

not be tolerant in that we accept other religious views on an equal basis." This view would discourage the teaching of evolution on the grounds that it does not support the biblical account of creation. It would inhibit discussion of controversial issues, such as disarmament, strengths and weaknesses of the American government and economy, and global problems. One of their beliefs, Frost confirms, is that the free enterprise system of capitalism is ordained by God.

Several assumptions underlying the plaintiffs' approach to education bear scrutiny. The first is that mere exposure to contradictory ideas will undermine a child's faith. Testifying as an expert witness, child psychiatrist Robert Coles argued that such exposure would not necessarily undermine belief and might actually work to strengthen it. He noted also that it is virtually impossible for parents to protect their children from different viewpoints, that if they are not exposed to them in the classroom, they will encounter them in their reading, on television, or among their peers.

A second assumption is that children must not be taught to question or to wonder, but simply to accept what is put before them. At a time when educators are struggling to improve higher-level thinking skills, this approach would stifle critical thought.

A third assumption is that scripture and science both provide *scientifically* valid accounts of natural phenomena. One, however, is a matter of faith, and the other is a product of scientific method and empirical verification. In fact, they need not necessarily be pitted against one another, but they do not arrive at their conclusions by the same path. Tacking on the word "science" to "creation" does not make creationism scientific. To claim that these two accounts are equally scientific betrays a deep misunderstanding of science.

A final assumption is that protecting the plaintiffs' free exercise of religion and access to a free public education means that the curriculum must reflect their particular sectarian perspective. Judge Hull acknowledged this when he noted in his ruling that "considerable evidence indicated that no single, secular reading series on the state's approved list would be acceptable to

"Many of the topics considered objectionable are part of our human and cultural heritage, and they pervade education."

the plaintiffs without modification."

Similar issues are at the heart of the Alabama case, *Smith et al. v. Board of School Commissioners of Mobile County*.² In this instance, several hundred fundamentalist parents charged that the curriculum in use in the Mobile schools promotes the "religion of secular humanism," which violates the First Amendment prohibition against the official establishment of religion. The plaintiffs also claim that the textbooks censor information about Christianity, in violation of the constitutional right to free exercise of religion. On 4 March 1987, Judge W. Brevard Hand ruled that secular humanism is a religion, and that it is being promoted unconstitutionally in the Alabama Public Schools. He ordered the immediate

Implications of the Tennessee Textbook Controversy for Public Education

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The court's ruling in *Mozert et al. v. Hawkins County Public Schools et al.*¹ and the subsequent awarding of payments to the plaintiffs may be remembered not only for permitting students to specify what they or their parents find acceptable in the curriculum, but also as the point at which our government's judicial branch transcended its role of interpreting the Constitution to that of refereeing the affairs of public education. The following implications of the ruling are cause for concern among public school officials and parents who view public education in a broader context than do these plaintiffs.

1. *Potential problems with widespread censorship.* Although the plaintiffs' attorneys have argued that their case is not one of censorship, their contention is spurious given the case-method nature of judiciary decision making in this country. If the decision stands, we can anticipate a deluge of parental objections to curricular materials in the schools.

2. *Limitation of diverse materials/controversial topics in schools.* How unfortunate if schools must attempt to teach only that which offends no one. Parental intervention cannot be allowed to destroy the school's function as a place where children learn how to handle conflicting opinions.

3. *Interference with organization/management of instruction.* While individualization of instruction is encouraged, basic reading instruction occurs in small groups. For parents to demand that their children be provided content different from the carefully sequenced, core reading materials being used in the classroom denies educators the right to organize and manage instruction as they have been trained to do. It is likewise contrary to the idea that the collective interests of children taught in groups come before the interests of any individual in the group. Clearly, the rights and education of the majority of children in a classroom would be jeopardized as organization and management of instruction deteriorated (as surely would happen).

4. *Interference with the reinforcement of reading instruction throughout the day.* Ideally, direct reading instruction is provided as an integrated entity. However, reading instruction consists of skills, concepts, and vocabulary. Obviously, not all elements can be reinforced to the same degree, but teachers should not be limited concerning where they can reinforce them, nor should they be restricted in drawing connections to the content in reading where these elements were initially introduced.

5. *Problems with viewing balance in the school program through the reading curriculum only.* Judge Hull stated that "many of the objectionable passages in the Holt, Rinehart, and Winston books would be rendered inoffensive, or less

removal of 45 history, social studies, and home economics textbooks from all Alabama public school classrooms.

Both cases constitute an attack on the methods, content, and basic purpose of public education, but there are important differences between them. In Tennessee, parents objected to a reading series and wanted alternative materials. In Alabama, virtually the entire curriculum was at issue. Judge Hand permitted the plaintiffs to make their suit a class action, with the class so broadly defined that the case will affect all Alabama public schools. A possible consequence in Mobile—and one endorsed there by Governor George Wallace—might be placing textbook selection under the supervision of a federal court.

“... protecting the plaintiff children from the offending material is not a simple matter of offering an alternative short story.”

offensive, in a more balanced context.” It is not feasible to decide that the way to provide a more balanced view of content is to adjust only one segment of a school’s program (in this case, reading). It is probably fair to say that at least some of the themes the plaintiffs found objectionable in the Holt series are counterbalanced by themes found in the textbooks of other subjects. Since only the Holt series was singled out, it could be argued that the plaintiffs found the other textbooks provided by the Hawkins County Schools acceptable.

6. *Problems involved when all phases of student development are not promoted.* The school environment must further children’s social, emotional, psychological, and physical development in addition to their academic growth. Permitting children to choose home schooling greatly hampers social and civic growth. Likewise, putting children in situations where their peers will view them as different or as the recipients of special treatment can be harmful.

7. *Potential for destroying the true purpose of the public school as a basic cornerstone for freedom.* There are times when an individual’s or a small group’s preferences must yield to societal goals. At the same time that the First Amendment protects each individual’s free exercise of religion, reason, logic, and the good of society as a whole must also be preserved.

8. *Further disruption of the school day.* Judge Hull’s ruling that the plaintiffs’ children be allowed to exit their reading classes to go either to the library or study hall and be taught reading at home may sound like a neat solution, but it further promotes what educators call “chopped-up” days, resulting when students exit periodically for one activity or another. Teachers value and wish to preserve the continuous large blocks of teaching time existing in the elementary school.

Educators at the district and state levels must make a concerted effort to prevent the kind of attack on public education that Hawkins County, Tennessee, is experiencing. Only through united, well-planned endeavors can such abuse of the First Amendment be halted. Even if higher courts overturn the Eastern Tennessee U.S. District Court’s decision, protection against further action is necessary to prevent other groups from advancing their religions at the expense of the common good.

1. *Mozert et al. v. Hawkins County Public Schools et al.*, United States District Court for the Eastern Division of Tennessee, Northeastern Division, Greeneville, Tennessee, No. CIV-2-83-401, 1986.

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The Effects on Classrooms

What are the potential effects of these cases on life in schools and classrooms themselves? Let’s begin with the books themselves. Partly in response to challenges like these, textbook publishers have grown increasingly reluctant to include controversial material in their books. Many history texts, for example, almost ignore religion, despite its influence on the formation of our country and on such important contemporary events as the civil rights movement. Evolution suffers similar neglect in science and biology texts. The result of this caution is bland, intellectually uninspiring textbooks that also teach a distorted view of history and science. These two court cases have considerably expanded the notion of what is controversial, which will increase publishers’ wariness and produce textbooks even further impoverished by the systematic muting or omission of topics susceptible to such challenges.

When we turn our attention to curriculum, the problem becomes more complex. In Tennessee, Judge Hull limited his ruling to a particular group of children and one particular reading series. In Alabama, Judge Hand’s decision is an unprecedented intrusion into the curriculum by a federal court. In an act that amounts to judicial book burning, he has left students and teachers with a gutted curriculum in the middle of the school year. He has given the country its first judicially created religion, and the first religion to be defined by its opponents. While these rulings at present affect only the jurisdictions covered by the decisions, the reality of both public education and the legal process makes it unlikely that the issue will rest there.

If the Renaissance is an objectionable topic in reading, then how is it to be treated when the class comes to that era in its history lesson? If a story about dinosaurs is troubling because it suggests an evolutionary process not in conformance with scripture, then how is evolution to be dealt with in biology class? In a well-designed curriculum, information is presented and reinforced across subject areas. Judge Hull apparently chose to ignore testimony that in Hawkins County reading instruction in grades one through four is integrated throughout the curriculum. In both cases, most of the topics

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