
When professionally trained people still resort to striking out at a child, then we must ask not whether corporal punishment should be abolished but why corporal punishment is still used.

Exit Corporal Punishment

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I WAS teaching in a small public school in Pittsburgh in the late 1950's when I first realized that corporal punishment was still used in schools in the United States. One of my colleagues asked me to be her witness while she paddled a boy in her class. To my amazement, the boy, just an ordinary unassuming ten-year-old, braced himself against a desk while the teacher swung at him five times with a standard paddle the length of a baseball bat, striking him across the buttocks, or thereabouts, with all of her might. Then, puffing and winded from the exertion, she explained authoritatively that this was an approved procedure, just so you had a witness.

Of course she was wrong, because at that time our board of education rule stated that this "procedure" was supposed to be done in the office by the principal or vice principal. Its use by teachers in the classroom was forbidden except under the necessity of self-defense. However, in spirit, the board rule said that hitting was right if it was done right, so the teacher wasn't too far off base.

My initial shocked response to this incident has mellowed. I have since learned that only two states, New Jersey and Massachusetts, and a few large cities such as Chicago (where I went to public school), Washington, D.C., and New York, and now Pittsburgh (since the fall of 1973), forbid corporal

punishment in schools. Where its use is permitted, children are sometimes slapped or beaten for turning in late papers, making errors in arithmetic, arriving late, chewing gum, forgetting homework, and for other minor infractions.

There is some evidence that the younger the children and the poorer the families, the more likely corporal punishment will be used. For example, one survey done in Pittsburgh in 1968 found that the most paddling was reported to occur in large schools receiving Title I funds. These are the schools in the low income neighborhoods. Eighty percent of the teachers in the first four grades in all schools in this survey reported classroom paddling occurring at least several times a year.

These kinds of data have been presented in the literature many times to show how much corporal punishment is used, and why it should be abolished.¹ I would like to argue

¹ Alan Reitman, Judith Follman, and Edward T. Ladd. *Corporal Punishment in the Public Schools: The Use of Force in Controlling Student Behavior*. ACLU Reports. New York: American Civil Liberties Union, March 1972. 42 pp. Report available for \$1.00 from the American Civil Liberties Union, 22 East 40th St., New York, New York 10016.

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simply that the use of pain for punishment is anachronistic because it is inconsistent with current professional standards and with modern concepts of individual human rights. When professionally trained people still resort to striking out at a child, then we must ask not whether corporal punishment should be abolished but why corporal punishment is *still* used.

The Last Persons Who Can Be Beaten

By the middle of the nineteenth century children were already the last persons left who could legally be beaten. In 1853, Judge Stuart stated that "The husband can no longer moderately chastise his wife; nor . . . the master his servant or apprentice. Even the degrading cruelties of the naval service have been arrested. Why the person of the schoolboy . . . should be less sacred in the eye of the law than that of the apprentice or the sailor, is not easily explained."²

In 1868 the Superintendent in Pittsburgh proposed that corporal punishment was no longer appropriate in the classroom. Many teachers had virtually no training and he was convinced that teachers and principals would abandon this kind of punishment when they had more formal training. In his Annual Report of 1896 the Superintendent proclaimed, "The barbarous severity of other years is fast giving place to a milder rule, which is in harmony with the spirit of the age in which we live." He was specifically referring to the rod. Teachers now, 80 years later, have many years of training, and yet the rod is still with us in schools across the country. Why does it persist?

When many different people within an institution behave in a similar way, there is probably something in the structure of the institution that promotes this behavior. It would seem, therefore, that the structure of the school promotes the use of all kinds of punishment, but particularly corporal punishment when it is permitted, and the children themselves elicit this punishment by

behavior that is also promoted by the structure of the institution. The traditional authoritarian structure of the school is consistent with the political structure of a traditional society.

Eighteenth century governmental theory dictated that an orderly society required complete obedience to the King and his deputies with no mechanism for protection from a despotic official. However, people always had the option of revolution if they were truly convinced that their leaders were irresponsible or evil. By the time of the American Revolution, the validity of this social contract was being questioned seriously. The Revolution itself effected the final change in this concept of government by instituting a representative government based on a theory of power that ultimately flowed from the people. In other words, the election process ensured a responsive leadership without the cumbersome necessity of throwing a revolution in case the constituency became dissatisfied.

Our traditional governing of children in school, and corporal punishment is very much a part of the tradition, prepares them well for autocratic political rule, but poorly for participatory democracy.³ In fact, when the school is so out of step with the rest of society, it creates confusion. It is useless to reminisce about the "good old days" when children were taught to "behave." Children are accustomed to asking questions, to moving about, to using the bathroom when they choose, and within the boundaries of common decency, they are allowed to behave quite naturally everywhere except in school. The boundaries of common decency must be taught by example and in terms of individual

³ In a classic statement on the responsibilities of the school to teach students the meaning of our system of government, a U.S. Supreme Court decision said that the board of education has ". . . important, delicate, and highly discretionary functions, but none that they may not perform within the limits of the Bill of Rights. That they are educating the young for citizenship is reason for scrupulous protection of Constitutional freedoms of the individual, if we are not to strangle the free mind at its source and teach youth to discount important principles of our government as mere platitudes." (*West Virginia State Board of Education v. Barnette*, 319 U.W. 624 [1943]).

² *Cooper v. McJunkin*, (4) Ind. 293 (1853).

rights so that the children know their own rights as well as the rights of others.

Children, and ultimately society, will benefit when all schools are required to replace a basically punitive system with a positive atmosphere, because children learn not just from deliberate instruction, but from observation and experience. When punitive measures are used to deal with the disruptive child in school, the class may witness sudden outbursts of frustration and anger if the teacher loses control. It would be more useful to teach children by example how to deal with frustration without angry and abusive outbursts.

Dealing positively with people in groups is a skill that almost all of us can use throughout our lives. It occurred to me recently when I began participating in a folk dancing group that most people, if they are in a position of authority, are woefully unprepared to speak to a group politely. In this dance group people come together to dance, but also to meet friends and enjoy a little exercise. Often there is buzzing and only casual attention is paid to the person introducing dance routines. The experienced dancers act as instructors and some instructors have more difficulty than others in keeping the attention of the group. Some are helpless and hostile in the face of the slightest diversion, and some of the professional teachers are the most abusive as instructors. Frequently an instructor will resort to clapping, shrill whistling, and vicious insults to hold the attention of the group. Where have most of us learned to speak to a group? Why, in school, of course!

Pockets of Liberation Appear

Changes do occur in the schools, but usually the steps are so small that it is sometimes difficult to recognize trends. Pockets of liberation have appeared in schools at all levels: Curriculum is getting less rigid, dress and hair regulations in some areas are less formal. In some states students are writing a student "Bill of Rights" so that they can learn about their own rights under the Constitution as it applies to students within the school.

In the elementary schools we see a strong movement for open classrooms, more opportunity for active physical movement, more choice and freedom for young children where we once thought order meant complete quiet and total regimentation.

All of the steps have been small and they are not universal, but they indicate a trend toward greater freedom in the classroom for both the teachers and the students. Some of the changes have been generated by professional movements within the educational system, but many changes have come about through pressure from the outside, from civil rights groups, citizen groups, court decisions, and from students. Real changes have taken place in our society, especially in the past 20 years. The teaching profession must be sensitive to these changes and teachers must actively promote more freedom in the classroom, or they will lose their credibility, they will lose respect from their constituency, and they will lose their position of leadership in their areas of competence.

Finally, how can we hasten the movement toward the democratic and responsive treatment of children through a more democratic structure in the school? It seems to me the ultimate responsibility for change lies with the teacher education institutions, where the teachers are selected and prepared for certification. Here is where the standards for performance are set. The college and university departments of education must take the responsibility for selecting and preparing teachers who have the courage and expertise to promote the kinds of changes that are needed in the schools. Otherwise, we might as well go back to the old way when teachers had no training at all.

Changing attitudes toward the governing of the school may sound like a vague approach to the urgent problems in the schools, but we cannot deal only with the immediate problems. We must also look at the structure of our existence and try to make basic changes to create a more rational foundation for dealing with day-to-day problems. Corporal punishment is left over from the time when simple solutions were good enough. That time has now passed. □

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