks, the way colleges (are supposed to) handle this is by having students read many books from many perspectives. Perhaps suggesting high school students or even college students read a number of primary texts is too much these days.

What this controversy obscures is the real problem that faces American academia: High school students' rights are going the way of the dodo, and this is starting to threaten the rights of college students. While there has been a fairly steady (and probably inevitable) decline in K-12 students' rights since the famous 1969 [Tinker vs. Des Moines School District](#) case, Supreme Court opinions from the 1980s that placed further limitations on high school students rights have been interpreted even more expansively against students' rights by lower courts. Last summer, we saw what I hope is the nadir of that decline in rights in [Morse vs. Frederick \(pdf\)](#). It's hard to say the republic is threatened because a student in Alaska got in trouble for making a banner that said "Bong Hits for Jesus," but the rationale upon which Chief Justice John G. Roberts Jr. relied in justifying the student's suspension from school gave many of us 1st Amendment folks chills. Roberts' opinion looked suspiciously like the old, discredited "bad tendency test" of the Supreme Court from around the time when justices upheld bans on swearing and articles advocating nude bathing or anti-patriotic sentiment. I sincerely wish that Roberts had used the word "joke" in his opinion. The justices might have then asked themselves, "Why on Earth are we creating new speech limitations to police jokes?"

While virtually no one disagrees that some restrictions that would otherwise be unacceptable for adults are appropriate for K-12 students, we are nonetheless in danger of young people having virtually no free speech rights at all. As Justice Clarence Thomas observed in his concurring opinion in the Frederick case, "I am afraid that our jurisprudence now says that students have a right to speak in schools except when they don't." Of course, Thomas' overall argument was essentially that K-12 students should have no free speech rights at all. This position was too extreme even for the Roberts court, but given the trajectory of the last 40 years, Tinker seems like a corpse waiting to be buried.

Worse, some courts are starting to apply lower-court decisions curtailing the rights of high school students to higher education. In the potentially disastrous [Hosty vs. Carter](#) opinion ([pdf](#)), the 7th Circuit Court of Appeals applied to higher education a Supreme Court decision that drastically limits the rights of high school press. (The decision was actually riddled with [serious problems](#), based on U.S. 7th Circuit Judge Frank H. Easterbrook's mystifying decision to treat the issue of college newspapers' rights -- which have been strongly protected for decades -- as if it were without precedent.) In 2006, the Supreme Court refused to hear the case, and the [Hosty vs. Carter](#) decision remains good law in the 7th Circuit.

So should we care that cases involving high school students are being applied to higher education? If the rights of college students are handcuffed to the sinking ship of high school students' rights, then the academy itself is in danger. And because we rely on colleges to be free speech zones for our society and to serve as engines of intellectual innovation, any "straitjacket" (as the high court once called it) on these institutions threatens the fabric of our very society. As Alan Charles Kors, founder of the Foundation for Individual Rights in Education, said, "A nation that does not educate in liberty will not long preserve it and will not even know when it is lost."

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#### Tit-for-tat curriculum bias

By Michael Shermer

The fine art of finding errors in textbooks has a long pedigree that textbook authors and publishers seem often to merrily ignore as they go about their business of squashing massive amounts of information into potted packages of curricula condensates. I am most familiar with error creep related to

scientific matters, but most such errors are readily identifiable through simple fact checking, made all the easier with the Googlefication of information. Much harder to pluck out of a morass of words are the social and political agendas of textbook authors, which the youthful Matthew LaClair of Kearny, N.J., has done most recently in [scoping out the conservative bias of James Q. Wilson and John Dilulio in the authors' textbook, "American Government."](#)

The examples given seem clear enough, although to their credit the authors redacted the sentence, "Science doesn't know whether we are experiencing a dangerous level of global warming or how bad the greenhouse effect is, if it exists at all," to, "Science doesn't know how bad the greenhouse effect is." Having just edited a special edition of *Skeptic magazine* devoted to global warming, the redaction is not technically wrong (depending on what the authors meant by "bad"), but it is distressingly brief for such a rich topic of discussion with many shades of certainties and uncertainties. That the Earth is getting warmer, no one disputes.

How much warmer it will continue to get is a matter of probabilistic prediction with a range of possibilities. There is no question that global climate change (a much better phrase than global warming, because some areas will get colder, some wetter and some drier) will affect human life, but there is indeed a broad swath of opinions on just how much evil will be brought about by the continued pouring of carbon dioxide into the atmosphere. So when Wilson and Dilulio state that global warming is "enmeshed in scientific uncertainty," it is not so much misleading as it is under-representative of the facts. Surely even a high school textbook could add one more paragraph to break down the controversy into its constituent components and their corresponding levels of certainty and uncertainty.

However -- and this is an important proviso -- none of the journalists who reported on LaClair's identification of a conservative bias bothered to mention its doppelganger and ask, are we suppose to believe that politically liberal textbook authors are somehow more objective in their presentation of "just the facts"? They aren't.

The all-too-familiar political correctness movement that began in the 1980s and continues today is the liberal bias counterpart to the conservative bias agenda. What I call the "myth of the beautiful people" is just one among many examples of the rewriting of American history textbooks to portray the pre-Christopher Columbus Native Americans as living in peaceful harmony among the 600 nations, which co-existed with nature in ecological balance. This is a complete whitewash, but it took a decade of hard work by professional archaeologists and anthropologists to demolish the myth, which nonetheless still persists. Why? Because of the liberal bias in textbooks that wants to "correct" the alleged conservative bias of pre-1960s textbook authors.

Before pointing fingers of bias at someone, it might be best to heed the warning of the 1st century moral philosopher from Nazareth:

"Judge not, that ye be not judged. For with what judgment ye judge, ye shall be judged: and with what measure ye mete, it shall be measured to you again. And why beholdest thou the mote that is in thy brother's eye, but considerest not the beam that is in thine own eye? Or how wilt thou say to thy brother, Let me pull out the mote out of thine eye; and, behold, a beam is in thine own eye? Thou hypocrite, first cast out the beam out of thine own eye; and then shalt thou see clearly to cast out the mote out of thy brother's eye."

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