

Defending Against Educational Gag Orders

In 2021, several states introduced legislation that has been commonly referred to as “anti-CRT.” In reality, the legislation amounts to an educational gag order, limiting teaching about race, racism, and civil rights in American history.

We must speak up about this attack on academic freedom, and educate lawmakers, the press, and the general public about the dangers of politically motivated interference in the classroom.

Background

- So-called “anti-CRT” legislation is not really about critical race theory.
- The legislation seeks to prevent faculty from teaching about negative aspects of American history, or discussing that history critically.
- The coordinated introduction of legislation suppressing teaching about race isn’t happening in isolation; it is part of a right-wing movement to push back against rising awareness of racism in this country. Related efforts include attacks on voting rights that effectively disenfranchise minority voters, and targeted online harassment of faculty members.

Main Argument

- We are seeing a coordinated attack aimed at denying the facts of racism throughout our nation’s history and censoring honest conversations about race.
- These educational gag orders seek to prohibit many things, including vaguely defined “divisive concepts” and matters that could make (white) students uncomfortable.
- They would prohibit discussion of both theories and well-documented facts.
- Decisions about curriculum and subject matter should be made by educators who have expertise in their discipline.
- Efforts to censor college and university curricula are both unnecessary and unlawful ([LCCR](#)).
- States that pass these bills will likely have to spend precious time and money in litigation, as civil rights and free speech groups [file lawsuits](#) to protect the rights of faculty and students.
- Deliberately censoring antiracism education “could be evidence of a violation of federal and state equal protection and anti-discrimination provisions, by intentionally disadvantaging and harming children” ([LCCR](#)).
- The drivers of this legislation say they’re trying to protect us from “ideological indoctrination,” but teaching unpleasant facts about US history is not indoctrination. Suppressing them is.

Key Message: Educational gag order legislation is a brazen attempt to censor classroom speech and to halt the rising awareness of racism in this country. It is driven by extremists and the politicians who take their money and has no place in higher education.

Key Ask: Reject educational gag orders by opposing any legislation or regulation that forces faculty to lie about, omit, or misrepresent past or present facts about race and racism.

Learn more on the AAUP Web Page [Legislative Interference in Teaching About Race](#)