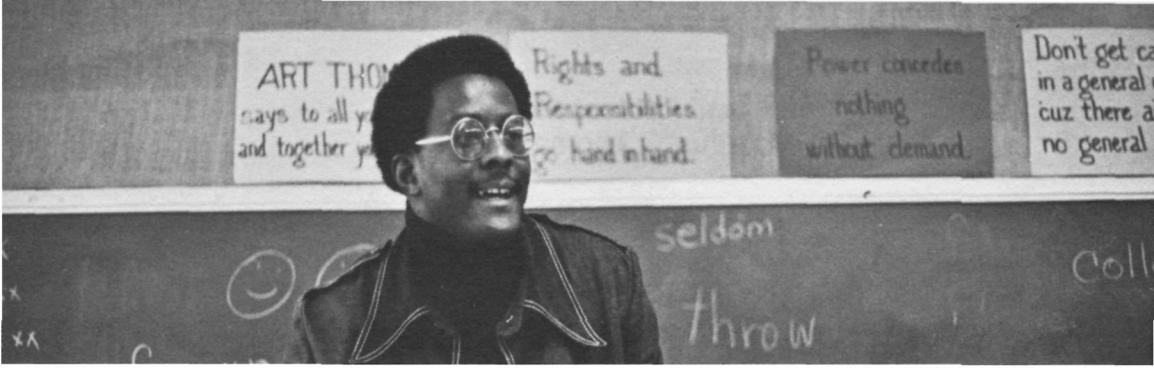


**Community Power and Student Rights:**  
An Interview with Arthur E. Thomas





Law has traditionally influenced education through the precedent-setting power of key judicial decisions. The *Tinker*<sup>1</sup> and *Serrano*<sup>2</sup> judgments, to name only two, have generated new concepts of what student rights and educational equality might mean. Within this framework, a citizen petitions the courts with the expectation that the decision will affect individuals across the country with similar grievances. Judicial decisions can thus be used as instruments to initiate large-scale changes in policy.

During the past year, the Center for the Study of Student Citizenship, Rights, and Responsibilities in Dayton, Ohio has been exploring additional strategies for using the law to promote significant social and educational changes. Rather than relying on the legal profession to secure rights for others, the Center relies on the ability of students, parents, and citizens in the community to understand and use the law for themselves. This gives the phrase “taking the law into their own hands” a new meaning: by learning to handle the law, people can gain a sense of efficacy in dealing with their present situation and can envision new possibilities for their individual and collective futures. In this way, the law is transformed from an alien tool that controls and represses to a resource for self-construction and for confrontation with the social and political world.

Our interview with Dr. Arthur E. Thomas, founder and director of the Center, follows.<sup>3</sup>

Art Thomas himself began to teach in an elementary school in Dayton in 1962. In his first school, in the center of the Black community, he found himself faced with a conflict between his impulse to “paddle” his “disruptive” students to keep order and his desire to become involved in the concerns and lives of his students. When three years later he had become an eighth grade teacher and a coach in track and football, he had given up paddling. “I refused to believe that my eighth graders could not learn and could not behave; the results were that they did learn and that they did behave.” He had begun to reconsider other things too—and began helping his students to get scholarships, to get out of jail, to think about their own futures, and to begin to “love, trust, and respect” themselves. He also instituted a series of Black History Lectures, which he was allowed to conduct after school. In 1967, he was promoted to assistant principal of MacFarlane Elementary School, where for a year he attempted to create an environment in which students and their parents could learn and could establish an atmosphere of mutual trust with teachers.

In September, 1969, when the Dayton School System began to integrate its schools, Thomas was Director of the Model Cities Education Program. He

*and others from both the Black and white communities had warned that sudden integration in the racially tense city would be dangerous, but the school administration persisted in sending students from an all-Black urban community to an all-white Appalachian school. Severe trouble erupted at the school and one Black student was seriously hurt. On the next day, Thomas accompanied the Black students to school and attempted to help officials and parents keep order. Informed of the possibility of more violence, school officials promised to send a bus to take the Black students home. The bus did not arrive and tensions between Black and white students increased. Hoping to avoid more physical confrontations, Thomas persuaded the Black students to walk with him to safety in the administration building. When he returned to the school to collect a few Black students who still remained there, he was arrested—along with several of the Black students. Thomas left the jail only after all the Black students were released. He was subsequently fired by the Dayton Board of Education for “exceeding his authority.”*

*Thomas decided to appeal the Board’s decision and with the help of Dr. Ruth Burgin and three lawyers—the late Mr. Charles S. Bridge, Ms. Jean Camper Cahn and Dr. Edgar Cahn, he argued his case before administrative hearings. After three months of hearings, the Board of Education ruled against him.*

*No longer permitted to teach and work in the public school system of Dayton, Thomas began to consider alternative strategies for continuing his work with Black and poor children in the public schools. “The night the board ruled against me, we sat down and carefully analyzed my role; Dr. and Ms. Cahn kept reminding me that I had been an advocate for the children ever since the first day I had started teaching. Ms. Cahn, who had had long conferences with parents and students in the community, told me that the children perceived me as their advocate—someone who would stand behind them to defend their rights, no matter what. She said that no genuine advocate could work effectively from within the school system, that the system tends to mediate to the point where it co-opts all positions of advocacy, and that only in the legal system is it permissible to be an advocate. We decided on an O.E.O. legal services program led by an educator.”*

### **What has been the strategy behind the Center?**

The Center was developed with several strategies in mind.

Our overall purpose was to educate students and parents about their human and constitutional rights as they relate to the institution called school.

This goal in itself might have led us in several directions, but we had one thing in particular that we had to deal with first. After the Dayton Board of Education and the school administration fired me, they wanted to prevent me from working with the students and parents. I was too effective from their point of view. School boards have a record of trying to eliminate teachers who seriously challenge them.

They kept trying to secure court orders to bar me from the children. Therefore we—all the parents and children and lawyers who were involved—decided that we needed a way for my skills and support to be useful to the community, even if I couldn't work directly in the system.

So we chose to develop the role of parent ombudsman who would be in continuous touch with the schools—the teachers, administration, counselors—and with the children and their families. Now the important thing to note about the way this strategy developed is that, though we started out from a simple need to replace me, we've ended up with a stronger, long range strategy. For one thing, while it is relatively easy to stop one individual, it is difficult to stop a growing number of informed, determined people.

Even more important, we now have begun a process through which we have our ten ombudsmen teaching others—parents and students—in the community. We're creating a ripple effect that will prepare many people to understand and deal effectively with the types of physical and psychological violence imposed upon the children by the school system and its agents. It's impossible for community people to have a lawyer with them whenever a child is injured. Our idea is to get the students and their parents to be their own lawyers—to help them have some control over their fate.

Another strategy was to make sure that the Center would be an independent institution. Students have learned the variety of forms of oppression that come down from the school system; one of the reasons they're beginning to trust us is because they know we stand completely apart from it.

As we work now, our lawyer develops legal tactics to deal with the inequities that are pointed out by me and our ombudsmen. What we're trying to do is to make the rights guaranteed by the Constitution real to and for children. The *Tinker* decision was important for this in theory—it said that your constitutional rights don't stop at the school door. We're trying to bridge the gap between theory and practice.

### **But how can you explain to students about their rights?**

Many children seven years old, or nine years old, or fifteen years old, don't have any idea what basic rights are all about. They don't know what a Constitution is, or what a Declaration of Independence is. They don't have a conception of a right because the school teaches them that the only right they have when they walk into a school is to sit down and

do as they are told. As the Cahns\* point out, this situation affects the child's whole conception of what chance he or she has for fair play, for justice, for reciprocal relationships in the wider world. They, like Coleman, say that even the child's academic performance is influenced by his sense of whether he has any chance to control his own destiny.

When you start communicating to a young child or to a 16-year-old that he has certain basic rights, you're saying that he is human and that with that humanness comes real power for him to begin to have some control over his whole life. We tell him, "Look, you have certain basic constitutional rights. There are certain things that a teacher *can* do and *can't* do. We don't want you to react violently, we don't want you to use this information to start dehumanizing or destroying the teacher. But you *do* have certain control of your fate. Come to us and we will help you." Now he can begin to control what happens to him. He feels differently. Sometimes by teaching a student a basic right you get him into reading, sometimes you interest him in college, in medicine, in the law—you teach him to love, trust, and respect himself and his fellow man.

### **How then do you begin to help students implement their rights?**

The first thing you do is teach them to love, trust, and respect themselves. Then you teach them to study the oppressor, the school, and its agents. For example, we start educating children and parents and teachers about the fact that words are sometimes used violently and that words sometimes result in a child's not wanting to learn, or in a child's not wanting to be anything, or in a child's not believing that he can be anything. They learn that the word thing has to be changed. Therefore we say that if you've been called dumb that is verbal abuse and there's an Ohio statute that protects you from verbal abuse. If you are suspended you are entitled to a hearing. You have the right to face your accusers. If you are not learning anything from eight o'clock in the morning until three o'clock in the afternoon then somebody has to be held accountable for the fact that you are not learning anything. *You* have a responsibility also—you have to get in there and try to learn. But if you are in that building from eight o'clock in the morning until three o'clock in the afternoon, and your teacher is forcing you to read a racist book that destroys your self-worth or that is not preparing you for the real world, you are

\* All authors and works referred to in the text are cited in the bibliography.

not in school—you are in prison. It is a violation of the Constitution of the United States to incarcerate a person unless he has committed a crime.

We are going to have to institute various methods of accountability. I think you can deal with it very basically. No matter how bad his home conditions are, a child should know more at 3 o'clock in the afternoon than he knew at 8 o'clock in the morning. He should know more in June than he knew the preceding September, and he should certainly know more in 1972 than he knew in 1967. I think that the critical thing is that we have to stop assigning blame to the child. When we say, "The child is culturally deprived; the child is culturally disadvantaged," we are merely stereotyping a child; we are not blaming the institution. I am saying there is something wrong with the *school*, not the *child*.

As William Ryan says, we have to stop *Blaming the Victim*. A rapist is looked upon in this society very negatively. So is an embezzler, right? So is a murderer. So is a robber. But teachers who dehumanize? What about them? We are experts at making children the criminals, and adults and penal institutions, like schools, the saints. We hear people say, "The reason that the society is so messed up is because of the young." We've got to start assigning criminal names to criminals—and I'm not talking *only* about institutions because we've been doing that for too long. We say, "It is the school *system*," and that is correct.—the oppression *is* systemic. But how do you identify who's wrong *within* an institution? From the child's perspective, it is the principal or the teacher who is destroying him or her, not the system.

Let me give you a very specific example of how this thing operates. A second grader was going around a school with the zipper down on his pants. Now the principal said that the child, a second grader, had "deviant sexual behavior." Now, a little research showed that his mother was on welfare, and his mother did not have enough money to buy him some pants, or even to buy him a zipper. She was trying to feed him. And the reason that he was in school was because his mother had impressed upon him the need to go to school every day so that he could *be somebody*, so that he could make some money. Therefore he was in school and he did not have a zipper on his pants. The principal sent him home and said that he was going around exposing himself and that that was deviant sexual behavior. The principal had no basic concept of what it was like to be poor. He did not have sense enough to ask the child if he had another pair of pants at home. That kind of behavior, in my opinion, means that the principal is guilty of *misfeasance*, *malfeasance*, and

*incompetence*. What we're saying is those kinds of acts of atrocity have to be eliminated. Potentially, that child could be the doctor with the cure for cancer. Teachers who see his office card marked "deviant," however, will treat him like a criminal, not like a future M.D.

**How does your work at the Center attempt to deal with examples like this?**

When we can develop a strategy whereby teachers and administrators are held criminally responsible for the kinds of atrocities they are guilty of creating and implementing in the public schools, then we'll get to protecting that child's right to an education. What we're trying to develop is a legal strategy for actually documenting and charging that teacher or principal or administrator with being an accessory to whatever crime the child commits in later life as a result of a teacher's or administrator's cruelty. Lawyers will always say, "Why, that's ridiculous." Many lawyers have been programmed into thinking a certain way, too. But I see no basic difference between a warden in a prison and a principal. There are psychological dimensions of violence and I think that the law and lawyers and the courts have got to redefine violence.

It's violent to dehumanize a person. You can be very violent with words. You can be very violent with nonverbal types of communication. To refuse to touch a child is a form of violence. We have a case in our files where a teacher was a very effective teacher in terms of teaching the skills—reading, writing, arithmetic, etc.—and that's hard to find today. But she was getting no results with fourth graders because every morning she went into the room and sprayed disinfectant. She was just a clean teacher who liked everything to be perfect and she was very methodical. But the point is, the children perceived that as being a negative thing and they perceived that she felt that they were dirty and that she was much better than them. Therefore they responded to her negatively. Our staff is working with her now. She put the disinfectant can down and she's working a lot more effectively with the children.

**Then you don't always go to court with the problem?**

No. Our strategies have to be flexible. The most important thing is for us to communicate effectively to the oppressed what their rights are. The only way that we're really going to have the kind of impact we need is for everybody to have the same kind of information so that they can start affecting what happens to them.

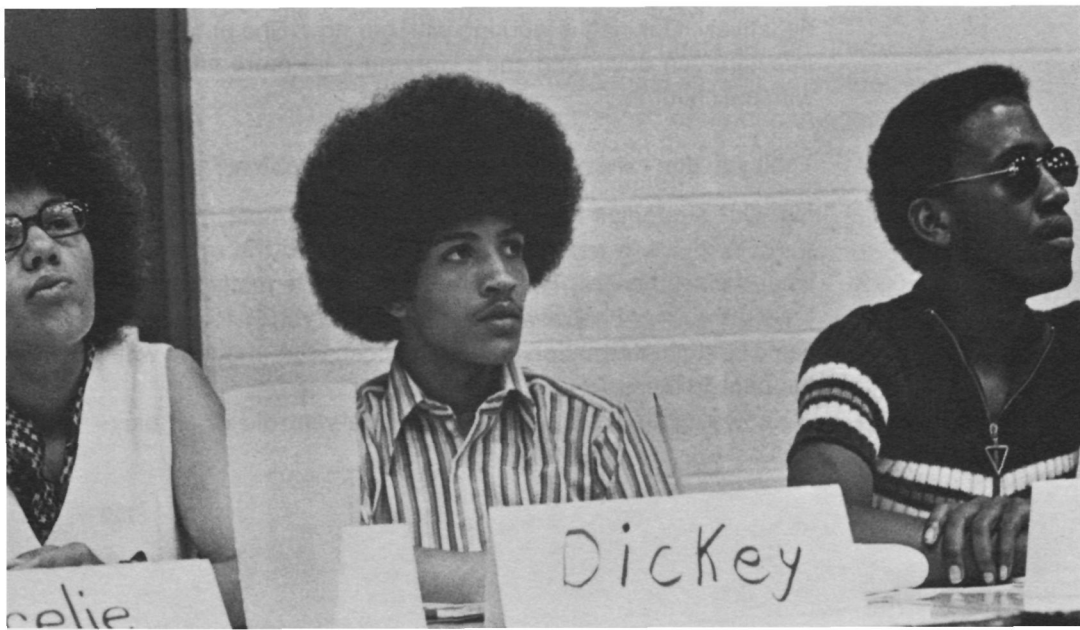
Knowledge is power—so when a nine-year-old or an elev-

**Student governments should have real, as opposed to symbolic, power to make the vital decisions that affect the lives of students in the school— curriculum, discipline, etc.**

—Recommended by an individual student from the Student Board of Inquiry into High School Discipline.

en-year-old comes to me and says, "I'm tired of that teacher yelling at me. Next time she does it, I'm going to knock her down," I say, "Listen. The next time that teacher is mean to you, be cool. Just sit there in the classroom and don't say anything for 20 minutes. Then, when you are completely calm and in control, raise your hand. When she calls on you, tell her coolly and calmly, "Ms. Jones, what you did a few minutes ago, the way you talked to me, has psychologically dehumanized me, has made me feel like an animal, like a stupid animal. If that happens often enough, a child like me grows up thinking of himself as stupid and ugly and he can never function as a human being again. So unless you refrain from treating me in such a manner, I may have no alternative but to take you to the U.S. District Court and explain all this to the judge. And let me remind you, Ms. Jones, that there is a good possibility that I can win a \$100,000 damage suit against you if I charge you with a 'psychological tort.'"

We work on this statement and practice it just like practicing for the Christmas play. We've tried this. It works. The child develops a new sense of power and fate-control. The teacher develops a new sense of responsibility relative to her behavior.





This is quite a different consequence from what usually happens. When Ms. Jones hollers at him, his immediate reaction is to holler back at her, or Ms. Jones hollers at him, and his immediate reaction is to put his head down and turn off everything that has happened, or Ms. Jones hollers at him, and he internalizes it and goes out on the playground and slaps another student and then gets into trouble in another way. Then Ms. Jones, the oppressor, has won, and there is no way of letting her know that she may have started an armed robbery that will occur in two years or five years or that she may have contributed to that child's graduation to Attica or San Quentin, or dope or welfare or psychological death.

Imagine the impact we could have if we could show this kind of example on television or film or even on recordings. We could get to the students—and maybe even the teachers.

I'm trying to work on other examples of using the law—like taking a tort, and phrasing it in a way that a young child, a second grader, can understand. So that he can then start explaining these things to the teacher. I strongly believe that one of the basic problems is that teachers do not understand children. Teachers do not understand the child's perception and only a child can teach the teacher how he feels and in that way change the teacher's behavior towards that child.

Let me give you another example of how we try to teach law to the brothers and sisters as a tool to protect them. An eighteen-year-old brother came into our office last year and said, "Look, Art, that jive teacher keeps messing with me and I am going to knock him down if he doesn't get off my back."

I said, "Dig, Brother, if you hit the teacher he can sue you for assault and battery and he might be able to have you arrested." I said, "Why don't you just lay back and be cool, and



let him hit you and when and if he does, don't hit him back—just get your witnesses together and then you can sue *him*.”

He came into our office one day. He was smiling and he said, “Hey, Art, you are a jive cat. I waited all year for that dude to hit me and he didn't hit me and I was planning on suing the dude so I could use the money to buy me a short [car].” He is in college now—so you can see that our approach is useful in many different ways.

Of course another effective way to deal with the problem is to take those individuals responsible for racism, dehumanization, and oppression to the courts or to the public and hold them accountable for their atrocities against children. We do not need to look for scapegoats in the poor Black community or the poor white community, or the Indian community, or the Puerto Rican community or the youth community. The policy makers and the administrators of that policy must be held accountable.

**It sounds as though you're relying on criminal statutes and law. Why not bring civil cases?**

First of all, we're exploring the civil statutes as well. We aren't counting on one thing to be the panacea. One reason why criminal suits are appealing is that district attorneys and county prosecutors are political creatures. You have about fifty registered voters down swearing out a warrant charging a teacher with something like criminal neglect of a child—then the D.A. sees perhaps a sensational case that will enable him to advance his political future. The other thing to remember is he is not about to reject the desires of fifty or sixty or a hundred registered voters. Also, don't forget, criminal cases can be brought without money—a poor mother can bring a case. All she has to do is swear out a warrant.

**But suppose you don't win in court?**

But, look, I'm dealing with another thing. Even if the case doesn't get one inch in a courtroom, what we're doing is re-defining what a criminal is. It's not the child who is the criminal—it's the teacher or administrator who destroys the child's humanness that is the criminal. The word game is very important. By assigning criminal definitions to what so-called educators are doing, I'm trying to get both the oppressed and the oppressor to see that certain acts committed by school people are criminal.

**But won't you have to prove premeditation—and isn't that a hard thing to prove?**

Yes. This idea is a very radical, even unsound strategy, as the law is now used. But I'm saying that there is premedita-

tion. Black and poor children are being deliberately destroyed so that they cannot compete with middle class and rich white children for jobs.

I'm also saying that this country has a habit of responding very quickly in some situations and responding very slowly in others. For example, as a result of the rebellions that occurred in the 60's and 70's, many state governments and the federal government moved swiftly to pass legislation that dealt with restricting the right to freedom of assembly, interstate travel, etc. A great deal of this legislation dealt with limiting the young or protecting institutions from the young, the poor, the Black—the oppressed.

If it was logical to deal with a crisis situation in order to preserve institutions in the manner I just described, then is it not logical to deal with the physical and psychological destruction of children, which in my opinion is in the crisis stage, by redefining our concepts of who the criminals really are and what the consequences of criminal actions are relative to the survival of our children?

Furthermore, at no time in the near future will all oppressed children be able to have their own lawyers. Therefore, it is very important that we find ways to communicate to children and their parents that *they* are not the criminals. If we do not do this, the self-fulfilling prophecy will once again force them to act like criminals and later to become criminals. On the other hand, we have to develop a strategy to protect their right not to be destroyed. We have tried everything from money to sensitivity sessions to in-service training for teachers to performance contracts to get accountability. Why not try criminal statutes? Teachers are not doing children a *favor* if they teach them effectively and treat them as human beings—that's their *job*. We have tried moral persuasion already, and it hasn't worked well. But nobody wants to be fined or to go to jail.

We have to develop strategies for massive attitudinal

**Distribution of printed materials in school should not be restricted except when the literature incites the reader to physical violence by instructing him to do something which will physically harm someone else. Although the principal should not censor in-school publications or restrict the distribution of outside material within the school building, he should receive a copy of any material distributed in the school, not for his approval but for his information. As far as a principal trying to suppress petitions or inflammatory literature in his building, it's a waste of time . . . the ideas will be inside the building anyway. . . .**

—Recommendation from the Dayton Student Board of Inquiry into High School Discipline.

Knowledge  
is power...  
be the best  
of  
whatever  
you are.

# Student Rights Handbook

for Dayton, Ohio

1. SCHOOL DISCIPLINE
2. STUDENT EXPRESSION
3. COUNSELING
4. PHYSICAL PUNISHMENT
5. POLICE IN THE SCHOOLS
6. MARRIAGE AND PREGNANCY
7. VERBAL ABUSE OF STUDENTS
8. RIGHT TO AN EDUCATION
9. ARRESTS
10. CONCLUSION

In any event, a student-mother, whether married or unmarried, may return to her regular school in her regular program in the semester following the birth of her child. No student may be excluded from the regular day school program because she is a mother.

## 7

### *Verbal Abuse Of Students*

Some teachers and school officials insist upon calling students "dumb," or other derogatory terms. This must be stopped. Students have the right to be free from the psychological damage which comes from verbal abuse. "Dumb," for example, should be applied only to those students who lack the power of speech, and then not in a derogatory manner.

When a teacher calls a student "dumb," or any other dehumanizing word, the student should immediately make a complaint to the principal, as well as inform his parents of the incident. If the principal does not act upon the matter (at a minimum, an apology would be appropriate) the complaint should then be brought to the attention of the superintendent's office or the Board of Education. If no action is taken at this level, or if the verbal abuse continues, the student should contact an attorney or the Student Rights Center (223-8228) to consider further action.

Further, the provisions of Sections 2901.20, and 2901.21 of the Ohio Code may be applicable. Section 2901.20 provides that no student or person in attendance

at a school shall engage in hazing or commit an act which injures, degrades, or disgraces a fellow student or person attending such school. Violators may be fined up to \$200.00, or imprisoned up to six months, or both. Section 2901.21 provides that no teacher or other person in charge of a school shall knowingly permit hazing or attempts to haze, frighten, degrade, or disgrace a person attending such school. Violators may be fined up to \$100.00.

## 8

### *Right To An Education*

Every student has the constitutional right to an education. As the Supreme Court of the United States has stated, "Where the state has undertaken to provide it (an education), (it) is a right which must be available to all on equal terms." (Emphasis added.) *Brown v. Board of Education*, 347 U.S. 483, 493 (1954). The dimensions of this right are still unclear. However students, as the consumers of education, should demand that the education to which they have a right be a reality.

The Dayton Board of Education has made a general statement on student involvement in educational policy. "Students should have a voice in the formulation of school policies and decisions which affect their education and lives as students. Through such participation, students can be a powerful resource for the improvement of the school, the educational system and the community." Students should accept the Board's challenge.

change. The oppressed have to change their attitudes and behavior toward self and the oppressor. The oppressors have to change their attitudes and behavior toward the oppressed.

**So part of the strategy is that you're redefining who the criminal is. Are you also redefining who the defenders of the law should be?**

Yes. Chief Justice Burger and others in the legal profession are talking about the fact that the administration of justice is reaching a crisis stage because of tremendous case loads, administrative problems, new regulations, etc. Jean and Edgar Cahn have stated that there are many things that citizens or trained technicians can do to take the pressure off the courts and to enhance the possibility of more people receiving justice. Like Thomas Jefferson said (even though he wasn't talking about Black people), educate the masses and tyranny and oppression will disappear!

What we are trying to do is to take mothers on welfare, take young students and provide the opportunity for them to develop their own survival strategies. We are trying to get young students who understand the kinds of oppression that are going on to teach the community what's going on. It's a matter of teaching, it's a matter of effective communication.

It's a matter of the so-called professional learning from the people as well as teaching the people. It's a matter of loving, trusting, and respecting the people and it's a matter of doing *with* rather than doing *for* the people.

It's also a matter of winning.

For example, our parents go to school hearings and talk to principals, and they point out to the principal that he's wrong on this and wrong on that.

Our parents are learning how not to be manipulated by the principal. The principal will almost always try to convince the parents that he has the most difficult job in the world. Then he'll go back to what this child's brother did, and what the child's mother and father did, and what his grandmother's mother did to point out that they've given the child every possible chance.

We are trying to get our ombudsmen to orient themselves thoroughly to how some principals and teachers lie and deliberately deceive people. We want parents to always move from a *child advocacy* perspective. The principals and teachers have associations to protect their rights. This is a society of checks and balances, so children should also have an association to protect their rights. We hope that the parent ombudsmen check the "new sovereign immunity" that the "public servant" has over the child, the parents, and the community.

### **So the ombudsmen are the real link with the community?**

Yes, but not just that. Because the ombudsmen are deeply involved, sometimes they come up with the most important legal points, just as some of the best criminal reform law has come from prisoners and not the dudes that sit in the big law firms. The jailhouse lawyer type dudes are living what's going on—not reading about it. For example, Ms. Robinson, one of our ombudsmen, is a state chairman of the Welfare Rights Organization (NWRO). She's been working with me for quite some time—since way back in '62. The only way we could get results then was to picket, shout at, and threaten the oppressor. Now by sitting in sessions with the lawyers, analyzing school law, and studying the oppressor, she and other ombudsmen have developed other strategies for dealing with the establishment. Let me give you an example—it wasn't our lawyer but Ms. Robinson who read the school code, the Ohio State Statute as it related to school expulsions. She said, "Look, this thing says that if a child is expelled, he has a right to a hearing." When one of her children was expelled she pointed out the rule to our lawyer. The Center is probably one of the few places where the oppressed can go and read law books. You usually have to be a lawyer to get into the law library downtown. Many of our people don't have access to or know how to use the library. But at the Center we have law books right in the community and people come in and read those books. So Ms. Robinson read the book and it said, "If a child is expelled, he is entitled to a hearing."

Now, let me tell you what the school administration's strategy was. Whenever a child was expelled, the assistant superintendent in charge of pupil personnel would send out a copy of the part of the regulation which dealt with his right to expel a child. But he did not send out the section of the regulation which dealt with the child's right to a hearing before the Board of Education. As a result of Ms. Robinson's discovery, the staff attorney asked for a hearing before the Board of Education. The Board of Education held the hearing and the Board of Education directed the assistant superintendent in charge of pupil personnel to review its expulsion policy. There had been a number of expulsions from the Dayton School system in the previous eighteen months and the Board of Education sensed that the Student Rights Center could very easily bring every child that had been expelled in for a hearing before the Board of Education. That would take a lot of time and effort and energy on the part of the school board and administrators.

They don't expel many students any more. Now what they do is suspend them. They always change their strategy—and so will we. That's another reason that we have to be very care-



ful—as you get freedoms for the young brothers and sisters, the administrators and teachers find other ways, maybe more subtle ways, to oppress them.

**Why do you think they concentrate so much on getting the children out of school?**

Some of it is just overt racism. Some of it is institutionalized racism. Subconsciously they feel, “Dirty nigger, I don’t want you in here anyway. So get out.” That’s what it boils down to. Other reasons are connected to administrative convenience. Some administrators don’t necessarily hate children, but they see children as inconveniences. They see a child who is mistreating another child as a problem who has to be sent home so they can do their quarterly reports. Or they see a child who cuts a class as somebody that is walking around the hall that should be sent home so that he won’t pull the fire alarm. I’m convinced, I’m totally convinced that if you explain to a child the reason why you want him to do something, he will respond positively.

But most administrators don’t feel that they have any obligation to explain anything to a student. They don’t treat students as consumers or customers; they treat them as criminals or as prisoners of war or as the enemy.

The child who is extorting money from another child did not have that ability to extort when he came out of his mother’s womb. It was obviously taught by someone. It was probably taught by an adult. But do the teachers attempt to deal with the problem of extortion? Hell, no! They’re too busy dealing with Columbus discovering something that some Indian brothers had already inhabited, and telling lies about Abraham Lincoln freeing us when he really pawned us. Now wouldn’t it be more practical, in terms of the seriousness of conflict situations in our society, for a teacher to deal effectively with the problem of mistreating one’s fellow man? But the reality of it is that teachers do not know how to deal with those things.

In not dealing with the problem the teacher implicitly contributes to it. The teacher has no information or strategy or knowledge whatsoever in solving the problem of extortion. She sends the child home so he can then go to another school on the way home to extort from another child. Rather than teaching this child that it is important that he learn to love, trust, and respect the other child, she sends him home. Instead of sending the child home she could go through a thing like "Stand up here, Johnny. Now, three of you go up and take Johnny's money. Just take Johnny's money from him. Now, how do you feel about that, Johnny?" That doesn't happen. That never happens.

No programs are developed to teach the young brothers and sisters how to relate to each other. No. Because it's very simple for teachers to open that one textbook, say "Read Chapters 3 and 4," and that's it. Sit down and be a good boy and you can pass—stand up and try to be a *man* and you get kicked out.

What we are doing is attempting to develop an entire society of robots. But a society of robots or yes-men doesn't correspond with our stated objective of democracy. As Barbara Sizemore says in her testimony before the Mondale Committee, if we don't get about the business of establishing systems for participatory democracy in institutions that socialize our children for a so-called democracy, there will be little chance for having a real democracy.

Ermon O. Hogan has written in *Racial Crisis in American Education*, "Although our schools have provided a quasi-common heritage, they have not provided a common experience out of which youth could learn to develop the responsibilities of freedom, to respect universal equality, and to acquire the skills necessary to guarantee prosperity through the years to come."

Some students are learning, though. They are learning that teachers make mistakes, they are learning that administrators lie, they are learning that some of our institutions are oppressive. They are responding by trying to free themselves so that they can free others, so we can build a free society.

I believe that some children condition themselves to take out the anger and frustration that they feel toward a teacher or an administrator or a parent on other children rather than the adult. Experience has taught them that they will lose in a confrontation with an adult. Children, like any oppressed group, sometimes behave like the oppressor. Any individual who is being oppressed has developed a way to get back at something or someone. If he doesn't, he may easily lose his sanity.



The child learns that the principal is always right, even when the child knows that he is wrong. The child knows that the principal will always say that the teacher is right even when the child knows that the teacher is wrong. And often the child's parents will make the same assumption.

**Why would the parents tend to assume that the child is always wrong?**

Parents are sometimes very repressive. In fact they are in many respects just as repressive as teachers. They don't do this intentionally—it's because they see education as the one thing that can improve the conditions in life for their children. They want their children to do well in life so



they see the school, the teacher, the principal as a ray of hope and a way out of slavery and oppression. Because his parents will not accept the fact that it's *possible* that a teacher might be wrong, the child will get very up-tight because he says, "Where else can I go—I ask my mother and father to listen to me and trust me and they won't. I can't deal with the school alone." So often the results are a gang or possibly some drugs, or a robbery and eventually a cell in Attica or San Quentin. And whenever the parents have to come to the principal's office, they get a game put on them. The warden always asks them, "What about your child's responsibility? Look at the thing objectively." And when they run

**Student courts should handle all disciplinary cases in the school. . . . Student judges should be elected by the student body. A set of rules should be formulated by student committees, then voted on by the entire student body. Students could function as attorneys in student court. Students could make sure other students followed the directions of the court. The emphasis should be on corrective, rather than punitive, measures. If a child is acting up in class because he's a slow reader, for example, students could be assigned to tutor that child intensively until he catches up.**

—Recommendation from the Dayton Student Board of Inquiry into High School Discipline.

that on a parent, what they're really saying is, "Accept my point of view."

### **How are you dealing with this?**

The biggest job is getting adults to look at children as human beings who have rights. We don't have our lawyer running to court every day because we think it's more important to have him explaining the law to parents. Parents respect lawyers, and teachers, and preachers. The lawyer's real job is to give the parents backbone and insight. The parents can say, "We've got our lawyer—he can lay some information on us and then we can deal." So the lawyer's there, backing them up, giving them information.

Remember, a lot of violence occurs in the Black community—folks are scared. So when the Man talks about law and order and responsibilities, Black folks listen and poor folks listen. There is a tendency for people to speak the same words—the words of the oppressor—back to us at the Center and say, when we start talking about the rights of children, "What about their *responsibilities*? Why are you helping the hoodlums?" They have trouble seeing that a child, when he has been in trouble, deserves legal representation.

So we have to remind them first that they don't get upset about a murderer or a rapist having a lawyer. Why should they think that we're protecting criminals when all we're saying is that a child, even though he may be wrong, has a right to be represented? Or even though he may be wrong in terms of his actions, we have to deal with the reason for his actions. Why should they get upset when a child who misunderstands and therefore gets into trouble has someone to represent him? I'm saying you have to develop within the community a new appreciation for the fact that children are oppressed and you have to show the community that if a child does something, he does something for a reason. You have to get the community out of the whole scapegoat syn-

drome, where they automatically start blaming children for atrocities that adults are responsible for.

**So the ombudsmen really have to educate the community in a new way to see how the schools treat children?**

The ombudsmen spend most of their time working with individual students and parents. For example, if a child is suspended, the ombudsman calls up the principal, and asks him why the child was suspended. Just the fact that an ombudsman calls up a principal and questions the fact that he has suspended a child changes that principal's behavior. Just the fact that the Student Rights Center exists changes teachers' and administrators' behavior. For example, just before school opened last September we worked with a local newspaper reporter, explaining the negative aspects of corporal punishment. The reporter then wrote a full-page article on corporal punishment. Many teachers told me that they are now apprehensive about paddling children because now they know what the state statute is on corporal punishment. Many parents read the article and said, "The next time my child is mistreated I'm going to do something about it." If we had merely taken it to court, it would have been a legal exercise between two lawyers and a judge.

The fact that students have rights has simply never occurred to many people—and that's rich people and poor people, Black people and white people. We don't even see a child in the context of "rights." We see a child in the context of somebody whom you tell what to do, and somebody who is supposed to do as he or she is told.

**When the parents do catch on, it must really help their children.**

Yes, it does. Alvin Poussaint, the Black psychiatrist, pointed this out in an article in *Ebony* magazine when he said that the Ocean-Hill-Brownsville incident was one of the best things that had ever happened in education because, oppressed, Black children saw their parents going up against police officers and the system for them to have the right to go to school. A Black child—standing outside one of those schools in Ocean-Hill-Brownsville watching his mother and watching his father confront policemen—started getting things going around in his head about the importance of school and about the need for him to go to school. And he started learning with a new kind of enthusiasm because his mother and his father went in there and fought for him to have that right to go to school. School for those children became an important part of life, not just a prison they were forced into.



The Center's parent ombudsmen include parents who have been on welfare, and parents who have a fair income. There are Black and white ombudsmen who work with Black and white families. When the children see the ombudsmen *confronting the system on their behalf*, the children show a new desire and have new hope. The ombudsmen help the children develop a positive attitude. The children begin to believe that they are not always wrong and that they have some degree of fate control.

I'm saying that children—like Blacks—like Chicanos—like Puerto Ricans—like Indians—like women—are recognizing that they are human beings as a result of the fact that some of us have been telling them that they are. "You're beautiful, you have a right to this, you have a right to that." If you keep telling somebody that they're good or that they can control what happens to them, then they start believing it and doing it.

While I was assistant principal at MacFarlane School, I used to ask the young Black men to stand up and clap for the young Black women in the school. I still use this method to impress upon young Black men at an early age—like 3 years old—that they should love, trust, and respect Black women. Black men must not fall into the trap set by racist social theorists like Daniel P. Moynihan. Moynihan asserted that Black society is dominated by Black women. He called Black society a matriarchy, and left the impression that Black men must seek to dominate Black women. Dr. Jac-

quelyne J. Jackson pointed out in a recent issue of *Ebony* magazine that part of Moynihan's thesis was dead wrong: one of the reasons, she said, that more Black women head households is not that they are domineering, but that there simply have not been enough Black men to go around.

Because they have accepted Moynihan's racist thesis, some Black men have seen strong Black women as a threat to their manhood. This is a tragic waste. Black men should not try to prove their manhood by trying to destroy the strength of Black womanhood. The future of Black people depends, not on Black men dominating Black women, but on cementing their partnership with them. We must revere the courage and brilliance of our women and support and join their actions toward effecting Black liberation.

To get back to the issue of student rights, things like the Students Rights Handbook help too. We've tried to get those books out into the community. The young brothers and sisters walk through the school hall. The teacher says, "Shut up, Johnny." Johnny gets the book out and says, "Hey, man, I can't read this thing. Look in here and see what it says I should do when the teacher hollers at me." So a student who can read reads to him about what he can do about the verbal abuse of a student. Johnny raps to the teacher about Section 2901.20 and 2901.21 of the Ohio Code, and the teacher gets off his back.

### **But what about the abuse—physical or verbal—of the teacher?**

Usually you find that when a child hits a teacher, the teacher has passed the first lick. We're trying to explode the myth about George Washington and teachers and principals never telling a lie. Let me give you another example of how the ombudsmen work. A student came to the Center who had been suspended twelve times. So a student ombudsman worked with him. The student ombudsman's name is James Phillips. James said, "Look, man, what are you going to do when you go back to school?" "I'm going to make sure that the cat doesn't hit me again." "What are you going to do if he hits you?" "I'm going to try to knock his head off." So James said, "Look, man, you've been out of school twelve times for fighting. And you're talking about going back to fighting. Now, isn't it obvious to you that the man, the principal, is running games on you? And what can you do to make sure that you and this cat don't fight but at the same time you can get something out of school, 'cause you're just wasting a lot of time and risking getting yourself ripped off. Do you understand that, man?" One of the reasons the student under-

stood was that James is the same age as he is. So he says, "Yeah, I guess so." So then he and James sat down and they developed a strategy to get five students together so that they could work with each other to protect themselves from the principal and from the teachers of the school.

### **Have you thought about sending in teams of lawyers?**

The one thing that I recognize about a law and order society, about the way we've been trained and programmed, is that we only respond when we become personally involved. Most lawyers analyze the problem. They take the problem through ninety-nine research steps, and they think that they then have all the answers. I'm saying that a mother who has seen her child victimized, a mother who has in fact been victimized herself, feels a lot more compassion. A mother can't go home at five and say, "Well, we'll finish this tomorrow." She stays there until six or seven or eight in the evening until that problem is solved. The other thing is that she's a part of that community. Many of our cases come to our ombudsmen at home, not to the Center. A child with his parent will call up one of the ombudsmen at home, or go knock on the door, and say, "Look, Ms. Wiley, they're doing this to us—what can we do?" And they sit down right there in the home and solve the problem.

Because that ombudsman is in the community, because that ombudsman has come through the whole Civil Rights struggle, because the ombudsman knows and understands the child, because the ombudsman knows the principal and teachers and the kinds of games they run, the ombudsman can relate and deal effectively with the problem. Another important thing is that parents don't feel that they have to speak perfect grammar to be able to talk to the ombudsman about the problem. The ombudsman gets a lot of information, a lot more insight, into the problem, I think, than a so-called professional would. We try to work with the ombudsmen on certain interview techniques. We try to teach the ombudsmen about the importance of confidentiality and follow-up. But I'm saying that the ombudsman is a very emotional, intricate part of that community and the ombudsman responds to clients like human beings rather than like rats running through mazes, which is what most professionals—lawyers, social workers, teachers, administrators, doctors, judges,—tend to do.

### **Is it possible for the legal profession to be deprofessionalized?**

Let me answer this way. We are developing a model statute for due process which we will present to the Board of Edu-

cation and I think that it might work like this: a student is suspended, let's say, for hollering at his teacher. And let's say that we have not necessarily an ombudsman, but maybe one of the women from the League of Women Voters who's hearing the case. Well, the first thing that would be different is that the teacher would have to state why she kicked the student out of school. And then the child would have an opportunity to respond to the teacher's charges. Then the principal would be asked in what kinds of detail he investigated the case prior to the time that he sent the child home. Then the mother would probably be asked, "Has the child had problems with other teachers?" And the child would be asked how he feels about the whole thing. So it's quite possible that in that whole process the child has to take a look at himself or herself, the parent has to take a look at himself or herself, the teacher has to take a look at himself or herself, and the principal has to take a look at himself or herself.

Yes, it is possible for the legal profession to deprofessionalize, but it is also possible for everybody to have access to the strategies used now by the legal profession mainly to protect the rich and the powerful.



**What's your feeling about para-professionals and auxiliary personnel of that sort?**

I think that some of the best guidance counselors are students—students who don't have Master's degrees in guidance. They sit down and they say, "Look, man, you don't need to do it like that, you need to do it like this."

Frank Riessman, at the 1969 Career Opportunities Conference in Denver, pointed out that of 1000 federal programs that they examined, students in 23 of those programs showed noticeable gains in cognitive achievement. And out of the twenty-three programs where students showed noticeable gains, eleven of them were programs that involved para-professionals. So maybe we should pay students and parents to teach, and let the teachers who are ineffective seek employment elsewhere.

When I directed the Model Cities Education program we had an excellent program where Black and white Vietnam war veterans worked as teacher aides at the second grade level. They were working toward degrees in education. Some have already finished. They had excellent rapport with the students. They also greatly influenced the attitudes and behavior of the teachers. I think all auxiliary type jobs should enable folks to develop to the very maximum of their potential and not lock them in so that they can advance only so much. One of the veterans in our program is now working on his Ph.D.

**But if you want to affect all the children in the country, don't you have to deal with the professionalization in the schools?**

Yes. Teacher organizations in my opinion are mainly concerned with making as much money as possible for doing as little work as possible.

One way to deal with the so-called professional is to simply wipe out compulsory attendance. I agree with Edgar Friedenberg that compulsory attendance as it exists today functions as a Bill of Attainder. We have to develop the kind of learning atmosphere where the child learns to love, trust, and respect himself and his peers and others, and to develop skills that will enable him to survive as a human being and to develop to the very maximum of his or her potential. My first inclination is to wipe out compulsory attendance, but at the same time I want to make sure that we develop some kind of mechanisms that will protect children and maximize their life chances.

On the other hand I have very serious problems with de-schooling, as Ivan Illich calls it, because it doesn't, in my opinion, adequately deal with the question of institutionalized racism. If you're going to have a de-schooled society run by the racist oppressors who are running this one, then



I'm opposed to it. At the same time I see great benefits in developing very special skills in a period of six weeks and not keeping people off the job market by insisting that they go through a number of worthless exercises to be certified. I don't see any magic about going to a building every day, and I believe students learn by doing, not by listening to a teacher who may or may not know what he or she is talking about.

It's hard to decide about programs and changes that look good on the surface. For example, even if Head Start is in many respects a good program, the positive aspects seem to get wiped out anyway. When I consider something like de-schooling, I have to wonder what will happen to the children who are catching hell now. One of the things that I recognize is that, as a result of the whole Civil Rights movement of the 1960's, Black teachers have become a lot more aware. Despite the fact that there's a tremendous amount of pressure being exerted on them to make sure that Black children are not taught properly, Black teachers are beginning to take care of business just the same. As Black children become more aware and start becoming more knowledgeable, all of a sudden we hear talk about reading not being important and arithmetic not being important, and de-emphasizing schooling and de-schooling.

It's the same thing with some white "educators" telling us what is good for the Black child. White teachers have developed missionary strategies for slavery 1960-1970 style. When I was directing the Model Cities Education program, I visited a kindergarten class and the children were taking a nap. They got there about eight. They took a nap at 8:45, a nap about 10:30, and another nap at 11:30 and they went home at twelve. I asked the teacher what was going on. She said, "Well, you have to let *these* children develop at their own leisure because you can't psychologically frustrate them." My response to her was, "Well, when these same children get to the third grade and put their heads on the desk and start taking naps because they can't read or because they are in the habit of sleeping all day they will have been taught to sleep and waste time by you. You will be responsible for their being suspended or expelled. Now it seems to me that those who are behind in a race 'must forever remain behind or run faster than the man in front.' So what I want you to do is to get those damn blocks out of the way, stop those half-day naps and siestas and start teaching them to read, write, and do arithmetic. If you push them and they learn, at least they will be able to get a job and afford a psychiatrist. If you go at the rate that you're going and they learn absolutely nothing, then they won't be able to get a job

and they won't know anything and at the same time they'll be mixed up and confused because they won't be able to compete in society." The point I'm making is that's another form of racism. Many white teachers assume Black children can't learn and so they let them sleep, play basketball, or not come to class.

As things are now I agree with Mario Fantini and Donald Harris: we have to provide as many alternatives as possible and we have to stop looking for a panacea. The only thing that could be worse than what we have now would be Hitler's concentration camps, and I believe that they are on the way, American style.

**Do you have the same kind of mixed feelings about the voucher system or alternative schools?**

The voucher system points up another legal point I'd like to deal with—the whole business of school systems functioning as monopolies. One of the reasons the school systems are so ineffective is that they have no competition. One of the things I liked about vouchers is that they have the potential to destroy the monopoly of the public school system. What other alternative does the poor child have? We need competitive models, we need community-controlled schools, we need free schools, university-run schools, welfare-rights-run schools, schools run by militant organizations, voucher schools, etc.

There are good educational models for Black children. Imamu Imiri Baraka has a good model; Elijah Muhammad has a good model; the Roxbury Free Schools in Boston, Harlem Prep, and the Nairobi Schools in California are good models. The voucher system, if not controlled by the oppressor, *could* make it possible to expand these models.

But the critical issue that has to be dealt with is a redistribution of power. Poor folks need power and money to operate different kinds of schools.

**Committees composed of parents and students should interview prospective teachers. This should be done on an individual school, rather than a system-wide, basis. The students and parents could ask the teacher questions based on the needs of the school. This is especially needed when race is a real factor—for example, when white teachers apply to predominantly Black schools. This committee arrangement would not inhibit racial integration, but would make teacher selection more intelligent and more democratic. It would also give the particular school's community a direct say about its teachers.**

—Recommendation from the Dayton Student Board of Inquiry into High School Discipline.

As for alternatives to the schools, there are a couple of questions to be dealt with. One is that the big oppressive institution called the school system is responsible for educating our children. So what you're doing if you start a free school, even though *that* free school may have the interest of the children at heart, is relieving the public school of its responsibility. The over-all strategy should be to stay on their cases and make sure they educate the children as they should be educated. But if there were enough alternatives, the school system would be forced either to produce or become obsolete, I would support the alternatives.

**Are you saying that if the school system were doing its job right, alternatives wouldn't be necessary?**

Schools *are* doing their job though. In fact, the schools in urban communities are doing *precisely* what they're designed to do. They are designed to transmit the cultural heritage. The cultural heritage in this country is one of racism. Urban schools are designed to make sure that you always have busboys, dishwashers, and folks for white people to look down upon psychologically.

The superintendent is paid to be sure that Black children do not learn because the system does not want Black children to be in a position to compete with white children for jobs. It's a perpetuation of the class structure in this country.

Schools are also designed to make sure that banks keep getting money placed into those banks by teachers. You see 85% of the schools' budget goes into salaries. And they're designed for the wax companies to sell wax, for the toilet paper companies to sell toilet paper, and for the food companies to sell food. Schools are a 61 billion dollar a year business. Poor children are used as tools for that business.

The role of the education lobby, and its self-interest in any educational expenditures, cannot be overlooked. For instance, the Southwest Region of the Ohio Education Association gave an appreciation dinner for members of the state legislature who voted for the latest school appropriations bill in the state legislature. Had any other interest group done this for their legislative benefactors, there would have been a public outcry. Not so with the educators.

As of January, 1972, some 28 suits in 18 states, all modeled on *Serrano*, had been filed. It is being discovered, however, that in state after state, urban schools will receive less money per pupil in any plan proposed for equalization of per pupil expenditures. Also, the Ohio Education Association is the plaintiff in the Ohio suit modeled on *Serrano*. Their legal fees, as in all these cases, are very high. So is the OEA's self-interest. To equalize per pupil expenditures

across the state would of necessity increase the teacher salaries across the state.

**Do you think the busing will make any difference to this system?**

As Lerone Bennett points out in *The Challenge of Blackness*, integration and separation should be looked upon as strategies for liberation. I am opposed to any strategy that is going to damage children—psychologically or physically. It really amazes me how we have such little regard for the rights of children and how in most instances we have such little regard for the abilities of children and yet on the question of integration we ask *them* to deal effectively with the problem that *we* have not effectively dealt with ourselves.

If we can put them on buses at age seven to deal with institutionalized racism—why can't we put them in voting booths at age seven to vote on whether or not they want to be bused? It's easy for us to say how we feel about it, but then *we* are not being bused. Why can't children be elected to the Board of Education at age seven? Are 7-year-olds or 14-year-olds or 16-year-olds represented by or judged by their peers in our society? I think we should be asking the students how they feel about it.

As I stated at the Conference on Education for Blacks sponsored by the Congressional Black Caucus, I seriously doubt the utility of busing to improve the education of Black students. "Racial balance" and "desegregation" do not ensure that Black children learn; such goals do ensure that Black children will be in the minority in every school. These goals do ensure that Black children will continue to be oppressed by the white-controlled racist school system.

Barbara Sizemore said in her testimony before the Mondale Committee that the first *Brown* decision was racist because it implied that segregation does no harm to white children, segregated schools are seen as good schools for whites. She said, "If an institution supports the folk who give the inference of authority to another folk, how can that institution help the so-called inferior folk?"

Black children today are very different from the Black children of 1954. To tell a Black child today that he will profit by sitting next to a white child in a white-controlled school is to lie to him. And he knows it. The only thing that child will gain is more knowledge of white racism. This is a learning experience for him but it does not help him learn how to read and write.

In light of this, and in light of the student's "rights" which

have been shown to exist only in theory, three points can be made about busing children for “racial balance”:

First, it appears that busing insures that Black children will always be in the minority, thus providing an ideal climate for racist practices to continue.

Second, the terms “busing,” “desegregation,” and “racial balance” are used by the power elite in this country to keep poor whites and poor Blacks from joining together to demand a decent life and the right to survive. If the people who are paid to educate children don’t do it, what better way to divert attention from their failures than by stirring up the folks, calling poor whites “racists” and forcing both white and Black to go to a school in which no one will ever learn anyway?

Third, “racial balance” is used to curtail the authority of Black teachers and administrators. In Dayton, the community word is that, in balancing the staff of the schools to a 70-30 ratio, the good Black teachers went to the white schools and the incompetent white teachers came to the Black schools.

Because of these effects of “desegregation,” it is a denial of a Black student’s right to an education to move him to a white school. We are putting the burden on children, both Black and white, to eradicate the mental illness of 300 years in American society. This “racial balance” is easy for the power elite to support because it puts the burden on the children, not on their own racist shoulders where it belongs. True integration, as Sizemore says, would bring about an open society in which segregated housing, economic racism on all levels, and unequal educational and medical services would be eliminated.

I believe in freedom of choice for Black people. If Black parents wish to send their children to white schools, the law should facilitate that wish. If, however, Black parents, having developed a sense of nationalism and racial pride, decide that Black-controlled schools would better educate their children, the law should protect that decision.

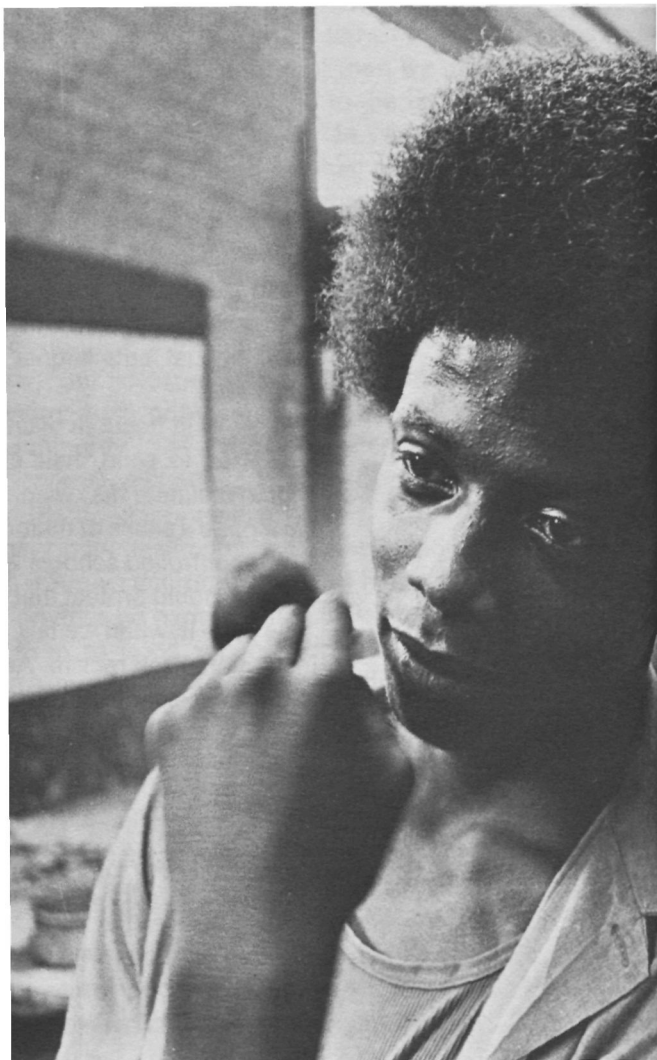
As I see it, when we talk about busing we are talking about institutionalized racism. And I believe that urban schools are merely an extension of the slave system. In many respects Black people are still enslaved. In many respects, *poor* people are enslaved. In many respects all oppressed people are enslaved.

**Do you think it’s possible for Blacks and oppressed white people to join together in a common struggle?**

There has to be some kind of cooperation and understanding between poor white and poor Black students. I think that if there is racial violence in this country, initially it would not

be between middle-class Black and middle-class white people; it would be between poor white people and poor Black people, and they are both oppressed in many of the same ways.

I have been through an experience where I had to rescue some Black children from a white Appalachian school. One strategy would be to be angry with poor white folks for the rest of my life, but another strategy would be to understand that *they* are oppressed in many of the same ways Black people are oppressed. In many ways they are victims of the news media and victims of the powerful and the rich. I am not saying that poor white people and poor Black people have to love each other, but I am saying they have to get together on things that they agree on to prevent potential genocide of both. I think that that can be done, not by what some expert says, but by giving them power and giving them some money



and letting them make their own decision about how they can relate together and how they can live together.

I agree with Lerone Bennett, however, when he talks about the fact that you have to be strong before you go into any coalition. Black folks have been ripped off time and time again in coalition situations. The emphasis has to be on Black folks getting together with Black folks first and poor whites getting themselves together too. The immediate strategy with white folks has to be one of peaceful coexistence.

I think the same thing's happening within the public schools that happened during slavery. For example, during slavery Black people were told that we were dumb, that we were dirty, that we were silly, that we were thieves. That gave us a negative feeling of self. How does the institution called school work? The institution calls students socially disadvantaged, culturally deprived—now don't think that those terms don't have ramifications in terms of how teachers deal with those students, how administrators administrate for those students, how other institutions that are serving those students *view* those students. The institution also stereotypes to cover up its failure, to cover up its inability to produce. Earl Kelly said it very clearly—adults always blame powerless children for their inadequacies. Institutions always find a scapegoat for the fact that they can't produce, or that they are deliberately not producing.

### **It sounds like there's no way out.**

That's what the oppressor wants us to believe. In this country today, Black men who want to be men have few alternatives. We can go to Algiers, we can end up in jail, we can end up destroyed psychologically or physically if we stand up for our rights. In my own case, the Stivers High School incident documented by Dr. Ruth W. Burgin in the book, *An Experiment in Community School Control: An Evaluation of the Dayton Experience*, speaks of a form of genocide, a form that seeks to eliminate Black men from positions of power or potential power. As a result of incidents of this kind, young Black and other oppressed people are forced into despair. Many feel, "Why learn and why study when in a few years I'm going to be destroyed anyway?"

There is a growing concern among Black educators and community leaders that, since there is no more cotton to pick and there are no more ditches to dig, Blacks as a people are no longer necessary to this country, especially in view of the population control themes being developed. Some believe that the billions of dollars being pumped into programs like the Title I Elementary and Secondary Education Act to provide funds for assistance to so-called educationally disadvan-

taged children are merely being used to prove the racist theory of genetic inferiority of Black children, as espoused by men like Jensen. The argument runs something like this: "You see, we have given billions and look, those children still cannot learn."

### **How does this oppression actually work itself out in the school?**

The school is a certified agent of oppression. There are many similarities between urban schools that I've been associated with and Attica. At Attica they shot people down physically; in the public schools they shoot children down psychologically. The result is the same, death. In fact, as Dr. Martin Luther King stated, psychological death can be even more painful than physical death. Let me give you an example. This nine-year-old brother was watching the Today show. He was Black. A very brilliant Black Ph.D. was on the show. The young brother didn't understand what the Ph.D. was talking about. But he was impressed by his sharp clothes and the fact that he was on television. He ran to school. He was late because he had been watching the Today show. He asked his teacher, "How much money do it cost to be a doctor, so I can be on television and be like that man I saw on television, and be sharp, and be talking like he was talking?" His teacher told him, "Sit down—sit down because you don't have enough money to be thinking about school and you can't read anyway." He was nine years old. He didn't come to school the next day. He started stealing little petty stuff, hub caps, routine stuff. Then he started getting into more serious trouble. Then he started becoming aggressive in social situations. He eventually got into serious trouble—and he is, in fact, doing time now for a very serious crime.

You can multiply that example in one form or another for every child who gets trapped in the general course, or gets pushed out of a college preparatory course, or learns how to sit in class and be a good "boy" or good "girl" and graduates, but can't read. Or gets pushed out of school.

### **What are the consequences of being in the general course?**

Counselors are among the greatest violators of the equal protection granted to all people under the United States Constitution. They can deprive children of this protection with one statement: "You are not smart enough to take the college preparatory course."

When a counselor makes this statement, he often deprives the student of a good job, good housing, good medical treatment, and a happy and healthy life. If the student doesn't



drop out, he winds up in another dead end—the general course.

You take a student in an academic course and ask him what he wants to be. He'll say: a doctor, a lawyer, a chemist. You ask a student in the business course what he wants to be and he'll tell you an office manager, a banker, a real estate man, a salesman. Ask a student attending one of the few good vocational schools what he wants to be and he will say a draftsman or machinist.

You ask a student in the general course what he wants to be and he'll say, "I dunno." I look at the classified want ads in the Dayton papers every day and I see ads for all kinds of jobs. But I don't see any ads for "General Jobs."

The general course is a combined concentration camp, babysitting service, and mental graveyard. It is excellent preparation for the future junkies of America, the future jobless of America.

The general course, like the poor conditions of performance and services and supplies and material resources in Black and other oppressed communities, exists not by chance, but by design. I think that those of us who are in constant contact with the people who are suffering in this country must repeat and repeat and repeat the essence of that suffering—institutionalized racism.

I have personal experience with how teachers try to program Black children into failure. The one lesson that I learned well in junior high school only took about two minutes to teach and I have never forgotten it. A math teacher told me that I would never be any good, that I was dumb, and that I would never finish school. I believe today that I made up my mind right then and there to make a damn liar out of him.

Now he told my best friend the same thing, and that friend didn't see that it was the system that was no good—he believed it was him. For shortly after that teacher hit my friend with the same cruel, harsh, and criminal words, my friend started staying away from school, getting in trouble and is, in fact, in trouble today, serious trouble. He is in jail. As far as I am concerned—whatever crime my friend is accused of—the teacher who made that statement to him way back in 1950 is equally guilty and should be serving the same time under the same conditions.

Now, I had a sense of what was happening, but it was still very hard for me. Because of some racist IQ test, when I got to high school, my mother had to spend about three weeks convincing white folks that I should take the college preparatory course. When she finally fought hard enough for me to get into the college preparatory course, they had already psychologically destroyed my will to take algebra and geometry

**In questions of student violations of school rules, the student, like any citizen, should be regarded as innocent until proven guilty. The burden of proof should rest with the school. The student has a right to full due process of law. . . . When discipline is arbitrary, as it is, for the most part, now, it prepares students to live in a society where they will have no control over forces that affect their lives. It encourages an acceptance of impotence, an acceptance of the individual's inability to change a given situation. It is time to give students the constitutional rights they already, in theory, have—including the important right to a fair trial in questions of rule violations.**

—Recommendation from the Dayton Student Board of Inquiry into High School Discipline.

and all college subjects. So when I went into those college preparatory courses I went in there with the feeling—"I can't really do this because the teacher said I couldn't do it, and the counselor said I couldn't do it, and the principal said I couldn't do it, and the assistant superintendent of the district said I couldn't do it. I must be stupid."

But my main point is that by making sure that most Black children end up in the general course with no belief that they can do or be anything else, the system is committing psychological genocide and perhaps even getting ready for physical genocide. There's hardly a chance that any of *us* are going to be in positions to control the new technologies—those that may mean the difference between survival and death. You have to think seriously about why our children aren't being trained for the future.

**Do you want to start educating children for the future or for dealing, first of all, with their present condition?**

One without the other is meaningless. Right now we should be teaching children how to make their own worlds more livable. They should learn about legal redress against slum landlords. They should learn about taxes and how they are levied. They should learn consumer law and credit and how to protect themselves in the marketplace. They should learn about due process so that they can protect themselves and their parents from a society that does not look kindly on them.

Besides this, our children must be schooled in the future. We must have architects who can plan low-cost housing. We must have children who can learn oceanography and assure our people a place in submarine communities. We have seen from experience that the white establishment will leave its decaying cities to Black people while fleeing into the

suburbs. They will not automatically, out of brotherhood, indulge in integrated submarine communities. Our children must be taught about space flight—so that they will not be left on a pollution-clogged earth while whites hit the moon and beyond. Black children must learn the new medicine so that their children will not be used as spare parts when some white man needs a heart. Our children must learn genetics so that the race is not bred out of existence when the era of test-tube babies becomes a reality. Our children must learn about psychology and the media so that they will not be manipulated back into slavery.

Instead of the general course, why not substitute a curriculum that produces skilled craftsmen in oceanography, genetic research, atomic fusion, chemistry and biology, medicine, computer science, machine design, the media, urban space planning, agronomy, economic planning, and political science as it applies to design models for the survival and liberation of oppressed peoples?

Black people, in the eyes of many people in this country, are no longer necessary. I'm especially pessimistic after reading Sam Yette's brilliant book, *The Choice*. There he deals with *The Issue of Black Survival in America*, the reality that our people are considered obsolete by racists because there is no more cotton to pick, and there are no more ditches to dig. And I see the school as an agency that initiates and perpetuates genocide.

Concentration camps are public schools. Public schools are prisons. You never really do get out of school—because the oppression that you endure during that school day follows you all through your life. When people start talking about population explosion—when they start talking about the density of population, when they start talking about there not being enough resources to feed people—they're talking about getting rid of somebody. Now that's a reality! The majority group, on the basis of its proven record, damn sure doesn't want to volunteer to be eliminated.

Suppose, for example, some high-level government official would say "The environment is so critical that we have to eliminate 25 million folks immediately in order for all of us to continue to breathe. Now would you suggest that we rip off 25 million white folk over 75, if we have that many? Or would you suggest that we just eliminate 25 million Black folks." What would the answer be?

It's easy for white people to say that's paranoid. Many Germans probably said the same thing in Germany just before many Jewish people were destroyed. Black psychiatrists Grier and Cobb point out in *Black Rage* that if a man is Black in America and is not paranoid, he is not normal. It's as nor-

mal for a Black man to be paranoid in America as it is for a banker to be prudent or a hunter to be cunning.

**Given the fact that the “sane” Black person must acknowledge the psychological genocide that exists and the physical genocide that is possible, what has to happen now, as you see it?**

I have to deal with that question on several different levels. One initial step might be to deal directly with the oppressive school-connected agents of genocide. A group of Black educators suggested just recently that we provide school people with two alternatives: either say (1) our children are genetically inferior, or (2) you do not have the ability to educate them.

Most oppressive educators have trouble dealing with those alternatives because even though they *believe* in the genetic inferiority of Black children, they would be reluctant to admit to others that they do not have the capacity to educate our children because that would mean they would no longer be necessary in our schools or in our communities. They would no longer be able to use our children for the purpose of making a living.

If oppressive educators admit that they cannot educate our children, that would mean that they should no longer have access to Black children and other poor and oppressed children. If they no longer had access to our children they would not be able to deliberately destroy them psychologically for the purpose of protecting the myth of white superiority and the reality of institutionalized racism.

To prevent psychological genocide of Black, Chicano, Puerto Rican, Indian, poor and oppressed children, we must remove them from the physical and psychological control of the oppressor. We must also teach them to protect and defend themselves while at the same time not copying the cruel and vicious tactics of the oppressor.

On another level, some of the most brilliant people alive are Black people who have become political prisoners because of the events of the 1960's and 1970's. They possess the insight and the love for their fellow man to deal effectively with the issue of “bringing us together.” I believe that legislation should be introduced to grant amnesty to all those who are currently incarcerated because they have fought for the human and constitutional rights of their fellow man. I suggest that they be employed to work toward making this a truly open, democratic society.

Everett Reimer in *School Is Dead* says that, despite the record, the possibility for democratic institutions remains—men, however, must make up their minds to use insti-

tutions for democratic purposes. In order to avoid genocide for some and in order to make democracy a reality for all, we must start practicing what we preach from the womb to the tomb, from the pre-schooler to the Supreme Court justice, to the Congressman.

Everett Reimer contends, of course, that school is dead. He may be right. While it is being buried, however, children are still being destroyed.

We must protect our children by any and all means necessary. For example, the local, state, and federal governments of this country have the responsibility of stopping the psychological and physical genocide that is occurring through the schools, the media, health care, drugs, housing, and law enforcement. We must hold individuals who are responsible for racism within the educational system accountable for their actions by initiating criminal court actions or through para-legal avenues of arbitration. We must institute specific programs to develop positive self-image. The Black, poor, and oppressed must be told repeatedly that they are good, they are beautiful, they can do anything they make up their minds to do. Like Huey P. Newton says, "The will of the People is greater than the Man's technology." We must redistribute money, knowledge, and power, and provide alternatives through community-controlled schools, free schools, welfare rights schools, university-run schools, student-run schools, computer-centered schools, schools without walls, home-based schools, etc. We must reform the decision-making bodies of public education to include students between the ages of seven and seventeen with full rights and responsibilities. We must institute student fact-finding commissions—like the Center's recent models, the Student Boards of Inquiry into discipline and into curriculum—to deal with racial issues, discipline, curriculum, guidance, and all other areas of public education. We must federally fund student groups to initiate their own programs relative to rights and responsibilities and education in general—programs, for example, where students help the blind, the poor, the aged. We must federally fund programs for "Black militants," conservative white, Chicano, Puerto Rican, Indian, poor, and oppressed students, so that they can develop their own strategies for peaceful co-existence and survival.

We must strive to make Oscar Handlin's definition of integration a reality. That definition, as interpreted by Barbara Sizemore, is that condition of society in which any individual has the opportunity to make a multitude of voluntary or involuntary contacts with any other human being based on his own preference, taste, or ability. This definition, rather than racial balance, must be our goal. We must federally

**School security guards should definitely have more requirements than simply “a clean record” to be placed in a school situation. There should be some history of work with young people, and some intensive training on how to relate to young people under potentially dangerous or explosive conditions. Security guard power in a school should be specifically outlined in writing. Guards should be held personally and professionally accountable for any violations of their written powers.**

—Recommendation from the Dayton Student Board of Inquiry into High School Discipline.

fund TV, cable TV, and radio networks throughout this country that can broadcast information to the masses of oppressed people about student rights, welfare rights, and the right to believe in oneself and to love, trust, and respect oneself and others; we must also broadcast the information necessary to eliminate racism, poverty and oppression, and genocide. Although federal grants for compensatory education have failed in the past because money was given to the same racist administrators to help Black children whom they had failed to educate in regular programs, massive expenditures of money could aid Black education—if it were distributed properly, and controlled by the local community, not by the state or the school system.

We must also abolish corporal punishment.

### **How is it possible to finance these programs?**

How is it possible to finance wars? How is it possible to subsidize large corporations? How was it possible to rebuild Germany and Japan?

A number of ideas on how to use such grants have been expressed in Dayton a number of times by myself and others. The ideas were recently re-stated one more time, by the Dayton superintendent who fired me three years ago for developing these same programs.

These ideas include: federal grants used for rent or loan supplements for all poor people—once housing is available to all in all parts of the cities, true integration may be possible. Federal grants for clothing allowances for poor children—the type of clothes a student wears significantly affect teacher attitudes toward the student, and therefore that student's performance. Federal grants for medical and dental service for every poor child—this money could erase some of the outside factors that hinder a poor child's learning. Federal grants to provide part-time jobs for all

poor children 12 years and over—if a child can earn his own spending money, he will be less apt to drop out of school. Federal grants for paid transportation either to a special course or a job opportunity for all these children. Federal grants for green space and good playground equipment for all inner-city schools—to alleviate at least the appearance of inner-city schools as prisons. Federal grants for educational travel, camping, and environmental exploration by inner-city pupils.

**Then do you feel that such programs could profoundly alter the fate of Black and other oppressed people in this country? Is this the kind of revolution you hope for?**

No program for change and liberation can be successful, truly successful, in making equality and democracy a reality unless the people are involved from the beginning. I believe that the only real revolution that can take place in this country, and indeed in this world, is a revolution of peace—love, trust, and respect for each other. There is nothing revolutionary about Black folks and young folks dying in this country. Life is a very precious and dear thing. We have, in this country, made dying as routine as going to the bathroom, and that is a shame. We must somehow emphasize the importance of living and developing strategies to see to it that our young are able to develop to the fullest of their potential. To strive for anything less is to say that all of the Black people who have bled and suffered and died, and all the young people who have bled and suffered and died, have done so for nothing.

I hope Reich is correct in terms of the *Greening of America*, but I believe Sam Yette is correct in terms of *The Choice: The Issue of Black Survival in America*.

In her book, *If They Come in the Morning*, our beautiful, brilliant, and courageous sister Angela Davis states that her life is at stake and that it is not just an individual life but a life that has been given to her people in the struggle against poverty and racism.

James Baldwin, in his letter to Angela Davis, says, "We must fight for your life as though it were our own because if they take you in the morning they will be coming for us that night."

Angela Davis is on trial, Black people are on trial, oppressed people are on trial, and the potential for democracy is on trial. For the sake of our children and for the sake of us all, I hope Angela wins, I hope Black people win, I hope the oppressed win, I hope democracy wins.

We must trust each other. In the end, the oppressed will save themselves and their oppressors. The children, if we allow them to be human, will lead the way.

## Footnotes

<sup>1</sup> *Tinker v. Des Moines Independent School District*, 393 U.S. 503, 89 S. Ct. 733 (1969). This decision is discussed in Richard L. Berkman, "Students in Court: Free Speech and the Functions of Schooling in America," *Harvard Educational Review*, 40 (November, 1970), pp. 567-595.

<sup>2</sup> *Serrano v. Priest*, 5 Cal. 3rd 584 (1971). The text of this decision is published with commentary by William N. Greenbaum, *Harvard Educational Review*, 41 (November, 1971), pp. 501-534.

<sup>3</sup> The interview took place in Cambridge, Massachusetts in February, 1972. Interviewers were John Butler, Margaret Marshall, Tom Marx, and Ellen Solomon of *HER*.

<sup>4</sup> While the Center has received grants from the Office of Economic Opportunity, Washington, D.C., 20506, the opinions expressed here are those of Arthur E. Thomas and should not be construed as representing the opinions or policy of any agency of the United States Government.

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My mother—who taught me at an early age to always remember that whenever I saw someone who was suffering or oppressed, "there but for the grace of God, go you." She told me that I should always try to help them, because, were it not for oppression, they would be able to help themselves.

My wife—who is brilliant, Black, and beautiful and best described by Isaac Hayes on the record *Black Moses* in the song "Brand New Me."

Ms. Wilhelmina Robinson, Dr. Ames Chapman, Mr. Isaac Sappe Lane, professors Central State University, Wilberforce, Ohio—they taught me and many others that we were not dumb and that we could learn.

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Some of our best friends are white: the late Charles Bridge—our lawyer, who



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Records—"Save the Children" as performed by Marvin Gaye, *What's Going On*; "Reach Out and Touch (Somebody's Hand)" as performed by Aretha Franklin, *Live at Fillmore West*; "The Impossible Dream," as performed by Roberta Flack, *Chapter Two*, "Martin Luther King at Zion Hill," "Malcolm X Talks to the Grassroots," "Malcolm X: Ballots or Bullets," "I am Somebody," Rev. Jesse Jackson, *The Country Preacher*; "To Be Young, Gifted, and Black," as sung by Nina Simone, *Black Gold*.

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### Appendix

The following are sections of the Ohio Revised Code. Most states have similar laws which have never been applied to educators and the education system. Because of the novelty of the proposed use for these laws, it might be difficult for citizens to swear out warrants against educators, and for prosecutors to prosecute violations of these laws. Such use of these laws may be a few years away, but citizens may have to

resort to the criminal law, and use it in the way proposed here, to force constructive change in the education of our children—A.E.T.

*ORC 2919.05—Embezzlement by Municipal and School Officers*

“No member of the council of a municipal corporation, or an officer, agent, or employee of a municipal corporation, or board of education, shall knowingly divert, appropriate, or apply funds raised by taxation or otherwise, to any use or purpose other than that for which said funds were raised or appropriated, or knowingly divert, appropriate, or apply money borrowed, or a bond of the municipal corporation or part of the proceeds of such bond, to any use or purpose other than that for which such loan was made, or bond issued. Whoever violates this section shall be . . . imprisoned not less than one nor more than twenty-one years.”

*ORC 2919.05—Usurpation of Office*

“No person in an office or place of authority without being lawfully authorized to do so, or by color of his office shall willfully oppress another under pretense of acting in his official capacity.

“Whoever violates this section shall be fined not more than two hundred dollars.”

Boards of education and educators willfully defraud parents when they say they are educating their children. Children are willfully oppressed by the educational system.

*ORC 2911.41—Fraudulent Advertising*

“No person shall directly or indirectly make, publish, disseminate, circulate, or place before the public, in this state, in a newspaper, magazine, or other publication, or in the form of a book, notice, handbill, poster-circular, pamphlet, letter, sign, placard, card, label, or over any radio station, or in any other way, an advertisement or announcement of any sort regarding merchandise, securities, service, employment, real estate, or anything of value offered by him for use, purchase, or sale and which advertisement or announcement, contains any assertion, representation, or statement which is untrue, or fraudulent.

Whoever violates this section shall be fined not more than two hundred dollars or imprisoned not more than twenty days or both.”

Are not boards of education and educators guilty of violations of this law? Is not every school tax levy campaign a violation? School people advertise education. Children and parents are consumers of education induced by false advertising.

*ORC 2907.21—Larceny by Trick*

“No person shall obtain possession of, or title to, anything of value without the consent of the person from whom he obtained it, provided he did not induce such consent by false or fraudulent representation, pretense, token, or writing.

“Whoever violates this section is guilty of larceny by trick, and, if the value of the thing so obtained is sixty dollars or more, shall be imprisoned not less than one nor more than seven years.

School boards and administrators have been taking public money for years with public consent. Indeed, they ask for more and more money. The public consent is induced by representations made by administrators that children’s education will improve, and the pretense that children learn in proportion to the dollars spent. These representations are false. The proof of their falsity is that high school diplomas are awarded to people who read and write at an eighth grade level.

*ORC 2903.08—Torturing or Neglecting Children*

“No person having the control of . . . a child under the age of sixteen years shall willfully . . . torture, torment, or cruelly or unlawfully punish him . . .

Whoever violates this section shall be fined no less than ten nor more than two hundred dollars or imprisoned not more than six months, or both.”

School systems claim to have control of children during school hours. Willful torture and torment occurs when children are harassed and molded to conform to the system's model of the perfect student. To keep a child in school eight hours a day, listening to a teacher who says nothing relevant, is cruel punishment.

*ORC Section 2901.12—Robbery*

"No person by force or violence, or by putting in fear, shall steal from the person of another anything of value.

"Whoever violates this section is guilty of robbery, and shall be imprisoned not less than one nor more than twenty-five years."

Our system of education puts children in fear, and steals from them their desire to learn, their inquiring minds, and their individuality.

*ORC 2921.14—Conspiracy to Defraud the State*

"If two or more persons conspire to defraud this state, or any political subdivision thereof, in any manner, or for any purpose, and one or more of such parties do any act to effect the object of the conspiracy, each of the parties to such conspiracy shall be fined not more than five thousand dollars or imprisoned not more than two years, or both."

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