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Confidence

IN CONTROVERSY
Freedom of Speech in the Classroom

Jeremy Hayward  jeremy.hayward@ucl.ac.uk
“If all mankind minus one, were of one opinion, and only one person were of the contrary opinion, mankind would be no more justified in silencing that one person, than he, if he had the power, would be justified in silencing mankind….

The peculiar evil of silencing the expression of an opinion is, that it is robbing the human race; posterity as well as the existing generation; those who dissent from the opinion, still more than those who hold it. If the opinion is right, they are deprived of the opportunity of exchanging error for truth: if wrong, they lose, what is almost as great a benefit, the clearer perception and livelier impression of truth, produced by its collision with error”. (p.33)
Key points

Discussing controversies leads to participants being “significantly better informed” (p.20)

Framing is important; “open, closed, or “tipping.”” (p.21)

Research shows that hearing opposing views can increase tolerance, but the quality of the discussion is important. (pp.22-24)

There are mixed views surrounding the airing of the teacher's opinion (p.25)
What is a good space for discussion?
Creating an environment for discussion

Psychological Safety?

Creating of ‘safe spaces’ for discussion?

Ground rules

• Respect for speakers/listeners
• Respect that each pupil comes from a different context/background
• Difference is ok
• Unpopular views are not ridiculed
A safe space is one which “allows students to feel secure enough to take risks, honestly express their views, and explore their knowledge, attitudes, and behaviors” and where there is “protection from psychological or emotional harm” (Holley & Steiner, 2005:50)

But

“In a safe classroom… one person’s sense of safety may come at the expense of another’s, thus raising concerns as to whether the classroom can indeed be a safe space simultaneously for all students” (Barrett 2010:10)
Safe spaces?

A safe space does not mean
...that anything can be said
...it will be free from discomfort
...views will go unchallenged

As teachers we want to encourage honesty but perhaps need to encourage civility (Barrett 2010)

Incivility is “any action that interferes with a harmonious and cooperative learning atmosphere in the classroom” (Feldman 2001:137)
Should the teacher be non-judgemental?

Students who belong to marginalised groups can live in a challenging world where racism, sexism, ableism, and heteronormativity pose genuine threats to their well-being.

To contend that the classroom can be a safe space for these students when the world outside is not, is unrealistic.

Social norms and discourses which appear impartial are often biased.

Does the teacher have a duty to speak up for the marginalised?
Eamonn Callan

Different contexts operate different “Civility Regimes”

“...norms that distinguish between respectful and disrespectful conduct in some given social setting; that determine what range of sanctions apply when norms are violated” (Callan 2001:5)
Case A Easy case

A black pupil in the class asks a question. The question does not impress a white student who comments “That's what you get with affirmative action” (Callan 2011:4)

Case B Hard Case

The topic of discussion is affirmative action. A black pupil asks a question and is answered. A white pupil comments that black students who have benefited from affirmative action are academically weaker. They ask foolish questions and waste time for everyone.

Callan explores the case for silencing and the case for not.
Argument for silencing

Teachers needs to silence to allow educational opportunity on fair terms.

Case is made stronger in contexts of previous racial stigmatization

There is an argument not to take seeming civil statements at face value in these cases (as case B would be the sort of statement a racist might make)

By not silencing, it would be the victim that would be silenced (p.9)
Civility or respect?

Civility is not the same as respect. One can be polite and racist.

In silencing we are missing an opportunity to develop respect.

We need to weigh up the harm from allowing certain speech with the good that might come.
Callan argues: Sincerity of expression is needed in society

“Our collective capacity to pursue the truth is compromised when speech does not faithfully reflect what people really believe but is instead a function of what they think will please or placate whoever has power over them.” (Callan 2011:12)

In other words what we sometimes need is intellectual candour.
Callan argues that more speech, not less speech is needed to combat odious beliefs.

The position of the teacher is such that good will likely result through discussion though teachers may need “some verbal precision and a cool temper”

He also explores respect inflation as a threat to intellectual candour.
Restricted vs unrestricted contexts
Legal frameworks

ECM: Be healthy, Stay safe, Enjoy and achieve, Make a positive contribution, Achieve economic well-being

**Article 13 – UN convention on the rights of the child**

1. The child shall have the right to freedom of expression; this right shall include freedom to seek, receive and impart information and ideas of all kinds, regardless of frontiers, either orally, in writing or in print, in the form of art, or through any other media of the child's choice.

2. The exercise of this right may be subject to certain restrictions, but these shall only be such as are provided by law and are necessary:
   (a) For respect of the rights or reputations of others; or
   (b) For the protection of national security or of public order or of public health or morals
Legal frameworks

The Employment Equality (Sexual Orientation) Regulations 2003. Protects all staff in a school against discrimination or harassment on the grounds of their sexual orientation. ..... Harassment is unwanted conduct which violates a person's dignity or creates an intimidating, hostile, degrading or humiliating environment..... Employers should be aware that they are responsible for the actions of their employees, and what people may think of as just 'banter' and 'having a laugh' can be deemed harassment if it is at the expense of someone else's dignity..... DCSF (2007)

• 2010 Equality acts extends laws on harassment (in some areas), discrimination and victimisation to pupils & potential pupils too. Though the curriculum is not covered by the act.

• Promotion of FBV
Classroom context

- Context of the classroom
- Pupils are not allowed to leave the room if they find comments offensive or intimidating
- Hard for marginalised pupils to speak out
- Asymmetry of speaking rights
Crossing the line and curtailing speech

In curtailing speech there are three elements to consider.

1) Knowing where the line is

2) Marking the line

3) Enforcing the line
Criteria for curtailing speech

A) The comment is **not relevant** to the lesson. In other words it does not form part of the academic discourse on the matter. **Inappropriate** (content).

B) The comment may be relevant but the way it is expressed is **inappropriate** (harm) (form).

C) The comment may be relevant, but is not age appropriate **Inappropriate** (content) (harm).

D) The comment is relevant and expressed appropriately, but there are local reasons why it might be upsetting. **Inappropriate** (content) (harm)

E) The comment may be relevant but is likely **to cause offence/be intimidating/make students uncomfortable** (**global harm**) (form or content). **Unacceptable**
The **locutionary** act - The utterance. “It’s cold in here”. What is said.

The **illocutionary** act - the type or ‘force’ of the sentence. May not always correspond to the literal meaning of the words. What is meant.

The **perlocutionary** act: that effect on the hearers.

“I promise to pay you back”

“That’s brilliant!”

“I hope this inquiry can be closed now”
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https://www.surveymonkey.com/r/JKW7FWM
Crossing the line and curtailing speech

“Any woman in a short skirt is fair game”

Year 9 topic is gender equality

1) Acceptable in most contexts
2) Inappropriate in most contexts
3) Unacceptable in most contexts

A) Allow further discussion around the statement
B) Curtail the discussion
Crossing the line and curtailing speech

“I agree with racism. I think its right”

Year 9 topic is equality

1) Acceptable in most contexts
2) Inappropriate in most contexts
3) Unacceptable in most contexts

A) Allow further discussion around the statement
B) Curtail the discussion
Crossing the line and curtailing speech

“Wind power is so gay”

Year 9 topic is climate

1) Acceptable in most contexts
2) Inappropriate in most contexts
3) Unacceptable in most contexts

A) Allow further discussion around the statement
B) Curtail the discussion
Crossing the line and curtailing speech

“The whole idea of gay couples adopting children makes me feel sick”

Year 9 topic is equality

1) Acceptable in most contexts
2) Inappropriate in most contexts
3) Unacceptable in most contexts

A) Allow further discussion around the statement
B) Curtail the discussion
Crossing the line and curtailing speech

“America totally deserved 9/11”

Year 9 topic is terrorism

1) Acceptable in most contexts
2) Inappropriate in most contexts
3) Unacceptable in most contexts

A) Allow further discussion around the statement
B) Curtail the discussion
Crossing the line and curtailing speech

“There are too many poles living in this country”

Year 9 topic is Brexit

1) Acceptable in most contexts
2) Inappropriate in most contexts
3) Unacceptable in most contexts

A) Allow further discussion around the statement
B) Curtail the discussion
Bibliography


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Email: info@since911.com
Web: www.since911.com
Phone: 0203 008 7705