

The First Amendment within the Classroom: Is Academic Freedom Still Relevant?

By: Jaelyn Millon

Higher education institutions have been a hotspot for the exchange of ideas and the opportunity to engage with people and perspectives different from one's own. Although many years ago certain topics were considered too controversial for society, the concept of academic freedom allowed for these topics to be discussed at length within higher education institutions; thus, allowing for reform and change to occur. According to the American Federation of Teachers, academic freedom grants faculty members the right to "determine without outside interference: (1) the college curriculum; (2) course content; (3) teaching; (4) student evaluation; and (5) the conduct of scholarly inquiry". Politically liberal and left-leaning concepts such as legal rights and social acceptance for Black/people of color, queer, indiginous, disabled folks, and women have all made headway largely in part because faculty members have been protected to discuss these issues within the classroom. However, in the present day, politically conservative and right-leaning folks present the question of whether academic freedom has silenced conservative viewpoints and whether academic freedom now shuns these views, preventing the free exchange of ideas from occurring. In order to truly continue the legacy of academic freedom, higher education institutions must continue to allow liberal *and* conservative viewpoints to be expressed and discussed in the classroom so that students can gain different perspectives, come to their own conclusions, and have the optimal learning experience.

In a study analyzing students' perceptions of free expression in the classroom, researchers found that conservative students disproportionately feel anxious expressing their viewpoints in the classroom for fear of how their liberal peers and faculty would respond. This study revealed that of the conservative participants involved, seventy-five percent of the students feared that their peers would have a decreased and more negative opinion of them if they were to express their true political views in the classroom. On the contrary, only twenty-six percent of the liberal participants felt this concern.

In the interest of addressing the question of whether academic freedom should protect certain groups and viewpoints over others, institutions must ask themselves what type of learning they want to cultivate in their institutions. Do institutions value the free exchange of ideas, or do they want to create an environment where students blindly follow or are forced to believe one particular way? Jeremiah Wills, a professor of Political Science at Queens University of Charlotte in North Carolina gives the following warning if institutions inhibit, rather than encourage, the free flow of ideas and intellectual discourse:

“Student learning is derailed when students perceive a need to censor their beliefs or write on an exam what they think a professor wants to hear. That is not a positive learning experience, or really a learning experience at all. We are not suggesting that students themselves are responsible for the derailing. It’s a missed learning opportunity. Given their position of authority in the classroom, professors must take responsibility for such outcomes—especially if they are creating a classroom environment in which students do not think they can honestly express their own views”.

Higher education institutions are increasingly becoming more left-leaning, liberal, and progressive which, contrary to some opinions, is not necessarily a flaw; rather, it is simply the fact of the matter. However, it is crucial for these institutions and the students and faculty within them to ensure that in this increasingly progressive trend, individuals are not censored or prevented from participating in such a valuable learning opportunity. For, the advancements society has made is arguably directly a result of the learning environment cultivated through academic freedom. The 1957 *Sweezy v. New Hampshire* case along with the 1967 *Keyishian v. Board of Regents of Univ. of State of NY* case set the foundational expectations of academic freedom as well as its purpose. The latter case declared that this “freedom is. . . a special concern of the First Amendment, which does not tolerate laws that cast a pall of orthodoxy over the classroom. . . [,and] the classroom is peculiarly the ‘marketplace of ideas’”. In order for this unique and valuable learning environment to continue to thrive and for advancements in society to continue to become more equitable and just, institutions must not only participate in academic freedom, but they must also encourage this marketplace way of interacting amongst their faculty members and students.