

# McCarthyism's shadow looms over controversial firing of Texas professor who taught about gender identity

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A Texas A&M free speech case raises questions about academic freedom that have featured before in American society and courts, including during the 1950s.

*Westend61*

Texas A&M University announced the resignation of its president, Mark A. Welsh III, on Sept. 18, 2025, following a controversial decision earlier in the month to fire a professor over a classroom exchange with a student about gender identity.

The university – a public school in College Station, Texas – fired Melissa McCoul, a children's literature professor, on Sept. 9. McCoul's dismissal happened after a student secretly filmed video as the professor taught a class and discussed a children's book that includes the image of a purple "gender unicorn," a cartoon image that is sometimes used to teach about gender identity.

The student questioned whether it was “legal” to be teaching about gender identity, given President Donald Trump’s January 2025 executive order – which is not legally binding – that said there are only two genders, male and female.

The video went viral, triggering backlash from Republican lawmakers who called for McCoul to be fired and praised the fact that the school also demoted the College of Arts and Science’s dean and revoked administrative duties from a department head.

Texas A&M officials have said that McCoul was fired because her course content was not consistent with the published course description. McCoul is appealing her firing and is considering legal action against the school.

Academic freedom advocates have condemned McCoul’s firing and say it raises questions about whether professors should be fired for addressing politically charged topics.

As a history educator researching curriculum design, civics education and generational dynamics, I study how classroom discussions often mirror larger cultural and political conflicts.

The Texas A&M case is far from unprecedented. The Cold War offers an example of another politically contentious time in American history when people questioned if and how politics should influence what gets taught in the classroom – and tried to restrict what teachers say.



The public university Texas A&M, seen here in August 2023, is the site of a controversial freedom of speech and academic repression case.

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## **Educators under suspicion in the McCarthy era**

During the Cold War – a period of geopolitical tension between the U.S. and the Soviet Union that came after World War II and lasted until 1991 – fears of communist infiltration spread widely across American society, including the country's schools.

One particularly contentious period was in the late 1940s and 1950s, during what is often referred to as the McCarthy era. The era is named after Wisconsin Sen. Joseph McCarthy, a Republican who led the charge on accusing government employees and others – often without evidence – of being communists.

Beginning in the late 1940s, local school boards, state legislatures and Congress launched investigations into teachers and professors across the country accused of harboring communist sympathies. This often led to the teachers being blacklisted and fired.

More than 20 states passed loyalty oath laws requiring public employees, including educators, to swear that they were not members of the Communist Party or affiliated groups.

In California, for example, the 1950 Levering Act mandated a loyalty oath for all state employees, including professors at public universities. Some employees refused to sign the oath, and 31 University of California professors were fired.

And in New York, the Feinberg Law, approved in 1949, authorized school districts to fire teachers who were members of “subversive organizations.” More than 250 educators were fired or forced to resign under the Feinberg Law and related anti-subversion policies between 1948 and 1953.

These laws had a chilling impact on academic life and learning.

Faculty, including those who were not under investigation, and students alike avoided discussing controversial topics, such as labor organizing and civil rights, in the classroom.

This pervasive climate of censorship also made it challenging for educators to fully engage students in critical, meaningful learning.

## **The Supreme Court steps in**

By the mid-1950s, questions about the constitutionality of these laws – and the extent of professors' academic freedom and First Amendment right to freedom of speech – reached the Supreme Court.

In one such case, 1957's *Sweezy v. New Hampshire*, Louis C. Weyman, the New Hampshire attorney general, questioned Paul Sweezy, a Marxist economist, about the content of a university lecture he delivered at the University of New Hampshire.

Weyman wanted to determine whether Sweezy had advocated for Marxism or said that socialism was inevitable in the country. Sweezy refused to answer Weyman's questions, citing his constitutional rights. The Supreme Court ruled in Sweezy's favor, emphasizing the importance of academic freedom and the constitutional limits on state interference in university teaching.

The Supreme Court also considered another case, *Keyishian v. Board of Regents*, in 1967. With the Cold War still ongoing, this case challenged New York's Feinberg Law, which required educators to disavow membership in communist organizations.

In striking down the law, the court declared that academic freedom is "a special concern of the First Amendment." The ruling emphasized that vague or broad restrictions on what teachers can say or believe create an unconstitutional, "chilling effect" on the classroom.

While these cases did not remove all political pressures on what teachers could discuss in class, they set significant constitutional limits on state efforts to regulate classroom speech, particularly at public institutions.



Sen. Joseph R. McCarthy, right, speaks during the McCarthy investigations in November 1954, trying to show communist subversion in high government circles.

*Bettmann/Contributor*

## **Recurring tensions from now and then**

There are several important differences between the McCarthy era and current times.

For starters, conservative concern centered primarily on the spread of communism during the McCarthy era. Today, debates often involve conservative critiques of how topics such as gender identity, race and other cultural issues — sometimes grouped under the term “woke” — are addressed in schools and society.

Second, in the 1950s and ‘60s, external pressures on academic freedom often came in the form of legal mandates.

Today, the political landscape in academia is more complex and fast-paced, with pressures emanating from both the public and federal government.

Viral outrage, administrative investigations and threats to cut state or federal funding to schools can all contribute to an intensifying climate of fear of retribution that constrains educators’ ability to teach freely.

Despite these differences, the underlying dynamic between the two time periods is similar – in both cases, political polarization intensifies public scrutiny of educators.

Like loyalty oaths in the 1950s, today’s political controversies create a climate in which many teachers feel pressure to avoid contentious topics altogether. Even when no laws are passed, the possibility of complaints, investigations or firings can shape classroom choices.

Just as Sweezy and Keyishian defined the boundaries of state power in the 1950s and ‘60s, potential legal challenges like the appeal from the fired Texas A&M professor may eventually lead to court rulings that clarify how people’s First Amendment protections apply in today’s disputes over curriculum and teaching.

Whether these foundational protections will endure under the Supreme Court’s current and future makeup remains an open question.

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