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# Justice, Education and Democracy—How They Fit Together, and Are Necessary to Each Other

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## EDITORIAL

### **Justice, Education and Democracy—how they fit together, and are necessary to each other**

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The school-prison-pipeline is a most ironic development. Right where it is most important to help children move toward productive citizenship, toward cooperation and support of others, toward a thirst for knowledge of the issues and questions before us every day, some students find themselves completely alienated from the institution that is charged with educating them, singled out for surveillance and discipline, confronted with police officers for in-school infractions, and caught in the juvenile justice system, which, as a different kind of school, prepares them for a life of crime and for the adult criminal system.

As has been extensively argued in this journal repeatedly, in a variety of contexts (see especially Volume 3, Number 1, Winter 2008: *Schooling as if Democracy Matters*), schools should be organized and run on democratic principles, and one of the goals should be the emergence of democratic values in the students. This means that the rights of the civil polity apply alike to teachers, administrators and students within the school, and good policy embodies a respect for these rights and promotes their exercise. If schools give children a chance to live with successful models of democratic cooperation and problem-solving, they will graduate with tools to promote similar models in the general polity.

It seems to me a self-evident truth that everything we do in schools teaches. Not just the material we teach in class, but our actions and attitudes, our policies and our responses to urgent matters, even to traumas and emergencies—each of these teaches our students (and us) who we are and what we stand for. When we adopt policies that discriminate, that fail to uphold the dignity of each student, that treat some students as dispensable, that treat all students as being under suspicion and surveillance in advance of any evidence that any of them have done something illegal or otherwise problematic in the school setting, we teach these children devastating lessons that they cannot count on institutions to do justice, and that their voices will not be heard.

We place those students' futures at risk. But we also do something much more damaging in the long run. We jeopardize the democracy, because these students will not have seen it work in their schools, and will not have seen, or understood, what the meaning in practice is of due process of law, or have any faith in its workings at the core of democratic justice.

We cannot expect young citizens to uphold the rule of law, and to stand for the rights of others, when the adults who foster their educations stand primarily for expedience, favoring obedient minds over questioning ones, and using the crutch of zero-tolerance punishment to avoid the messiness of hearings and respectful disciplinary procedures. Is “an armed officer in every school” an appropriate part of the environment of learning in a public school? Asking how we can teach democracy, then, is largely asking how we can make education work well in a democratic setting, and how we can assure students that it works better in that setting than in an authoritarian setting.

I teach civil liberties in the college setting, to students most of whom are interested, at least tentatively, in a legal career. They are uniformly surprised, but intrigued, to find that all rights are worked out in balancing acts against other rights, and that the consensus for what constitutes a *right* is sometimes thin or absent, even when the right is important to the preservation of democratic institutions. In my experience as a member of the board of the American Civil Liberties Union over most of the last 40 years, it also becomes clear (as the slogan goes) that no battle for liberty, or for civil rights, ever stays won. The issues come back again and again, and must be fought through each time. Sometimes they are in an essentially familiar form, as we see with battle lines now forming, once again, around the right to vote, and sometimes they are embedded in other social issues, such as the right to education, and the sustenance of the public schools.

The articles in this issue help us think about those democratic values, and how discipline in the schools seems to be creating massively undemocratic, and unjust circumstances for some students, and setting horrendously poor examples for others. These essays help us see how the School-to-Prison Pipeline is an example of how poor school policy, set originally in response to catastrophic attacks by armed young men, can become common wisdom and common practice, and can sap the school at every level, draining its capacity to take responsibility for itself. They are excellent exercises not only in understanding what’s wrong with disciplinary policy in many of our schools, but also in identifying what the values are that these policies violate. They can help us think clearly about what we need to do to re-think the shape of our institutions to foster the values that matter most to educating all of our children for a broad variety of challenges and opportunities, and that bring out in us our best as educators, students, and citizens.