



Commentary: Must American students pass immigrants' citizenship test?

By Nat Hentoff

February 13, 2015

To preserve who we are as Americans, nothing is more important for our students than to know how, as constitutionally protected citizens, they are distinct from people of other countries.

In an attempt to assure this will happen in our schools, The New York Times recently reported that, last month, "Arizona became the first state to pass a law requiring its high school students to pass the citizenship exam, stipulating that they must answer at least 60 of 100 questions correctly to receive a diploma."

This is the citizenship test "that is given to immigrants who want to become United States citizens."

Among the questions: "What do we call the first 10 amendments to the Constitution?"

Another: "What did Susan B. Anthony do?"

Do you know?

Furthermore, added the Times, "other states may follow suit: North Dakota's House of Representatives has passed a comparable bill, and its Senate approved it" last week.

"Legislators in Indiana, Massachusetts, Tennessee, Utah, Virginia and seven other states have recently introduced similar initiatives."

But Arizona educator Darcy White, explained the Times, "has reservations" about teaching students why and how they should become authentic Americans.

Reported the Times: "She already loses several days of instruction time to standardized testing."

As White told the reporters, "Every teacher will tell you a test is not a measure of what a kid knows."

In contrast, there are deeper, more lasting ways than tests to engage students in active, lifelong participation in this self-governing republic.

Sixteen-year-old Arizona student Noah Bond told the Times: “I think people are more focused on the test and passing, and not the meaning of it. It boils down to the fact that we need to start teaching to make a change, not just taking a test.”

Here is one of my suggestions on how to involve such students who want to make a change:

Let’s have classes debate the ways that Republicans George W. Bush and Dick Cheney, as well as Democrat Barack Obama, deeply violated the Fourth, Fifth, Sixth, Eighth and 14th Amendments to the Constitution. (These amendments would be clearly explained beforehand.)

After students have learned that these amendments are at the very core of our Constitution, would they — as, say, future members of Congress — be moved to correct this savage damage done to our identity as Americans?

Consider this 1873 statement from Susan B. Anthony:

“I stand before you tonight under indictment for the alleged crime of having voted at the last presidential election, without having a lawful right to vote. It shall be my work this evening to prove to you that in thus voting, I not only committed no crime, but, instead, simply exercised my citizen’s rights, guaranteed to me and all United States citizens by the National Constitution, beyond the power of any state to deny.”

What would those students’ reactions be to Anthony’s conclusions? How many of them know that women in this land of the free and home of the brave were long forbidden to exercise their right to vote and many other privileges of citizenship?

I am curious to know whether students are aware of any current exceptions to Supreme Court Justice Robert Jackson’s penetrating definition of who we are as Americans, written in the 1943 decision in *West Virginia State Board of Education v. Barnette*:

“One’s right to life, liberty and property, to free speech, a free press, freedom of worship and assembly, and other fundamental rights may not be submitted to vote; they depend on the outcome of no elections.”

I would ask students if this ruling is realistic today.

Are there necessary exceptions you could see violating the court’s rule of our government, or is the court’s wishful, idealistic thinking to be absolute in all such cases?

Meanwhile, in the course of these student debates, I would ask:

Whom do you intend to vote for in the 2016 elections for president, and why? One of the president’s obligations is to recommend replacements for Supreme Court vacancies; from what

you know of the past courts and the current one, what would determine your choice for potential court replacements?

Finally, for the time being, I would encourage class discussion of the much-cited Martin Luther King Jr. quote: “I have a dream that one day this nation will rise up and live out the true meaning of its creed: ‘We hold these truths to be self-evident, that all men are created equal.’”

How can this dream become reality, students, once you are active Americans? For example, what’s to be done if we’re not all born with the same resources?

King knew. He started a war on poverty and inequality before he was killed.

It takes more than collective tests to really get involved with these questions. What would you students actually do about them?

Nat Hentoff is a nationally renowned authority on the First Amendment and the Bill of Rights. He is a member of the Reporters Committee for Freedom of the Press, and the Cato Institute, where he is a senior fellow.