

The Listening Post

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Another Look at Teacher Loyalty Oaths

THE ARGUMENTS against requiring loyalty oaths of teachers are well known within the profession. They revolve about three major premises. First, some oaths are so worded as to jeopardize academic freedom. Second, loyalty oaths cast imputations on the teaching profession. Third, oaths are almost worthless in rooting out "subversives," for a person disloyal to his country would certainly not be adverse to perjury. These and corollary arguments are very convincing to the author. So are the official policies opposing loyalty oaths for teachers of such organizations as the National Education Association, the American Association of University Professors, and the American Federation of Teachers.

Each year since 1946, however, has seen new laws pertaining to teacher loyalty enacted in some states and almost passed by the legislatures of other states. At the end of 1950, twenty-six states required loyalty oaths of teachers, and at least two more states joined the parade by the summer of 1951. Six states have begun to require teacher loyalty oaths since World War II, and seven others have enacted oaths more restrictive than those previously required. Oath laws were introduced but failed to pass in over a dozen states, and in two states vetoes by governors were needed to keep such laws from the statute books.

(It should be emphasized that oaths are only one form of legislation pertaining to teacher loyalty. Almost half of the laws aimed at "subversive" teachers do not prescribe oaths.)

The apparent anomaly of having teacher loyalty oaths become more numerous and more restrictive despite strong arguments against them and in the face of official opposition of national professional organizations deserves careful attention by teachers. Another look at loyalty oaths with this in mind is demanded.

The members of state legislatures which enact teacher loyalty oaths are elected by the people—the same people to whom the schools are responsible. Would these men vote for bills which were disapproved by the majority of their constituents? The answer, in general, would be no. It would be even more emphatically no if the question were asked about local school board members who have initiated local teacher oaths.

Public Attitude

Here lies the crux of the matter. The bald fact is that the public as a whole does not disapprove teacher loyalty oaths. This state of affairs is pointed up not only by viewing actions of legislatures, but by looking at opinion polls and by observing and analyzing some specific localities. Even though it is not a heartening situation, it must be squarely faced and taken account of in the strategy of the profession regarding loyalty oaths.

¹ Author of *The School Administrator and Subversive Activities*, published by the Bureau of Publications, Teachers College, Columbia University, New York, 1951.

Academic Freedom

The question, Why should a teacher object to taking an oath if he subscribes to what is contained in the oath? is one which is very difficult to answer to the satisfaction of the "average" lay citizen whose emotion as well as reason must be considered. "Academic freedom" is a vague term to most lay citizens, and one which may be too readily called upon by some teachers.

Moreover, is academic freedom violated per se if a teacher must take an oath that he will neither advocate violent overthrow of our form of government nor join a group so advocating? The author thinks not. He believes that whether or not academic freedom actually is violated depends on how the oath law is administered, on how the words in the oath are construed, and ultimately on whether or not the teacher who is loyal to our constitutional form of government must make changes because of the oath in the method and content of his courses, in his research work, or in his activities outside the classroom. Oath laws are threats to academic freedom; they are not violations of it.

Teacher Attitude

Another look at loyalty oaths must be taken also in the light of teacher attitude toward them. Are public school teachers in general vigorously opposed to taking loyalty oaths? The author's study in this area brings him to a negative conclusion. The vast majority of teachers views loyalty oaths with no marked favor or disfavor. The minority which would voluntarily subscribe to sworn loyalty statements chiefly as an example to the community seems to be about as large as the minority which would actively oppose oaths. Many evidences of this situation could be

pointed out locally. On a national scale the reactions of individual state education associations to proposed oath laws in their respective states show the divergence of opinion. Official policies vary from strong opposition through neutrality to actual initiation of an oath, with most associations being in the neutral zone. Fear of reprisal is undoubtedly an element to be considered in assessing the lack of active opposition to oaths on state and local levels, but the effect of the fear factor would be enormously lessened if teachers as a whole were as convinced of the inherent evils of oaths as are most spokesmen on the subject.

Historical Perspective

Still another light in which to take another look at loyalty oaths at this time is historical. Oaths for public school teachers date back to the Civil War. Ten states were requiring them in 1930, twenty states in 1940, and twenty-six states in 1950. Did freedom of teachers steadily decline from 1930 to 1950? An affirmative answer would be difficult to substantiate, and it is this lack of evidence which hurts an attack on oaths as such.

Conclusion

The above thoughts have been presented to stimulate a rethinking about the desirable strategy of the teaching profession in thwarting attempts to restrict academic freedom without confusing or alienating the public. It must be emphasized that any general treatment of loyalty oaths, and particularly a brief one such as this, is limited on at least two counts. First, *the* teacher loyalty oath is as non-existent as *the* typical teacher. Affirmations vary from support of the constitutions of the nation and state to disavowal of belief in undefined "subversive" doctrines.

Educational Leadership

Second, each state, as well as each local community, presents a different situation requiring special action.

Logic points to blanket opposition to oaths. But the lack of logic in the reactions of the public to the entire problem of "subversive" activities in our national life must be recognized. The profession must take an immediate as well as a long range view. Under certain circumstances more may be lost in the long run by a dogmatic and categorical opposition to loyalty oaths than by acceptance in some cases of certain practicalities of the situation and by drawing the battle line for the defense of academic freedom not at popularly supported oaths but at the points where actual violations of acade-

mic freedom occur. Such action does not require a compromise of essential principles. In many instances teachers would thereby be on much firmer ground not only eventually to help the nation overcome its "disloyalty jitters" but also to carry out the more fundamental purposes of the public schools. The uncertainty and the danger both to the teacher's academic freedom and civil rights implicit in loyalty oaths make such oaths repugnant to the author. According to most indications, however, the public has not yet come to share this feeling.

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Curriculum Bulletins

Column Editors: Edward A. Krug
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Social Studies in the School Program

CURRICULUM bulletins in the social studies area cover a wide range of subject matter and suggested procedures. However, three main categories for which authors show concern are: the American heritage, the responsibilities of the democratic citizen, and the immediate problems of our society.

Most of the bulletins encourage the democratic practice of pupil-teacher planning in the classroom by providing specific suggestions for teacher pre-planning. Since so many bulletins are developed for the social studies, those listed below are representative of other similar bulletins.

► Minneapolis Public Schools. *Curriculum Guide English and Social Studies*

Grades 7, 8, 9. Minneapolis, Minnesota, 1951, 17 p.

This bulletin might also have been included in the October column dealing with the language arts. The authors are concerned with speaking, writing, reading, listening and observing. They are also concerned with personal development and social behavior. The bulletin illustrates the combining of English and social studies into a multiple-period class concerned with related learnings. Throughout the bulk of the bulletin the left-hand page lists those learnings which can only be sought cumulatively through experiences in all three grades, while the opposite page lists similar learnings which can be emphasized in a particular grade.

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