

Free Speech for Teachers

COMMISSIONER FINLEY'S decision in the Rodman case seems to close a rather ominous chapter in the history of the New York public school system. Up to a few years ago the Board of Education had a rule which compelled all women teachers to resign as soon as they married. When the matter was carried up to the courts, the Court of Appeals finally decided that marriage was not "gross misconduct," and that the Board of Education had no authority for its practice of discharging efficient teachers for no other reason than that of marriage. The Board of Education had the choice between appealing to the legislature for authority to do that which it had hitherto been doing illegally, or of accepting the decision and living up to it. Both courses required some intelligent courage on the part of the members, so they decided to do neither. Instead they adopted a policy of discrimination against married women teachers, hoping to accomplish by indirection that which they had no right to do directly. In pursuance of this policy the Board made the absence of teachers for the purpose of childbirth a cause of dismissal, and refused to grant any leave of absence in such cases. The public indignation which this course of conduct aroused, and the adverse decision of the Commissioner of Education, ultimately forced the Board to give up the policy. While public discussion of this matter was at its height, Miss Rodman, a woman teacher, wrote a letter to F. P. A. in the New York *Tribune* facetiously referring to the gentle sport of "mother-baiting" in which the object is "to kick the mother teacher out of her position." For this offense the Board of Education, acting as the injured party, accuser, and judge, suspended her for nearly a year, thereby fining her eighteen hundred dollars. This act Commissioner Finley now sustains, though apparently recognizing its unusual harshness in urging the Board to reconsider its action.

The ground upon which Commissioner Finley based his decision is that the Board of Education was acting in a judicial capacity, and was therefore entitled to protection against adverse comment. This reason will hardly bear close scrutiny. Waiving the question as to whether the Board was acting in a judicial capacity rather than attempting to legislate beyond its authority, it is clear that if comments of the kind that Miss Rodman made did interfere with the deliberation of the Board, several of the editorial writers of New York newspapers should also have been punished for contempt of this peculiar court. Miss Rodman's act in writing to the *Tribune* was not one in the course of her employment as a teacher. It was something that she did

in her capacity as a citizen outside of the school-room, and the question how far the Board of Education has a right to try teachers for acts done in their capacity as citizens is one that Commissioner Finley does not deal with.

Obviously the only ground on which the action of the Board of Education can possibly be sustained is the one of discipline. If teachers are allowed to criticize their superiors, discipline will be undermined. The army rather than the court offers the effective analogy. But this raises squarely the issue whether we want the Prussian military ideal to permeate our public school system, especially when its heads are not experts but laymen, who give what time they can spare from their private business. Moreover, not even in the German army is the offended superior both accuser and judge. In a court-martial an officer is tried by fellow officers.

In view of Miss Rodman's offer to apologize to the Board for the tone of her letter—the facts therein stated are beyond dispute—it is clear that the unusually heavy punishment is either the expression of the petty revenge of a defeated party, or part of a policy of "frightfulness" to prevent the teachers in the public school system from expressing opinions on a subject in which they are qualified. But apart from the merits of the Board's action, it raises a fundamental issue of democratic government: how far should persons be compelled to give up their rights as citizens when they enter the public service? Against the claims of "discipline" a great deal may be said in favor of an educational system in which teachers are not afraid to call their souls their own. It is to be hoped that some public-spirited body will make it possible to carry the case to the courts and determine whether the terms of our bill of rights have any application to these issues.

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Oxford in Wartime

HAPPIER than Louvain, Oxford still keeps her "dreaming spires." But the young dreamers who lived beneath them are no longer here. They have gone to the wars, where they, or such of them as still live, are otherwise occupied than in dreaming; unless it be true, as one sometimes feels, that a hideous nightmare has fallen on the world.

Out of thirty-five hundred men students, the number in normal times, there are not more than nine hundred in residence—and most of these are foreigners, newcomers under age, or men physically disqualified. The women's colleges are little affected in numbers. Somerville, the chief of these, has been turned into a huge hospital; the women have been accommodated in Oriel, whose undergraduates seem to have enlisted in a body. New College, Magdalen, and Balliol are quarters for the officers of the Oxford and Bucks Light Infantry. The Oxford Hussars are in Christ Church meadows. There is a mounted brigade at Lincoln and two heavy batteries at Exeter. From New College alone 738 men are with the forces; this may serve as a sample of all. The Examination Schools, the Town Hall, and other public buildings are hospitals. Wounded men are also accommodated in the college gardens.

One meets the wounded everywhere. Fresh convoys continually arrive. Two hundred came in last night—nearly all bad cases. Some of them, as a nurse informed me, "were shot to bits." There were others who wore no bandages; we heard them coughing incessantly as they were lifted from the ambulance. In this connection I will mention a detail which is not without significance. A student of my acquaintance who had been rejected on account of a weak heart heard those coughs, went this morning to a fresh recruiting office, concealed the truth, and got himself accepted.

There is a corps in Oxford known as Godley's army—so called after the University Orator who started it. It consists of university men who for age or any other reason are ineligible for service in the field. The Poet Laureate, Mr. Robert Bridges, the Regius Professor of Greek, Mr. Gilbert Murray, the Vinerian Professor of Law, Mr. W. M. Geldart, the Professor of English Literature, Sir Walter Raleigh, and many others of high academic rank are among the recruits. Any day you may see them on the march—"bold as a but-ton," to quote the remark of a bystander. They have been a mark, of course, for many jokes; none the less they have a martial bearing, and though

a charge might try the wind of some of them, I will undertake to say that a trench manned by Godley's army would be well held.

I doubt if there is any town or city in the United Kingdom, or in the wide world, where the significance of the present war is more deeply grasped than it is at Oxford. Oxford at the present moment is not a gloomy place, but it is a profoundly serious place. A careless observer might note nothing beyond an unusual quiet and emptiness, except indeed for soldiers and wounded men. But one whose observations went further and were more prolonged would become aware of other and deeper changes. The gaiety and light-heartedness which come from the presence of youth, and the infection of which is to be seen even in venerable men devoted to the gravest of studies, are much subdued. On faces whose look of thoughtfulness would always have attracted attention there is now a look of stern resolution, perhaps of suffering due to the most intimate of causes, which was not there before. Those who are left behind still gather in their common rooms and keep up the old customs of fellowship and hospitality. But there is a difference, such as one finds when men's minds are preoccupied with something greater than they care to talk about.

It is not literally true to say that Oxford has sent her sons to the war. They simply went of their accord—went *en masse*. I am not aware that the authorities ever urged them to go; they had no need to do so. The "authorities"—at least those of them who were of military age—went with them, and some will return no more. In Cambridge it was just the same. What proportion of the teaching faculty has gone I do not know; but the younger branch of it has disappeared. There are regiments known to me whose junior officers are composed almost entirely of university dons and undergraduates. Seldom does a list of casualties appear which does not contain the names of some of them. For a long time we have been counting our dead, and the total grows apace. Our students, our fellow teachers, are fighting and dying side by side. And our sons are with them.

That means much in a place like this. In every university known to me I have been struck by the singular beauty of its family life. Nowhere else, in proportion to its size, will you find family life so united as it is at a university. I have seen it at Harvard and Yale, and I think an American visitor would find the same thing here. Well, our families are having an anxious time. Many of our