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## THE PERILS OF THE HOME-TO-SCHOOL PIPELINE

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WOK\_DVDCOVER\_EDIT

By Cevin Soling

The high incarceration rate of students as result of minor offenses has been described as “epidemic,” but this focus obscures the underlying problem of compulsory schooling that gives rise to pervasive injustice. The school-to-prison pipeline can best be understood as a natural extension of civil rights violations that are endemic to public schooling. Schools operate in accordance with their design, which has less in common with democracy than with fascism, where all dissent is suppressed and loyalty is demanded. As a consequence, schools are virtual factories of human rights violations. In addition to unreasonably curtailing the 1<sup>st</sup>, 4<sup>th</sup>, 5<sup>th</sup>, 6<sup>th</sup>, 8<sup>th</sup>, 13<sup>th</sup> and 14<sup>th</sup> amendments, they violate Articles 17, 18, 22, 25, 26, 38, 51, 52, 53 and 99 of the [Third Geneva Convention](#), which govern discipline, labor demands, personal effects, general health and well-being, diet and exposure to humiliation. Conditions in school would be considered war crimes if children were deemed enemy combatants. Eliminating zero-tolerance policies and removing resource officers from school grounds will not change this fact.

These abuses go largely unnoticed because people implicitly recognize that the institution could not function without repressive authority, and there is a pernicious presumption, codified by the Supreme Court that the “educational mission” of schools supersedes civil rights. In a brazen display of duplicity, the ruling that gave rise to the catchphrase that students do not “shed their constitutional rights to freedom of speech or expression at the schoolhouse gate” did just that. In *Tinker v. Des Moines* (1969), the Court set forth three exceedingly onerous hurdles for permissible student expression. Speech in school is only protected if it is “quiet and passive...not disruptive, and [does] not impinge upon the rights of others.” This ruling completely undermined any pretense of democratic values in schools.

Possibly the most egregious example of the Supreme Court’s disinclination to recognize that students possess even the most basic rights was displayed in *Ingraham v. Wright* (1977). This case involved a 14-year-old boy who was physically restrained by two adult males while the school principal hit him more than 20 times with a wooden paddle such that he required hospitalization. The beating was in response to Ingraham being “slow to respond to his teacher’s instructions.”

What is notable is not simply that corporal punishment was found to be constitutional —despite such actions being impermissible toward any other segment of the population including prisoners — but that the Court’s ruling deemed due process to be unnecessary prior to the instigation of violent reprisals against students. In the majority’s opinion, “[t]he administration of corporal punishment in public schools, whether or not excessively administered, does not come within the scope of Eighth Amendment protection.” This ruling still stands, and in 19 states more than 210,000 children are hit with impunity each year.

Cases like these should lead people to ask: what is the purpose of an education if not to learn how to exercise and defend civil liberties? What do children really learn in an environment that suppresses liberty, dismisses justice, and requires students to take orders in a docile manner? It is hardly surprising that prison has become a natural extension of the public school experience, although prisoners possess some non-trivial rights that students clearly do not.

Students’ constitutional rights must never be usurped in the name of education. We need to recognize that subjecting children to this kind of environment has grave consequences, and that schools may be to blame for general acquiescence to the erosion of civil liberties and the absence of meaningful outrage in response.

In the absence of promoting democratic citizenry or self-actualization, another purported benefit of schooling is economic. This deceitful promise lures the dispossessed into a snare. Not only does this lie succeed in blaming victims of poverty for their condition under the guise that their situation is a consequence of character defects where they lack the will to study, but schools, in fact, sustain inequality. Literacy is predominantly learned at home and schools impart very few skills that are useful in the work place. The impracticality of curricula matters less for students from privileged backgrounds just as the oppressive environment is easier for them to endure. The instillation of uniform skillsets creates an abundant supply of labor within a limited sector where the disadvantaged must compete. One does not go to school to learn, one goes to get a piece of paper called a degree because schools monopolize certification. This is one of the ways in which the underprivileged are trapped. They cannot get meaningful work without a degree, but schools do not provide marketable skills and instead alienate people from learning due to the oppressive environment.

The problem is not the school-to-prison pipeline—the problem is the home-to-school pipeline. Families need to abandon these soul crushing bureaucratic wastelands that destroy children’s passion to learn. The monies that fund schools should instead be invested in communities so that they can become empowered to support families and bring people together to educate their children in ways that do not rely on rigid institutions that deprive children of their liberty and dignity.

*Cevin Soling directed The War on Kids, the first theatrically released documentary on education and authored The Student Resistance Handbook. He is a graduate of the Harvard Graduate School of Education and lectures on education issues and other subjects. Soling’s films have appeared on the BBC, HBO, Showtime, The Sundance Channel, MTV, The Learning Channel and other outlets. His media appearances include being a featured guest on The Colbert Report.*

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