

Confronting a Source of Contemporary Student Disengagement

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ABSTRACT

The author teaches undergraduate seminars on problems of justice arising historically from the freedom of expression clause of the US Constitution's First Amendment. He began this instruction before the present fraught intellectual climate, with its ideological polarization and its claims, Left and Right, against the traditional arguments for tolerance for opinions different from one's own. He has long favored confronting what Ken Bain, the author of *What the Best College Teachers Do*, has called "the big questions," and in these seminars asks: is it possible for a democratic society to achieve simultaneously the desirable ends of justice and order? Recently he has taught students with strong responses to big questions. The campus is often characterized by vigorous expression of the progressive student consensus but quiescence on the part of the not inconsiderable number of conservative students and students less secure in their opinions. This seminar has maintained proactive conversations, with generally broad participation. In this article, he explains how, through structured discussions, simulations, and the study of judicial processes, historical lawsuits and court decisions have provided frameworks for classes that are explicitly less divisive and more productive of analytical thinking. The article concludes, however, with a discussion of an abiding problem within this generally successful model: the disengaged student whose opinions lie outside the abidingly liberal-progressive campus consensus and who seeks to avoid participation.

1. David A. Gerber, "Are We Giving Students Something Worthwhile to Talk About?," *Perspectives on History*, January 12, 2018, <https://www.historians.org/publications-and-directories/perspectives-on-history/january-2018/are-we-giving-students-something-worthwhile-to-talk-about>; and David A. Gerber, "Confronting the Paradox of Expertise: Leave Your Comfort Zone and Reinvigorate Your Teaching," *Perspectives on History*, February 25, 2019, <https://www.historians.org/publications-and-directories/perspectives-on-history/march-2019/confronting-the-paradox-of-expertise-leave-your-comfort-zone-and-reinvigorate-your-teaching>.

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Introduction

I want to address the organization and goals of an undergraduate-level seminar I have taught for many years. It features reading excerpts of historic US Supreme Court decisions, discussing these decisions, and having students plead the law suits that are the origin of the decisions in simulations of court hearings. I also want to discuss a nagging problem I have experienced regarding student engagement in this seminar, a problem I associate primarily with some young men in class. It is a problem that has grown more insistent in recent years, alongside the fraught, polarized public discourse in society and on campuses. I do not believe that this is necessarily a new issue, but rather the climate in which I am now teaching has sensitized me to greater awareness of it. Furthermore, preoccupied as I have been with identifying it, it is still a problem about which I have only tentative answers at this point.

By "engagement," a term I'm going to be using, I do not mean "interest" or "involvement" or "participation." Instead, I mean the obligation to go beyond having an opinion to having an intellectually and morally defensible process for reaching an opinion, and then, a further obligation, working with others involved in the same process toward moral and factual truths. Engagement of this sort requires something existential in students: it marshals not only intellect but also identity, experience, and personal psychological resources.

For that reason, in addressing the origin of my concerns, I'll need to develop a more complicated demographic than the category "student," because in addition to gender, I will address the social, cultural, and political backgrounds of my particular cohort of students. Eventually I will urge those interested in the sort of instruction I describe to embrace this complexity. I would add to that point that this demographic itself must be built on our understanding of the emotional and cognitive developmental course of adolescence.

I once believed that I had a formula in this seminar for addressing big questions that was successful, and with the encouragement of the editors of the American Historical Association's magazine, *Perspectives on History*, in 2018 and 2019, I wrote enthusiastically about the model I was developing, from the perspective of both how it seemed to work to move students toward engagement and how it had served to reinvigorate my own work as a teacher.¹ But on recent reflection, I am less certain about the former claim than I was four years ago. To be more specific about my doubts, I continue to find most of my students participating in the work of the seminar, but a significant minority seem reluctant to lend themselves to it. It's that minority that has come to concern me.

So, consider these thoughts also, in part, as an inquiry into the problem of the alienated student and the students we don't reach. Paradoxically, I am advancing simultaneously an instructional model that I continue to wish to pursue and a critique of my teaching that uses it. Since the model has been built on student participation, its problems may well be a matter of dealing in the classroom with viewpoint diversity among students, a persistent issue in a class like mine but also, apparently, in one form or another, on most campuses. A significant number of American

students complain about being “canceled,” because they do not feel inclined to join the liberal/progressive consensus that exists among undergraduates at most universities and colleges today. It seems self-evident that we need to examine our obligation to encourage these students to join our discussions and to provide space for them to present their views.

The Seminar and Its Big Questions

To return to my seminar: at the heart of the seminar is student participation, both, as usual in seminars, in group discussion and, beyond that, in simulations of Supreme Court hearings. The students in this seminar take the role of appellant, appellee, or the sitting justices of the court, who render a decision based on their vote. One of them plays the role of chief justice. The seminar has focused in alternate semesters on the religious liberty–religious establishment clause and the free expression clause of the First Amendment.

The Supreme Court decisions I have the students read are more or less historic cases, twenty or more years old. This is intentional: the point is to avoid the intense and polarizing, partisan controversies of the present moment and to have students focus on principles of justice and judicial practice as well the specific issues before the Court. This is hardly to say that the decisions chosen fail to relate to contemporary controversies, whether implicitly or more or less directly. Many of the issues, such as public-school prayer or public racist hate speech, are perennial, and their staying power links past and present. Older Court decisions also reflect on newer ones, because the Court’s usual concern for precedent in the pursuit of stabilizing constitutional doctrine and the law enables links between historical and contemporary decisions. Constitutional jurisprudence is built on precedent, and past decisions are the building blocks for contemporary decisions. Finally, the role of the Court in relation to the other branches of the federal government and to state and local governments abides as an issue no matter how old the decisions are that are reviewed. The centralization of power over daily life regarding freedom of expression and religious establishments and religious liberty that the Court has superintended in the last century in the name of protecting minorities and preventing government overreaching has worked its way into every sector of American life. Often this has taken place without the enthusiasm of local majorities, such as parents who want Christian prayer in their children’s public schools but have been blocked by strong Court decisions from achieving it. Local public opinion continues to be inflamed under such circumstances.

It is centering this seminar around abiding and difficult big questions, which ultimately in this case involve balancing social stability, minority and majority rights, and liberty (freedom from state interference), that Ken Bain, a longtime analyst of teaching practices in higher education, identifies as the key to successful instruction. In *What the Best College Teachers Do*, Bain argues that we best encourage student involvement and combat boredom, cynicism, and opportunistic grade mongering by dealing with “big questions.”² The big questions also continue to engage instructors, not only as citizens and members of their own residential communities but also productively in their classrooms. Big questions can inspire lively and productive discussion, and ultimately their most important claim is the feeling we, as instructors, have in engaging them that, somehow, we are working toward creating foundations for living together in greater harmony. Long before I read Jonathan Zimmerman’s revealing historical analysis, pointedly titled

3. Jonathan Zimmerman, *The Amateur Hour: A History of College Teaching in America* (Baltimore, MD: Johns Hopkins University Press, 2020).

4. I have been influenced in my understandings of the necessity of having a self-reflective position as an instructor by my initial experiences as a teaching assistant in graduate school, working under a pioneer in that mode of inquiry. For an analysis of Martin Duberman's ideas about and experiments in seminar teaching, see Robert L. Hampel, *Radical Teaching in Turbulent Times: Martin Duberman's Princeton Seminars, 1966–1970* (New York: Palgrave Macmillan, 2021).

The Amateur Hour, of the paralysis that too often seems to befall classroom instruction in higher education, I had reached the conclusion that I needed to find a different path for my students' sake as well as my own.³ I felt I was failing with the models for history teaching I had been following. Too often I found I was reduced to teaching facts and chronology in lecture courses and teaching critical reading skills in seminars. However necessary to students' intellectual formation, decades of doing that pretty much deadened my energies as an instructor.

My Position as an Instructor

What are my own perspectives, philosophical grounding, and pedagogical goals as an instructor? We are, of course, not completely neutral parties in the classroom, and it is necessary to understand what we bring to the students, beyond our professional credentials and the authority that comes with our academic appointments.⁴ First, I endeavor to be a neutral party in partisan terms but aggressive with respect to values. This means, for example, that though, on specific public issues before the courts, I personally am a separationist regarding church-state relations and a qualified advocate of unlimited free expression (drawing a bright line at provoking violence, violent intimidation, and targeted racial, ethnic, religious, gender, and sexual vilification), I don't let these positions routinely enter my classroom discourse. I post documents attesting generally to my positions on the issues before the Court and my own values at the start of the semester, but I try not to correct my students' views based on my own position on these issues. If a student favors school prayer, for example, I do not contradict them because I do not favor it. I do throw questions their way, as I would throw questions to students against school prayer. This is just the sort of intuitive wisdom most of us bring to the classroom. It is founded on respect for disagreement and on the understanding ultimately that what might appear to be nagging, shaming, or condescending correction hardly makes for successful instruction or a conversation starter.

In my own case, the reasons are deeper still. I have traditionally liberal and libertarian foundations for my thinking about my goals in teaching. I do not have positivist aspirations (to implant correct ideas), nor do I have the desire to lay on culture and ideology. It's embedding the processes of purposeful thinking, in part through exposure to a wide variety of opinions and ideas, that concern me as an instructor. That may be politics to some people's minds, but it is not partisan politics that involves side-taking on hot button current issues. I want my students to become involved and find their own ways into thinking clearly, independently, and analytically in order to reach their own conclusions. What I attempt to do in the classroom is question relentlessly, put my own opinions out of the way, and work the seminar into a come-let-us-reason together mode at each meeting.

My basically Millian (John Stuart Mill) stance, which is a qualified endorsement of broad freedoms, even for malefactors, is not popular throughout academia today and is associated with privilege and insensitivity to those who believe themselves to suffer because of freedom of speech and expression of others. Many instructors at present are sensitive to buried insults, defamations, and microaggressions in our classroom discourse.

I do warn students at the start of each semester in a group letter sent to each of them via Blackboard that they are going to encounter disturbing ideas, rough language, and malign

5. Patrick Wood Crusius, who was responsible for the mass shooting at a Walmart in El Paso, Texas, in 2019, was a student at Collin College in McKinney, Texas, and Payton Gendron, who was responsible for a mass shooting at a supermarket in Buffalo, New York, in 2022, was a student at SUNY Broome Community College in Binghamton, New York, though his attendance was irregular. Both shooters were prompted by racial and ethnic hatred.

individuals, all of which will trouble many of them, just as they trouble me. Overprotection, as opposed to sensitivity, however, is not a successful strategy for seeing adolescents into adulthood. I also do not believe that our students are as emotionally fragile as they are portrayed to be by those who want to curb campus speech freedoms. Their video games and popular movies are filled with lethal violence masked as entertainment, and most instructors do not hasten to urge censoring let alone banning these popular entertainments.

There is another axiom alongside my libertarian views on expression guiding my response to the seminar's issues: laying on versions of what we deem to be politically right on some students does not have a lasting influence. It may, in fact, have the opposite influence on some of them. The more we insist that they think like us, as opposed to think for themselves, and that they accept adult authority at this stage of their emotional development, the more they will not only resist us but also may well veer to opposite conclusions in reaction.

This should be very troubling for us. The disaffected and reactive adolescent, who becomes isolated, becomes alienated, and ultimately seeks acceptance among those who specialize in influencing such minds can lead them to places, such as the racist and violence celebrating sites on the dark web, that are destructive for them and for society. It is comforting to think that it is only the uneducated adolescent who veers in that direction, as if somehow entering a college classroom insulates people from antisocial ideas. It is also not true, as the biographies of some recent mass shooters, who have been enrolled in college, can testify.⁵

Recent Concerns Emerging from Seminar Participation

In recent years as the polarization of politics and opinion has become acute and toxic, I have had a young male problem that I feel may be deeply rooted in our culture and politics. Our classrooms are not without an obligation to confront it. It may be rooted in race but not exclusively so. It is also rooted in religion, gender and sexuality, and nationalism. It is above all, I have come to suspect, looking at it broadly as it plays out in public discourse in and outside the university, a crisis of intellectual authority. Fairly or unfairly, established cultural elites in the mainstream media and in universities and colleges are distrusted, not so much for what most of us actually say but what we appear to represent: the imposition of ideas and standards of conduct through practices of shaming and expressions of contempt delivered in smart, smug analytical language. Of course, a majority of contemporary academics do not see themselves in such a light. It is for most of them not simply an unfair characterization but a false one. An example here and there of some professor who says something outrageously condescending to an undergraduate, who is just emerging from childhood, is hardly a common practice. But we need to be sensitive nonetheless to giving such signals, because the way we are perceived affects our effectiveness as teachers.

My own students have been very smart, as honors students, but it is smart in formal academic terms within their STEM disciplines. They are inexperienced in the contemporary world, and not only because they are adolescents in their first year at the university. Many come from small towns and small cities, rural areas, and suburbs of upstate New York, which are more or less religiously, racially, and ethnically homogeneous and deeply conservative. Except for its large

6. The common impression that men are present in much greater numbers than women in STEM fields has been more accurate in the past than it may be at present and certainly in the future, at least in the program I have been teaching in. Persistent recent efforts by the University at Buffalo, I have been informed by Honors College staff and the university's Office of Institutional Analysis, are being made to recruit young women into STEM fields. The last four years have seen dramatic increases in undergraduate women in the fields of environment and sustainability and public health, with a somewhat more modest increase in the field of medicine and biome neuroscience. While the Honors College has made no specific efforts of its own to gather these women STEM students, this increase may be reflected in my own enrollments. From 2015 through 2020, ninety-seven males (76 percent) and thirty females (24 percent) enrolled in my seminar, but the figures changed markedly, to twenty-six males (59 percent) and eighteen females (41 percent), in toto, for 2020 and 2021. As it is, the Honors College itself has a majority female enrollment: 62 percent of its students are women. (Tim Matthews [Honors College, University at Buffalo], email message to author, January 12, 2023; and Michelle Sedor [Office of Institutional Analysis, University at Buffalo], email message to Tim Matthews, January 11, 2023.) Of course, one must be cautious in finding a direct relationship in these data to enrollment of males and females in individual courses. As we are all aware, in play in determining individual course enrollment are situational factors (day, time, and building location); subject matter; and expectations about the amount of required participation, reading, and writing. What the data do make clear is that the growing presence of women STEM students is overdetermined by institutional and programmatic policies and developments.

7. In its 2022–23 academic year



cities and most, but hardly all, of the New York City metropolitan area, New York is throughout a red state. Furthermore, most of my students are not from the socioeconomic elite. Many have working- and lower-middle-class origins and parents who are not uniformly college educated or white collar. Among them are families that struggle to maintain a middle-class standard of living and who bear some of the resentments that accompany insecurity and frustrated mobility. Honors students in our program may be elite in the educational opportunities they enjoy, but these students are certainly not elite or privileged in their origins.

They arrive on a campus that is spectacularly racially, ethnically, nationally, and sexually diverse in the manner of contemporary public higher educational institutions. Much of what they confront daily in their dorms, classrooms, and eating and study spaces on campus is a profound challenge to them. Many face this challenge successfully and expand their horizons and capacities to learn and grow through exposure to this diverse mini-world. There are, of course, students who in high school began to challenge the limitations of the cultural environment of their hometowns. For them, the campus is a long sought-after place of liberation.

But this emotional and cultural growth is uneven among students: in my experience, the most articulate and emotionally mature students in addressing the issues of freedom, order, and liberty in my seminar have been young women, whose maturity and poise often stand in marked contrast to the young men in class.⁶ A persistent minority of young men lag behind, whatever their intellectual abilities, and some of them seem resistant, though never approaching overtly hostile. It is in their body language and reluctance to speak, and then speaking tersely and unrevealingly when called upon. Their written work, as demonstrated in their notebooks of case summaries in which they are also supposed to record their personal opinions on Court decisions, tends toward the same unrevealing brevity. I attempt with mixed results to coax them to expand their thoughts especially on what they believe in these notebooks, which I examine during and at the end of the semester. These are honors students, too. They have a lot invested in getting a good grade and in gaining their instructors' approval. Though I am a generous grader and largely insist only on evidence of involvement, especially class preparation evident in discussion and in this notebook I ask them to keep throughout the semester, as the basis for an A grade, concerns about grades never fade from their consciousness.

To what extent is it also that they do not feel free to say what they have on their minds and to resist the liberal/progressive consensus that exists on the campus and almost always in the classroom?⁷ When I speak of a liberal/progressive consensus on campus that seems intimidating for some students, especially these young men, I am not only talking about faculty, with its disciplinary and intellectual authority. Surveys reveal that students who complain about feeling intimidated in the classroom and on the campus where and when the "big issues" are discussed are actually likely to say they are more intimidated by their peers than by their professors.⁸

Of course, one can't draw bright lines here because of the hardly implausible perception that instructors share the same values as this consensus among students. How an instructor reacts, no matter how subtly, to what is said by students in class discussions, does send messages. When an articulate eighteen-year-old speaks with inspiration, feeling, and knowledge and expresses your own opinion better perhaps than you might have been able to at that moment,

survey of the status of freedom of expression on approximately 206 American higher educational institution campuses, the Foundation for Individual Rights and Expression (FIRE) asked 252 undergraduate students at the University at Buffalo to self-identify in terms of political ideology. The ratio of students expressing “liberal” views to those expressing “conservative” views was 2.5:1. The excellent ranking, 35th of 203, the university received in terms of students’ “comfort expressing ideas” probably needs to be seen in that context. In other words, the majority of students agree with one another and have comfort in the consensus they share. College Pulse and FIRE, “2023 College Free Speech Rankings,” accessed January 31, 2023, <https://rankings.thefire.org>. The FIRE survey encompassed a total of 45,000 students on these campuses nationwide.

8. In a survey of undergraduates at higher educational institutions encompassing 2019, 2020, and 2021, Heterodox Academy found that though almost 90 percent of these students agreed on the necessity of open discussion and free expression on campus in 2021, 63.5 percent (up from 54.7 percent in 2019) said that the climate on campus prevented some people from expressing themselves on controversial topics involving politics, race, gender, and sexual orientation. When asked why some students are reluctant to speak in class, in 2021, 60.2 percent identified “other students might deem me offensive” as their reason, while 33 percent said that a professor might say they are wrong, 32 percent that a professor would criticize their views as offensive, and 29.2 percent that a professor might lower their grade. S. Zhou and S. C. Zhou, *Understanding the Campus Expression Climate Three Year Report*, Fall 2019, 2020, 2021, General Audiences (New York: Heterodox Academy, 2022), 8–15, <https://heterodoxacademy.org/campus-expression-survey/campus-expression-climate-research-report/>.



it is difficult to mask your approval. But it is clear that some students also have worries about social acceptance when they feel their views are outside the boundaries of what the most articulate and the most passionate among them contend.

As these complex tensions work themselves out from session to session and semester to semester, how do we come to make sense of them? Course evaluations done formally at the end of the semester might be one path to doing so. But there are problems with the course evaluation process from this perspective. The internet-based evaluation process is closely guarded against the interference of instructors, and there is usually one month to do the five-to-ten-minute evaluation. But the response to this voluntary activity is never 100 percent in spite of persistent university efforts, including at times randomly dispensing gift cards and prizes for participating. What I suspect is that the most alienated students are the ones who do not participate, though I am not in a position to determine who fails to fill out these evaluation forms and what their reasons may be. The response rate lingers usually around 50 to 75 percent in my course in spite of my persistent efforts—breaking my self-discipline about nagging—to encourage the students to do the course evaluation.

In general, in class discussions and in the course evaluation process, what we have here is, and is more than, the usual problem of soliciting student opinion and encouraging participation. To that extent, I believe it is a deeper cultural and psychological issue of the present moment that requires candor, thoughtfulness, and open discussion. The arguments in behalf of the importance of facilitating viewpoint diversity and the methods of evoking broad-scale classroom participation are well known enough not to need repetition here. What hinges on the success of that project is more than making our courses work. It is instead at the most general level making democracy work, for the practice of democracy depends on people of contrasting views being able to participate in a civil conversation, work toward some mutual understanding, and then embark on collective efforts to govern themselves. Until an alternative is found to democracy that has more to recommend it than the disastrous failures that played havoc with untold human lives in the twentieth century, liberal democracy seems the best we can do to work, however painfully and unevenly, toward justice and stability.

But that doesn't help us much to know how to reach all of our students. It states instead why, under circumstances in courses like the one I have described, it is worth the effort. Beyond doubling down more deliberately and with greater sensitivity in the methods I already employ at present in the classroom, I have no practical solution to the problems I have identified. But I offer two questions by way of a start to become more effective in dealing with students who are alienated, not because they are bored or indifferent to being educated but instead because the cost of involvement seems at some level to compromise their values, identity, and social standing. Who are the students we teach, and what social and cultural elements go into making the collectivity that forms our classrooms? We need to begin at the most fundamental level of analysis by deconstructing the category of “student” and realizing the complex demographic that goes into the social selection of the student bodies we teach, especially at large public institutions like mine. On that basis, we may be able to start building a pedagogy that has classroom vitality, because it is truly inclusive.

AUTHOR BIO

David A. Gerber is professor emeritus of history at the University at Buffalo (SUNY) and a senior fellow in history and disability studies at the University at Buffalo. Within American history, his research and publications have been on race, immigration and ethnicity, disability, veterans of military conflict, and First Amendment law. With Bruce Dierenfield, he is the author of *Disability Rights and Religious Liberty in Education: The Story behind Zobrest v. Catalina Foothills School District* (2020), a CHOICE Outstanding Academic Title. Currently his research is on American general officers who were prisoners of war in the Asia-Pacific during World War II and the utility of the concept of "moral injury" for understanding their reactions to captivity. His articles on instructional practices and curriculum in higher education have appeared in *The History Teacher*, *Teaching History*, and the American Historical Association's *Perspectives on History*.

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