

Student Rights and Affective Education: Are They Compatible?¹

MICHAEL L. BERGER*

Schools are conscious of increasing demands that both affective and cognitive learnings be conveyed as effectively as possible. Present judicial limitations upon the enforcing of learning may, however, pose a problem in certain value-laden areas that were mainly the province of the home.

THE movement for student rights, which began in the 1960's and reached a type of judicial fruition less than a decade later, has been the subject of extensive debate. However, one aspect of this phenomenon has not been given the attention it deserves; namely, the impact of student rights on the public school curriculum. In fact, it is the contention of this article that recent court decisions, and the implications that necessarily follow from them, are in direct contradiction to some of the curriculum trends of the last ten years.

Recently, the U.S. Supreme Court capped nearly a decade of agitation for student rights by ruling in the case of *Goss v. Lopez* that pupils were entitled to the same rights of due process as their parents and other adults. In very practical terms, *Lopez*

means that before any serious disciplinary action can be taken against a youngster in school, a hearing must first take place to determine guilt or innocence.

While the courts have thus been expanding the legal rights of students, significant changes have been undertaken in the objectives and subject matter of the curriculum. One dimension which ought to cause considerable concern, especially in light of *Lopez* and similar decisions, is the increased emphasis being placed on instruction in the affective domain. Thus, the public school curriculum has introduced or strengthened courses in sex and drug education. These are no longer minor areas of "health education," but rather distinct fields in their own right. In addition, certain other courses, particularly in the social studies and humanities, have increased the amount of time devoted to affective questions and value clarification. In each case, students are being asked to examine their own values, emotions, and feelings, and to grapple with those of others.

Traditionally, American schools were viewed as places where children absorbed a certain amount of "book knowledge"; whereas it was from the family and religious leaders that the youngster acquired his or her values. Now, for better or worse, this

¹ This paper was originally delivered in a slightly different form before the Fordham University Chapter of Phi Delta Kappa in the spring of 1975.

*Michael L. Berger, Assistant Professor of Education, Fordham University, New York City

division of labor is being radically altered. Public schools now find themselves responsible for training children in the affective as well as cognitive domain.

The reasons for this increased reliance on the schools for values education remain unclear. However, a partial explanation may be a parental belief that they individually can do little to offset the societal pressures to which their children are exposed. They seem to believe that a positive agent of that society, in this case the schools, can do a better job. Furthermore, educators have gratefully embraced this new mandate, despite the fact that most teachers are ill-prepared for instruction dealing with affective questions.

Status of "In Loco Parentis"

Nonetheless, the fact remains that the public schools currently recognize values education as within their province. Unless they return this responsibility to the home (or church), the schools must learn to live with it and to improve teaching skills in that area. This, in turn, will necessitate a greater understanding of the *parental* nature of the task.

In the not too distant past, colleges and universities were often referred to as serving *in loco parentis* (literally, in place of parents). Since most college students lived, attended classes, and participated in activities *on campus*, this seemed a logical role for those institutions. Significantly, the courts consistently upheld the college's right to regulate student life as a parent would, even to the point of meting out punishment (albeit not corporal), including the possibility of expulsion. Thus, one could refer in both a figurative and literal sense to the "university family."

The recent acceptance of affective curriculum responsibilities has in a very real sense placed the public schools in the position of serving *in loco parentis*. However, what recent court decisions seem to say is that the school is *not* an extended family, where the "teacher-parent" and/or the "administrator-parent" can discipline the

"There are no parents and children in the public schools, but instead a grouping of adults, some of whom happen to have more developed cognitive, affective, and psychomotor faculties."

"student-child" as he or she sees fit. Rather, the school is a miniature society, where all are equal citizens protected by, and subject to, a uniform legal code. In other words, there are no parents and children in the public schools, but instead a grouping of adults, some of whom happen to have more developed cognitive, affective, and psychomotor faculties. We call the latter people "teachers" and "administrators," and assign instructional and/or leadership tasks to them based on their superior competencies.

Yet, it is difficult to understand how these two developments—student rights and affective education—can coexist within the same institution, especially if each is to function as it was originally intended to do.

After all, the affective domain is just that. It does not deal with what is known; the latter we call cognition. Rather, it is concerned with affects, and the effects of these affects on individuals and groups. It is the sum total of our emotions, attitudes, feelings, and values. As such, instruction in this area cannot involve right and wrong answers. Instead, the emphasis is on clarifying values, so as to be able to predict with a fair degree of certainty how one will behave in emotionally-laden situations.

However, there are clearly limits as to what the school as a societal institution can allow. Thus, while an individual family may decide that it is perfectly permissible that their children wear no clothes, the school cannot allow students under its care to reach this decision. While this nudity example is obviously an extreme one, it does bring the issue into clear focus. Similar problems arise in a class that decides that communism is a superior economic system to capitalism, or that one particular religious, ethnic, racial, or nationality group is inferior to the others.

The Andover Review

A Journal for Secondary Education

Join other educators in exploring the larger issues facing all secondary schools, public and private. Compare your concerns, frustrations and ideas with theirs. Each issue presents in-depth discussion of one subject. Sometimes challenging, sometimes comforting. Leavened with poetry, graphics. Published each Spring, Fall.

Schools and the Law subject for Spring issue. Recent issues covered: Schools in Recession; Student/Teacher Expectations; Tradition/Innovation; Creativity.

Send \$6.00 for one year subscription (2 symposium issues).

Name _____

Address _____

City/State/Zip _____

Mail to:

The Andover Review

Phillips Academy, Andover, MA 01810

ELI

The link between the problem situations presented here is that each of them attacks popularly accepted American beliefs. If the public schools are to succeed in their mission of civic education, they must be given the tools to guarantee that even if every youngster does not enthusiastically accept these beliefs, he or she will at least not interfere with their inculcation into others. There is a definite parallel here with the parent who holds certain beliefs, and tries as hard as possible to have his or her children absorb these values by the time they reach adulthood. But whereas the parent has the option of bringing both intellectual and physical persuasion to bear on the recalcitrant child, the schools no longer have the latter option. Whereas the parent may expel a child from the home, because he or she threatens to destroy the success achieved with other siblings, the schools seemingly no longer have this choice.

Thus, on the one hand, society, through various citizen and pressure groups, has

pushed for greater assumption by the school of the familial role. Yet, on the other hand, society, as represented by the courts and certain civil liberties organizations, has systematically removed the very authority that historically has accompanied the role of the affective teacher, that is, the parent. Assuming the consistency of human nature over time, this poses a serious problem.

The result of this situation will be a diminishing of the school's success in passing on certain values important to citizenship and socialization. Carried to its logical extreme, it portends a further splintering of American society; a period when social, economic, and political values are in a permanent state of flux; and a breakdown of respect for the properly instituted centers of authority.

In conclusion, it would seem that a choice must be made. If we, as a nation, are determined to grant full adult rights to students, then we must return moral and ethical training to the "private sector," where adults still have the power to enforce their views. For instance, while it may be illegal to physically abuse a child, no court has forbidden a parent to spank a child for disciplinary reasons or to expel him or her from the home.

If we are not prepared to do this, then we must increase, not decrease, the authoritarian powers residing in the schools. Carefully-administered corporal punishment must become more common, other disciplinary tools must be created or reinstated, and a more formalized teacher-student relationship must be rebuilt. Such "reforms" are not intended to make the schools evil places in which to learn. Rather, they are attempts to return the "hardware" of parenting to school authorities. If we are willing to accept the image of a just, but firm, parent, then we should have the same confidence in our educators.

Making such a choice will not be a pleasant experience. However, failure to come to grips with this phenomenon can only confuse further the objectives of American education, and make the task of attaining them that much more difficult. □

Copyright © 1976 by the Association for Supervision and Curriculum Development. All rights reserved.