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## Statement against HB 544

The New Hampshire Institute for Civics Education (NH Civics) strongly opposes HB 544, titled an act “relative to the propagation of divisive concepts.” The bill seeks to prohibit the discussion of important social issues. While some of the “divisive concepts” defined in the bill are generally agreed to, e.g., that no race or sex is inherently superior, there is certainly no such consensus on a number of the bill’s other “divisive concepts,” such as those concerning the extent of racial bias and sex discrimination present in society. It is important to civics education that these matters be fully discussed. That they may be controversial is not a proper basis to limit discussion among teachers and students. Indeed, the goal of civics education is to educate our students so that they act as responsible informed citizens, able to hear and listen to one another, and able to adopt good policies to meet the challenges of our times.

Moreover, if enacted, and whatever good its proponents think it will accomplish, this bill will not—nor should it—succeed, in our turbulent times, in suppressing provocative thought and discourse. Instead, its passage will only sow further harmful discontent and alienation, chilling effective teaching and training.

We do not need this State-action limiting approach to healthy discourse over important and controversial issues. If a particular view of history is flawed, unfair, or unduly biased, it will undoubtedly lose out in the marketplace of ideas. But if the State seeks to limit teaching in schools and other forums on such important matters as racism and sexism, through a delineation and enforcement of “divisive concepts,” we will all lose out and our constitutional democracy will be much weakened. A “divisive concept,” in the bill includes, for example, this troubling recitation: “the concept that . . . “any individual should feel discomfort, guilt, anguish, or any other form of psychological distress on account of his race or sex.”

To be sure, NH Civics, as the core organization in this State working to enhance civic engagement and understanding, does not favor any form of “indoctrination,” or any particular view of history. Rather, we favor pedagogical approaches to teaching history that are balanced, and oriented to developing a student’s critical analytical skills—approaches which do not dictate adoption of any one specific stance on an issue.



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We do favor the recently announced Educating for American Democracy Initiative, which has been put forward and developed in a non-partisan manner, with input from many talented educators across the country—an Initiative which encourages local development of civics curricula and fosters responsible civics learning.

HB 544 does provide that “nothing in this chapter shall be construed to prohibit discussing, as part of a larger course of academic instruction, the divisive concepts . . . in an objective manner and without endorsement.” Yet, this purported limiting provision would not work to encourage teachers to take on difficult subjects; rather, it would certainly itself serve as a basis for controversy and litigation. It would not forestall the chilling of effective teaching.

HB 544 is ill-advised, and harmful. It will exacerbate our culture wars. We urge all legislators and the Governor to oppose its enactment.