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God, Darwin, and Loyalty in America: The University of Tennessee and the Great Professor Trial of 1923¹

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Abstract

This article examines an academic freedom controversy at the University of Tennessee that led to the dismissals of seven faculty members. In the 1920s, evolution teaching in public education pitted the religious fundamentalists against advocates of science and intellectual freedom. The battle dramatized the meaning of these institutions as havens of democracy. In the 1920s, fears of Darwinism became intertwined with perceptions of citizenship and definitions of national loyalty. Events at this public university also highlight the politics of educational leadership. Finally, they foreshadow the dramatic courtroom showdown in 1925 in Dayton, Tennessee. The Scopes trial constitutes a defining historical moment of the twentieth century and symbolizes the resistance to cultural change. Such a treatment advances the current literature by highlighting the greater vulnerability of academic freedom at state institutions determined by economic dependence. As well, it incorporates developments at other institutions and the role of national higher education associations. Additional sources from the AAUP and the ACLU place Tennessee in the broader context of the cause of civil liberties.

In 1922, Dr. Jesse Sprowls, Professor of Secondary Education at the University of Tennessee adopted James Harvey Robinson's *The Mind in the Making* (1921) for a course he planned to teach. The text drew parallels between the mental development of humans and Darwin's theory of evolution, the latter representing a loaded issue among state legislators who held the power of the purse over public university appropriations. Administrative officers at the University, including President Harcourt Morgan, held strong opinions as to how faculty members treated such a controversial topic. Dean of Liberal Arts James Hoskins cancelled the book order and shortly thereafter Sprowls and Mrs. A. M. Withers, a professor of art, were dismissed from the university. Several veteran colleagues were also dismissed when they expressed outrage over the decision in passionate exchanges with administrators and members of the press. The backlash focused national and international attention on the university and prompted the American Association of University Professors (AAUP) to launch a full-scale investigation.

America in the 1920s conjures up a host of collective memories such as flappers, the jazz age, and sexual liberation, all rendered in scandalous detail by F. Scott Fitzgerald in *The Great Gatsby* (1925). While these images endure, they oversimplify a period that encompassed a variety of cultural and political developments that helped America forge a distinctive national identity. This should not mask the conflict that existed due to a major intellectual shift that challenged religious beliefs of many Americans. The Victorian model that

defined the world in terms of absolutes had been uprooted by modernism, a system emphasizing change and complexity driven by scientific discoveries, immigration, and the experience of World War I (Dumenil 1995, 169).

Tensions that accompanied the transition from traditionalism to modernity were particularly striking in the battle between science and religion. In 1859, Charles Darwin's *On the Origin of Species* (1860) presented a theory of organic evolution that offered a radically different way of interpreting the world. By the 1870s, most professional naturalists in the country accepted his thesis about the evolutionary origin of all species, including humans. Prominent figures of the late nineteenth century, such as scientist Louis Agassiz, however, resisted Darwin's ideas and defended the model of special creation (Marsden 1990, 130, 141).² Spirited and divisive discussions regarding Darwinian science continued and by the early twentieth century came to be dominated by a group of Protestant evangelicals known as the "Fundamentalists." "By the 1920s, as America had become more secular, religion—and Protestantism specifically—no longer dominated public life and cultural norms" (Dumenil 1995, 171). In addition, two major waves of immigration, one from northern and western Europe in the late nineteenth century and the next from southern and eastern Europe in the early twentieth century, altered the religious composition of the nation. New immigrants practised Catholicism and Judaism, one of the reasons this extreme wing of the Protestant faith declared the 1920s a time of spiritual crisis. Although fundamentalism attracted people from Northern urban centres, the majority of followers resided in the Midwest and rural South and came from lower-middle-class and working-class backgrounds (Dumenil 1995, 185-86).

The movement derived its name from a group of pamphlets titled *The Fundamentals*, "which expounded as a touchstone for Christians the Five Points: the infallibility of the Bible, the Virgin Birth of Christ, Christ's substitutionary atonement for man's sins, the Resurrection of Christ, the authenticity of all Biblical miracles" (Ginger 1958, 29). Expressing fears that cultural developments contributed to spiritual and moral decline in America, fundamentalists argued "liberals" had overtaken their seminaries and churches and Darwin's theory undermined religious authority (Dumenil 1995, 185-86). In addition, they characterized World War I as an outgrowth of the German concepts of rationalism and evolutionary naturalism. One fundamentalist stated evolution was "a monster plotting world domination, the wreck of civilization, and the destruction of Christianity itself" (Marsden 1990, 141-49). This quote captures their fears and the argument that America's troubles lie with this challenge to tradition and faith (159).

In the arena of public education, the battle between science and religion stirred passions. By the early 1900s, teaching on evolution was well underway in secondary and higher education, prompting concern about corruption of American youth. Many local communities confronted this issue which had soon reached the state level and emerged as a national concern at the 1919 conference of the World Christian Fundamentalist Association. The conference officially launched an anti-evolution crusade, and its membership worked tirelessly to combat pro-evolution instruction (Numbers 1992, 41).

In 1921, southern state legislatures introduced measures that made teaching the theory of evolution in tax-supported schools illegal. Two years later, Oklahoma passed the first official measure in an amendment to a free textbook law that barred adoption of any text advocating Darwin's theory over that of the Bible. Shortly after, the Florida legislature passed a resolution reflecting the sentiments of William Jennings Bryan, public figure and former presidential candidate. The document stated it was "improper and subversive to the best interests of the people" for any public school teacher to teach "atheism or agnosticism or to teach *as true* Darwinism or any other hypothesis that links man in blood relationship to any other form of life" (Florida Legislature 1923). Kentucky and Tennessee proposed laws, with the latter passing the first official law in 1924. Not surprisingly, the laws raised questions about separation of church and state, as well as general civil liberties (Rightmire 1931 [May], 8).

Bryan used the proposed Kentucky law to rally more Americans behind the effort. He spoke of an "epi-

demic of disbelief” among schoolchildren who questioned the authority of the Bible, a sacred tool of evangelical Protestants. Bryan referred to letters he received, such as one from a preacher recounting a teacher’s statement from the University of Wisconsin, that “the Bible is a collection of myths.” His personal correspondence also included letters from parents; for example, in one a father related a conversation with his daughter upon her return from Wellesley College that “nobody believes in the Bible stories anymore.”³ Bryan found them disturbing evidence of the attack on religious principles in the United States. Moreover, he highlighted the fundamentalist argument that evolution was not a science but theory teachers mistakenly promoted as factual information (Numbers 1992, 50).

The war had a profound impact on the sensibilities of men and women coming of age in the 1920s. Disillusioned young American soldiers and their peers began to challenge social mores after witnessing the political and societal upheaval of the era. As Paula Fass (1977) argues, students from middle-class backgrounds adopted more liberal attitudes toward sexual experimentation, drinking, and leisure habits. Shocked by changes in the social behaviour of children, teachers discovered typically more conservative students engaging in activities formerly associated with the “outsiders” of their generation (13). The university campus was a common site of resistance, especially for young men who carved out their own subculture. “It provided a channeled means of expressing hostility to college authority and became a partially accepted form of adolescent rebellion” (Horowitz 1987, 118). Symbolic of cultural and educational change, the 1920s marked a shift in the relationship between students and administrators. The first student government associations and publications were launched while the administrators fretted over the influence of professors who guided their intellectual growth (119).

For years, American universities served as stages for the ideological battles between advocates of social conservatism and liberalism. In 1923, a dramatic academic freedom investigation occurred at the University of Tennessee over the teaching of evolution, known as “The Great Professor Trial” (Montgomery 1971).⁴ Seven faculty members, many distinguished in their fields, respected by colleagues and admired by students, were dismissed from the university. How and why did this happen? In spring 1923, private departmental and administrative tensions which had simmered for years at the University of Tennessee finally became public. Two young and promising new faculty members, Dr. Jesse Sprowls, Professor of Secondary Education, and Mrs. A. M. Withers, Assistant Professor of Art, hired only two years before, were notified they would not be recommended for reappointment for the following academic year. As appointments were made on a yearly basis, they did not constitute formal dismissals. Sprowls and Withers were given notice on 5 April without a formal hearing or sanction from the Board of Trustees.

The official university explanation offered by President Morgan and Dean Hoskins for Sprowls’s dismissal was the failure to develop relationships with the secondary schools of the Knoxville community. Withers’s firing was based on her lack of cooperation in completing projects with the Department of Home Economics and difficulty in working with her department head and colleagues. She expressed particular resistance to working in applied art and declared her expertise lay in the fine arts. Hoskins responded that, before her appointment, the university cautioned Withers to the need for substantial work in applied art. While designated an assistant professor, Withers was referred to in all records as Mrs. Withers for two possible reasons: she did not have a Ph.D. and her husband, Mr. A. M. Withers, also taught at UT as a foreign language professor. Her case raised different issues but received more attention because the Sprowls case involved the contentious subject of evolution (Montgomery 1971, 20-21).

Professors, students, alumni, educators, and Tennessee citizens were split in their reaction: some made statements in opposition to the administration and others expressed support. Morgan and Hoskins did not anticipate the negative university and public reaction. Following the dismissals, Professor Asa Schaeffer, president of the local AAUP chapter, requested an investigation by the Committee on Academic Freedom and Tenure (Montgomery 1971, 29-30).

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The suspected “unofficial” reason for the dismissal of Professor Sprowls prompted the most concern. In preparation for a course, Sprowls ordered copies of James Harvey Robinson’s, *The Mind in the Making* (1921). After learning of the choice, Dr. John Thackston, Dean of the School of Education, discouraged Sprowls from using the book because of “alleged radical doctrines the author advocated, particularly his views of evolution” (Report on the University of Tennessee 1924 [April], 217). Robinson’s controversial work endorsed the basic tenets of Darwinism and proposed different stages of mental evolution to correspond with man’s physical development (Montgomery 1971, 22).⁵ He also proposed a view of intellectual and social history that critiqued the erosion of civil liberties in the United States (Larson 1998, 60-61).

Hoskins concurred the book was inappropriate for students and ordered copies returned to the publisher without notifying Sprowls. The young professor called upon Morgan for support, but the president urged him to heed Thackston’s advice in light of the anti-evolution teaching legislation proposed in Kentucky. Morgan intimated his concern that Tennessee may confront similar legislation so they needed to “soft pedal” the teaching of evolution. Sprowls offered his resignation, but the president refused to accept it and recommended he teach a different course. Shortly after, Thackston recommended Sprowls be relieved of his duties, an act suggesting the Robinson book factored into the dismissal. If so, the decision constituted a violation of academic freedom (Montgomery 1971, 21-22). Aware of the numerous attacks being launched against higher education, the administrators took this path to protect the university. Sprowls believed that the book was the primary issue and shared this with fellow faculty members. On his behalf, Dr. Asa Schaeffer, professor and president of the local AAUP chapter, contacted Dr. Herbert Goodrich, chairman of Committee A on Academic Freedom and Tenure. After preliminary discussions, in July 1923, Goodrich decided not to take formal action, but only after conditions worsened with the dismissals of more faculty (“Report on the University of Tennessee” 1924 [April], 213-14).

Many students expressed outrage at the decision and issued *The Independent Truth*, an underground student newspaper founded by a group of seniors to communicate grievances. Using an anonymous paper founded at the University of Wisconsin as a model, the editors boldly took up their pens and published biting critiques of the administration (Montgomery 1971, 25). In a powerful mission statement, they declared: “The Truth stands for no clique or faction, and is committed to no pet scheme or policy, except that of free speech, a free press, and a truly democratic administration of the University — one of the greatest institutions of the state” (*The Independent Truth* 1923 [11 April]).

Although faculty and student participation in university affairs is common in higher education today, during the 1920s, administrators were accustomed to wielding considerable power. The reception of a combative and unofficial student publication by more conservative members of the campus and local communities was quite poor. Sharing anxieties of past government officials under the Red Scare, these Americans concluded the communist threat had not been eliminated. Heightened sensitivity to external political influences led the editors of the second edition of *The Independent Truth* to respond that: “Some people have feared that this paper is the result of socialistic and bolsheviki propaganda. Some of the acts of the administration would almost make one advocate no government in preference to the one the University is under at present” (*The Independent Truth* 1923 [16 April]). The statement underscores the perception that any challenge to authority demonstrated the influence of foreign radicalism.

Only three student issues were circulated, but *The Independent Truth* made a powerful statement to the university community and beyond. Writers adopted a sarcastic tone toward the men who directed the university, particularly Dean Malcolm McDermott, Hoskins, and Morgan. The paper provided information about the dismissals while an “official” story was absent from *The Orange and the White*, the university-sponsored student publication. *The Independent Truth* cast its competitor as a victim of censorship because editors were required to meet with Hoskins for content approval (*The Independent Truth* 1923 [23 April]). Historian and Chairman of the Graduate Committee Philip Hamer kept a personal diary and stated *The*

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Independent Truth was “dignified & restrained & better written than *The Orange and the White* in airing student grievances” (Hamer 1923 [16 April]).

Even though the dismissals played a key role in the establishment of *The Independent Truth*, they served as a window onto the larger problem of administrative repression. The newspaper employed spirited language to raise awareness of issues, such as academic authority, democracy, and censorship. It illustrated a more general trend among the student culture of American higher education. “On many campuses, college rebels had created new publications such as the *Saturday Evening Pest* at Yale and the *Tempest* at the University of Michigan to bypass the censorship imposed on established campus papers.” During the 1920s, students consistently challenged authority to insure their voices were heard on compulsory military training, attendance at school religious services, and the curriculum (Horowitz 1987, 152-53).

Editors of the *Knoxville News* sought to discredit the administration by attributing Sprowls’s dismissal solely to the Robinson book. According to Hamer, the book played a central role in media coverage due to the machinations of Edward Meeman, editor of the *News*, who was searching for a juicy story to increase circulation. In response to Hamer’s statement that the book was not the primary reason, Meeman retorted that he “did not give a damn about that but it made a good issue ‘and he could get at Morgan through this route’ that focused attention on academic freedom” (Montgomery 1971, 24).

Institutional historian James Montgomery argued the plausibility of Hamer’s testimony in light of other factors that justified dismissal, such as Sprowls’ poor performance in promoting the statewide extension program and his antagonistic exchanges with the administration (Montgomery 1971, 24). Such problems, in combination with a controversial text choice, may have reinforced the image of a problematic employee. In addition, Hamer’s entries reviewed circumstances that provide further insight into the Sprowls case. Hamer (1923) recorded that “others teach evolution here without opposition & it’s difficult to believe that that is the reason for his dismissal. I doubt that evolution was the cause for dismissal but perhaps his unqualified insistence upon teaching it & some lack of tact in teaching it aided in his dismissal” (9, 12 April). Sprowls’s firing focused attention on evolution and roused different but equally intense fears. Faculty, students, and liberals in Tennessee believed free speech was in jeopardy, while some preachers, administrators, and conservative residents believed radical teachers undermined Christian values.

Morgan’s statements highlight the politics of academic leadership in an era marked by tremendous social change. Personally convinced of Darwin’s theory, Morgan introduced the topic in his zoology classes before being appointed director of the Agricultural Experiment Station and later president of the university. He favoured discussion in the classroom, but, while fundamentalist resistance was at a peak, the president advised faculty to introduce the topic in a scholarly, non-religious, and non-confrontational fashion (Montgomery 1971, 41; Morgan n.d. [b].).

Inundated with correspondence, Morgan’s responses accordingly gave the impression he shared both viewpoints. A letter from the president of the Athens, Tennessee, Kiwanis Club, W. T. Roberts commended him for siding with the fundamentalists: “I am congratulating you on the stand you have taken in the matter of seeing that no dangerous books are permitted at the University.... It is good to know that we have men faithful and unafraid” (Morgan 1923 [7 April]). He also addressed atheism in the United States and assumed Morgan sanctioned dismissal because Sprowls promoted it. Morgan refrained from making a public statement on evolution and engaged in further correspondence with public school superintendents from a variety of Tennessee locales that supported the decision to fire Sprowls. From Manchester, L. E. Summers, Superintendent of the Department of Public Instruction, offered praise for the removal of the man who taught “infidelity or Evolution” and assured Morgan of support in this battle. Another educator celebrated the firing as a confirmation that university leaders endeavoured to treat religious values and ideas of students with respect (Morgan 1923 [8 May], n.d. [a].)

At the same time, Morgan received letters suggesting his allegiance lay with the evolutionists. Questioning

“misrepresentations” of his views on the subject, R. M. Ogden, a colleague and professor at Harvard’s Graduate School of Education, offered sympathy for the “unwelcome publicity” the dismissals prompted. He hoped the president would publicly denounce statements that supported his stand against the teaching of evolution in the Sprowls case (Morgan 1923 [30 April]). Institutional records show limited presidential correspondence with administrators and professors from other universities; however, professors from several institutions served on AAUP committees and many academics would have learned of the developments through word of mouth.

One member of the Board of Trustees, Bolton Smith, a Tennessee resident who established himself as a lawyer and banker in Memphis, also expressed disappointment in Morgan’s reaction. Smith read the book and found it acceptable for distribution among the student population. His initial letter to Morgan regarding the Sprowls matter expressed respect for him as an educator but confusion regarding the public uproar over use of the Robinson book. Morgan assured Smith it was not the justification for relieving the professor of his duties in spite of statements to the contrary.

Trustee Hugh Kyle’s reaction offers a stark contrast to that of Smith. A lawyer and judge by training, Kyle identified himself as a Presbyterian and subscribed to conservative politics. Records indicate he “reportedly read the book and was revolted by it” (Montgomery 1971, 24). Although the men had similar professional orientations, they had completely opposite reactions to the treatment of evolution in higher education. The religious affiliations and professions of the remaining trustees suggest they were more likely to share Kyle’s opinion rather than Smith’s.

In July 1923, the administration failed to reappoint five more professors: Asa Schaeffer, professor of zoology; Maurice Mulvaia, professor of bacteriology; R. S. Ellis, professor of psychology and philosophy; R.S. Radford, professor of Latin and Roman archeology; and John Neal, professor of law (“Report on the University of Tennessee” 1924 [April], 213). Reasons for Schaeffer’s dismissal included antagonistic behaviour toward his superiors, holding meetings to oppose the Sprowls dismissal, and providing reporters with information damaging to the institution. Formal charges against the remaining four included hostile behaviour toward the administration, agitation for academic reorganization, and unsatisfactory work performance.

Mulvania was accused of initiating a propaganda campaign to promote changes in academic governance. He had written letters to President Morgan attempting to explain the faculty discontent and was advised to gather suggestions from the faculty and submit his findings in written form. After conducting the interviews, Mulvania sent a list of faculty suggestions to Morgan without naming the sources. The letter fell into the hands of someone connected to the *Knoxville News* and a distorted summary of the findings, including an inaccurate list of faculty names, appeared in the paper. Mulvania denied any involvement in the reporter’s procurement of the information. Morgan was incensed by the incident, exacerbating faculty-administration tensions.

Ellis was charged with “antagonistic agitation both within and without the institution.” After encountering his own administrative difficulties in the consolidation of the departments of psychology and education, Ellis endorsed the Schaeffer petition that requested an AAUP investigation. After this incident, the administration considered him hostile and uncooperative. Radford was charged with calling a departmental meeting to oppose the administration’s decision regarding Sprowls and adopting a militant position on academic reorganization. The professors received timely notice and a hearing to comply with recently established guidelines of the AAUP regarding academic due process. While the detailed charges highlight individual concerns about the five faculty members, the administration perceived them as an organized and militant group.

Morgan, Hoskins, and the Board of Trustees held the five responsible for the negativism that permeated both the university and local communities (Morgan 1923 [29 June]). The slate of dismissals was a serious

miscalculation on the part of the administration. Schaeffer, Mulvania, and Radford, long-standing members of the faculty, had gained the confidence of fellow scholars and respect of their students. Professor Neal worked in the law school and secured high standing as both a legal expert and politician while serving two terms in the state legislature. Although a law professor for many years, he made few scholarly contributions, and some questioned the quality of his teaching. His strongest critic was Malcolm McDermott, dean of the law school with whom he had a strained relationship due to different styles of classroom teaching and formal evaluation. Although students sang Neal's praises, McDermott's evaluation found the professor's approach to grading and class attendance lax and uncommitted. In a letter to Hoskins, McDermott stated: "There is a lack of cooperation that renders it impossible for me to work with this member of the Faculty" (Morgan 1923 [5 June]). Such tensions are captured in the high number of charges against Neal for unsatisfactory professional conduct and teaching performance.

Professor Neal's dismissal had the most repercussions because he developed a vast network of contacts across the state and consistently called upon them for assistance. Due to his efforts in the Tennessee legislature, 1907 marked the beginning of an annual appropriation of \$50,000 to the university (Morgan n.d. [c]). Faculty, alumni, lawyers, legislators, and school administrators all urged Morgan to retain the veteran professor. A lawyer and former student called the action "a serious mistake" that had the potential to foster "enmity throughout the state" if found to constitute a personal act of jealousy (Morgan 1923 [7 July]). Resistance to his dismissal demonstrates Neal's commanding presence in state legal and political circles.

The *Knoxville News* ran a regular column on developments at the university that consistently criticized actions of the administration. One article titled, "Loved Teacher Dropped; His Friends Dazed," emphasized the shocking nature of the action and the intensity of student and alumni support. Neal's advocates hoped Morgan might reconsider this particular dismissal but appealed in vain as the president refused to offer any public statement ("Loved Teacher Dropped" 1923 [3 July]). While politics accompanied his job, deciding whether to make a declaration reflected upon Morgan as an educational leader. In his diary, Professor Hamer directly addressed this point, recording: "Morgan & Hoskins refuse to talk. Bad policy, for it leaves the papers & people free to jump to conclusions" (Hamer 1923 [3 July]).

Two reasons have been cited for the president remaining silent. First, Morgan agreed early to back Hoskins in any administrative decisions. Second, the president promoted institutional growth by increasing enrollment, initiating a building program, and emphasizing the importance of both vocational and liberal arts education. His efforts proved successful on all fronts and enhanced the university's reputation both within Tennessee and throughout the general academic community. In order to achieve these goals, Morgan regularly appealed to the state legislature for economic resources. When the evolution issue arose, he proceeded cautiously to avoid jeopardizing a generous annual appropriation from a legislature contemplating passage of an anti-evolution teaching bill (Montgomery 1971, 27; Morgan n.d. [b]).

Regardless of Morgan's motivations, the internal problems of the institution garnered attention from newspapers outside Tennessee, revealing mixed sentiments. "Revolt in the Universities" in *The Dallas Journal* addressed the student protest, but expressed little concern about the affair. Tennessee faced a conflict, as other institutions had, and would continue to in the future. In past cases, "the storms have served to clear the atmosphere ... and most institutions have profitted" (1923 [13 July]). A paper with an international circulation, *The World*, featured an article comparing the teaching at Tennessee to a university in Russia. The writer reported that teachers in Moscow cannot accept new ideas too easily and in Tennessee teachers cannot reject them too strongly. "At the Sverdloff University, only Communists may teach. At the University of Tennessee, only fundamentalists may lecture" ("Russia and Tennessee" 1923 [12 July]). Underscoring intellectual restrictions painted an unfavourable picture of the university and offered the analogy to the Russian system, one many Americans mistrusted.

Interestingly, *The Independent Truth* fostered discussion among former students at the University of

Tennessee and led to the establishment of the *Alumni Truth* in 1923. The editors highlighted the number of dismissals made in the second round, as well as the ineffective formal hearing. In addition, they explained that the present makeup of the Board of Trustees violated a state law that required one-third alumni representation. The second publication offered a negative portrayal of Morgan, declaring he was not an American citizen when elected to the university presidency. One writer charged that Morgan only completed the naturalization process due to passage of a state law and expressed outrage that a “foreigner” had the power to dismiss two natives of Tennessee, Neal and Ellis, born and raised in the United States (*The Independent Truth: The Alumni Edition* n.d.; “Teachers of East Tennessee Descendants” n.d.).

Morgan and the Board of Trustees continued to receive letters from alumni. A former student of Dr. Neal made several accusatory remarks and believed something was “radically wrong.” C. W. Davis, a professor at Union University and World War I veteran, expressed strong opinions regarding patriotism. He dramatically contrasted his own and his son’s wartime service with the lack of sacrifice on the part of the president and his son. Shortly before Morgan’s son was scheduled to leave for France with his regiment “... young Morgan was assigned to the University of Tennessee as [Asst.] to the Commandant of Cadets. A wonderful way to escape the trenches: A fine example of patriotism for the son of the president of a great university” (Morgan 1923 [16 July]). Such emotionally charged language emphasized the importance of national allegiance and defence that captivated Americans intently after the war.

Despite the ongoing criticism of his handling of the dismissals, Morgan had many advocates in Tennessee and beyond, primarily of the fundamentalist brand. John Weathers, resident of Washington D.C. and former public school teacher from Indiana, applauded the president’s actions and courageous stance. Referring to his own service in the Civil War, the gentleman stated: “I am, however, still active in opposing the enemies of our flag, and fighting those who strive in the name of science to discredit the Christian Bible” (Morgan 1923 [6 July]). Symbolic of the cultural link fundamentalists hoped to foster between Darwinism and un-Americanism, Weathers emphasized the value attributed to national allegiance (Ginger 1958, 11).

Two local papers, *The Knoxville Sentinel* and *The Journal and Tribune*, represented a counterpoint to the scathing critiques featured in the *Knoxville News*. All university groups passed official resolutions of support and denied the legitimacy of unflattering characterizations of Morgan. One group commended his tireless efforts to extend the benefits of university instruction to every resident of Tennessee and attested to the president’s diligence in nurturing scholarship in both the arts and sciences (“U-T Faculty and Students Defend Morgan” n.d.).

As the second wave of publicity appeared, an official AAUP investigation was underway. Chairman of the Committee on Inquiry Dr. James Garner, professor at the University of Illinois, and his staff spent months gathering evidence. In April 1924, the AAUP *Bulletin* headlined a comprehensive report of the committee’s findings. The summary highlighted three categories: academic policy and organization, inadequate due process, and institutional disciplinary measures. The committee criticized the unjust practice of one-year appointments and disapproved of Tennessee’s “autocratic” university organization. At the formal hearing, the Board granted each accused party twenty minutes to hear charges and make statements in their defence. Professors and witnesses alike confirmed it as a “travesty of justice” held to pacify critics.

While collecting the data, investigators found Morgan to have planned to resign if the Board failed to support him. Only two men, Trustee Bolton Smith and Governor Austin Peay, challenged Morgan’s action. The committee reported the Board made no distinction among faculty while conducting the hearing, arguing that, especially for professors with long service and established scholarly reputation, the administration was remiss in giving early notice and in considering alternative forms of disciplinary action (*Bulletin of the AAUP* 1924 [April], 63-67). A crucial area of disagreement involved the Robinson book; one member authored a “minority statement” identifying it as the sole reason for the Sprowls dismissal. Additional

AAUP correspondence confirms that others held this opinion but that a committee had never been so divided on a report. A second group within the AAUP committee argued the major points of unprofessional behaviour and failure to execute assigned job tasks (*Bulletin of the AAUP* 1924 [April], 26, 67; American Association of University Professors Records 1924 [2 July]).

The report offered substantial “impressions” but failed to send a powerful and unified message. From a legal standpoint, the committee reported that the university was within its rights as no employment contracts were violated. However, in their full assessment, the committee underscored its concerns that included “equity, abstract justice, tolerance, and fair and honorable treatment ... which cannot be justly ignored” (*Bulletin of the AAUP* 1924 [April], 26-27). Chairman Garner engaged in massive correspondence related to the details of the case. In a letter to H. W. Tyler, general secretary of the AAUP, Garner stated the report “represents our honest convictions based upon careful study of a large amount of evidence” (American Association of University Professors Records 1924 [23 February]). Unfortunately, the final version surprised and angered some of the dismissed Tennessee professors. They demanded an explanation as to how the official report was leaked to the local press. Sprowls penned a letter to Committee A Chairman H. F. Goodrich asking how Morgan’s paper, the *Knoxville Journal and Tribune*, succeeded in acquiring a copy of the report one week before the mass mailing (17 April [b], 19 April). A letter from dismissed art professor Withers’ husband stated it was written with “the obvious purpose of misleading readers” to think “university authorities were more completely upheld” in its use of controlled language (17 April [a]).

A scathing critique came from a nationally prominent liberal publication, *The New Republic*, casting the AAUP as an ineffective weapon in the fight for academic freedom. The journalist declared that the report maintained an “impotent silence” about the conduct of the university leadership and fixated on violations of tenure and legal procedure. Moreover, the report placed undue emphasis on the professors’ uncooperative and defiant attitudes toward administrative policy. In general, the controversy “has exposed the vital weakness of the Association of University Professors as educational policemen” (“A Professorial Fiasco,” 1924 [28 May]). Unfortunately, publicity of this nature detracted from the image of the AAUP, and some believed the committee had botched “the biggest case” ever brought before the association (American Association of University Professors Records 1924 [26 February]).

The AAUP investigated dismissals at denominational schools, but no professors registered formal complaints. However, Ray Ginger refers to three institutions that encountered problems with faculty. In Texas, Baptist minister J. Frank Norris coerced four professors, three at Baylor University and one at Southern Methodist, into resigning. An anti-evolution teaching bill passed the lower legislature that state senators planned to approve, but it failed to reach them before the end of the legislative term. Although there is no record, the brief description suggests the four teachers either discussed evolution or publicly opposed passage of the Texas legislation. Further, “authorities at Kentucky Wesleyan College suspended five members of the faculty who denied that evolution contradicted the Bible” (Ginger 1958, 64).

At the 1924 annual meeting of the AAUP, the newly established Committee M on Freedom of Teaching in Science presented its first official report. After fielding numerous complaints from teachers, S. J. Holmes, chairman of the committee, alarmingly declared a wave of intolerance had spread across the nation. He attributed this to ignorance and fear, two unfortunate traits of the anti-evolution movement. “But the worst feature of the opposition is not that it is unscientific, but that it is un-American” (Holmes 1925, 93-94). In effect, the committee assessed fundamentalism as an attack on basic principles of the academy and the nation. The Association of American Colleges (AAC) was equally concerned about freedom of teaching. In 1923, *Educational Review*, a publication of the AAC, featured a piece alerting readers to the dangers facing academic freedom as fundamentalists gained momentum through the work of organized religious bodies, such as the Moody Bible Institute of Chicago (*Educational Review* 1923 [January-May], 75-76).

In 1924, the *Educational Review* published Edward Sisson’s interpretation of a *Literary Digest* public

opinion poll assessing perspectives on the role of public education in the republic. About ninety-six per cent of the answers declared public education's function in very basic language: "to realize the national ideals and to create adherence to them" (*Educational Review* 1924 [June-December], 60). Illustrating the powerful effects of nationalism, particularly in propelling Germany and England toward war, the writer feared the rising spirit in the United States of emotional responses to internal and external criticism of the political system.

In 1924, Senator John Shelton of Savannah introduced the first bill to the Tennessee state legislature making it a felony to teach the theory of evolution (Larson 1998, 49). The next day, Representative John W. Butler made a similar proposal in the House with different provisions and penalties. Section One made it illegal, in universities, normal schools, and all other public schools supported by the state, "to teach any theory that denies the story of the Divine Creation of man as taught in the Bible, and to teach instead that man has descended from a lower order of animals." The second section of the bill outlined the legal consequences if a teacher was found guilty, namely a misdemeanour and a fine of one hundred dollars. Many senators refrained from protesting the passage of the bill on 28 January 1925. Butler and his colleagues tried to push the bill through the senate without alerting the public but failed. Residents spoke out, and the major papers reported negative reactions to the bill, particularly disapproval of the covert activities of their representatives (Ginger 1958, 3-5).

State legislators had personal and political reasons for promoting this type of legislation, but they were clearly shaped by the social and cultural changes of the era. Though emphasis has been placed on the primary catalyst in the movement against evolution teaching—the battle between science and religion—the intensity of the reaction can be measured by other changes. Political figures may have developed a heightened sensitivity to curriculum issues due to a critical development in higher education. Throughout the 1920s, college and university enrollment doubled (Geiger 1986, 108-109). Such a dramatic increase in the number of students meant teachers had influence over a greater segment of the population, particularly in state universities.

The Great Professor Trial heightened sensitivity to the debate over evolution law and its consequences. Although the AAUP Report represented a victory for evolution foes, many citizens remained committed to the cause of freedom in teaching and the outcome may have propelled some to fight harder. Fundamentalists celebrated this important cultural battle but still carried on with the war to safeguard Christianity. Once again, the people of Tennessee needed a leader and turned to Dr. Harcourt Morgan. In spite of the university debacle and all the negative publicity of 1923, the university president maintained a high level of respect and support throughout the state.

Prompted by an appeal from some of the dismissed professors reiterating the need for charges to an unfavourable climate for academic freedom and tenure, the state legislature launched an investigation of the university. The professors declared an inquiry "will disclose that the present board of trustees was illegally constituted; that private financial gain has in the past and is now accruing to certain of its members as a result of their position" ("Defends U. T. Against Attack" 1924 [12 February]; "Former University Professors Urge Legislative Probe" 1925 [11 February]). In Tennessee, there were mixed reactions to these accusations. Some maintained the dismissals were unjustified while others labelled the move an act of revenge. Despite criticism of the appeal, the professors must have felt somewhat vindicated by another startling development. In February of 1925, the AUPP *Bulletin* published a resolution that contradicted the original report by declaring the dismissals unjust. Academic conditions at the University of Tennessee were not favourable by the association's standards. Adding to the drama, 1925 marked the university's largest request for financial support in its history. The results of the inquiry favoured the university and insured the generous appropriation requested (Montgomery 1971, 37-39).⁶

In late January and early February of 1925, the university's well-being was temporarily jeopardized and

once again Morgan's administrative responsibility superseded a defence of evolution teaching. Interestingly, with a meaningful response, the president deflected appeals to fight the bill from Dr. Edwin Mims, professor of English at Vanderbilt University, and Governor Peay. "The subject referred to in your letter so intricately involves religious belief concerning which the University has no disposition to dictate, that the University declines to engage in the controversy" (Montgomery 1971, 42). Although Morgan raised the point of separation of church and state, his actions up to this point resembled those of a cautious politician. Many were disappointed that he refused to lead a battle against the bill, but committed residents nonetheless forged ahead in opposing its passage. One of the key figures in this legislative matter was Governor Peay, who expressed some reservations over the dismissals in 1923 but ultimately decided to sign the evolution bill into law. The *Knoxville Sentinel* published the reasons for his decision; first the bill addressed the anti-religious sentiment that accompanied promotion of scientific theories, and second the public schools played a crucial role in the operation of our government ("Gov. Peay Gives his Reasons for Signing the Anti-Evolution Bill" 1925 [24 March]).

An important contrast to Morgan can be found in President Frank McVey of the University of Kentucky. In 1922, he led many Kentucky citizens in a fight against passage of an anti-evolution law. In a close fight, McVey's followers emerged victorious, and in so doing provided a strong academic precedent. Morgan had the opportunity to follow this lead and reinforce the sentiments of free speech and tolerance on behalf of many Tennessee citizens (Montgomery 1971, 40). Professor Mims alerted Morgan of his capability for mobilizing people throughout the state around an issue. If Morgan revealed his personal views and his background as a "strong religious layman," he could persuade moderate religious residents to resist the proposed bill (Montgomery and Gaither 1969, 141). Had the president embraced the challenge, the Tennessee legislation may have failed.

President McVey's actions in the Kentucky case demonstrated inspiring leadership during a difficult time. As well, in 1925, when legislation against the teaching of evolution was proposed in North Carolina, a university president followed a similar path. "Due largely to stiff opposition by President Harry Chase of the University of North Carolina at Chapel Hill, President William L. Poteat of Wake Forest, the *Raleigh News and Observer*, and the state Academy of Science, it was defeated in the lower house by sixty-seven to forty-six" (Ginger 1958, 65). The Kentucky protest sent a strong message to other universities that collaborative agitation could affect state politics.

While the AAUP and the AAC critiqued the influence of the fundamentalists, in the early 1920s, the American Civil Liberties Union (ACLU) actually became more vocal about the preservation of intellectual freedom. In its early years, the ACLU frequently encountered enough problems with administrators and politicians attempting to control the content of instruction that in 1924 it created a Committee on Academic Freedom with Professor Clarence R. Skinner of Tufts University as its chairperson and Roger Baldwin, ACLU director, as secretary (LaMarche 1976, 1). The formation of the committee symbolized an important shift for the Union in organizing subject-matter committees that relied on experts and interested parties to engage in casework that the parent organization was unable to undertake alone. Its major goal was to challenge individual and collective efforts to restrict teaching, such as attacks on teaching of pacifism, mandatory textbook laws, sedition laws, state loyalty oaths, and anti-evolution laws. Although the committee functioned independently, it clearly supplemented the work of the AAUP and was determined "to bring to bear national publicity on every local invasion of what we regard as the rights of students and instructors" (LaMarche 1976, 4,11; "Free Speech in Colleges Tackled by New Group" 1924 [22 October]).

As the ACLU and AAUP developed policies and committees to address questions of free speech raised by political and cultural issues, the latter organization attended a conference called by the American Council on Education (ACE) to draft a collective statement on academic freedom and tenure. In 1925, the AAC, Association of American Universities, American Association of University Women, and other major

educational associations met in Washington, D.C., to address the matter. Reiterating general principles necessary to maintaining academic freedom and tenure, the 1925 Statement incorporated changes for academic offences that warranted professorial dismissal. Previously, they listed “gross incompetence” and “gross immorality” as adequate grounds, but, due to the sensitivity generated by World War I and international politics, the new document added “treason” to the list (Van Alstyne 1993, 26-28).

John Dewey, educational philosopher and president of the AAUP, expressed grave concern about the treason clause and anticipated dangerous application of this as grounds for dismissal (Ryan 1995, 119-20).⁷ Arthur Lovejoy and H. W. Tyler, leaders of Committee A on Academic Freedom and Tenure of the AAUP, reassured Dewey of application in a narrow “legal sense” to insure protection for political dissenters. Walter Metzger’s discussion of the 1940 statement suggested that this was an inadequate response to Dewey’s statement since no definition of treason was actually offered. Furthermore, he argued that the section was intentionally ambiguous and reflected attitudes shaped by the experience of World War I. While Dewey shifted back to a more libertarian stance, “Lovejoy still needed more time to recuperate from the illness of superpatriotism” (Van Alstyne 1993, 29). National loyalty still led to closer scrutiny of academic peers. No controversial test cases followed this decision, but the inclusion of treason heightened the fears of professors and administrators alike.

The 1925 statement had two important carry-overs from the 1915 “General Declaration of Principles and Practical Proposals” that served as a means of declaring professional independence, “... the call for peer review of charges against permanent faculty members, and the provision for faculty consultation in the employment or disemployment of junior faculty personnel” (Van Alstyne 1993, 39). Although these points remained in the first declaration, additional provisions established methods for increasing faculty autonomy. The tone reflected opposition to interference of lay board members in the hiring and firing process, but years of experience revealed the necessity of working with administrative authorities.

As the AAUP and AAC debated and defined the academic parameters of free speech, they attempted to strike a balance between the interests of both the professors and administrators. The ACLU had the more difficult task of satisfying the needs of all groups involved in a general defence of civil liberties in America. In the early years, the ACLU focused on labour disputes and political speech, defending the rights of highly unpopular groups such as union organizers, the Ku Klux Klan, and communists. While Director Baldwin and members of the Executive Committee searched for the best strategies to protect individual liberties, the Union nonetheless received a barrage of negative publicity. While struggling to forge a substantive and workable agenda, the ACLU realized the key to survival lay in dramatic national victories on popular issues (Walker 1999, 57, 68).

Shortly after Governor Peay signed the anti-evolution bill in 1925, the ACLU published an advertisement in Tennessee papers offering to defend any teacher who challenged the bill’s validity. With some prodding from local businessmen and lawyers, public high school teacher John Scopes agreed to act as the defendant in a test case. In the scorching summer of 1925, the small town of Dayton played host as the world witnessed the emotionally charged “Bible-Evolution Trial.” Although the Union officers debated who should serve as primary defence attorney, Clarence Darrow was considered the best trial lawyer willing to risk his reputation on a controversial case. Ironically, Dr. John Neal, one of the dismissed professors in Tennessee, functioned as the local defence attorney arguing for the teacher’s academic freedom. “The Scopes ‘monkey trial’ became a fight over the freedom to learn and specifically the freedom from state-imposed religious dogma” (Walker 1999, 72-73). Intensive press coverage of the trial and its pivotal role in providing counsel catapulted the ACLU into the national limelight. This standoff between religion and science presented an issue people identified with and believed worthy of attention. The Scopes case played a crucial role in rallying Americans behind the cause of civil liberties.

The Great Professor Trial at the University of Tennessee clearly set the tone for the debate over the

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teaching of evolution in state schools and raised important questions about the protection of academic freedom. Evolution and academic freedom, two important intellectual and cultural issues, received a wider and more engaged, though not always objective, audience. In spite of the fundamentalist victory, anxieties regarding evolution failed to abate as illustrated in the push for additional legislation. Even though Tennessee made history with the law, and politicians like William Jennings Bryan felt vindicated, the law was flawed at the core because it attempted to regulate teaching and control thought. The partnership between a humble public school teacher and the American Civil Liberties Union altered the course of free speech in America.⁸

Notes

1. This paper was first presented at the Joint Conference of the Canadian and U.S. History of Education societies. I would like to thank Dr. Nancy Tomes, an exceptional academic mentor and the *HIC*'s anonymous reviewers who provided important suggestions for improving the article.
2. Marsden (1990) provides a summary of figures and issues that shaped the fundamentalist movement. One section features individuals who attempted to reconcile Darwin's theory with religious doctrine, particularly the scientific creationists. Darwin personally rejected any theistic interpretations of his work, but that failed to deter different groups of creationists from developing models that allowed for reasonable coexistence.
3. William Jennings Bryan, quoted in Larson (1998, 41).
4. Montgomery (1971) introduces controversy with this title, as he conducted interviews with surviving professors and administrators who coined the designation. For a comprehensive treatment of academic freedom in Canada during the 1920s, see chapter 4 of Horn (1999).
5. See footnote 43 in Montgomery which includes excerpts from Robinson (1921).
6. The AAUP's criticism of conditions at Tennessee constituted the most severe penalty it could issue at the time. In 1931, members published in the *AAUP Bulletin* a list of schools that did not operate by proper academic freedom and tenure conditions. In 1938, members identified the list as that of "censured" colleges and universities in the U.S. Hutcheson (2000, 9).
7. Ryan (1995) is a biography that discusses Dewey's work at the University of Chicago, particularly the creation of the Laboratory School. For more detail on Dewey's views regarding academic freedom, refer to pp. 298-99.

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