UNDERSTANDING AND DEVELOPING CONTROVERSIAL ISSUES IN COLLEGE COURSES

Brian K. Payne and Randy R. Gainey

Abstract. Discussing controversial issues in the classroom is one way college instructors can enhance students' abilities to think critically about the world around them. The authors discuss common controversial issues in different disciplines, such as the death penalty and drug legalization. They also suggest useful methods for encouraging enlightening discussions, such as verbal and physical cues, student-centered activities, and text selection.

Colleges and faculty members desire to encourage students in humanities and social science courses to think critically about the world around them (Borg and Borg 2001), but at least two difficulties may arise in attempting to stimulate critical thought and discussion. First, when students are interested, they may select issues about which educators have little expertise. Educators in disciplines such as psychology, economics, political science, or English, for example, are experts in their fields, but are not always experts on the topics that students want to discuss. As teachers in the sociology and criminal justice faculty, we often hear from professors in other disciplines that their students want to talk about ways offenders are punished, for example, or the role of gun control. Second, even when educators are comfortable with the topic, they may find getting students to talk akin to pulling teeth.

In this article we will discuss some common issues that surface in college courses that encourage critical thinking. What strategies can educators use to promote enlightened and fair discussion of them.

Which controversial issues surface is largely determined by what the class is studying. In table 1 we list some of the issues that may arise in eleven different academic disciplines, along with citations to sources for detailed discussions of them.

In the following section, we discuss four issues—the death penalty, drug legalization, alternative sanctions, and gun control. Based on conversations with our colleagues, these are issues that surface in many different social science disciplines. Our discussions illustrate handling controversial topics by being open-minded and considering all sides. We also include these issues because we are familiar with them, and we see them as good contexts for promoting critical discussion.

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Four Common Controversial Issues

The Death Penalty

Our colleagues in political science, psychology, and economics departments have told us many stories of students wanting (both appropriately and inappropriately) to debate the death penalty. One could envision students in a communications class, for example, wanting to talk about the death penalty when it is prominent in the media, as recently with the execution of Oklahoma City bomber Timothy McVeigh.

Supporters and opponents of the death penalty have justified their beliefs on a number of grounds. Supporters, for instance, argue that the death penalty is the ultimate specific deterrent in that someone who is put to death will never be able to murder again (Pataki 1997). The threat of being put to death for an offense may also act as a general deterrent, promoting a safer community (van den Haag and Conrad 1983). Further, some argue that the death penalty provides retribution and answers individual and societal needs to punish offenders (Fein 1993) and that the death penalty is cheaper than life imprisonment. Based on these arguments, supporters believe that the justice system

TABLE 1. Academic Disciplines, Controversial Issues Arising in Those Disciplines, and Sources Addressing the Issues

Discipline	Controversial Issues	Sources
African American Studies	Is affirmative action fair? Does affirmative action advance the cause of racial equality? Has affirmative action outlived its usefulness? Is there discrimination in United States labor markets? Are newspapers insensitive to minorities?	Sartis (2001) McKenna and Feingold (2001) Finsterbusch (2001) Swartz and Bonello (2001)
Anthropology	Did *Homo sapiens* originate only in Africa? Should anthropology abandon the concept of race? Are humans inherently violent? Do sexually egalitarian societies exist?	Endicott and Welsch (2000)
Biology/Medicine	Should human cloning be banned? Should physicians be allowed to assist in patient suicide? Is it ethical to withhold the truth from dying patients? Should genes for human diseases be patented? Should animal experimentation be permitted? Should there be a market in body parts?	Sartis (2001) Levine (2001)
Communication	Should hate speech be punished? Do the media drive foreign policy? Are communication problems between men and women largely due to radically different conversation styles? Are American values shaped by the mass media? Is the First Amendment working?	McKenna and Feingold (2001) Rourke (2000) Finsterbusch (2001) Alexander and Hanson (2000)
Economics	Do businesses have a social responsibility? Should Social Security be privatized? Is it time to abolish the minimum wage? Is President George W. Bush's tax cut plan good economic policy? Has the North American Free Trade Agreement been a success? Can capitalism lead to human happiness? Does ethics matter in business?	Swartz and Bonello (2001) Newton and Ford (2000)
History	Did the Roman empire collapse due to its own weight? Did same-sex unions exist in the early Middle Ages? Were the Crusades motivated primarily by religious factors? Did women and men benefit equally from the Renaissance? Were economic factors primarily responsible for nineteenth-century British imperialism? Were German militarism and diplomacy responsible for World War I?	Mitchell and Mitchell (2000)
International Studies	Is democracy desirable for all nations? Was U.S. intervention in Kosovo justified? Should the United States continue its current policy with Russia? Is Islamic fundamentalism a threat to political stability?	McKenna and Feingold (2001) Rourke (2000a)
Marketing	Should marketers target vulnerable groups? Should alcohol advertising be regulated further? Is it appropriate for the government to market lotteries? Are marketers to blame for violence?	Macchiette and Roy (2000)
Political Science	Do serious threats to U.S. security exist? Should China be admitted to the World Trade Organization? Should a permanent UN military force be established? Should campaign finance be reformed? Do political campaigns promote good government? Does the president's personal morality matter? Are Americans taxed too much?	Rourke (2000b) McKenna and Feingold (2001)
Psychology	Is the DSM-IV a useful classification system? Does attention deficit disorder exist? Are repressed memories valid? Is Ritalin overprescribed? Has the deinstitutionalization of the mentally ill worked? Is the abuse excuse overused?	Halgin (2000)

TABLE 1. *Continued*

Discipline	Controversial Issues	Sources
Women's Studies	What direction does feminism provide for society? Should servicewomen be assigned to submarine duty? Is abortion immoral? Do public schools perpetuate gender biases? Should all female circumcision be banned? Is pornography harmful to women?	Sartis (2001) Francouer and Taverner (2000)

has a duty to impose the death penalty on certain offenders (van den Haag and Conrad 1983).

Opponents argue that the death penalty is cruel and unusual punishment and violates the Eighth amendment, and is therefore immoral. Furthermore, research consistently finds that blacks are more likely to receive the death penalty than are whites, suggesting that the sanction is racist (Radelet 1989). In contrast to the deterrence perspective offered by supporters, opponents point to the possibility of "brutalization effects" (Cheatwood 1993; Cochran, Chamlin, and Seth 1994). That is, the death penalty, rather than deterring violent crime, may actually lead to more violence. Opponents also argue that because the death penalty is final, it has resulted, and may continue to result, in the death of innocent persons (Radelet, Bedau, and Putnam 1992).

Though there are persuasive arguments on both sides, our experience has been that students are, for the most part, advocates of the death penalty (Bohm 1989; Payne and Coogle 1998). However, a substantial portion of the general population are stark opponents of the death penalty, making this a very controversial issue. Learning about the death penalty can change an individual's beliefs, although the change may not be long lasting (Bohm, Vogel, and Maisto 1993; Bohm 1989).

Gun Control

Given the recent epidemic of school violence, gun control is a timely topic. Recently, Hollywood celebrities have talked about gun control. Following highly publicized shootings, discussions about gun control often surface in humanities and social science classrooms. It is often a difficult issue to deal with because a certain amount of gun control has been present in various forms of legislation since the Framers wrote the Constitution. Yet, when gun control is discussed, many consider the issue only in absolute terms.

Those who favor increasing gun control argue that more people are harmed without gun control than would be harmed if the government increased its control over gun ownership. Advocates of gun control argue that legislation can help prevent both homicides and suicides (Moyer and Carrington 1993). Further, advocates argue that increased legislation will reduce crime because the availability of guns has made it extremely easy to use these weapons in various offenses (Trafford 1992). Advocates also argue a very basic point—that guns kill.

The general thrust of arguments offered by opponents of gun control is found in the saying often seen on bumper stickers, political action committees' flyers, and opponents' Web sites—"Guns don't kill, people kill." Opponents also argue that too much gun control threatens individuals' abilities to protect themselves (Lott and Mustard 1997). They see bearing arms as a constitutional right and believe that offenders will kill with other weapons if gun control legislation limits their access to guns (Lenzen 1995). They argue that offenders will turn to the black market to purchase even more dangerous weapons and that gun control will not reduce crime (Kleck 1997; McDowall, Loftin, and Wiersema 1995).

Researchers have found that criminal justice students were more opposed to gun control than psychology majors, but that males and whites were more likely to oppose gun control than females and blacks (Riedel and Payne 1995; Payne and Riedel 2002). The heterogeneity of beliefs is likely to generate debate over this controversial issue.

Alternative Sanctions

In some ways, a more interesting issue (or series of issues) than the two discussed thus far, surfaced in the mid-eighties when the criminal justice system developed a host of innovative sentencing strategies to deal in part with the cost and other problems associated with prison overcrowding. These strategies include, but are not limited to, home confinement with or without electronic monitoring, work release, furloughs, drug courts, and day reporting centers. Questions and debate center around the ability of these sanctions to meet the various needs of the criminal justice system to (*a*) deter future crime, (*b*) simultaneously rehabilitate and punish the offender, and (*c*) provide an economical way to handle offenders.

Supporters of such alternative sanctions argue that they reduce prison populations and are economical (Lilly 1989). They see the programs as effective, as providing successful treatment for many program participants (Jolin and Stipak 1992). They also keep less-serious offenders from being exposed to a severe prison environment that ultimately produces hardened criminals (Payne and Gainey 1998).

Critics see these innovations as simply widening the net of criminal justice control and increasing the price of justice (Maineprize 1992). They tend to believe that the sanctions are too lenient and that community protection is sacrificed (Dilulio 1996).

Students' attitudes about alternative sanctions are in many ways dependent on their exposure to them. In fact, what is

particularly interesting and pedagogically challenging to us is that in all types of courses we find students with strong opinions both for and against alternative sanctions, as well significant proportions of students who are relatively ambivalent about their use. Recent research shows that students who learn about some alternative sanctions come to see them as useful (Lane 1997). Those with little exposure to the sanctions tend to see them in a less favorable light (Gainey and Payne 1999). The challenge with this type of issue is generating discussion that includes supporters, opponents, and those who are somewhat ambivalent.

Drug Legalization

Many students are quick to offer an opinion about drug legalization, even if their comments show that they really know very little about the topic. Like the death penalty, this is an issue that students seem to find quite interesting with few taking a middle-of-road approach and most defining themselves as either supporters or opponents.

Supporters of legalization argue that making drugs illegal impinges on our civil liberties. They see drug use as a private matter that should be treated if it becomes a problem, rather than punished whether it is problematic or not (Drugs and the Criminal Justice System 1993). They argue that legalizing certain drugs will reduce crime (the behavior is no longer criminal) and lower the population in prison, where drug users associate with more hardened criminals (Nadelmann 1988). Ultimately, supporters of legalization see criminalizing drug use as doing more harm than good.

Opponents of legalization believe that changing the drug laws would send a message that drug use is permissible, resulting in more people using and abusing drugs (Inciardi and McBride 1989). Some see drug use as immoral and as not a private matter but one that affects everyone. They argue that dealers would target children to keep their steady flow of income if drugs were legalized (Drugs and the Criminal Justice System 1993). Students in our general education courses have somewhat mixed attitudes about legalization. On the whole, however, we find that they, like the general public, are slightly more likely to oppose legalization than to support it.

A great deal of thought and research exists to support each side of these controversial issues. In the classroom, however, discussions run the risk of being dominated those with strong beliefs that are not grounded in empirical data or critical thought. The following provides an overview of the various approaches that instructors have used to address this possibility. Many instructors are likely familiar with many of these approaches, but very little literature exists synthesizing the way that they can be used to deal with controversial issues in the classroom. We believe each approach has a certain amount of utility depending on the instructor's personality, course content, specific goals of the course, class size and class dynamics. In the next section we will discuss some of the strategies that seem to encourage useful and interesting discussion of controversial issues.

Strategies to Enhance Class Discussions

When controversial topics arise in college courses, one of two scenarios is likely to unfold: (*a*) a small number of students may want to voice their opinions at the expense of excluding other students, or (*b*) all of the students may simply avoid eye contact and hope the professor will not make them talk about their ideas. It is clear that most if not all of the students have opinions, but there are many issues that they know little about, are ambivalent about, or simply unwilling to discuss. There are important gender and demographic differences that affect an individual's beliefs and attitudes toward many controversial issues (Payne and Reidel 2002). By recognizing those differences the educator can accomplish two tasks. First, he or she can make the students aware of them, helping the students better understand their own values and how they contrast with the values of others. Second, and perhaps more important, the instructor can prevent the discussion from being monopolized by one segment of the class that may present a distorted view of the issue (Payne and Gainey 2000; Payne and Reidel 2002). To open up the discussion, instructors can use both verbal and physical cues.

There are at least five ways that instructors can use verbal cues to stimulate fair discussion: calling on students by name, calling on students by general demographics, randomly selecting names from the roll, uncomfortable silence, and reflexive and empathetic comments. First, by calling on students by name, the professor has the opportunity to hear what certain students have to say. For instance, if white males are dominating the class discussion, the professor may ask a female student how she feels about an issue, or a black student, and so on. As Young and Green point out, instructors "can no longer sit idly and ignore the relevance of historical and contemporary African-American perspectives on race and crime" (1995, 101; see also Berg and Bing 1990; Bing, Heard, and Gilbert 1995). Garrison et al. recognize the need for inclusiveness stating that "balancing the criminal justice curriculum is not only the 'right' thing to do; it also may be the most effective way to educate criminal justice professionals for the world in which they will be working" (1992, 220).

Calling on students by general demographics is useful when students' names are not known, as is often the case in large introductory classes. It is of course easier to be inclusive in smaller classes where the professor may know the students' names (Emmons and Nutt 1995). We are reminded of lessons from a teaching mentor who said that one could make comments such as "Let's hear how the women feel about this issue," to elicit responses from groups of students who have not yet participated in the class discussion. This tactic can be especially helpful when discussing topics like drug legalization, the death penalty, and gun control. When such issues come up in class, it seems that there are certain students who are quickest to offer their views. This ignores the beliefs, opinions, and values of a large portion of the class. Of course there are limitations to this approach, as when the class is very homogeneous. However, rather than focusing on an excluded group, the instructor might say, "It seems that we have only heard from *X* (e.g., young males), and there seems to be much agreement. Do others in the class hold the same beliefs?" At this point, making eye

contact rather than calling on individuals or groups may work better.

Wright suggests another method in which the instructor holds a stack of notecards, each of which contains information about the students in the class. During class discussions, the instructor randomly selects cards to determine which student to ask to address the issue. A colleague who recently retired after thirty years of university teaching experience swears by this method. The advantage, he tells us, is that students are more likely to come to class, pay attention, and find themselves interested in the topic. If their card is pulled, and they are not there, or were not paying close attention to the discussion, it is akin to an actor's flubbing his or her lines on opening night. The risks associated with a failed performance lead many students to come better prepared, to stay awake, and participate (Wright 1998).

Berg (1998) described a method to get interviewees to open up as "uncomfortable silence." According to Berg, even experienced interviewers often ask a question right after the subject stops talking. But, as he notes, if the interviewer simply maintains eye contact and waits several seconds after the interviewee responds to a question, the respondent will interpret the silence as a sign that he or she should continue talking. Similar methods could be used to stimulate class discussion. We are not simply referring to the traditional "ask a question and wait ten seconds" before encouraging the response—though that is important. Rather, after a student thinks he or she has finished talking, maintain eye contact, smile, and give him or her a few seconds to continue his or her thoughts. After discussing this process with a research methods class, a student asked one of the authors to further explain how it worked. After explaining it to the inquisitive student, the professor found himself feeling a little uncomfortable because the student just kept staring at him and smiling. So the professor found another example and continued describing the process; and the student just smiled. So the professor continued. It was not until the entire class broke out in laughter that he realized that the student was using him as an example of the usefulness of uncomfortable silence.

Instructors can also use reflexive and empathetic comments to enhance class discussion. Reflexive comments are those that show that the professor has given a great deal of thought to the issue. We are not saying that professors should necessarily share how they feel about class topics—that is debatable (O'Brien and Howard 1996). However, "self-exposure by the instructor can be a tool in breaking down the anonymity of both the material and the setting" (Schwartz 1991, 260). Even general comments about the professor's experiences with an issue can enhance critical thinking (see Gainey and Payne 1999). For instance, we recently presented in class results of our research on offenders under house arrest with electronic monitoring. We measured students' attitudes about electronic monitoring before and after describing our findings and found that they changed. We believe that showing the students our other lives as researchers and portraying the experiences of the offenders in an empathetic manner (providing specific quotes and experiences) played a role in getting the students to think differently about this controversial issue.

Empathetic comments can also enhance discussions. This does not mean that the instructor must agree with the student. Just as important are comments that serve as reinforcers for critical thinking. Something as simple as "You sound like a trained social scientist" is a compliment that encourages students to share in meaningful ways. We caution, however, that some have argued that word choice in some very simple areas can lead to defensive stances by students. For example, Berg (1998) states that interviewers should be careful not to use the question "Why?" as a follow-up because it can make the respondent defensive. Rather, he suggests that the phrase "How come?" is less confrontational. It seems that this suggestion may be useful to keep in mind for class discussions. So, when John B. Cool states that he thinks all drug offenders should be sentenced to die rather than given alternative sanctions, instead of asking why he thinks that, ask "How come?" The result may be a more relaxed class atmosphere and a more honest or introspective response from the student.

In addition to these verbal cues, there are at least three physical cues that instructors can use to enhance class discussion: eye contact, movement, and enthusiasm. Most professors, if not all, have asked questions only to find that the majority of the class looks down at their desks to avoid eye contact. Professors should consider eye contact important and give positive reinforcement to students who do not stare at their desks and avoid discussion. Another way to increase eye contact, and to increase discussion, is to move around the room. When a person enters another individual's personal space, eye contact is virtually inevitable. This may require the instructor to "play musical chairs" and sit so that the student and the professor are on the same level. Or, when discussions become heated and only certain segments of a class are talking, the instructor can move to a location in the room where students are being silent and use eye contact to encourage those who are not talking to offer their opinions. Body movement can also be used to defuse arguments. If students are being a little too vocal, the instructor can walk toward them and remain in their area. This tends to quiet some of the disruptiveness.

Showing enthusiasm is another physical cue instructors can use. The chair of another department in our college was recently describing how junior faculty members could make sure that their teaching evaluations were sufficient for the award of tenure. His message was simple—"Enthusiasm goes a long way." Imagine whether students would find a topic interesting if the instructor was not at all enthusiastic about the issue. The fact is that these are not boring or simple problems, and they should not be treated that way.

In addition to the verbal and physical cues that instructors can use, there are countless student-centered activities including free writes, small group discussions, debates, and mock trials. Each of these has been shown to be effective in promoting fair and enlightened discussions (Beck 1999; Heppner 1994; Higgins 2001; Randolph-Prince 1990; Spanos 1992). They even have ancillary benefits. For instance, if students turn in the results of these activities, they can serve as a method of taking roll; they can

also be ways to enhance verbal communication. In the past, it has sometimes been difficult to get students to write much during these activities if they were not receiving a grade for the product turned in to the instructor. From a colleague, we learned of an approach that probably quadrupled the amount students wrote. He told the students that the products they turned in as a result of these in-class activities would be returned to them on the day of the test and that they could use them to help take the test. Because of this, students seemed to give the issues covered through these class activities more critical thought.

Perhaps one of the most obvious things instructors can do to encourage critical thought about controversial issues is to select texts designed solely to make students think about the issues to be discussed in the course. A number of different series of reading under the headings of "Taking Sides," "Controversial Issues," "Opposing Viewpoints," and so on are available for a variety of course topics (see Endicott and Welsch 2000; Levine 2001; Rourke 2000a, 2000b; Sartis 2001). Many of these works can help stimulate critical thinking and show students that there are at least two sides to every issue.

Being aware of the issues likely to arise in their courses and promoting discussion of them are two ways educators can encourage critical thinking among students. Awareness of the issues and strategies will help professors to become the leader of the wolf pack, rather than the meal of the wolf pack.

Key words: controversial issues, critical thinking, teaching strategies, class discussion, teaching methods

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