

AHA Statement Opposing Florida House Bill 999

Approved by AHA Council, March 3, 2023

HB 999, filed in the Florida House of Representatives on February 21, 2023, merits attention and comment.

The American Historical Association has been monitoring the genre of legislation commonly referred to as “divisive concepts” bills for two years. Normally we do not engage with what gets fed into the hopper; we wait until legislation is viable, generally when a bill emerges from committee. But HB 999 is different, and we consider it imperative to speak out immediately and forcefully. What has previously best been characterized as unwarranted political intervention into public education has now escalated to an attempt at a hostile takeover of a state’s system of higher education.

We express horror (not our usual “concern”) at the assumptions that lie at the heart of this bill and its blatant and frontal attack on principles of academic freedom and shared governance central to higher education in the United States. Florida’s legislature has on its agenda a dagger to the heart of an American institutional framework that has long been the envy of the world (and a source of billions of dollars in revenue from international students).

What would implementation of this legislation look like? Consider history education.

HB 999 allows political appointees unprecedented oversight of day-to-day educational decisions. Universities and departments will face consequences should unelected partisan actors decide that any “general education core courses” somehow “suppress or distort significant historical events.” All history teachers “suppress” some events; everything has a history, and no course can include all histories. It is up to the teacher, within reasonable state guidelines, to select what is most important and most useful to students in a particular class. All else is “suppressed.”

The bill also gives to boards of trustees the authority to determine if and when teachers of a mandated set of core courses have “define[d] American history as contrary to the creation of a new nation based on the universal principles stated in the Declaration of Independence.” Is it illegal for a faculty member to suggest that the US Constitution, rather than the Declaration of Independence, created the political framework for the new nation? Given that HB 999 would empower boards of regents to review the tenure status of any faculty member, such legitimate (and pedagogically useful) interpretive disagreements could have dire implications for all instructors, even faculty best protected by traditional norms of governance and procedure.

This is not merely an escalation of the “history wars” that have ebbed and flowed across the American landscape—and indeed, in other nations as well; the United States is hardly exceptional in this regard. Like the proponents of more conventional “divisive concepts” legislation, advocates of this particular assault especially fear the implications of the state’s youth learning that slavery and racism have

enduring legacies. The idea that racism is a central aspect of American historical development—and its enduring presence in institutions, cultures, and practices—is well within the mainstream of historical scholarship, however much we might disagree about dynamics, relationships, and models of change. Notably, HB 999 mentions “critical race theory” more often than the words “democracy,” “freedom,” and “liberty” combined. This legislation aims to incite and divide, rather than to establish a healthy foundation for civic understanding.

The AHA does not disagree with HB 999’s premise that the mission of the state university system should be “education for citizenship of the constitutional republic [and] . . . the state’s existing and emerging workforce needs.” Employers look for applicants who have learned *how* to think, rather than *what* to think. Using evidence and deciding what facts matter is vital to being a successful engineer, doctor, or teacher. Would we want heart surgeons whose coursework or choice of tools had been dictated by political appointees? As for the viability of our constitutional republic, it is neither possible nor desirable to forge unity by refusing to acknowledge and understand division; instead, the very language of this legislation sows and perpetuates division. An informed citizenry requires the skills of historical literacy and the ability to test ideas, which is the core of history education.

This is not only about Florida. It is about the heart and soul of public higher education in the United States and about the role of history, historians, and historical thinking in the lives of the next generation of Americans.