



Paradigm Shift

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Rudyard Kipling is reported to have said:

"Words are the most powerful drugs used by mankind."

If he is correct, then education and learning are complex modes of delivery for introducing such mind- and soul-altering entities into people of all ages ... modalities that both affect the efficacy of such drugs, and, as well, are affected by them.



1.) Paradigm Shift

Preamble

Like the Preamble to the U.S. Constitution, this section of the current essay helps frame the remainder of the present document. In other words, this preamble establishes the set of principles through which *Paradigm Shift* might be best engaged or most fruitfully approached.

For example, the reader should understand that because this is an extended essay and not a lengthy book, there are many facets of the following material that are set forth in a somewhat compressed form, rather than in a fully delineated manner. Although I believe there are enough details inherent in this extended essay to provide an understandable map of the conceptual terrain that this paper outlines, there are many issues that could have been developed more expansively in the present essay that have been left for another day and another discussion (To further explore these ideas, please read: *Final Jeopardy: Education and the Reality Problem, Volume VI*).

Secondly, since this paper tends to deal with basic principles and since principles tend to be inherently complex, layered and given to nuance (more on this shortly), the task of unpacking the substantive character of any given principle tends to be something of a work in progress and, in effect,

this means there is unfinished business that accompanies this extended essay. However, such unfinished business should not be confused with the issue of logical lacunae, anymore than one should take exception to the fact that a child is, somehow, lacking as an individual simply because further maturation will occur at a later time.

The foregoing point leads to a third matter. Any time one proposes a paradigm shift, there will be those who will read such a proposal through the colors of the glasses with which they normally view experience and expect the former to conform with the latter and might become agitated when this does not happen and, as a result, tend to dismiss what is being written as so much nonsense. Yet, the whole idea of proposing a paradigm shift is to challenge the usual way of doing business.

We live in desperate times. There is considerable degradation of: the human spirit, community, politics, moral integrity, and the environment that is taking place currently and has been occurring for quite some time.

Change is necessary. The argument is no longer whether, or not, to undergo a transition in the way we think about and do things, but, instead, we are faced with task of identifying the sorts of change that might be most capable of stopping the present process of degradation and help lead in the direction of healing – on many, many levels. However, before one can get to the issues of education and learning, one needs to understand

the structural character of the context in which these topics are currently embedded. Therefore, I will be exploring quite a few topics that, initially perhaps, might seem to have little to do with matters of education and learning. However, such preliminary adventures are very necessary in order to clear a viable path to the intended destination.

Consequently, I request you to read the following material slowly, as well as with considerable reflection, equanimity, and patience. For a variety of reasons, the terrain of this extended essay is not always straightforward or easy to navigate, and I hope you will meditate on the themes being explored here rather than rush to judgment concerning the heuristic potential of the principles set forth.

Proposal

What if someone could offer a way to (a) substantially cut property, state, and federal taxes, while simultaneously: (b) revolutionizing the process of education so that the emphasis is on learning instead of accountability wars, political agendas, and self-serving means of generating money for those whose primary interest might be other than the welfare of learners; (c) bringing an end to the, till now, interminable wrangling over discrimination-reverse discrimination and affirmative action debates by truly leveling the

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playing field for all concerned; (d) enabling citizens to gain complete control over their learning; (e) shifting the burden of responsibility for identifying competence to where it belongs and, thereby, ending a form of subsidization that has done nothing but undermine the process of learning; (f) reducing the costs of both public and higher education by billions, if not trillions, of dollars; (g) rethinking the meaning and purpose of the Constitution; (h) and, doing all of the foregoing by requiring only nominal expenditures for underwriting the transition entailed by such changes? Does this all sound like a Rube Goldberg device, a perpetual motion machine, a quixotic quest, and/or the ranting of someone whom, without proper monitoring of medication, has been dumped back into the community from a mental facility?

Read on. You might be surprised.

Rules and Principles

One of the keys to the possibilities noted above rests with the Constitution. Or, said, perhaps, more accurately, one of the keys lies in how one might approach the problems and challenges that are inherent in the Constitution.

The word "inherent" that appears in the previous paragraph is not used inadvisably. Almost

by necessity, the Constitution is a hybrid of specific rules and general principles.

Principles are different from rules. Rules are linear and principles tend to be non-linear.

In other words, the very nature of a rule is that it should be understood, processed, and applied in roughly the same manner from one situation to the next. This is the essence of what is meant by something being linear.

A principle, on the other hand, has degrees of freedom within its structural character that provide for variations on whatever theme(s) is (are) at the heart of that principle. These degrees of freedom establish boundary conditions that cannot be transgressed without violating the principle while, at the same time, giving expression to the conceptual area within which the principle is intended to hold prominence, relevance, and applicability.

Being non-linear, principles have a capacity for flexibility that is not present in rules. Without transgressing its spirit, a principle is capable of responding to varying circumstances in ways that rules are unable to do without undermining the essence of the idea underlying such a rule.

One should not suppose the foregoing suggests that principles can be anything one wishes to make them. Degrees of freedom are not the same thing as license.

For example, many people speak of the Golden Rule that, sometimes, is expressed in the following fashion: 'Do unto others as you would have them do unto you'. First of all, referring to this maxim as a rule is a misnomer, for there is no clear, identifiable theme in this saying that can be applied under specifiable conditions in a determinate way, and, consequently, this moral precept is devoid of the very qualities that are necessary to establish it as a rule.

A general recommendation is being offered, not a hard and fast stipulation. The form of a rule frequently reflects an 'if/then-like' structure such that if certain conditions are met, then, certain behavior or procedures should come into effect or be pursued or applied, but this property is absent from the foregoing moral precept.

The Golden Rule is really a Golden Principle. There are degrees of freedom encompassed within this principle that permit one to go, simultaneously, in a variety of directions.

Can one say this Golden Principle is about kindness, compassion, empathy, love, forgiveness, tolerance, honesty, nobility, magnanimity, being charitable, friendship, and so on? Not necessarily, although all of these qualities are quite consistent with that principle.

If one wishes others to be honest with one, then, one should be honest with them. If a person wishes others to forgive her or him, then, the individual should forgive those other people. If one

wishes someone else to be tolerant toward one, then, one should be tolerant with that person.

The Golden Principle neither explicitly mentions any of the foregoing possibilities, nor does it enjoin upon anyone that she or he must be kind, compassionate, loving, and so on. All it says, at least on the surface, is the following: however one wishes to be treated, then, one should not only treat others in a like manner, but the onus of responsibility for living in accordance with this principles begins with oneself and is not dependent on others treating one in a certain fashion, nor does the principle guarantee that even if one acts in a certain way in relation to others that, therefore, one's mode of engaging people will be reciprocated.

If one looks at the life of the giver of the Golden Principle, one might say that, by implication, qualities of love, kindness, honesty, generosity, forgiveness, and so on are inherent in this principle. Such an understanding presupposes one knows what was in the mind and heart of the giver of the principle at the time the principle was issued. Consequently, such a presupposition is rooted in a theory of interpretation or a hermeneutical system about someone's intentions, mind-set, purposes, and so on with respect to such a principle.

Moreover, even if one were to admit that qualities such as kindness, compassion, love, forgiveness, and so on, were, by implication, entailed by the Golden Principle, one is faced by,

yet, another problem. What is meant by kindness, compassion, love, forgiveness, etc.?

All of the entries in foregoing list of terms refer to principles not rules. There is not one way of being kind, or compassionate, loving, or forgiving. Furthermore, what one person considers to be kind or loving might not be seen as such by someone of a different understanding or it might be engaged through an alternative modality for demonstrating kindness, compassion, love, forgiveness, and so on.

The spirit, or deep structure, of this Golden Principle tends to revolve about good, moral, just, constructive, or positive behaviors. Nonetheless, someone might want to say that, for example, a person with sadomasochistic inclinations might invoke this principle to justify pathological behavior, and while such an application is consistent with the surface character of the precept, such behavior might not be consonant with the underlying spirit of that principle -- at least as envisioned by the one who initially introduced this precept.

Whatever the deep structure of the Golden-Principle might be, its surface structure only says that if one has any hope of having someone else treat one in a certain way, then, everything begins with oneself and, as well, with what one does in relation to others. Everything else is mere theory, speculation, opinion, and interpretation ... or, as one sometimes hears in the courts: objection, your Honor, this calls for conclusions based on

testimony that has not yet been entered into evidence.

Constitutional Issues

There are some portions of the Constitution that are expressed as rules. Many of these rules are clear and straightforward, while others seem to contain language that is ambiguous, and, therefore, in such cases, one is not certain how to proceed even though one might be dealing with a rule rather than a principle. Other facets of the Constitution are in the form of principles. How one should understand such principles is both a huge problem and a challenge.

There were 39 people who signed the United States Constitution. Among this group there were no women, Native Peoples, Blacks, Asians, or poor people. The signatories were lawyers, bankers, financiers, physicians, landowners, businessmen, and high-ranking soldiers.

These 39 individuals were selected by a larger sub-set of the population encompassed by the original thirteen states. This larger group is but a sub-set of a still larger group of people who had little, or no, role in the selection process that led to these 39 people being identified as signers of the Constitution.

Signing the Constitution is not necessarily synonymous with framing the Constitution.

Furthermore, there is ample evidence to indicate that Native Peoples had a substantial hand in helping to frame a variety of substantive ideas that shaped the final form of the Constitution even though none of these indigenous individuals were signatories of that document.

All of the foregoing leads to five important questions. More specifically, when one speaks of the 'Framers of the Constitution': (1) To whom is one referring? (2) Did all of the 'framers' understand things in the same way with respect to the language of the Constitution? (3) Even assuming one could identify what such understanding(s) involved, why should one give precedence to what the participants meant over the understandings of those who did not participate in the selection process and/or whose views were not represented by the individuals who were selected? (4) Why should people of today be bound by a document that they had no role in framing or giving consent to? (5) Even assuming people are bound, in some way, to adhere to the Constitution, what is the precise nature of that obligation? ... Is the character of such an obligation: moral, legal, political, logical, or some combination thereof, and what is the structural character of the argument that demonstrates the undeniable truth of such a moral, legal, political, logical, or combinational binding authority?

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Lest one forget too quickly, the Declaration of Independence, signed just 11 years, or so, prior to the Constitution, states:

"When in the Course of human events, it becomes necessary for one people to dissolve the political bands that have connected them with another, and to assume among the powers of the earth, the separate and equal station to which the Laws of Nature and of Nature's God entitle them, a decent respect to the opinions of mankind requires that they should declare the causes that impel them to the separation. -

"We hold these truths to be self-evident, that all men are created equal, that they are endowed by their Creator with certain unalienable Rights, that among these are Life, Liberty, and the pursuit of Happiness. -

"That to secure these rights, Governments are instituted among Men, deriving their just powers from the consent of the governed, - "That whenever any Form of Government becomes destructive of these ends, it is the Right of the People to alter or abolish it, and to institute new Government, laying its foundation on such principles and organizing its powers in such form, as to them shall seem most likely to effect their Safety and Happiness. Prudence, indeed, will dictate that Governments long established should not be changed for light and transient causes; and accordingly all experience has shown, that

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mankind are more disposed to suffer while evils are sufferable, than to right themselves by abolishing the forms to which they are accustomed. But when a long train of abuses and usurpations, pursuing invariably the same Object evinces a design to reduce them under absolute Despotism, it is their right, it is their duty, to throw off such Government, and to provide new Guards for their future security."

Rights belong to people and not to governments. Rights that are inalienable exist prior to the establishment of any form of government and those rights are not derived from the process of governing.

Governments are instituted to be the guardians of such rights. Governments are fiduciary agents for creating conditions that are conducive to people being able to access and secure such rights.

So says the Declaration of Independence. So says the Constitution. So says the Bill of Rights.

The Preamble to the Constitution stipulates:

"We the People of the United States, in Order to form a more perfect Union, establish Justice, insure domestic Tranquility, provide for the common defence, promote the general Welfare, and secure the Blessings of Liberty to ourselves and our Posterity, do ordain and establish this Constitution for the United States of America."

The Constitution establishes the framework of rules and principles within which Governments might be formed and operate. However, Governments are established to serve the people in securing rights, justice, liberty, domestic tranquility, common defense, and the general Welfare.

There is an interesting possibility associated with the fact that only six of the 39 individuals who were signers of the Constitution were also signatories of the Declaration of Independence. Four of the 56 signers of the latter document died prior to the gaining of independence, and several others retired due to ill health.

One of the interesting dimensions of the foregoing is that the spirit and language of the Declaration of Independence has not only been substantially toned down when some of its principles were included in the Constitution, but provisions have been etched into the Constitution that render the spirit of the Declaration moot – such as in relation to the idea that people should have the right, if not duty, to abolish Governments that do not serve the unalienable rights to which all human beings are entitled. In such a case, the revolutionary language of the Declaration of Independence has been transformed into an electoral process, and, unfortunately, the Constitution provides people few remedies in the event that many or most of the politicians turn out

to be either hawkers of conceptual snake-oil, self-serving proponents of vested interests, or the political version of the world's oldest profession.

One might say the difference in spirit and language between the two documents is the difference between revolutionary zeal and the practical business of politics. One also might say that the people who assumed control of the United States by means of the Constitution did not want something to be done unto to them that they had been willing to do unto others.

Or, one might say that since these politicians didn't want to run certain risks of real accountability or being dismissed summarily, they instituted provisions that placed some institutional restraints on what could be done to and with them, as well as on when and under which circumstances such things might be done. In short, these politicians would treat others in a certain fashion, if those others would treat them in such a fashion – a gentlemen's agreement, if you will, aimed at keeping certain gentlemen in control.

The individuals who crafted the Declaration of Independence said things correctly in a number of ways. For instance, "Governments long established should not be changed for light and transient causes." Moreover, human beings "are more disposed to suffer while evils are sufferable, than to right themselves by abolishing the forms to which they are accustomed."

Nonetheless, the people and Governments should both understand and take heed that "when a long train of abuses and usurpations, pursuing invariably the same Object evinces a design to reduce them under absolute Despotism, it is their right, it is their duty, to throw off such Government, and to provide new Guards for their future security." In other words, when the unalienable rights of human beings are placed at risk, then, "whenever any Form of Government becomes destructive of these ends, it is the Right of the People to alter or abolish it, and to institute new Government, laying its foundation on such principles and organizing its powers in such form, as to them shall seem most likely to affect their Safety and Happiness."

When the signers of the Declaration spoke of the right of people to "alter and abolish" destructive forms of government, they were not speaking about voting in a new King of England or having a new round of elections for the parliamentary system across the Pond. They were talking about a form of alteration and abolition that would totally disenfranchise the powers that, until then, were interfering with the rights, liberties, and pursuit of happiness of people in the colonies.

If the foregoing process of alteration and abolition could have been accomplished through peaceful and diplomatic means, then this would have been the preferred method. But, if not, then, force would be used to defend that Declaration

(and for those who might be worried that the following seeks to advocate any form of forceful overthrow of government, please rest easy, for this is not the intent or purpose of this extended essay).

Consent of the Governed

The South issued its own form of Declaration of Independence some four score and a few years later (and none of what follows should be construed as either an apologia for, or criticism of, pre-Civil War Southern politics – the following discussion points in an entirely different direction). The South found out that what is good for the goose, it not necessarily good for the gander.

Despite complying with the words, format, and spirit of the document of 1776 and stating the causes of their disaffection with the reigning federal government, and despite indicating that the people (or, at least, some of them) were not giving their consent to be governed, and despite indicating how the policies of the federal government were destructive of the rights of people (including women, native people, Blacks, and children -- although none of these groups or their problems were among the grievances listed by the leaders of the South ... at least not in any constructive or just sense), nonetheless, the alleged leaders of the South were told they didn't have the right to go their own way – whether those ways be

good, bad, or indifferent. May the spirit of 1776 rest in peace!

The spirit of 1776 was not about saving governments or a country. It was about saving people. When governments get in the way of how people wish to come together as a community, Union, state, or nation, then, governments, not people, should step aside for the people who have the right of way -- and, here, power is not synonymous with the issue of 'right'.

How quickly some people forget the road less traveled that had been taken in order to be able to get to where we are in relation to issues of freedom, choice, self-determination and democracy. Lincoln, playing King George to the upstarts of the Confederation, seemed to forget about the meaning of the Declaration of Independence, as well as the Constitution, for he, along with Jefferson Davis, decided that they had the right to force their respective views of the Constitution -- and what it, supposedly, meant -- upon others, and, as a result, hundreds of thousands of people died.

Apparently, Lincoln failed to recall that in 1854 he had said: "No man is good enough to govern another man without that other's consent." But, then, politicians often tend to be children of the moment believing that 'consistency is the Hobgoblin of little minds'.

None of the foregoing should be construed as saying the causes of the South were justified, or

that the Causes of the North were unjustified (or vice versa). This is not about territorial squabbles involving states' rights versus federal rights, or about one style of living versus another, or about who was exploiting whom economically and politically, or about the right to own slaves (and the Emancipation Proclamation was not declared until September 22, 1862 -- a year, or so, after the Civil War started and would not become law until January, 1863, and quite a lot more time passed before that law actually began to take effect through, among other avenues, the advent of the 13th Amendment in 1865.). Rather, both the South and the North seemed to have forgotten that the Declaration of Independence and the Constitution were about guarding and securing rights for people, not governments, and, consequently, both the North and the South failed in their fiduciary responsibilities to their respective constituents.

If Lincoln and Jefferson Davis had not been so intent on imposing their respective ways of interpreting how Governments might best secure rights, liberties, defense, happiness, tranquility, and welfare for people, then, maybe, in time, the North and South might have evolved in a socially integrated manner that actually could have served the interests of everyone without hundreds of thousands of people having to die, and without the ensuing bitterness -- another legacy of the Civil War that is responsible for constantly poisoning the well of the Body Politic from which we all have had to drink so many score of years down the line.

The *Gettysburg Address* gives expression to great literature but a rather distorted understanding of history. The "new nation that was brought forth on this Continent" was not only "conceived in liberty and dedicated to the proposition that all men are created equally". It was a new kind of nation that, supposedly, was being brought forth ... a nation in which people were to be the primary focus, and governments were merely the means through which such ends were to be served.

Lincoln ended his address with the famous sound bite that a nation that is a "government of the people, by the people, for the people shall not perish from the earth" -- language, by the way, that appears nowhere in either the Declaration of Independence or the Constitution. Be this as it might, apparently, from the perspective of the North, the people of the South were not among those whom government was of, by and for ... and, consequently, perhaps this set of circumstances was one of the many possible inspirations for George Orwell's idea in *Animal Farm* that stipulates that 'all animals are equal, but some are more equal than others.'

In any event, Lincoln gave priority to the wrong idea in his famous wartime speech. America was not intended to be a nation that is a government of, by and for the people. America was supposed to be a Union of people to which government had a fiduciary responsibility ... people

came first and government was meant to offer a purely procedural means for serving those people.

Moreover, less anyone be too quick to store such issues in the attic of our collective unconscious, the Civil War did not free people of color. It merely redesigned the nature of the cage in which they were placed -- indeed, the northern ghettos and slums did for black-skinned people what the reservation did for red-skinned individuals ... namely, provided white people with a 'workable' solution that was paid for by the misery of those who were forced to make that solution work and quite independently of the many injustices inherent in such a 'solution'.

All too quickly, the process of government became an end in itself, and the people about, and for whom the Declaration of Independence and the Constitution were allegedly written became the means to help public servants serve the latter. The people were conned into swapping one King George for thousands of them, and although many in the Colonies saw the necessity of the Declaration of Independence, the logic of that necessity was not permitted to extend to the way that politicians and so-called public servants abuse the intent and purpose of the Constitution, and, instead, use it for self-serving reasons that compel people to live in accordance with arbitrarily derived understandings of the Constitution -- with no small thanks to the role of the Supreme Court.

Judicial Tautologies and Non Sequiturs

Supreme Court justices can pontificate all they like about the nature and meaning of the Constitution, but the judicial curtain needs to be drawn back by some human counterpart to Toto. There is a need to expose the fact that the Supreme Court has created a judicial Wizard of Oz in relation to the Constitution -- lots of thunder and bellicose meanderings, signifying little or nothing, uttered by people pretending to be something that they are not and alluding to knowledge and wisdom that they do not necessarily have.

While the members -- both present and past -- might take umbrage with the following, in truth, there are two, and only, two differences between a Justice of the Supreme Court and the average person on the street -- namely, (1) the former has power and the latter has none with respect to possessing any say about what the name of the game is in relation to Constitutional flimflam sleights of mind; (2) a Jurist has an education into the history of how other similarly empowered individuals have perpetrated the Wizard of Oz myth in order to hide the very real fact that most Jurists, whether current or past, do not have the slightest capacity to prove that any interpretation of the meaning and purpose of the Constitution that they wish to force on everyone else can be either: (a) fully reconciled with the principles of either the Declaration of Independence and/or the Constitution; or, (b) demonstrably justified as

being 'the' interpretation that is most likely to secure and guard rights to: a more perfect union, justice, tranquility, defense, welfare, or the blessings of liberty for all of the people of this country.

To say a given legal argument has plausibility is not the same thing as saying that such an argument gives expression to a valid proof. When the rights, liberty, tranquility, welfare, security, justice, and desire for a more perfect union are at stake for millions of people, one needs something more than an "I call them as I see them" sort of mentality from jurists.

The criterion of 'beyond a reasonable doubt' that weighs in at most criminal trials -- rather than the far less rigorous guideline of a 'preponderance of evidence' that holds sway in matters of civil litigation -- should be the principle governing the decisions of the Supreme Court. Any time one has judicial decisions that carry by a 5-4, 6-3, or even an 8-1 majority, one has prima facie indication that reasonable doubt might be present with respect to whatever issues are being deliberated upon.

When a Supreme Court justice cites a precedent in order to support his or her legal decision – and a precedent is really nothing more than an allusion to a form of logic used in some previous judicial opinion that a given jurist considers to be persuasive, then, the Supreme Court justice in question frequently has done nothing but give expression to a tautology. This is

because the conclusions of such a jurist are often already contained in the premises that collectively encompass that jurist's biases and preferences with respect to approaching the meaning and purpose of the Constitution.

The highly heralded exploration for so-called 'legal principles' with which jurists occupy much of their time frequently tends to be a 'Snark' hunt. The fact of the matter is one has the language of the Constitution and one has the language of prominent authorities (now and over the years), but, unfortunately, the connection between, on the one hand, the foregoing two sets of language packages, and, on the other hand, reality, truth, justice, tranquility, welfare, security, liberty, and a more perfect union is, oftentimes, something of a will-o'-the-wisp.

More often than not, the nature of this will-o'-the-wisp is in the form of a non sequitur in which conclusions do not necessarily follow from a set of premises. Alternatively, the form of the argument, euphemistically speaking, is, as previously indicated, in the form of a tautology in which the prefabricated biases of a jurist are forced -- sometimes violently so -- upon a set of legal facts and principles, and the only way the biases are made to fit with such facts is through the raw, brute power that stands behind such decisions and not through defensible logical argument.

Einstein, when he was engaged in his running, conceptual battles with some of the creators of

quantum theory, once said that "God does not throw dice" in a reply to those who believed the universe operates as a random phenomenon. However one might feel about Einstein's position, the fact of the matter is, Supreme Court jurists ought not to treat the principles of democracy as if democracy should be regulated by the rules of a dice game – and all too frequently, unfortunately, such jurists do play dice with the lives of people ... and often in a very arbitrary manner.

Judicial precedents are selected by a jurist because the former tend to mirror the hermeneutical system employed by such a jurist and not because the precedent can be defended as true independently of what that jurist believes. Where jurists begin their deliberations is where they often end such deliberations because many jurists tend to end with the same legal assumptions and philosophy with which they began, and the only difference is that the ending is couched in slightly different language in order to give the impression there has been some sort of transitional bridge of logic that has been crossed over as one goes from the premises of a legal argument to a conclusion that is said to be entailed by those premises.

On occasion, the logical movement from premise to conclusion in such arguments might be impeccable, but this often is more reflective of the nature of a tautology forced upon an issue than it is reflective of any discovery of judicial truth with

respect to a given constitutional issue. What needs to be questioned, however, is both the structural character of the legal premises, as well as the underlying assumptions and interpretations that have led to such a conclusion. In addition, one should pay close attention to the legal sleights of mind that often are woven into the text of an argument -- conceptual prestidigitation that seeks to give an appearance of logical validity when none actually exists.

Being able to loosely tie a legal argument to words or ideas in the Constitution does not necessarily justify or validate the former. Moreover, and for reasons that will be developed in the following discussion, a jurist (or a president or legislator) must not permit his or her personal philosophy of life to color a decision since, constitutionally speaking, doing this violates both the spirit and purpose of the Preamble to the Constitution as well as the opening salvo of the First Amendment.

This is because every jurist, on whatever level of review, has a philosophy of law that shapes, colors, and organizes how that individual approaches the interpretation of any legal document or legal circumstance -- both in terms of (a) whether law is a matter of rules and/or principles, and (b) how one should go about interpreting such rules and principles. This philosophy of law might be a function of: a theory about what the 'Framers of the Constitution

(supposedly) meant', or such a judicial philosophy might involve a competing interests evaluation or cost-benefit analysis of the Constitution in conjunction with some legal matter, or a given judicial hermeneutical system might revolve about an underlying theory of social welfare or distributive justice or fairness or moral imperative. Nevertheless, whatever might be at the heart of such a judicial philosophy, it violates -- for reasons to be outlined in the following discussion -- the very fabric and spirit of the Constitution.

One of the reasons why the Constitution has the ambiguity it has (both with respect to its rules and its principles) is because the 39 signatories of that document could not agree sufficiently on the hermeneutical specifics of the provisions inherent in the rules and principles of the Constitution in order to be able to map things out in more detail. Alternatively, or, perhaps, in addition, the aforementioned signatories did not have the foresight to understand such ambiguity did exist in the Constitution and the problems that this would create for subsequent generations. Or, possibly, these signatories did have the foresight to understand the foregoing sort of difficulties, and just didn't know what to do about it, and, therefore, left those problems as an exercise for later generations to foul up any way the latter wished, and, therefore, perhaps, like all would-be government officials, the framers of the Constitution were very good at leaving messes for other people to try to clean up.

If one moves from the 39 people who shaped and signed the Constitution, to the larger set of people who selected those individuals, to the even larger set of individuals who were not represented in the selection process, and, then, one threw in all those people who were entirely disenfranchised by the process (women, Native Peoples, Blacks, and children), then, really, whose Constitution are we talking about here? Whose purposes? Whose meanings? Whose values? Whose ideas? Whose modes of logic? Whose needs? Whose interests? And, how does one justify selecting any sub-set of meanings from this array of possibilities as constituting that which should govern the lives of people and define what is meant by the rights of people to a more perfect union, justice, tranquility, defense, welfare and the blessings of liberty?

Undoubtedly, one would find themes of commonality among all these various sets of individuals – places of agreement about what was right and what was wrong. However, if the history of human kind has proven anything, the far more common thread of human events is about disagreement ... not about agreement.

Problems usually don't arise when people agree about things. Problems arise when people disagree.

Yet, the one thing that the Constitution does not do is map out how to find just solutions in the context of disagreement – solutions that serve everyone's rights to a more perfect union, justice,

tranquility, defense, welfare, and the blessings of liberty. The Preamble to the Constitution does not talk about a majority of the people, it alludes to 'all' people – "We the People".

Anyone who supposes one can, or should, water down the inclusive language of the Preamble, and, thereby, suggest that Constitutional democracy really only means one needs to satisfy just some simple majority of the population -- and that simple majority this might be is entirely arbitrary and a matter of the fortunes of politics -- doesn't have the slightest understanding of why the Declaration of Independence came into being in the first place. Or, maybe they do have such an understanding, and in order to protect their interests, they wish to ensure that no one else is in a position to follow the original logic(s) underlying that document ... the very logic that made the Constitution possible and that is inherent in the Constitution's Preamble.

Furthermore, anyone who wishes to reduce democracy to a simplistic and brain-dead form of majority rules doesn't understand the concept of a 'right'. Rights belong to all citizens of a democracy, but they are intended to prevail against a majority, if necessary, for the very idea of the protections afforded by rights is that such protection should stand even against the wishes of the majority. A right that cannot guarantee protection against the wishes of the majority is no right at all.

Similarly, when the Preamble to the Constitution talks about forming "a more perfect Union", establishing Justice, insuring domestic Tranquility, providing for the common defense, promoting the general Welfare, and securing the Blessings of Liberty to ourselves and our Posterity, the logical character of rights is in force here, and the underlying intention is that protections should be afforded to everyone to enable them to benefit from such processes of establishing, insuring, providing, promoting, and securing.

How to do this so that both minorities and majorities are equally protected and served is, of course, another matter. The Constitution represents a procedural blueprint for how to approach this problem, and the signatories of that document might not have known how to do it, and we might not know how to accomplish this, but the basic challenge is clear.

Consequently, one simply cannot ignore the Preamble as a nice-sounding piece of literary fluff that merely introduces the, supposedly, real business of the Constitution. Indeed, the whole purpose of forging the Constitution was to serve the integrity of the Preamble. In other words, the procedural rules and principles of the Constitution are intended to constructively assist the realization of the Preamble's purpose.

Unfortunately, many people have misunderstood the meaning and significance of such procedural measures entirely, interpreting

them to mean that elected officials have the right to pass laws, via majority votes, to tell people what is meant by Justice, or Tranquility, or common defense, or the general welfare, or the Blessings of Liberty. Such an interpretive approach to the Constitution flies in the face of everything that led up to the writing of the Declaration of Independence and the Constitution ... to follow the former (rather than the latter) line of thinking is an exercise in revisionist history that serves the powers that be.

The separation of powers among the Executive Branch, the Legislature, and the Judiciary was intended as a system of procedural checks and balances to protect the integrity of the principles and purposes inherent in the Preamble. Unfortunately, the whole idea of a separation of powers has become a tug of war among little children squabbling to protect their territorial powers to impose themselves and their thinking upon others, and in doing so they have all demeaned their offices, the Constitution, and the people who have died so that the Constitution might be written and enacted.

The Constitution did do one thing, and it did this fairly well. The document provided a starting point that gave people a context around which to focus and to explore possibilities.

The document provided a way to get things going. However, there is a downside or dark side to such momentum, and that is the inertial forces that

have come into play that resist -- blindly and obsessively -- moving in directions that might be much more conducive to securing and guarding the rights of citizens to a more perfect union, justice, tranquility, defense, welfare, and liberties than is presently the case.

What Does The First Amendment Mean?

Amendment 1 of the Constitution, passed some four years after the Constitution came into being and that was made possible by the procedural rules set forth in Article V of that document, stipulates:

"Congress shall make no law representing an establishment of religion, or prohibiting the free exercise thereof; or abridging the freedom of speech, or of the press; or the right of the people peaceably to assemble, and to petition the Government for a redress of grievances."

Some people refer to the first part of this Amendment as the 'Separation Clause'. Such individuals maintain that the purpose and meaning of this portion of the Amendment is to demarcate the boundaries of governmental conduct so no form or process of religion might be instituted as a matter of public policy, and, simultaneously, to ensure that government might not interfere with anyone's right to exercise one's choice of religious

practice -- including, by implication, the right not to make a choice concerning, or practice in accordance with, any particular religious doctrines or practice.

Procedural speaking, this part of the Amendment, as is also true of the remaining aspects of the Amendment, is an excellent way to create conditions through which the rights of the Preamble might be pursued by people without prejudice to what they believe, do, say, write, or the reasons for which they assemble. This is so as long as other principles inherent in the Preamble -- such as 'domestic Tranquility' Justice, common defense, the Blessings of Liberty, or the general Welfare -- are not disturbed, compromised, or undermined thereby.

However, a very important question to ask at this juncture is the following. What is religion and is religion a matter of rules or principles or both?

One can go to any number of dictionaries, look up the word "religion" and run down through the primary, secondary, or tertiary designations. Nonetheless, one should try to remember that a dictionary is not the word of god, Lexicon, even though some lexicographers might like to think otherwise.

A dictionary is nothing more than a compilation of common and not so common usages of a word. Dictionaries presuppose the linguistic practices of people.

Dictionaries provide parameters of possibility in order to inform one how people do, and have, used such words in order to facilitate communication. Whether the meanings inherent in, or the basis of usage for, a word are right, wrong, true, or false with respect to the nature of reality is actually irrelevant to being able to come to understand what someone is saying by using words in certain ways.

In addition, etymologies provide a history of the evolution of usages and transitions in such usages across languages and cultures with respect to various practices of usage. Again, recording this history or noting the changes in usage over time says nothing about the truth or falsity of such linguistic practices with respect to their capacity to reflect the structural character of reality in an accurate manner.

If one wishes to add n-dimensions of nuance to a dictionary's rendering of a word's meaning, then, one might read what various individuals have written about such a word as these people developed their respective theologies, philosophies, mythologies, sciences, sociology, anthropology, psychology, histories, moralities, or legal perspectives in relation to that word. Like the reiterated equations underlying a fractal, one can take almost any word and explore the possible meanings and significance of that word to an indefinite extent -- as many levels down, up, and in other dimensions, as one likes -- without

necessarily coming any closer to the truth or end of the matter or issue.

The Constitution says nothing about whose usage is to be preferred concerning a word such as "religion". The Constitution gives no guidelines about what any of its words do mean or should mean or could mean.

The Preamble to the Constitution does provide some indication that our approach to these matters should be as broad as possible without being forced to drop off the edge of the world of intelligible meaning into nihilism, sophistry, or nonsense. Moreover, there is some indication in the Preamble that this broad-spectrum engagement of issues should be consistent with the preservation of the integrity of the several principles (for example, a more perfect union, justice, tranquility, common defense, general welfare, and liberties) that are mentioned in the Preamble.

As an exercise, let's consider some possible ways of reflecting upon the idea or concept of "religion". For instance, one prominent theme of religion is 'faith'.

Some people describe faith as being nothing more than beliefs, values, or opinions to which one is attached with considerable conviction and passion despite an absence of evidence. Other people characterize faith as either a faithful or heuristic (and this is not the same thing as being true) insight into the way one's experience links up with, or connects to, the nature of reality, despite

the possibility of error with respect to such an insight.

Is there anyone who does not have faith in either of the foregoing senses? Is there anyone who does not hold her or his beliefs with conviction or passion, or does not consider such beliefs and convictions to be constructive or heuristic leads to engaging and/or seeking the ultimate nature of truth or reality -- and, yet, simultaneously, realizes one could be wrong with respect to that which one believes one is right?

Another term used in conjunction with religion is "soul". Who amongst us does not believe human beings have a soul ... and possibly animals, plants, and the rest of the universe as well?

The issue has never been about the idea of soul. The controversy has been over its nature and purpose.

Does the soul transmigrate? Is the soul accountable, and, if so, to whom – God? ... the community? ... the judicial system? ... ourselves? ... our family? ... the Universe ... all of the above?

Is the soul the seat of the intellectual machine? Is the soul that which motivates and inspires creative activity? Is the soul the source of feeling of empathy for things? Is the soul really just a way of referring to the psyche by another name and, therefore, is merely a psychological construct or artifact? Is the soul destined for either eternal perdition or salvation? Is the soul a miracle of

random, evolutionary forces? Is there an Over-soul to which we are all connected via the agency of our individual souls? Is the soul material, psychological, ethereal, spiritual, mythological, rational, irrational, illusory, permanent, or transitory?

Whether true or not, most of us believe the existence of a soul -- however it might be described -- to be one of the things that distinguish human beings from other beings of the Universe. This is not because other beings (whether animate or seemingly inanimate) might not have a soul, but, rather, because the structural character or quality or nature of the human soul is somehow different and, consequently, defining of what being human entails -- both in the way of possibilities, as well as in relation to responsibility and accountability.

Some people say that the notion of a 'conscientious devotion and scrupulous care' to certain precepts is the hallmark of religion. This devotion or commitment to a set of ideals, values, principles, morals, and priorities that are intended to guide the living as well as the engagement of life through such devotion is said to characterize the essence of religion.

We all have ideals, beliefs, ethical precepts, codes, and so on to which we are devoted and to which we -- according to our capacities, inclinations, and circumstances -- seek to follow with some degree of scrupulous care. If we don't choose to call these things religious, does this make them any less consonant with some of the

principles inherent in religious discourse ... a rose by any other name is still a rose.

Of course, some demand that religion must be about one's relationship with a Supreme Being. Numerous wars have been fought over what the name of this Supreme Being is or should be.

One commits a logical fallacy when one confuses the name of something as having a greater claim on the nature of reality than the actual nature of the reality to which the name allegedly makes identifying reference. One is reifying language rather than understanding that language is nothing more than an elaborate way of pointing to, and describing, something that lies beyond the horizons of linguistic limits.

In the Old Testament, the Hebrew tetragrammaton YHWH, an unpronounceable amalgamation of four consonants, is used to allude to the reality that the Supreme Being does not use any spoken name to identify the reality of "I Am That I Am". Unfortunately, the penchant of some people to invest language with more reality than it deserves has transformed the foregoing tetragrammaton into a name, Yahweh, when no such naming process ever was intended.

In this context, the very act of naming distorts that to which the tetragrammaton is seeking to direct our attention through a modality of alluding. The process of naming tends to distort because we are projecting our way of coding experiences, understandings, interpretations, and values onto

reality whenever we do this. In so doing, we tend to reduce the richness of the infinite -- or, at the very least, the indefinite -- down to the names we invent in order to make reference to our experience ... both individual and collective.

Oddly enough -- although not really -- the Buddhist inclination not to name ultimate reality is right in step with the aforementioned tetragrammaton. The Void that is Fullness alludes to the presence of a Reality, but this Presence cannot be captured through the use of any name.

Some people speak of Buddhism as a godless religion. One would be more accurate to refer to Buddhism as an approach to the engagement of reality that shies away from naming That which cannot be named because doing so introduces substantial distortion into the conceptual and hermeneutical landscape.

Names imply 'thingness' or having the status of an object. The Buddhist and the Jewish scriptures, along with many mystical traditions, are trying to draw our attention to the idea that the ultimate nature of reality is not a function of thingness, nor objects, stuff, material, substance, or even spirit.

Some spiritual traditions of Native peoples use a term such as "the Great Mystery". Is this so different from the Christian idea of the Cloud of Unknowing about which some mystics have talked that alludes to the veils that stand between, on the one hand, human experience, language, or reason, and, on the other hand, the reality that transcends

our experience, language, or reason, even while that Reality makes such experience, language and reason possible?

Einstein spoke about the 'Old Man'-- his way of alluding to the truths to which the ultimate nature of reality gave expression. Was he a religious man? Well, whatever the answer to this question might be, his writings do indicate, in many places, that he held truth and reality to be sacred trusts that were one's obligation to understand and respect.

"Supernatural" is another word one often hears in the context of religious discussions. What exactly, however, do we mean by this?

Someone once said words to the effect that one culture's magic is another culture's technology. Might one not suppose that one culture's notion of the supernatural is another culture's knowledge concerning the nature of Nature?

Are the infinite dimensions of mathematical space supernatural? Even if one were to accept the idea of String Theory in physics to be true, does this mean there is, or can be, nothing beneath (beyond) such a truth? Are so-called 'dark matter' and the similar sounding, but very different notion, of 'dark energy' supernatural entities?

Currently, we do not have a defensible Grand Unified Theory capable of explaining all physical phenomena, since -- among other things -- we suffer from an absence of any way to reconcile the general theory of relativity with the other

fundamental forces. And, this is just one of the obstacles to such a 'Theory of Everything', for, among other things, we also suffer from the rather embarrassing fact that all of the important constants of science have to be arbitrarily introduced into such GUT discussions because, currently, there is no way to plausibly account for why, say, the Planck constant has the value it does or how that value arises from first principles of any such GUT framework, or why the electron has the precise charge it does, and so on. Yet, even if we were to have a fully realizable Grand Unified Theory of all the known physical forces, is such a GUT framework really capable of providing an accurate and satisfying account of: consciousness, intelligence, creativity, soul, purpose, choice, personality, the search for meaning, faith, and trans-personal experiences, or Being? And, if we do not have such an account, then, how does one go about determining what might be meant by the idea of the 'supernatural'?

Astrophysicists claim they can trace back events to mere picoseconds from the Big Bang, but they have absolutely no explanation for what would have brought this all about, and the plausibility of most cosmological models of the Big Bang depends on, among other things, an event known as "inflation" for which absolutely no one has the slightest idea of why or how such an event would have physically occurred -- although by assuming the existence of such events, the Big Bang model is saved -- theoretically, at least -- from a

substantial embarrassment. Was the Big Bang a supernatural event with material consequences? Is 'inflation' a sign of supernatural intervention?

Evolutionists love to claim they have nailed down, precisely, how life arose or, barring that, they purport to have the only scientifically plausible account for the emergence of life. Any evolutionist who wishes to claim this is talking through his or her spectacles of faith and nothing more.

The key to trying to understand the possible nature of the transition from non-living to biological systems does not rest with the work of Darwin, neo-Darwinians, nor with the findings of those who have developed the field of population genetics, but, rather, lies hidden in the darkness of, as yet, undiscovered, scientific country. As someone who has looked at most of the so-called evidence bearing on this matter – from pre-biotic chemistry, to: molecular biology, cytology, membrane functioning, thermodynamics, as well as chaos and complexity theories, along with a number of other disciplines -- I have concluded that investigators really don't have a smoking gun ... not even remotely... with respect to providing a reasonable, scientific account of how biological systems evolved out of non-biological systems.

Evolutionists have a lot of technical data with no way to piece it together in an intelligible and defensible manner that would be acknowledged as such by any impartial, objective individual. This

state of affairs does not mean that any of the so-called 'Creationist' schools of thought are correct.

What it says is: we really don't know how things came about. If we are honest with ourselves and with the available evidence, this is how and where things stand at the present time.

We have theories, opinions, paradigms, ideas, and worldviews. We don't have certain knowledge, or even reasonably certain knowledge, about such matters. We have lots of speculation trying to parade itself as knowledge ... nothing more, and those who claim otherwise -- whether 'creationists' or scientists -- merely are confusing conceptual smoke and mirrors with the rigorous demands of demonstration and proof.

Proponents of both the evolutionary and creationist schools of thought have often brought more heat than substance to the problem of trying to understand, to whatever extent this is possible, how the origin(s) of life took place. (For those who might be interested in reading further about this issue, please read: *Evolution Unredacted* -- that is a detailed, rigorous, scientific, objective, examination of the available evidence that, allegedly, stands in support of an evolutionary manner of engaging life.)

When one doesn't have determinate answers to the central questions of life, one lacks knowledge about whether, or not, one is dealing with natural or supernatural events. In fact, when one doesn't have the necessary information, evidence, or proof

about such questions, one doesn't even know how to establish a line of demarcation that clearly and definitively distinguishes the supernatural and the natural, and, therefore, everything remains open to further study. Labeling things as being either one or the other really establishes nothing but the arbitrariness of the process used to linguistically identify various facets of experience and that, as such, tends to obfuscate the relationship between language and reality.

"Worship" is another term one finds in a context of religious discussions. Talking, singing, dancing, writing, searching for truth, loving life, communing with nature, as well as serving friends, family, or community are all ways of engaging in worship. One doesn't have to confine worship to the home or a theologically sanctioned building.

Worship can be manifested through both vocation and avocation. Worship can be expressed through the way one interacts and treats other people. Worship arises through the sacrifices we make for our families or the community, or friends, or the truth. Worship is in the heart when one hears music that moves one or sees a work of art that brings tears to one's eyes.

Worship is to treat with respect and reverence that which we hold to be sacred. Worship does not depend on language ... it is a state of being ... it is an attitude toward life ... it is a way of engaging our experience of Being.

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We are all caught up in the sheer mystery, wonder, awe, inexplicability, beauty, enormity, indefiniteness, richness, possibilities, and terror of existence. We tend to treat these experiences as sacred ground.

We engage such experiences through a combination of faith, doubt, knowledge, and questions. We might, or might not, be dealing with something supernatural -- although since we haven't even figured out the physical side of things yet, we don't even know what is meant by saying that something is supernatural other than that such a dimension of existence operates by principles beyond what we know or understand to be 'natural'.

We have a passion about all of this. We commit ourselves to all of this in different, personalized ways that are manifested with varying degrees of being done conscientiously and with scrupulous care.

Some people refer to the foregoing in religious terms. Some people refer to the foregoing in non-religious terms.

The precise term that is used actually is irrelevant. The First Amendment is a principle, not a rule, that both prohibits the establishment of any way of engaging reality that is intended to serve as public policy to which everyone must adhere, bow down, or comply with. In addition, the First Amendment indicates that public policy cannot interfere with the way people choose to exercise

this right to engage Being or existence or life or the opportunities encompassed by reality -- as long as such exercise does not undermine or compromise the integrity of any of the principles inherent in the Preamble, and the reason for which the Constitution came into being as a procedural means of preserving.

Public Policy and the First Amendment

Whether politicians, government bureaucrats, or Supreme Court Jurists like it or not, almost invariably, public policy entails doing what the First Amendment prohibits. In other words, as the preceding discussion concerning the First Amendment indicates, public policy is a means for making laws respecting the establishment of a way to engage reality that satisfies the conditions of what religion, broadly construed, actually involves.

Public policy is really religion in secular drag, and such linguistic camouflage is actually intended to hide the underlying identity of the conceptual body that is being paraded before the public. Public policy demands that everyone adhere to its tenets for engaging, analyzing, evaluating, and acting in relation to the nature of existence or reality, and, as such, this is really nothing less than the establishing of a state-run religion hiding in secular-like garments.

The term used to identify a human activity -- in the present case, 'public policy' -- can be misleading and, therefore, one needs to look at the structural character and intent underlying the usage associated with a given term. If one looks at the intention and nature of the process to which much public policy gives expression, one would be hard pressed to differentiate such activity from political and legal instances of making, or trying to make, "laws respecting an establishment of religion, or prohibiting the free exercise thereof" when one begins to reflect on the complexities, nuances, and breadth of activities that are encompassed by the term "religion".

The Preamble to the Constitution is about people, not governments. The Constitution is the set of procedural guidelines, in the form of both rules and principles, that establish a framework for serving the principles inherent in the Preamble on behalf of people, not governments.

To whatever extent the public policies of government officials or jurists try to establish a set of values, beliefs, ideas, principles, philosophies, opinions, or theories as being incumbent on the people, such government officials and jurists are engaging in practices that are not only in violation of the First Amendment, but, as well, are transgressing against the very spirit, purpose, and meaning inherent in the Preamble to the Constitution and all that led to the writing of a document (namely, the Constitution) that is

intended to procedurally serve, secure, guard and protect the integrity of the principles introduced into the Preamble. Whether one calls such public policy: economics, judicial review, science, political philosophy, fiscal policy, or a distributive theory of justice, one is establishing a mandatory framework of values that is prohibited by the Constitution and inconsistent with the spirit of the Preamble to that document.

The whole idea of the Declaration of Independence, the Preamble, and the Constitution was to bring an end to tyranny, despotism, and arbitrary authoritarianism. The purpose and intent of writing these documents was to prevent anyone -- whether King George, or a President, Governor, Congress, a state legislature, the judicial system, institutions, organizations, or corporations from exercising power in ways that would prevent people from having access to the right to the pursuit of happiness, a more perfect union, justice, domestic tranquility, common defense, general welfare, and the blessings of liberty, by creating obstacles to such principles through making personal philosophies of life (political, religious, scientific, or otherwise) the law of the land and, thereby, having established a religious framework.

The First Amendment says a government might not interfere with the free exercise of religions by individuals. Such an Amendment says absolutely nothing – either explicitly or implicitly – about governments qua governments (as opposed

to private citizens), being entitled to freely practice its form of religion, faith, worship, or beliefs concerning how anyone should engage the truth or reality.

Just as the judicial system was in error when, on several occasions, it extended the quality of being a person to corporations, so, too, governments have surreptitiously, and through legal prestidigitation, assumed for themselves a right to the exercise of religious freedom that only was intended to be granted to human beings. Just as the classifying of corporations as persons was a legal fiction with real, detrimental consequences that placed people in harm's way and at a considerable disadvantage (for instance granting corporations the right to free speech gives the people who run them a double kick at the can that is not granted to any actual person - more specifically, not only do the people who run corporations get to exercise their right to free speech as private citizens they also are extended a double-dipping right to do so in their capacity as a cell in corporate bodies that have considerably more money and influence than do most people, and, therefore, the whole playing field is tilted in a way that was never intended by those who signed the Declaration of Independence who wrote the Preamble to the Constitution), so, too, government officials and jurists who, in a very self-serving manner, accrue to themselves the right to establish public policy counterparts to the establishment of religion, have introduced a legal fiction that has

destructive consequences that places people in harm's way and at a considerable disadvantage with respect to securing the rights to which the Preamble gives promise.

All too many politicians have interpreted the so-called 'Separation Clause' of the First Amendment as a green light for government officials and jurists to impose their philosophical beliefs upon citizens while, simultaneously, precluding mere citizens from having religious beliefs instituted as public policy. If the purpose of the latter exclusion is to protect the community from having to submit to the personal beliefs of individuals, the logic of this preclusion extends to government officials and jurists, as well, and, therefore, such officials and jurists should not have the right to establish personal philosophies of any kind (economic, judicial, political, educational, or otherwise) as public policy.

The fact something is called 'public policy' rather than 'religion' does not alter the logical ramifications of the argument or the principle that is being violated. Both public policy and religion are personal visions for, and ways of, engaging reality, in accordance with issues of faith, commitment, passion, belief, and a moral system that treats certain principles as sacred and, therefore, allegedly, worthy of our conscientious and scrupulous attention.

Public policy might not refer to a Supreme Being -- although, on occasion, it does. Nonetheless,

the arrogance underlying public policy substitutes for, and plays the role of, a supreme being (although 'idol' might be a better term) to which all must bow down.

Submitting to truth and the nature of reality out of choice is one thing. Being compelled to submit to the arbitrary fiats and proclamations of would-be deities that have been invented and/or forcibly imposed by someone else is quite another matter.

One of the reasons why the federal government seeks not to become actively involved – at least in a primary fashion – with the process of education is in order to avoid even the appearance of impropriety with respect to the First Amendment. In its own way, this aspect of public policy tends to substantiate all that has been said in the previous discussion about religion and public policy, but selective attention has permitted government authorities and Constitutional experts to acknowledge the former point while failing to follow through on the logic of the underlying principle.

Notwithstanding the foregoing issue, most people suppose that whatever powers have not been delegated to the three branches of the Federal government, nor specifically prohibited to the States, belongs to the States. After all, isn't that what the 10th Amendment, the last outpost of the Bill of Rights, guarantees?

Actually, the answer to the above question is: 'No!' Whatever the Constitution has not specifically delegated to the Federal Government nor prohibited to the States, "are", as the Constitution clearly indicates, "reserved to the States respectively, or to the people."

In addition, and not to put too fine a point on this matter, the 9th Amendment paves the way for, as well as underscores, the provisions of the 10th Amendment. The 9th Amendment says: "The enumeration in the Constitution, of certain rights, shall not be construed to deny or disparage others retained by the people" ... this alludes to rights that are not a function of what is retained by government or states but, rather, by the 'people.

While the precise nature of these 'other rights' is not specified, only alluded to (and, especially, through the presence of the Preamble), nonetheless, how quaint and interesting! The Constitution actually indicates that people have potential powers reserved for them that might be entirely independent of government activities, and this tends to suggest that, contrary to what Lincoln thought, the United States is not a nation that is a government of, by, and for the people, but that the people are an entity all on their own, quite apart from government.

Before pushing on with this startling development, let's backpedal a bit. If the Federal Government is not supposed to become involved in the business of education for fear that, in so doing,

it would violate the spirit of the Preamble and the letter of the First Amendment, then what business does any given state government have in regulating education?

What is the precise nature of the twist in logic that extends to state governments a power that transgresses both the spirit and letter of the Constitution? The Constitution does entitle every state government to have a Republican form of government (Section 4 of Article IV), but such a form of government does not entitle states to "make laws respecting an establishment of religion," for although the 1st Amendment specifically forbids Congress from doing so, the implication of this prohibition encompasses every level of government -- and there is no legal argument that could make this fiduciary responsibility of every level of government other than this ... not, that is, without re-writing history and the Constitution to make them something other than they were and are.

As argued previously, public policy -- which is a source of government intentions with respect to the people, and, therefore, the force behind the generation and establishment of many laws -- often tends to be another term for the "establishment of religion" since the structural character of a great deal of public policy has some of the qualities of religious activity and merely uses a different lexicon in order to hide this fact. This is true for the

public policy of the federal government, and this is true for the public policy of state governments.

One of the conclusions that follow from the foregoing is that compulsory education is unconstitutional. States have sought to rush into the vacuum left by the federal government's withdrawing (for example, in the realm of education) and where angels fear to tread, and there is a word for those who seek to do what states have attempted to rush into in this respect.

Most forms of government tend to be imperialistic by inclination, seeking to extend the boundaries of their fiefdoms as far as possible. In giving expression to this inclination, state governments have usurped something from the people to which states are not entitled and, in accordance with the provisions of the 10th Amendment, something -- namely, education -- that actually is one of those powers that has been reserved for the people quite independently of government.

The 13th Amendment, passed in 1865 -- the year in which the Civil War ended -- states in Section 1: "Neither slavery nor involuntary servitude, except as a punishment for crime whereof the party shall have been duly convicted, shall exist within the United States, or any place subject to their jurisdiction." The citing of involuntary servitude as a separate, though not necessarily unrelated, concept from the institution of slavery is an important one, but there is a very

strong case that can be made that compulsory education constitutes both a form of slavery and involuntary servitude.

Historically, public education began, on the one hand, as a method for removing children from the labor pool in order to bolster the bargaining power of older workers, and, on the other hand, public education began (through the writings of Horace Mann and others) as a means of trying to contain what many government officials and scions of social privilege perceived as the threat of Catholicism. Today, education has become, to a great extent, the minor league feeding system for the Big Dance known as 'economics'.

Whether one is talking about some form of indentured servitude (through, for example, education loans) or enslaving children to serve the interests of governments, corporations, or self-appointed guardians of cultural heritage, compulsory education is a form of involuntary servitude. In many ways, education is a modern form of slavery.

A slave is someone without power, voice, or rights who must act in accordance with the arbitrarily derived whims and wishes of a master. A slave is someone who will be punished for doing other than what the master commands -- and the modalities of punishment are varied, subtle and gross -- (e.g., truancy laws, suspension, expulsion, detention, poor grades, unfavorable recommendations, a miserable quality of life within

the school system, or a school record that will haunt one to the grave). A slave is someone over whom another person or persons has absolute control with respect to life, liberty, and pursuit of happiness. A slave is someone who, both mentally and morally, is in subjugation to another human being's whims. A slave is someone who involuntarily serves another person's economic and political agenda.

The 13th Amendment might have been written with people of color in mind but there can be no question about the following fact: students who are subject to compulsory education meet the criteria of what constitutes a slave. Furthermore, the very idea of 'compulsion' means, by definition, that a student's life consists of involuntary servitude. If there is no choice in the matter, or if the exercise of choice automatically results in punishment, to one degree or another, then, such servitude can be nothing other than involuntary.

Parents, governments, educators, and businesses might all claim that such an arrangement is in the best interests of the student. However, this was (and is) the form of argument used by slave owners (de facto or by proxy) with respect to that which they considered to be their chattel, and this was (and is) the form of argument used in controlling native peoples through the Bureau of Indian Affairs, and this was (and is) the form of argument used in denying women the full status of being considered a person until, at the

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very least, toward the middle of the last century, and this was (and is) the form of logic that is advanced by every colonial government that exists or has existed.

The 14th Amendment, passed in 1868, indicates in Section 1 that:

"No state shall make or enforce any law that shall abridge the privileges or immunities of citizens of the United States; nor shall any State deprive any person of life, liberty, or property without due process of law; nor deny to any person within its jurisdiction the equal protection of the laws."

Children are citizens. Therefore, children inherit the promise of the Preamble, along with the protections afforded by the 1st Amendment in relation to governments making laws respecting an establishment of religion (i.e., the imposing of a public policy that dictates how one should engage, think about, or evaluate the nature, meaning, purpose, and significance of reality).

In addition, the provisions of the both the 13th and 14th Amendments are applicable to the treatment of children in conjunction with issues of: (a) slavery, (b) involuntary servitude, (c) the abridging of those privileges (among which are the right to life and liberty, as well as intellectual, emotional and spiritual property) that are

consonant with the promise of the Preamble -- and in order for a process of law to be considered "due" that process cannot be unconstitutional -- as well as, (d) equal protection of the law. Parents no more have the right to aid and abet governments in depriving children of these rights, than do governments.

Children are not the chattel of parents. Ownership is not logically implied by the existence of biological kinship.

Parents have an even greater fiduciary responsibility with respect to children than do governments. Moreover, part of the job of governments is to establish procedural forms of assistance and regulation that will enable parents to observe the fiduciary responsibilities that parents have toward their children so that, together, both parents and government can help children to realize the promise of the Preamble according to the assisted choices of the child and not as a result of the fiats or forced impositions of parents and/or governments.

The framers of the Constitution might not have had children primarily in mind when they spoke about the rights, privileges, powers, and protections of people, or when the framers set down any number of the rules and principles that are given expression through the Preamble, Articles, Sections, or Amendments of that document (although the age requirements needed to hold certain public offices is an oblique reference

to the existence of people who fall below a certain number of years lived). Nevertheless, one might add to the foregoing considerations that no prima facie case can be advanced demonstrating that the powers that are protected and reserved for the people through the 9th and 10th Amendments should not encompass children.

Furthermore, one has good reason to suppose that at the top of this list of powers that should be extended to not only adults, but also to children, involves control over the process of learning. Dictating to children what they should learn, or how they should learn it, or when they should learn it, or why they should learn it, or where they should learn it, is antithetical to the whole spirit of the revolution in thought and political arrangements that led to the signing of the Declaration of Independence as well as the framing the Preamble and the principles and rules of the Constitution that were intended to be subservient to that Preamble. More specifically, trying to control how, what, why, when, and where students learn is in direct violation of the 1st, 13th, and 14th Amendments, and, consequently, this causes one to take a very long, reflective pause in relation to the potential for transgression of fundamental rights with respect to both the 9th and 10th Amendments.

Unreasonable Search and Seizure

One might also throw in the 4th Amendment to the foregoing discussion. This Amendment stipulates:

"The right of the people to be secure in their persons, houses, papers, and effects, against unreasonable searches and seizures, shall not be violated, and no Warrants shall issue, but upon probable cause, supported by Oath or affirmation, and particularly describing the place to be searched, and the person or things to be seized."

Part and parcel of what constitutes a person is the emotional, ideational, spiritual, creative, moral, experiential, motivational, and intellectual contents that reside in that person. This is as true for children as it is for adults.

Children have as much right to be secure in their persons from "unreasonable searches and seizures" as do adults. Schooling, testing, and grading all constitute – at least potentially -- unreasonable instances of search and seizure because the agency doing such searching and seizing has no authority to do so under the Constitution, and the nature of the underlying argument for this contention has been stated in the foregoing pages.

Can "probable cause, supported by Oath or affirmation, and particularly describing the place to

be searched, and the person or things to be seized" be given in relation to beliefs, ideas, values, opinions, thoughts, intellectual systems, frameworks, paradigms, world views, creations, and so on of a student? Well, let's reflect on this matter a little.

What would constitute probable cause for the search and seizure of a person's cognitive life? Can one demonstrate that such search and seizure would lead to a more perfect Union? Absent a lot of contentious point-counterpoint -- and, probably, not even then -- this does not seem likely.

Can one show that such search and seizure would be consonant with the demands of justice? Whose theory of justice is one going to cite and why should anyone, let alone a child, be required to allow his or her cognitive domain to be the subject of search and seizure in order to serve such a notion of justice?

Undoubtedly, arguments can be made in this regard. However, the one who is giving an 'oath and affirmation' in support of such probable cause has a steep slope to climb in order to be able justify negating, undermining, compromising, and ignoring so many dimensions of the Constitution.

Can one demonstrate that one would enhance and secure domestic tranquility through such a process of search and seizure? Parents might think so, but anyone who has been in all too many modern schools with their propensity for violence, fear, shootings, the presence of weapons that

terrorize through their mere presence, gangs, antagonistic cliques, drugs, extortions, dehumanizing practices, stresses, depression-inducing formats, anxieties, sources of humiliation, alienation, arbitrariness, and oppression -- all of which are directly tied to the compulsory nature of the process -- knows otherwise.

Can one prove that the 'Blessings of Liberty' will be preserved through such a process of search and seizure? The whole concept is something of an oxymoron unless one can show that depriving people of the blessings of liberty in this compulsory fashion will, in all probability, lead to an enhancement of the Blessings of Liberty for all concerned -- not just for the majority, but for the minority as well ... the ones for whom rights are primarily intended to protect, even as such rights also serve the needs of the majority.

Can one establish, with sufficient rigor, that underlying the search and seizure of cognitive contents of a student via schooling, testing, and grading, there exists a probable cause with respect to the enhancement of the 'General Welfare'? Welfare is a term laden with conflicts arising from differing opinions, beliefs, ideas, values, priorities, interests, commitments, agendas, and worldviews. As such, these are precisely the kinds of issue from which a government ought to recuse itself because such issues tend to infringe upon, among other things, 1st Amendment rights.

Aside from the issue of laws respecting the establishing of religion, or the exercise thereof -- both of which are jeopardized by the search and seizure of the cognitive content's of a student's person -- nevertheless, compulsory schooling (and the concomitant practices of testing and grading), seeking to search and seize the cognitive contents of a person's mind through compulsory education also interferes with the right to free speech (if one will be penalized for what one says, the speech is not free), as well as the right to peacefully assemble. With respect to this latter right, the process of peaceful assembly is double edged.

On the one hand, the aforementioned right permits assemblage for peaceful purposes (and learning according to one's own capacity, interests, needs and circumstances is a peaceful purpose), and, on the other hand, this right protects one against being compelled to assemble for purposes that, even if peaceful, are not consonant with one's way of engaging life. Moreover, the very act of compelling attendance in any assembly is inherently not peaceful, and, therefore, does not satisfy the conditions of probable cause with respect to either enhancing domestic tranquility or promoting the general welfare, not to mention failing to secure the Blessings of Liberty.

Native peoples have a way of approaching the idea of the general welfare. Mystics have a way of engaging this issue. Religious frameworks offer a variety of modalities for deliberating upon this

issue -- involving both some commonalities and numerous differences. Scientists, philosophers, psychologists, historians, anthropologists, sociologists, poets, novelists, political scientists, newspaper columnists, educators, movie directors, mathematicians, statisticians, bankers, economists, corporate executives, and jurists all have their own take on this issue of the general welfare.

Currently, we have no means of constructing a multidimensional regression line that is capable of linking all the foregoing points of view together into a consistent, common expression of what is, or should be, meant by the idea of the 'general welfare'. Whatever subset of themes, topics, contents, issues, and ideas that is selected from amidst the overwhelming mass of data concerning the problems surrounding and permeating the issue of the 'general welfare' and is proclaimed to be 'the' material that a person needs in order to be a cultured, educated, happy, moral, socially aware, well-adjusted, independent, critically thinking, contributing member of society who is ready for whatever the future might bring – all of this is entirely arbitrary and cannot possibly be proven to be true prior to the unfolding of history. This is why the choices concerning such issues should be left in the hands of individuals subject to the normal constraints that are needed to secure and protect, for one and all, the Blessings of Liberty, Domestic Tranquility, Justice, and the common defense.

Presumably, with an appropriate approach to preserving and securing the rights of both minorities and majorities, one would have gone a great distance toward forming a more perfect Union. However, notwithstanding such a hope, no one in America can establish probable cause as to why the search and seizure of the cognitive contents of a person (say, a student) through a forced process of schooling will establish the general welfare without simultaneously transgressing the requirements of many other provisions of the Constitution.

Learning, Understanding, and Testing

Furthermore, even if one were able to create such an impossible dream concerning a legal or public policy argument to cover the foregoing issues, one faces another daunting task. More specifically, one cannot show probable cause that testing, grading, and degrees/certificates are the best means to attain such an end.

There is considerable documented evidence that has accumulated concerning the essential importance of not only intrinsic (rather than extrinsic) motivation as one of the key elements in how people learn, but, as well, the central role that is played by an absence of stress in relation to the successful formation of long-term memory. All such

findings are at odds with the idea of compulsory, arbitrary schooling.

Moreover, the only long-term, well-constructed, valid study involving high school students who went on to college -- and is, therefore, known as the 'Eight year Study' -- demonstrates that students who, among other things, learn while attending high school in the absence of any system of grading either do better, or no worse, in college/university than do students who are graded. Once again, such evidence that has been available to us for quite some time (at least since the 1930s), all suggests that learners do quite well in environments that are non-compulsory and un-regimented in nature, and that are rooted in intrinsic forms of natural motivation rather than externally imposed, arbitrary systems of motivation.

The fact of the matter is, tests (whether standardized or not), are fairly worthless as indicators of determining what a student might have learned. There are a variety of reasons for the absence of reliability and heuristic value with respect to testing as an indicator of what is learned. The present essay only will outline and allude to some of these reasons in passing, for such empirical findings are all extensively documented in an array of books, articles, and papers.

First, for reasons alluded to previously, the very act of selecting what items, topics, ideas, themes, problems, values, judgments, methods, and

so on should appear on a test is inherently arbitrary, argumentative, biased, and an infringement upon basic Constitutional rights -- especially when such tests are of a compulsory nature. Nonetheless, even if one were to waive this not inconsiderable difficulty, there are a number of other fundamental problems entailed by the process of testing.

For example, most tests revolve around the issue of memory recognition rather than independent recall. If one is given a standardized test and asked to select that choice best reflects the most appropriate answer for a stated question, one doesn't have to necessarily recall any information, one only has to recognize something as being more correct than the other alternatives.

Being asked to recall who first proposed a general theory of relativity in the absence of any clues tends to probe the issue of potential learning in a different, more rigorous way of testing what has been learned than if one only has to choose among already supplied names such as: Ptolemy, Galileo, Copernicus, Newton, Einstein and Hawking. Moreover, usually speaking, being required to recall something in the absence of hints is very resistant to guessing, whereas such is not the case in instances involving mere recognition.

However, tests of recall rather than mere recognition also tend to be much more difficult to assess. Due to a variation of the user-interface problem, people who are given space and an

opportunity to write down whatever they want, often do, and trying to figure out if, under such circumstances, an answer is correct is not always easy, and, therefore, to make things as easy as possible on the person correcting the test, as well as to avoid as many arguments as conceivable (by the teacher, the student, or his/her parents) with respect to the degree of correctness in any given answer, much testing in high school is restricted to tests of recognition -- the most rudimentary, least meaningful, most nebulous index of what someone might know.

The term "might" is used above because getting something correct on a test of recognition does not necessarily mean an individual understands much about what has been recognized. Aside from the issue of pure guesswork, and returning to the example noted above, knowing who first proposed a general theory of relativity does not necessarily mean one knows anything more about general relativity than a name.

Of course, one could augment the section of a test dealing with general relativity by asking other questions of a related nature. However, even if one did this, and even if a person did relatively well, none of this guarantees three further important indicators of learning.

Descriptive information concerning a theory is not the same as having critical understanding of the theory being described. In addition, having critical

understanding concerning certain aspects of a given theory is not always the same as being able to solve problems using such a theory.

Furthermore, being able to apply the theory in the world beyond the horizons of a school setting does not necessarily follow upon good test scores. Lots of people test well only to fail in the non-school world because the nature of the tests and challenges often are constructed differently in the world outside of school than they are within an environment of schooling.

Finally, even if one has recognition, recall, critical understanding, and problem-solving capabilities with a transfer of learning to a non-school context, no test can determine how long one is going to remember what has been learned. Unless one has eidetic memory like the subject 'S' of the case studies compiled by the Russian psychologist Luria, the vast majority of us tend to forget most of what we learn -- this is as true for very bright students as it is for less-gifted individuals.

Medical doctors, engineers, lawyers, doctoral candidates, and so on all appear a lot smarter shortly after completing a test for which they have studied than they do as little as 6 months later, let alone years after. So, what is the point of a test that focuses on tasks of recognition, while ignoring issues of recall, critical understanding, problem solving, transfer of learning to non-school

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environments, and the fact that much of what is learned is relatively short-term?

The more complex and rigorous a test, the more complicated is the process of evaluation. Most teachers either don't have the time or will not take the time to probe these various dimensions of learning.

Universities are filled with scholars who are at odds about many of the 'facts' and issues concerning any given topic. Journals, conferences, symposia, and libraries are filled with more of the same.

Does this mean there is no such thing as an undisputed fact or no such thing as the truth? No, not necessarily, but it does mean that what a teacher believes to be true is not always the same thing as such a belief being true.

Students tend to be held hostage by the paradigms through which teachers, school systems, governments, and scholars understand the latter's experience of the world. Teachers, school systems, governments, and scholars all tend to believe students should be held hostage to such paradigms because these world-views are the cultural heritage that is being passed on to them ... the Constitution says otherwise.

Introducing learners to various ideas and sharing such ideas with learners is one thing. Compelling students to learn those ideas, under

threat of penalty, is, constitutionally speaking, quite another matter.

However, even if the Constitution did not preclude such compulsory forms of imposition, there is a tremendous injustice done to students when they are forced to rub their faces in the arbitrary and personal conceptual meanderings of other people due to fear of being punished via grades, permanent notations in one's school record, suspensions, expulsions, letters of complaint to one's parents, or having a degree withheld, simply because out of a prudent cautiousness, a student resists such an onslaught or does not give her or his consent to this sort of gross violation of the security of one's person that infringes on matters of personal conscience, meaning, belief, identity, purpose, and choice.

All the noble principles encompassed by the Declaration of Independence are paraded before students as a wonderful part of history but, of course, these students should not ever get the idea that such principles, documents, and history have any relevance to what goes on in classrooms and schools today. All that stuff about rights, liberty, the pursuit of happiness, despotism, oppression, involuntary servitude, why, that's all inapplicable to the current circumstances of students ... isn't it?

Students live in a brave new world where such principles no longer apply -- except as teachers and schools, like King George, believe these sorts of principles ought to be applied in order to advance

the purposes of the educational rulers. The needs and learning of students to become mature, free, self-aware, critically thinking, responsible, moral, independent constructive, co-operative participants in a community of like-minded and like-hearted individuals become sacrificial lambs upon the altars of educational orthodoxy.

The purpose of a test should be to determine strengths and weaknesses in order to shape subsequent learning -- nothing more ... unless, that is, there is a demand arising from someone's agenda (the teacher, principle, school board, superintendent, union, Department of Education, media, higher education, and/or business) that "must" be satisfied. Grading adds nothing but arbitrariness, stress, oppression, persecution, compulsion, meanness, ego-games (on the part of both teacher and student), inequitable standards, bias, prejudice, resentment, anger, as well as cruel and unusual punishment to a testing situation -- and all of these listed factors have been proven, time and again, to undermine a person's potential for learning.

None of the foregoing is rocket science. The fact testing persists for reasons other than the only valid one noted above - - namely, to point out strengths and weaknesses -- indicates the underlying issues are not about learning, per se, but, rather, those issues are about what and how someone demands that someone else learn under considerable penalty for failure to do so.

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From a pedagogical perspective, using testing as other than a transitory and very problematic means of assessing strengths and weaknesses is never justified. From a pedagogical perspective, using grading as an incentive to learning is almost invariably counterproductive except for those individuals whose self-esteem is highly dependent on such forms of recognition – a condition that is not necessarily emotionally or psychologically healthy for such individuals.

From a constitutional perspective, compulsory schooling, testing, and grading are all antithetical to the principles that are inherent in the Preamble, Articles, and Amendments of that document. Among other things, states have entwined themselves in the dubious process of making "laws respecting an establishment of religion" as well as passing laws that "prohibit the free exercise thereof" by imposing a system of compulsory education upon people as a matter of public policy - - public policy that has all of the characteristics of an established religion to which children must pay obeisance at the risk of grave consequences for expressing resistance to such a demand for submission. In addition, there are all the other, previously mentioned amendments that are violated through the process of compulsory education.

Is Compulsory Education Necessary?

Finally, one should ask whether one is able to prove that the 'common defence' demands compulsory education or its two ugly step-sisters -- testing and grading -- constitute probable cause for the sort of search and seizure of cognitive contents that compulsory education tends to require ... Defense against what? ... defense against whose version of reality? ... defense in support of what vested interests or what agendas? ... defense in support of which principles and at what costs to the future viability of our 'common defence'?

Moreover, even if one could agree on that against which we should be defending ourselves, in a common way, there is the very thorny issue of how best to do this without destroying, undermining, compromising, or prostituting the other principles that are at play within the Preamble to the Constitution.

Governments that try to assign priority to common defense above all other principles are very rarely democratic in spirit -- even though the appearances of form might suggest otherwise. The idea of commonality entails a community of people, not a community of government officials or jurists.

If only some groups benefit from a certain mode of defense, then, the whole idea of commonality has been lost. If only some individuals give their consent to a certain kind of defense, then, the thread of commonality is missing.

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In the 'real world', one might never attain unanimity with respect to the issue of commonality. Nevertheless, at the very least, commonality implies people should have a choice of opting out of a proposed solution for common defense and to be able to do so without penalty or prejudice.

Therefore, to cite 'common defence' as the basis of probable cause for a government's authority to search and seize the cognitive contents of students via the agency of compulsory schooling, testing, and grading is suspect on a number of grounds. Most importantly, the alleged bridge that connects 'common defence' of a particular variety to the compulsory education of students along arbitrarily chosen lines is a figment of the very active, self-serving imagination of government officials and jurists -- not to mention, once again, a violation of the 1st Amendment.

Is there a need for learning? Yes, there is.

Is there a need for compulsory learning? Not only is the answer to this question no, the Constitution forbids it.

So, the question becomes: how do we proceed? How will children learn if someone doesn't force them to do so?

Very nearly every child learns one, or more, languages without ever being forced to do so. If given an opportunity, and left alone to proceed at his or her pace -- free from pressure, stress, and the

expectations of others -- children will learn a great many things. If children are given help as they ask for it and in the way they ask for it and in accordance with their capacities and circumstances, they will fill in conceptual holes that they haven't been able to fill in for themselves with respect to the manner through which they engage and try to understand life.

Children never tire of asking questions about life, reality, and the world. Adults are the ones who almost invariably pull the plug on this 'infernal' question generator.

Whether out of ignorance, or impatience, or preoccupation with other things, or low self-esteem, or too much pressure from too many sources, or personal unhappiness, or intolerance, or jealousy, or defensiveness, or lack of empathy and compassion, adults are the one who oppress and curtail a child's learning. Sometimes these adults are parents; sometimes they are neighbors; sometimes these adults are government officials, and sometimes they are teachers.

Kids will learn about cars, planes, trains, electronics, relationships, money, computers, games, sports, emotions, comic books, current events, jobs, their community, DVDs, movies, music, and pretty much everything else if they have an interest in such things. However, if they don't have an interest in such things, well, the truth of the matter is, they will tend to learn very little, and

they will tend to learn even less if they are forced to do so.

Learning does not begin on the outside and have to be force-fed to a person. Learning begins on the inside, via intrinsic motivation (curiosity is part of this) and reaches outward toward the world.

Some people might worry that if there were no compulsory schooling, then, how would children learn? Children would learn through: parents, experience, libraries, clubs, community centers, mentor relationships (both friends and other adults), apprenticeship programs (whether technical, craft, scientific, or entrepreneurial), home schooling, the Internet, organized sports, lifelong learning courses, in-house education programs through their place of employment or volunteering, community service projects, and the list goes on.

The modern world has been made possible by people who learned because they wanted to and not because they had to. Adults have never taught children anything that the latter individuals didn't want to learn except the unpleasantness and problems that are entangled with issues of compulsion, force, and oppression.

For every hundred things for which force and compulsion are used as the wings on which learning is to take flight, the average child might remember not more than a few, and, only then, because such morsels of information are rooted in a context of resentment, anger, hurt, and sense of

betrayal that tends to serve as the more dominant flavoring, coloring, and focus of what has been learned. Is the value of the former -- in terms of the costs of the latter -- ever, really worth it?

The Costs of Education

There are three keys to improving learning in America and, in the process, placing ourselves in a position to constructively address a number of other overwhelming educational, social, economic, financial, and political problems. The first key is to end compulsory education, and the arguments for why this should be done have been outlined earlier.

By shifting the locus of control for learning from compulsory education to the individual, one will be establishing conditions that are conducive to, rather than antagonistic toward, learning. Equally important, by eliminating compulsory education, one will have provided a means for substantially reducing tax-related problems for individuals, communities, states and the federal government.

Almost all of the fifty states have huge budget difficulties. One of the major reasons for such problems is the inordinate, and quite unnecessary, high cost of public education.

Many communities are overwhelmed with the costs -- both financial and otherwise -- associated with trying to provide what is hoped to be quality

education under an onslaught of forces that often are antithetical to one another. Parents, students, teachers, principals, superintendents, school boards, media, tax payers, higher education, businesses, and government officials all tend to have very different goals, purposes, problems, stresses, and needs.

Consequently, one of the very first casualties of this ongoing war tends to be learning. Like the Paris peace talks during the Vietnam War, everybody is so consumed with the politics and implications that surround the shape of the table, negotiations often come as an afterthought, if they come at all.

When one multiplies the number of participants, interests, perspectives, needs, and concerns, the result tends to be chaos. Education has become a modern tower of Babel in which everyone is speaking different languages of purpose, meaning, value, significance, goals, and means.

One wag has said that a camel is a horse designed by committee. One might also say that modern education is a nightmare cooked up by too many chefs insisting they have the right to control the process of creating the broth of learning that is to nourish the development of children.

As outlined previously, this is not a right that any of them have. Once people understand only individuals have the right to control the character of their own learning -- as long as such control is

consonant with preserving the integrity of the principles inherent in the Preamble for others -- then, the idea of compulsory education disappears and with it the turf wars that have been vying for control of the monetary pie that compulsory education has generated also disappears.

The turf-wars will come to an end because, like all wars, once the money disappears that subsidizes such battles, then, the ones who have been living off the subsidization will have to move on to other well-watered pastures in the search for food and lodging. Furthermore, the way in which to make much of this money disappear is to not force people to have to underwrite the expense of compulsory education through their property, state, and federal taxes.

Although there would be substantial reductions in the amount of taxes that might have to be gathered to finance learning, one cannot suppose that with the demise of compulsory education, all community-sponsored learning-related activities would come to an end. Newer, better, cheaper, more learner-friendly, and more effectively flexible ways of education would have to be found through which to assist students to struggle toward taking control of, and having responsibility for, their own learning, but once one removes the dimension of compulsion one frees up the engines of ingenuity - - both individually and collectively -- to fire on all cylinders in a far more dynamic and constructive manner. However, the

bottleneck for lowering the tax burden is to jettison the compulsory aspect of education.

As overwhelming and staggering as the monetary costs of trying to dredge the quick-sands of modern education are, the real costs associated with schooling and compulsory education are embedded in the lost opportunities for individuals to gain meaningful control over their own learning and, in the process, acquire the conceptual and methodological tools that are necessary for constructive forms of self-determination that would be heuristically valuable sources of contribution to the larger community or union of communities. By trying to forcibly control what forms such potential for contributing to the larger community will assume, everyone loses.

Degrees Are Not About Learning

The second key to improving learning is to end the privilege of degree-granting status to all institutions of higher learning. Closely aligned with this second key is a third step that is intended to help improve conditions that are conducive to learning, and this third, key component requires a shifting of responsibility from schools to corporations, businesses, technical trades, industry, the healing professions, and so on, with respect to the process of finding, identifying, selecting, and, if necessary, training people who

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will be capable of performing in competent ways within a given job, career, or professional environment.

By rescinding the privilege of institutions, schools, colleges, and universities to grant degrees one opens up a number of possibilities, none of which serves to restrain commerce and trade or impede the free exchange of ideas. A degree is not about the quality of what has been learned, but, rather, is a statement that someone, somehow has managed to navigate -- through happenstance, hard work, good fortune, and/or social connections -- her or his way through a process of socialization that is, sometimes, associated with learning. However, what has been learned is often not what has been taught or what is needed to become a mature, productive member of society whose potential for learning has been enhanced in a way that is conducive to the mental, physical, or spiritual health of either the community or the individual.

Whatever grades a person receives pursuant to such a degree are virtually meaningless because the larger community does not know the circumstances of the testing, grading, or learning process surrounding such grades. More importantly, the community has no way of knowing what has been effectively retained from that process as opposed to what has been picked up independently of such a process.

Degrees, as also is true of grades, constitute tools of control. Degrees are the means through which one group of people manages to leap frog over other groups of people -- not necessarily because of superior intelligence, learning, competence, ability, talent, or potential, but because a degree is a ticket of admission that has been paid for and, in accordance with a sort of cult-like mind-set, is expected to be able to transport one through the door of social, economic, and career opportunity.

Although particular universities and institutions of so-called higher learning might argue otherwise, the difference in quality of the learning experience from one place to the next is often negligible. Universities or colleges often like to think that it is the clothes that make the person, but, in truth, it is the person who makes the person, and the role that universities and colleges play is purely ancillary.

Undoubtedly, there are a small group of teachers in existence doing their version of Mr. Chips and who, as a result, touch a student's life in an essential, transformational manner that lasts a lifetime. In all likelihood, the vast majority of students never encounter such individuals -- although students might come across this or that teacher whom they find to be interesting.

This is so because the sheer logistics of resource allocation are at odds with such a possibility. There are simply too many students

matched up against too few teachers (with too little time available) for teachers to be able to spend much quality time with students.

The vast majority of what is taught in universities can be picked up through methods that have nothing to do with the granting of degrees. Give someone a library and/or a bookstore, along with a computer with an ISP (Internet Service Provider), and that person has pretty much everything a university or college has to offer except, maybe, an arrogance which assumes that learning is not possible without the alchemical elixir which can only (so it is assumed) come through the occult understanding of a teacher or place of 'higher' learning.

There are very few professors who teach something other than what they have written in dissertations, books, essays, papers, or journals. If one can access the latter, one doesn't need to attend a class in order to be read the same material one can read on one's own.

Of course, being able to question someone about what she or he has written is always nice, but most students never do (although they do discuss and argue such issues with friends) Furthermore, not all professors or teachers know what they are talking about so answering questions under such circumstances doesn't necessarily lead to enlightenment, understanding, clarity, insight, or truth. Finally, as far as those teachers are concerned that actually are knowledgeable and

accessible (and the former group aren't always synonymous with the latter group), then, lots of luck trying to get much time with them beyond the largely impersonal confines of the classroom.

Degrees are largely about control, privilege, ego, status, money, appearances, expectations, careers, and jobs (those of the teacher as well as that of the student). Degrees are not primarily about learning, realization of human potential, self-determination, or freedom – even though such things might occur despite the presence of institutionalized, degree-granting processes.

If one were to take away the privilege to grant degrees from institutions of so-called 'higher' learning, one would not interfere with the process of learning in the least. In fact, quite the opposite would be the case.

With no issue of degrees and grades to murky the waters, then, the people who wanted to attend these institutions would be doing so for the purposes of learning and nothing else. If such institutions no longer become a mere ends to a degree, then, a degree is no longer a commodity in short supply, and, as a result, the price of a degree-less education will begin to fall -- perhaps, precipitously so -- because the focus switches from: politics, appearances, hype, egos, status, as well as a scarcity of resources and spaces as alleged gateways for success, to: learning.

If one were to deregulate the process of education so that individuals were free to pursue

learning in the most cost-effective, expeditious, and personally satisfying manner, then, universities and colleges would have to do one of three things: they would have to change to accommodate the transformations of the learning landscape; they would have to cater only to the very wealthy; or, they would have to cease to exist.

Despite the fact both public schools and higher education pay considerable lip service to ideas such as the free flow of information and an open-ended search for truth, neither public schools nor higher education are committed to anything but their own take on these issues. They both fear a really free market of learning because in their heart of hearts they know there are numerous avenues to quality learning that need not ever pass through their hallowed halls.

The ace in the hole of such institutions has always been the degree. Even if there are other qualitatively superior ways of learning, if people are required to have a piece of paper or parchment, then, such an entity becomes a sought after commodity that is quite independent of the issue of learning.

The existence of degrees is what forces people to the doorsteps of public schools, private academies, universities and colleges ... not learning. One could have the requisite learning, but if one doesn't have the credentials or degrees, then, one is fighting an uphill, often unwinnable, battle, and schools/universities/colleges know this very well.

The whole move toward professionalization of so many disciplines is to institutionalize the need of people to seek officially sanctioned credentials, such as degrees, that require an individual to run through whatever idiotic hoops the ring masters of such academic circuses deem to be necessary. Professionalization has been central to the hegemony of higher education because the former enables arbitrarily selected individuals to set the rules of the game by which everyone must play, and whoever controls the writing and enforcing of the rule book exerts tremendous control over not only what can be learned, but how this can be learned, or even whether something is deemed worthy of learning.

Professionalization also has been a crucial force behind the narrowness, rigidity, controversy, politics, oppression, stagnation, and resistance to an unfettered examination of a great many issues that has entered into many circles of so-called learning. At the heart of any professional organization is the issue of control, and the nature of the degrees of freedom and constraints entailed by such control is given expression through the paradigm that dominates that process of control.

Changing paradigms is always a very difficult, controversial, and, often, a very messy business. Those in control tend to resist such transitions, otherwise they lose control, and avoiding the loss of control often is considered more important to

such individuals than truth, rights, justice, the general welfare, liberty or learning.

If one takes away the privilege of granting degrees, then, lack of access to higher education, issues of discrimination, reverse discrimination, and affirmative action are largely removed from the domain of learning. If learning is the only issue, and degrees have been retired to museums of ancient history, and, therefore, are no longer a necessary ticket to opportunity, then, there are lots of very cost-effective, diverse, effective, and engaging ways of gaining access to the process of learning -- ways that, with a little bit of effort on the part of all of us, can put a set of quality learning experiences within striking distance of nearly everyone.

A Necessary Shift In Responsibility

However, in order to have a realistic chance of deregulating the whole industry of degree-granting privileges, one needs to have the world of business, careers, jobs, corporations, economics, and the rest of the so-called 'real' world take charge of, as well as assume financial responsibility for, the human resource methods that are used to identify and select competent candidates for available positions. Until now, the work-a-day world appears to have had a symbiotic relationship with the educational process. However, on closer examination, that

relationship actually has been destructive both to the world of business as well as to the world of learning.

More specifically, whenever the world of jobs depends on public schools and institutions of higher education to sort out competence, learning, knowledge, and understanding, almost invariably this form of dependence leads to the institutionalizing of methods for not only differentially streaming, labeling, and grading students, but setting in motion an educational accountability version of three card Monte. All of this -- the streaming, labeling, grading, and accountability issues -- gets in the way of, and effectively compromises, the whole enterprise of learning.

Among other things, the foregoing methods unnecessarily put critical emotional and pedagogical distance between a student and someone who is supposedly trying to help that individual learn. Most students, when they realize they are being evaluated for purposes other than determination of strengths and weaknesses concerning the facilitation of learning, tend to withdraw from environments in which critical evaluation constitutes a major sub-text of the relationship.

A teacher cannot help someone learn who has disappeared emotionally and conceptually from a learning relationship even if the body of the latter remains visible. Requiring teachers to differentially

grade, label, and stream students adversely affects learning because it constitutes an inherent conflict of interest for both the teacher and the learner.

Moreover, placing pressure on teachers, students and school systems to kowtow to arbitrary measures of accountability also gets in the way of learning either by taking time, resources, and focus away from the process of learning, or by restricting learning to what is to be tested. Besides, what could be dumber than requiring students to take, say, a standardized test and, yet, not allowing students to be able to see what they did -- either correctly or incorrectly? How does a student learn from such an exercise except in some Kafka-like sense in which nothing makes sense, and nothing is supposed to make sense, and one is not permitted to ask questions, and, yet, one always stands accused of some unknown sin or crime?

If employers were to become fully responsible for assessing – and, possibly, educating their own candidates -- the locus of control would shift to where it belongs on a number of levels. Students would gain control over their learning, and employers would be able to devise their own criteria for what is going to best serve the needs of a given work environment.

However, in devising such criteria there needs to be at least one condition to which employers would have to adhere.

Namely, while the human resource people of a place of employment would have the right to examine candidates for work-relevant kinds of learning, knowledge, and competence, they would not be entitled to inquire into where or how a candidate acquired such competence unless such acquisition was directly related to some previous form of work experience.

Probing for the nature and extent of a prospective employee's knowledge, learning, and competence is directly relevant to issues of suitability for employment. Probing to discover how such capabilities were developed is not relevant to the issue of hiring -- other than to the extent that such capabilities have been gained through other work environments.

Similarly, licensing for jobs involving health, engineering, psychology, insurance, real estate, law, automobile mechanic, and any number of other job designations is entirely independent of how one came to know what one did. All that is important is whether or not a candidate has such knowledge or competence and not how one obtained that knowledge.

An employer might wish to contract out this task of identifying and selecting potential candidates. Nonetheless, whoever performs this task should be constrained to focus only on what is known and what can be done, and not on whether there are certain kinds of status-oriented processes associated with the learning.

Part of the methodology associated with any reliable and valid empirical activity is to eliminate as much bias from the selection process as possible. If one were to require employers to assess job-competence or suitability independently of the means through which such capabilities were acquired, then, this would be somewhat comparable to what, methodologically, is called a 'single-blind' experiment in which certain factors are removed from an experimental context in order to avoid tainting our understanding of any experimental results that might be forthcoming.

If one were to retain the privacy issues revolving about the source and means of one's learning, and, as well, if one were to use human resource facilities that were entirely independent (as far as its methods of assessment were concerned) from a given employer, then, this would be comparable to what is known as a 'double-blind' experiment in which an employer is not directly responsible for identifying suitable candidates but, rather, the process of selection is left to independent, objective, and unbiased third parties. Moreover, inherent in this kind of evaluation independence would be an absence of any reference to the color, gender, religion, ethnicity, socio-economic status, sexual orientation, or politics of a given candidate.

The more a place of employment reflects some of the qualities of a double-blind experiment, the less likelihood there is for discrimination to enter

into the selection process. The less likelihood there is for discrimination to be present in such a process of evaluation, then, the more level the playing field of life becomes and, therefore, the more likely that all candidates for any given position will be perceived through one and the same set of evaluative lenses that are relatively undistorted by irrelevant and prejudicial considerations.

In addition to the foregoing considerations, by taking the funding of the costs associated with assessing -- and, possibly, educating -- potential employees and shifting those costs from the community to the businesses that seek to make a profit through the use of such individuals, one could stop a form of public subsidization of businesses and corporations that has been going on for far too long -- a cost that tends to be borne unfairly, by and large, by those who are seeking employment rather than those who wish to make a profit from such a situation. There is nothing wrong with wanting to earn a profit from entrepreneurial activity, but this should not be subsidized by the public at large, and when such subsidization does take place, it distorts the actual cost and value of goods and, in the process, both warps and undermines the integrity of the market process through which such goods are released by putting the vast majority of the public at tremendous disadvantage -- both as employees and as consumers.

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A market that is rigged in favor of the owners of business is not guided by an impartial, invisible hand of competition but, rather, is guided by the hidden hand of an unenlightened brand of self-serving interests that, ultimately, will prove destructive – economically, politically, and socially. Asking future employees to subsidize business by requiring the former to underwrite the lion’s share of their own educational expenditures (whether considered in terms of money, time, intellectual effort, and/or material resources) in order to better serve the interests of businesses establishes an unjustifiable inequity between employer and employee. If a business needs a certain kind of resource – say, an educated worker – then that business ought to pay for such a resource just like it pays for all of the other resources it uses to generate its products and services ... this is just part of the cost of doing business for which neither employees ought not be expected to pay, and, thereby, subsidize business owners.

A Few Possibilities

Only a few of the possibilities that might be generated to deal with the paradigm shift that is being proposed in this extended essay have been touched upon, or alluded to, in the foregoing discussion. A few additional possibilities are the following.

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Public schools could be converted into community resource centers. Libraries could evolve in similar ways.

Businesses could offer in-house learning opportunities for employees and their children as one of the perks of, attractions for, working for a given company or business. Teaching could be deregulated so that the quality of a teacher was measured by how well she or he taught and not by whether such an individual had certain degrees or was the member of a union or had been certified by a state or professional agency.

Improving learning in America is not a matter of better public schools, a more diverse array of charter schools, or creative voucher plans. Improving learning begins with: (a) the abandonment of compulsory education; (b) the elimination of degree-granting privileges by institutions of higher learning (a step that has nothing to do with the capacity of such an institution to deliver a set of quality learning experiences or to compete for learners who are seeking such experiences, as opposed to a status-drenched piece of paper that has had a great deal to do with the devaluation of the process of learning); (c) and, finally, a shifting of the responsibility for determining job-competency from schools to places of employment that are permitted to probe to determine the extent and nature of a prospective candidate's learning and knowledge but would not be permitted to try to discover the means through

which such learning and knowledge were acquired. If one were to follow the foregoing three-part prescription, perhaps, a lot of what ails the learning process in America would begin to both heal and improve.

Among other things, such a prescription would have a major leveling effect on the playing field on which people compete for learning, career and job opportunities. If compulsory education is deregulated, and if degree-granting privileges are rescinded, and if employers are required to look only at what has been learned and not seek to discover where or how this has been done, then, to a very large extent, issues of money, social-status, geographical location, and inequitable distribution of resources are attenuated -- perhaps completely in many cases -- with respect to the way such practices distort the fairness of playing conditions with respect to learning and employment opportunities.

A person who, for example, buys a book on Kant's Critique of Pure Reason and sincerely engages this text need not be at any disadvantage with respect to understanding what is read than a person who goes to an upper-tier university and takes a course on Kant. One doesn't need money, social position, the right family lineage, power, or a university education to understand Kant. All one needs is the curiosity, intrinsic motivation, and perseverance to see the process through -- the same set of qualities that anyone who wishes to

understand Kant needs no matter where she or he undertakes such a task.

The same logic extends to encompass much of what goes on within a school or university environment. The rigor and quality of an individual's search for learning has absolutely nothing to do with whether, or not, that quest takes place inside, or outside, a school environment -- the challenges and problems are largely the same irrespective of the venue used for learning.

There is, of course, one potential difference between someone doing studies independently of school and someone pursuing such activities within a schooling environment. This involves the element of free time.

In other words, whether through loans, scholarships, term-time work, and/or parental financial assistance, people who attend schools usually are able to do so because they, through one means or another, have the financial wherewithal to buy the time necessary to engage learning in a serious manner. The luxury of having such time for learning is something that might not be available to individuals from financially impoverished backgrounds.

Voucher programs usually have been thought of in terms of a process in which students, or their families, are given certificates that can be given to a school of their choice. The selected school, then, redeems that certificate from whoever is footing the bill for education.

Perhaps, the time has come to think about paying our youth for the work of learning. Naturally, some set of checks and balances probably will have to be set in place in order to ensure that such a direct system of payment would not be abusively exploited. This might include possibilities like directly paying a student's rent, phone, and other basic expenses. Or perhaps accounts of various kinds could be set up at particular bookstores, internet providers, supermarkets, clothing stores, and so on to look after relevant expenses through some sort of debit card program.

Ideally, whatever payment structure or framework is selected, the administration of that structure should be done as near to a student's normal living environment as possible. If schools, teachers, and other personnel can be paid through a given school district or municipal level of government, then, there is no reason why the same cannot be done for students in order to afford the latter the free time needed to pursue learning in a serious fashion while by-passing the tremendous expenses and problems entailed by maintaining multiple levels of bureaucracy.

Quite frankly, a system involving some sort of direct payment system to students that would look after their basic living expenses while such students go about the process of learning, probably would be a lot cheaper to fund, while, simultaneously, producing qualitatively better

results than underwriting the costs of a full-blown system of schooling would be. After all, individual programs of learning need not be subject to the same sort of costs as are associated with the bureaucratic wastes, gridlock politics, and self-serving agendas to which public and higher education seem to be inherently predisposed.

Summing-up and Some Lingering Issues

Near the beginning of the present essay, one encountered the following words:

"What if someone could offer a way to (a) substantially cut property, state, and federal taxes, while simultaneously: (b) revolutionizing the process of education so that the emphasis is on learning instead of accountability wars, political agendas, and a self-serving means for generating money for those whose primary interest is other than the welfare of learners; (c) bringing an end to the, till now, interminable wrangling over discrimination-reverse discrimination and affirmative action debates by truly leveling the playing field for all concerned; (d) enabling citizens to gain complete control over their learning; (e) shifting the burden of responsibility for identifying learning competence to where it belongs and, thereby, ending a form of subsidization that has done nothing but undermine the process of

learning; (f) reducing the costs of both public and higher education by billions, if not trillions, of dollars; (g) re-thinking the meaning and purpose of the Constitution; (h) and, doing all of the foregoing by requiring only nominal expenditures for underwriting the transition entailed by such changes? Does this all sound like a Rube Goldberg device, a perpetual motion machine, a quixotic quest, and/or the ranting of someone who, without proper monitoring of medication, has been dumped back into the community from a mental facility?

Read on. You might be surprised."

Well, now that you have read on, are you surprised? If you are, hopefully this is in a pleasant way.

Not much has been said with respect to the details concerning the "nominal expenditures for underwriting the transition entailed by such changes." The primary reason for this is because the financial bottom line really depends on how creative, committed, co-operative, and entrepreneurial a given community might be, as well as what kinds of resources (in human terms, as well as material and financial) are available to a community.

There is no question the transition costs associated with such a paradigm change will not be zero. There is, on the other hand, considerable likelihood that such costs might be fairly nominal --

at least relative to the soaring costs of education today as well as related cost projections into the future.

Instead of continuing to fund schooling and school systems, we might begin to rethink the role of libraries and other similar resource centers with respect to the process of learning. Instead of continuing to hire teachers and become tied into long-term financial commitments that might not be conducive to enhancing the quality and flexibility of learning that individuals, society and the future might require, we might begin to explore alternative approaches to the way in which learners engage the process of learning, discovery, critical understanding, problem-solving, and transfer of knowledge.

Obviously, there will be costs associated with any such choices. But, the issue is not about eliminating costs altogether but, rather, the issue is a matter of learning how to spend more wisely, justly, and efficaciously in order to enhance the quality of what is learned and, therefore, potentially, the quality of life for both the individual and the surrounding community. With respect to those vested interests that might feel threatened by, and therefore, resistant to, what is being proposed within these pages, there is only one word to say: "Adapt!" This capacity is part of the wonderful set of tools with which human beings have been endowed, and this has been the watchword throughout history.

Furthermore, at the heart of adaptation is the capacity to learn. Educators have been preaching this lesson to students more and more as modern society enters into rapidly changing conditions, environments, needs, and problems. Perhaps, educators need to listen to what they are preaching and apply the underlying lesson to their own lives.

If the foregoing considerations were taken seriously, then, everyone in America would have to adapt in one way or another. Hopefully, the collective set of adaptations would form a constructive synergy that is conducive to enhancing the process of learning and giving each of us greater control over her or her life without necessarily compromising, or infringing upon, anyone else's opportunity to do so as well.

There is another thought that might be added to the foregoing. One question that well-intentioned, and not so well-intentioned, people are likely to ask is the following. What happens if we permit our youth to seek out their own way and own style of learning according to their own timetable, and as they approach their late teens are still not doing well ... What then?

Perhaps the most crucial facet of being able to gain control over the locus of learning is through being able to read. Through enriched library programs, schools that have been converted into community resource centers, the establishing of literacy volunteer programs, as well as mentor-learner relationships being forged with business

and corporation participation, one has the potential for helping every child in a community to develop reading and literacy proficiency.

Much of this literacy work would take place when an individual is young -- before society has had an opportunity to compromise, if not destroy, the natural curiosity, wonder, openness, and excitement that most children have in relation to life. During this period of life, perhaps more so than any other, the natural tendency of a child is to want to co-operate with someone who is perceived as willing to assist a child -- in a warm, supportive, encouraging, non-judgmental manner -- to learn, and therefore, during this stage of life, a child has more teachable moments than do most people who are older. A child's natural curiosity, together with the forces of intrinsic motivation that vary from person to person, plus a learning environment that offers stress-free, grade-free, labeling-free support is likely to significantly enhance learning for most, if not all, of the children in any given community.

Once a solid foundation of literacy has been established, a child has been given many of the tools that are necessary for her or him to be able to gradually struggle toward assuming greater responsibility for, and control of, the process of learning. The obligation that educators -- whether parents, professional, volunteer, or otherwise -- have is to do whatever is possible to bring a child to this stage where they can begin to fly solo in their own ship of learning.

From time to time, a child or youngster might need to get additional help, of one kind or another, as he or she encounters new challenges for, and problems associated with, learning. Nevertheless, once a child learns how to fly in the foregoing sense, this is like riding a bike, a person never forgets how to do it -- although people, as they grow older, often stop themselves, for one reason or another, from continuing on with the learning process.

However, if after all is said and done, there are still individuals who have not taken advantage of the opportunities given to them and, as a result, have resisted developing even minimally acceptable levels of literacy competence, then, the door is open for exploratory discussions directed toward, on the one hand, the responsibilities that accompany rights, and on the other hand, the right of the majority to not have to shoulder the burden of another person's irresponsibility. Where such exploratory discussions might lead is uncertain, but wherever they go, the principles inherent in the Preamble to the Constitution apply to everyone -- both with respect to the implied rights and the concomitant responsibilities.

When some Native communities are at an impasse with respect to certain, seemingly, irresolvable problems that are confronting them, the idea of a 'Healing Circle' comes into play. If issues of child molestation, sexual abuse, domestic violence, rape, and murder can be resolved through

the qualities and properties of such Circles -- and they have been, and there is documented evidence to this effect -- then, surely, similar Circles could be established to resolve problems surrounding the issue of the right to have control over what one learns and the responsibilities to oneself and the community that are attendant to such a right.

A Possible Source of Constitutional Obligation

There are, at least, two questions that remain. These questions were raised fairly early in this essay -- namely, (1) why should one feel obligated to comply with a document (i.e., the Constitution) that was written over two hundred years ago, and (2) assuming there is such an obligation, what kind of an obligation is it?

Most people might tend to agree that no one should feel obligated to honor a contract or covenant that someone else entered into several hundred years ago. Whatever arrangements people made then is their affair -- that was then, and this is now.

On the other hand, the themes, issues, and problems that are addressed by the Constitution (and, especially, the Bill of Rights and certain other Amendments ... such as, the 13th and Section 1 of the 14th Amendment) are not restricted to what went on two hundred years ago. The same political and social challenges are still with us. The same

human needs remain in effect. The same kind of oppressive, authoritarian, antidemocratic dangers to freedom of choice with respect to the pursuit of life-quality are threatening our existence, both individually and collectively.

Whatever the structural faults and shortcomings of the Constitution might be, the essential idea of the Constitution (especially in the form of the Bill of Rights and several other Amendments such as the 13th Amendment and Section 1 of the 14th Amendment) gives expression to universal themes that resonate with all of us. Which person isn't interested in issues of justice, tranquility, security, welfare, liberty, and struggling to establish a more perfect Union ... a better place in which to live? Which individual is indifferent to matters involving procedural fairness? Which person doesn't see the benefits that might accrue from a system regulated through a set of checks and balances that are intended to serve the community? Which individual can afford to be blasé about the threat of oppression, tyranny, and involuntary servitude? Which person does not have an abiding interest in a procedural framework that considers the concept of a right, that buffers the individual against the changing tides of majority whims, something to which everyone is entitled consistent with due care for the protection of other democratic principles?

Those who crafted the Declaration of Independence were dead-on when they said:

"Governments long established should not be changed for light and transient causes; and accordingly all experience has shown, that mankind are more disposed to suffer while evils are sufferable, than to right themselves by abolishing the forms to which they are accustomed." The one change that might be made in the foregoing is to substitute "Constitutions" for the word "Governments", because, in truth, what makes any form of government worthwhile is the quality of the rules and principles to which such governments give expression.

The Constitution is a working arrangement that, when successful, permits a collective to get rid of governments that bring suffering to the people whom are to be served without, necessarily, being forced to throw the baby out with the bath water. The baby in this case is the Constitution -- especially, the Bill of Rights and certain amendments -- and this is what is most precious, not any particular form of dirty bath water ... i.e., this or that politician, or this or that government administration.

Nonetheless, even in the matter of the Constitution and even though changes to that document should not be made too easily, there should be an understanding that the original framers of the Constitution and framers of the subsequent amendments, were not gods. They were fallible, limited human beings ... as we all are.

One's moral obligation is not to those individuals or to the words that they wrote. Rather, one's moral obligation is to the process to which those individuals were committed – namely, to critically reflect on what is, in order to discover ways of improving on the principles of justice, rights, and freedoms that might enhance the general welfare of everyone and not just for the benefit of a few or even for a simple majority of the people.

The obligation a citizen has to the Constitution -- especially the Bill of Rights -- is a commitment to the universal themes of existence. The nature of this commitment is not derived from the past, but is at the heart of what being human entails, no matter when one might live and no matter where one might live.

Consequently, the obligation a citizen has to the Constitution -- especially the Bill of Rights and certain other amendments -- is an on-going one. In our hearts, both collectively and individually, there is a plea for justice, liberty, rights, peace, security, and welfare. The Constitution -- especially, the Bill of Rights along with other addendums such as the 13th, 14th – Section 1, 15th, and 19th Amendments -- offers us all a means of seeking and struggling toward the deepest yearnings of our being.

The obligation a person has to the Constitution -- especially the Bill of Rights and the aforementioned amendments -- is the obligation a person has to oneself and others as human beings

who have a constructive potential and intrinsic integrity that should not be denigrated. The obligation we have to the set of principles that underlie and give direction, meaning and value to the Constitution -- and that are given better expression through the Bill of Rights and related amendments than through the Constitution per se - is the obligation we have to want the same sort of rights, freedoms and justice for others that we wish for ourselves.

None of the foregoing essay should be construed as grounds for advocating violent revolution or the violent overthrow of governments. Nevertheless, the fact of the matter is, everything that has been discussed in this essay can be accomplished through a peaceable shift in the paradigm that is used to actively pursue the general welfare provided we begin to look at the Constitution through the lenses of the Bill of Rights and associated amendments rather than look at the Bill of Rights and associated amendments through the lenses of the Constitution. For, of the two - that is, on the one hand, the Constitution considered independently of the amendments, and, on the other hand, the Bill of Rights (and affiliated amendments) considered independently of the Constitution - the Bill of Rights goes much more to the heart of the sort of inspirations, aspirations, concerns, values, and interests that shaped the historical context out of which the Constitution emerged than do any of the Articles that form the body of the Constitution sans amendments.

The Constitution was ratified because a 'Bill of Rights' had been in the air, so to speak, and promised before the former – that is, the Constitution -- had become a concrete reality. In other words, the idea of a 'Bill of Rights' – at least in terms of the kind of general principles that were believed necessary to protect and promote the general welfare of the people quite independently of the Constitution – permitted the Constitution to be ratified, and if such an idea as a 'Bill of Rights' had not been present to nurture the birth of the Constitution, the latter might have been stillborn or died in infancy. As such, it is the spirit and honoring of a 'Bill of Rights' that makes democracy possible, not this or that set of constitutional articles.

The paradigm shift that is being suggested here is one that can save lives, money, and the integrity of the democratic principles inherent in the Constitutional protections directed toward preserving and helping to realize the promise of the Preamble -- especially as expressed through the Bill of Rights and other critical additions to the Constitution such as the 13th, 14th – Section 1, 15th, and 19th Amendments). The paradigm shift being advanced is one that could permit people to regain control of the leaning process while, simultaneously, enhancing everyone's opportunity to participate in the rights, privileges, powers, liberty, justice, tranquility, security, and welfare that has been set forth, as principles, in the Preamble to the Constitution as we collectively,

and, hopefully, cooperatively, strive for a more perfect union of people.

There is a peaceful way to accomplish all of the foregoing. The question is: do we, as a people, have the will to realize such a potential?

If we do not have such a will, then, unfortunately, the only option that is left points in the direction of violence – a possibility to which all of us might be condemning ourselves as we individually and collectively help to construct what are known in psychology as ‘social traps’ – that is, situations that arise when everyone fights for what they believe are just ends but which involve ends and means that are at odds with one another and, as such, lead to gridlock and endless, mutual misery.

Oppression, exploitation, injustice, and abuse in relation to others are not inalienable rights – either of individuals or governments. In our hearts, we all know this, but, of course, we tend to always consider others, rarely ourselves, as the source of such oppression, exploitation, injustice and abuse ... and time is running out for us to come to understand the nature of the problems to which we all have contributed and that we all have helped construct.

The ‘other’ is not the one who generates social traps. We – individually and collectively -- are the architects of our own problems when we engage in a relentless pursuit of that which does not secure the rights of everyone and that does not seek to

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secure a general welfare, tranquility, and defense
for all facets of society – whether in relation to
justice, politics, economics, ecology, or education.



2.) Conceptions of Human Nature and Education

At the heart of any educational program are one, or more, theories of human nature – about who we are and the nature of human potential (both individual and collective); concerning why we are, rather than not at all or how we learn and understand; on how we develop physically, emotionally, psychologically, and/or spiritually, as well as what, how, when, and why we should be taught in the light of all of the foregoing considerations. Usually, the underlying theories are not overtly stated, but they are there -- shaping, organizing, coloring, orienting, and directing everything that takes place within the realm of a given educational program.

In short, there is no such thing as an educational process without presuppositions about human nature and the implications that such nature has for the educational process. One cannot even propose an assumption-free 'purely practical' educational program because every 'how to' course presupposes a reason as to why the resources (such as time, energy, materials, occupation of space, talents, money, and so on) being expended during such a course are a reasonable, desirable, valuable, and/or useful way for such resources to be consumed in terms of the structure of human nature.

People argue that we need education to find the purpose of life. Or, we need education to be

good citizens. Or, we need education to acquire a career in order to make our mark in life, as well as to be able to contribute to the community. Or, we need education to be able to get a job and pay our own way. Or, we need education to further human progress. Or, we need education to fill up time in lives that we don't know what else to do with. Or, we need education to accomplish all of the foregoing, plus whatever else we decide to include as being important to, or inherent in, human nature.

Purpose, citizenship, career, jobs, progress, and so on, become the foci for educational programs because, implicitly or explicitly, individually and/or collectively, people have made decisions based on the belief, rightly or wrongly, that such things are desirable to pursue as important expressions of human nature.

Happiness, success, identity, peace, self-realization, potential, knowledge, community, freedom, commitment, responsibility, morality, excellence, accomplishment, truth, and purpose all take their direction from the theory of human nature that is being championed in a given educational program. Programs of education are pursued because they are considered to be crucial venues for coming to understand and/or realize and/or fulfill dimensions of human nature, and in so doing, help lay the foundations for obtaining such things as happiness, success, and so on, since the latter are not possible unless human nature is

properly cultivated, and, education is the means to bring about this sort of cultivation.

Probably, everyone can agree that education -- whatever it might be and however it might be conceived -- should help us to work toward the acquisition of such elusive qualities as happiness, self-realization, truth, identity, and purpose. But, the specific meaning of these terms is a function of the underlying concept of human nature and what constitutes, for example, true happiness in the context of what human nature actually entails.

Politicians, school administrators, and others are often quite adept at using terms like "freedom", "realization", "purpose", along with some of the other terms noted above, without ever substantively touching on the theory of human nature that gives these terms real concrete meaning. Thus, education officials can proclaim that, for example, education should help every individual realize his or her full potential as a human being.

Now, most of us might agree with what the aforementioned individuals are saying. In truth, however, such individuals haven't really said anything because until the underlying theory of human potential is spelled out, everyone is investing the official's statement with one's own personal theory of human nature and is assuming that what the official is saying is the same as what the individual citizen holds to be true in such matters.

A person can't address the issue of fulfilling human potential until she or he has some insight into the structure of human nature. If we don't understand human nature, then, we are not in any position to say what the idea of fulfilling human nature means, nor, given this sort of ignorance, would be able to say how education should fit into the process of fulfilling human nature. This would be like setting out to build a house without any blueprints or idea of how to go about constructing a building.

Conflicts in education arise when alternative theories of human nature -- whether well-articulated or not -- come into opposition to one another. Students, teachers, administrators, parents, school boards, politicians, and businesses come into opposition with one another over educational issues and policy because the various sides have different views of what human nature entails and how and why education should engage that nature.

When a student, teacher, parent, government official, or company president asks why something is being taught, they are, in effect, asking: what relevance does this material have to do with my understanding of human nature? Mistrust arises in such situations when the answer to the question does not make sense in the context of the questioner's theory of human nature, because the tendency, under these sort of circumstances, is to feel one is being sold a bill of goods that is being

foisted onto one and, in the process, one's sense of human nature is being violated and/or denied.

One of the undeniable sources of continuing conflict within public education is the fact that not everyone's theory of human nature can be true simultaneously. Consequently, the issue becomes one of: whose interests -- that is, whose theory of human nature -- is to be served by the educational process?

Is it possible for an educational system to serve an array of diverse theories of human nature? In other words, could such a system be so structured that it merely provides people with 'facts' or 'methods' that, then, can be taken away by the ones being educated and used in the contexts of their respective theories of human nature?

Not necessarily! All facts and methods are theory-laden.

That is, all 'facts' and methods are laden with theories about what constitutes objectivity, truth, balance, judiciousness, rigor, knowledge, belief, the relationship between theory and experience, competent judgment, and expertise. These theories, that define and shape what constitutes acceptable methodologies or 'facts' are, themselves, rooted in theories of human nature, and this includes ideas about how human beings come to learn, know and understand the significance and character of experience.

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What we call 'facts' and 'methods' are looking glasses through which we view the world. The lenses of these glasses are ground in accordance with the optical properties of one's underlying theories of 'facticity', methodology, and human nature.

Just because some people are able to 'see' through such lenses does not necessarily mean that everyone will be able to see through the glasses that are being dispensed via an educational process that is filtered and colored by such lenses. And, when these constructed lenses are thrust upon people in a forceful or compulsory manner, damage might result -- either short term or long term or both -- in relation to a person's capacity for vision and understanding what one 'sees'.

I say "might result" because much depends on whether, or not, and to what extent, the facts and methods that are being dispensed give accurate expression to the character and structure of human nature. But, even when such facts and methods might be appropriately rooted in the actual character of human nature, nevertheless, if the person who is being 'fitted' for the glasses is not ready for them or that individual is resisting use of such lenses because of adherence to some other, conflicting theory of human nature, then, one is faced with the problem of trying to determine what is the best thing to do in the face of such conflict -- and 'best' is, itself, a theory-laden term that is colored by worldviews concerning human nature

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that stand behind the asking and answering of these kind of questions.

Thus, we have arrived back, more or less, where we started. A complete circuit of the issue has been made, and we are ready for subsequent go-arounds. If one is not careful, one can get very dizzy during such a journey, and, even though the presence of conceptual movement would seem to indicate that progress is being made, going around in circles usually doesn't take one very far.



3.) Grading

Although the practice of grading students has a long association with the process of schooling, in truth, grading has almost nothing to do with learning, or enhancing the likelihood that what is learned will be of high quality. The reasons why grading persists has much less to do with helping young people learn anything of value and has much more to do with the political and philosophical turf wars that are fought by the adults who control, or wish to control, schools.

What happens to students as a result of these wars is so much 'collateral damage'. And, any student learning that goes on within the boundaries of the rules of engagement through which such wars are conducted is largely incidental and, quite possibly, would have been acquired even if there were no system of grading, or even a system of schooling.

Supposedly, grades play a critical role in a complex network of accountability. Through the process of grading, students, teachers, schools, districts, and states all seek to justify their existence.

If a student brings home a poor report card, then, this might be taken as an indicator that such an individual has not mastered various units of the curriculum, or needs to work harder, or is having some sort of difficulty that is interfering with

obtaining good grades. If enough students within a given teacher's class display poor performance, then, this might serve as evidence that the teacher is failing, in some manner, to properly communicate the concepts, techniques, facts, and methods that constitute a given unit of learning. If too many students, from different courses within a school, do poorly on their quarterly reports, then, one might have grounds for concluding that the either the school administrators, or the school board, or both, are not adequately overseeing the educational process within the school. If too many school districts exhibit poorly performing students, then, one has certain grounds for suspecting that the state department of education might not be doing its job with respect to lending the support, resources, money, research, and guidance that will help enable districts, administrators, teachers, and students to succeed.

One of the problems with the foregoing scenario is that grades are not necessarily either an accurate index of what is being learned, nor are grades necessarily a good method for identifying why certain subject matter is not being learned, nor is the practice of grading necessarily a proper way to assess whether, or not, what is being graded should be taught at all. There are a number of reasons for making the foregoing claims, and these reasons are tied to what might be entailed by the idea of 'grades'.

More specifically, let's take a look at the issue of grading from four perspectives and briefly explore each of these in turn -- namely, (1) grades are an assessment based on certain sampling techniques (known as tests, essays, projects, and class participation) concerning the performance of students over a period of time; (2) grades are, in part, an expression of an interpersonal dynamic between teacher and student that is immersed in beliefs, emotions, attitudes, expectations, pressures, judgments, values, and commitments that often are highly subjective in nature -- both with respect to the teacher and the student; (3) grades are the result of a process that has some public components (i.e., test results, homework, and so on), but which is surrounded by a lot of variables that are largely hidden from view, yet, that might have a huge impact on the shaping of a grade, but, are rarely, if ever, taken into consideration -- such as individual learning styles, rhythms of life, identity issues, and readiness to learn; (4) grades are an integral part of a tracking system that is intended to control the lives of students so that the latter serve the purposes of school, business and/or government, and, as such, grades really have little to do with helping a student to work toward maximizing whatever his or her human potential might be -- that ought to be the essential function of any organized learning process.

As an assessment process [i.e., (1) above], grading is extremely problematic. A lot of issues

need to be analyzed before one can say that a given grading system constitutes a fair, valid, reliable, or even warranted mode of sampling student performance for purposes of evaluation.

To begin with, one needs to ask why the work of a student is being evaluated. From a purely pedagogical perspective, the answer to this question should always have to do with trying to differentiate those facets of an person's learning that are relatively problem free from those areas with which the individual is experiencing difficulty.

As such, testing and evaluation have no necessary connection to the idea of grading. The former can be pursued quite independently of the latter.

In fact, grading often has a deleterious impact on the learning process because it places this process in a context of stress, and there is a great deal of evidence that demonstrates how the presence of stress undermines and adversely affects not only both short and long-term memory formation, but, as well, disrupts a person's capacity to focus clearly. Why anyone who claims to be interested in helping students to learn would, simultaneously, take steps to put such learning at risk needs to do a great deal of explaining as to why such counter-productive steps are deemed necessary.

Of course, some would argue that dealing with stress is an inherent part of adult life and that, sooner or later, a young person is going to have to

learn how to engage and overcome the potential effects of stress. One could agree with the foregoing completely, and, yet, nonetheless, point out that learning to cope with stress should take place in other contexts where the focus of the lesson is on stress management, per se, and not under circumstances where an individual has to try to sort out and learn a variety of very different lessons at the same time that are (or should be) quite independent of the issue of stress.

If a school system wants a student to learn certain material, then, the system should be doing whatever is necessary to facilitate the learning process in relation to that subject matter and nothing else, rather than trying to unnecessarily complicate the process with learning tasks that tend to be at cross-purposes with one another. While there might be some students who are not only capable of taking on stress-related learning contexts, but who, actually, thrive on them, one cannot make the assumption that all students function in this way, and, consequently, the governing principle should be one of simplifying a learning task, rather than throwing themes into the mix that are irrelevant to the subject matter that is to be learned, and that, at best, can only be used to advantage by a small minority of students whose personalities are inclined in that fashion.

In addition to the foregoing considerations, there is considerable evidence to indicate that

grading tends to be unreliable across teachers. And, there are several senses in which this is so.

For example, if one takes a given test instrument, problem set, or essay, different teachers will grade a student's performance differently. The differences can vary by as much as 40 points, and this holds for science and math as well as subject areas like English. In fact, oddly enough, and contrary to what one might anticipate, the grading of science and math papers often shows greater variability in scoring across teachers than do English papers.

Another dimension of the unreliability of grading concerns the nature of the precise relationship between a grade and what has or has not been learned by a student. This kind of unreliability is commonly referred to as 'validity' and revolves around whether, or not, a given process of evaluation (such as a test) actually measures what it purports to.

What is a test, paper, project or problem set supposed to measure -- information retained (and what about the difference between what is recognized but might not be remembered)? ... understanding? ... critical reasoning? ... creativity? ... correct techniques or methodologies? ... specific points of view held by the teacher? Different teachers value different things and construct their assignments to determine whether students have absorbed what the teachers consider to be of importance, and while the assignment might serve

to determine whether, or not, a student has learned what a teacher values, it doesn't necessarily measure what the student has learned.

From the perspective of the teacher, the assignment might have validity since it seeks to elicit from the student the kind of things that the teacher wishes to discover. On the other hand, from the perspective of what a student has learned through the class given by the teacher, the assignment might not do a very good job if it doesn't assess what the student learned through the class that falls outside of the interests of the teacher, and, in the process, such an assignment might paint an inaccurate portrait of the student's status as a learner.

If a student has acquired a certain amount of information but lacks, say, understanding concerning that information, obviously, the student has learned something, and, as a result, still might do well on certain kinds of test involving multiple choice, true and false, as well as solving 'easier' kinds of problems. However, if the test purports to measure a student's understanding of the material, but, in fact, only measures certain facts that have been remembered, then, the test is not a valid indicator because it doesn't measure what it is supposed to -- namely, in the present case, 'understanding'.

Furthermore, what a teacher wants to measure might not be what parents, or administrators, or school boards, or states want to be measured. If the

latter individuals interpret a grade to be a function of what they want tests to measure, but, if the teacher's assigning of a grade is a measure of what the teacher considers important, then, from the perspective of the school, boards, district, or state, there might be a problem with the validity of the grading process.

This problem might be hidden from public view, however. This is because, except under certain rare circumstances, schools, boards, districts, and states don't spend a great deal of time trying to understand what a teacher's assignment of a grade actually means, or how teachers arrived at that assessment.

Irrespective of whatever problems there might be in trying to figure out just what a given grading system is trying to measure, as well as whether it does this both reliably and with validity, there is a permanent labeling process that is inherent in a grading process ... a labeling that might impact upon a student's sense of self-esteem, competence, relative worth, identity, and confidence -- all of which have potential ramifications for that student's ability to learn. In other words, if I am tested, and through this process, a teacher discovers that I don't understand a particular idea, then the teacher has something with which to work in trying to find a way for me to come to understand what I do not grasp at the present time. But, if I am tested, and a grade is assigned to me with respect to my performance on the test, then, I

have a label -- i.e., the grade -- that is being attached to me that has no discernible function in the learning process ... except as a punishment for not learning things in the way or in the time that the teacher or the school wanted. Furthermore, the very existence of this label might serve as an obstacle to my ability to learn things in the future if my confidence and/or my sense of worth and/or my level of anxiety are adversely affected by the labeling/grading process.

There are those who might wish to argue that the stigma associated with a bad grade serves as motivation to spur a student on to better efforts and, in time, will lead, hopefully, to the learning of those facts, methods, ideas, and so on that the test exposed as not, yet, having been acquired. While some individuals might respond positively to this sort of emotional manipulation and extortion, nevertheless, resorting to threats, intimidation, shame, punishment, and aversion training as the royal roads to learning suggests a definite lack of creative imagination in structuring the learning process.

Indeed, as Isaac Asimov once had a fictional character in the *Foundation* series say -- 'violence is the last refuge of incompetence'. And, using grades is definitely an act of emotional, social, and intellectual violence in relation to many, many students, and, therefore, they give expression to being the last refuge of incompetence.

In addition, even if one were to accept the idea of using negative conditioning as a motivational tool for learning desired lessons, there is just no excuse for keeping the grade as a permanent record. Either the stigma of a poor grade serves as a goad to greater efforts on the part of the student or it does not, and irrespective of whether, or not, this approach to things works and brings about the desired learning, keeping the grade as a permanent part of a student record, really serves no long term positive, constructive function in the learning process -- that is what schools should be most interested in but, unfortunately, this often is not the case. As a result, what the entrenched system of retaining poor grades really teaches many students is about the process of schooling as a vehicle of labeling, tracking, and controlling human beings for purposes other than what is in the best interests of developing the potential of the actual customer of public education - namely, the student.

The problems that surround the use of grading as an assessment process, and whether, or not, it constitutes a valid and reliable way of sampling and evaluating a student's learning-profile have been one of the main reasons underlying the move toward standardized testing. A standardized scoring system, supposedly, would eliminate all of the difficulties involving reliability and validity and would help ensure that everyone is being measured in the same manner, and, as well, that measurements mean the same thing to everyone involved.

Unfortunately, there also are a variety of problems that can plague standardized testing. Aside from the questions of validity and reliability, there also are issues of cultural bias and whether, or not, some students are unfairly disadvantaged by the way in which the test is constructed (e.g., the sort of language that is used, the situations that are depicted, the common culture that the test presupposes in relation to those who take the test).

In addition, even if fair, valid, and reliable, one needs to ask whether, or not, what standard tests seek to measure has much to do with what a student needs to learn in order to be a person of good, moral character, or a contributing citizen, or a healthy, emotionally stable individual, or someone who is able to maximize what that person actually has the capacity to do, as opposed to what everybody else wants that student to be able to do. Standard tests might be able to measure the presence or absence of certain kinds of factual information, but they are not sufficiently sophisticated to evaluate such things as: critical thinking, creativity, and hermeneutical understanding ... even if there was agreement on what any of these terms entailed -- which there isn't.

To whatever extent standardized tests are reliable and valid, it is precisely to this extent that they probably don't measure anything of essential value because the only way one can get substantial agreement on the meaning of such tests is by

throwing out the very sorts of issues that might be most important to gauging the actual worth of a schooling system for the emotional, intellectual, physical, economic, and spiritual welfare of students. Besides, standardized tests are not really about finding out information that might, ultimately, be of any, essential value to students, but instead, such tests are primarily, about something else: the generation of data with which to play the blame/credit game (i.e., who is responsible for the current state of affairs) in order to gain access, or continue to gain access, to the educational money machine that provides a great many people with nice paying jobs.

A youngster might do well on standardized tests but have little insight into the nature of critical understanding, hermeneutical issues affecting interpretation, or have much inclination to ask fundamental, demanding questions concerning history, democracy, philosophy, and the purpose of life. On the other hand, an individual might not do all that well on a standardized test, and, yet, have considerable facility for insightful, creative, critical reflection -- things that are not, and, for the most part, cannot be measured through standardized methods.

All of the foregoing points raise issues not only about what should be taught through schools but, as well, how this material ought to be taught. In addition, the above discussion raises the question of who should be setting the shape of the

curriculum, and the purpose(s) underlying such a process. But, whatever the answers to these questions might be, grading plays, for the most part, a role that is irrelevant, if not counter-productive, to the process of learning that is at the heart of these issues.

Up to this point, the notion of 'grades' has been engaged as a process of assessment that consists of various kinds of sampling techniques (tests, exercises, homework, etc.) This was the first of four perspectives (cited toward the beginning of this essay) concerning the issue of grading that is being explored through the current chapter.

A second perspective concerning the issue of grading that was noted near the beginning of this essay involved the idea of grading as an expression of an interpersonal dynamic between teacher and student. This is a dynamic that is rooted in a variety of beliefs, values, expectations, attitudes, priorities, goals, commitments, pressures, judgments, and emotions that often are subjective in nature both with respect to the student, as well as the teacher.

From the point of view of the school system, the teacher serves as an interface between society and the student. As such, schooling is a process of socialization or acculturation into which students are being initiated at the hands of a set of teachers who have been hired for this purpose.

The school system tends to presuppose that the process of socialization through which it engages students is one that is in the best interests of the latter. In other words, the school system believes that the information, ideas, methods, skills, orientation, values, and so on that it dispenses via its educational program provide students with the ingredients necessary for leading relatively successful, productive, and well-adapted lives within society.

Correlatively, the school system assumes that while its educational program might not be perfect, nonetheless, the curriculum gives expression to various dimensions of truth in a relatively objective fashion. Consequently, the school system tends to suppose that its students are being appropriately equipped to deal with reality ... or, at least, to deal with the way things are in a given community or social milieu.

In general, every school system works along the foregoing lines. This is so whether one is looking at the educational process in Russia, China, India, or the United States.

Teachers have the responsibility for implementing the foregoing game plan. However, teachers do not necessarily understand or interpret the program in the same way as do educational administrators, school boards, and state Departments of Education. Moreover, sometimes, teachers might not even agree with the principles,

values, goals, and purposes that constitute the 'official' version of the educational process.

When real, live students are added to the above mix, a very complex, problematic, often volatile set of dynamics is generated that has the potential for many kinds of learning, among which is the 'master' game plan of the school system that might, or might not, be (and if it is, to varying degrees) put into practice by different teachers. Students, like teachers, might develop their own understanding and interpretation of the schooling process, as well as the part that teachers play in that activity.

Both teachers and students are under considerable pressure to perform in certain ways. Teachers, of course, are operating within the confines of the expectations of the school system's 'master' plan, but they also have to deal with the demands and needs of students, as well as their own (i.e., that of the teachers) sense of educational propriety and what they believe to be in the best interests of the students -- which might, or might not, reflect the 'official' game plan.

Students, on the other hand, must deal not only with the expectations of the school system but, as well, with a variety of considerations, influences, demands, and values arising from parents, teachers, other students, and themselves. At stake here are issues of truth, justice, objectivity, reality, identity, purpose, priorities, practicality, commitment, belonging, and self-esteem.

As much as the educational administrators, teachers, students, parents, and politicians would all like to believe that they, as individual groups, are the guardians of all that is 'good and true', the situation tends to be a lot more nuanced, textured, ambiguous, and problematic. A constantly changing mixture of subjectivity and objectivity shapes the educational context, and it is not always clear whether the interests of truth, equity, and/or objectivity are being served through the educational process. Moreover, if these interests are not being served, then, the needs, interests, and rights of students are not being served.

However, one thing that does seem to be clear is that the presence of grading tends to compromise the position of both teachers and students. More specifically, irrespective of whether, or not, one agrees with the educational game plan of a given school system, asking teachers to grade students interferes with the lines of communication and trust that are necessary for learning to move forward as expeditiously, effectively, and harmoniously as possible.

Where there is suspicion, resentment, feelings of unfairness and arbitrariness, attacks upon self-esteem, mistrust, threats, manipulation, anxiety, hostility, public humiliation, and force, then one is reducing the likelihood of significant learning taking place -- unless one wishes the subject of the lesson to be the negativity itself. And, the presence of grading generates all of the foregoing.

Not only does the presence of grading adversely affect a student's capacity to learn, but grading also affects a teacher's capacity to create the conditions that are conducive to learning. Rather than just having to worry about structuring a class so that students will be open to the facts, methods, ideas, principles, and possibilities inherent in a given lesson, a teacher also has to fight through the negative atmosphere that the presence of grading tends to generate within, and among, students.

Teachers grade students, and students grade teachers. Just as the grades that teachers assign to students have real, long-term impact on the lives of the kids being labeled, so too, the grades that students assign to teachers have real, long-term impact on the amount of learning that takes place in relation to that teacher -- an impact that, frequently, is counterproductive to the functions of a teacher.

Furthermore, just as many young people develop 'attitudes' toward teachers that are directly tied to the issue of grades, so, too, many teachers develop 'attitudes' toward students that are directly tied to the issue of grading. Judgments are made about the 'worth' of students as a function of how the latter respond to the imposition of grades and whether -- or too what extent -- students resist, create problems for, or acquiesce to the lessons being taught ... lessons that are haunted by the specter of grading that is always

present on the horizon of everything that takes place in the classroom.

Such judgments are communicated to students by the teacher through facial expressions, body language, vocal tone, deeds, and in numerous other ways during the dynamics of teacher-student interaction. Naturally, many students reciprocate in kind.

In the presence of grading, young people have great difficulty viewing the teacher as someone who is a constructive resource having no interest but to help students learn what needs to be learned. The presence of grading skews the relationship along lines of authority, discipline, punishment, fear, judgment -- none of which is the least bit helpful to enhancing the conditions of learning.

Many teachers understand the foregoing dynamics. Some of them appreciate the way in which these dynamics compromise teaching and learning but maintain that it is the responsibility of the student to do whatever is necessary to adapt to the presence of grading and not permit the latter to get in the way of learning. The manner in which such teachers arrive at this conclusion is an interesting exercise in self-serving logic.

Other teachers seek to establish methods that might 'soften' the extent to which grades intrude into, and undermine, learning. Many of these teachers seem to miss the irony of how taking steps to lessen the negative impact of grading within

their classes might assist them to do their jobs better, yet, simultaneously, helps to perpetuate the practice -- by permitting it at all -- and, thereby, allows grading to not only continue to undermine the conditions needed for learning in other classes, but, as well, raises even more questions about the meaning of grades in a system that has teachers using different strategies to deal with the presence of grading and its negative impact on the classroom, and, in the process, raising further questions about the fairness, validity, and reliability of the grading process.

The foregoing discussion has put aside the issue of whether, or not, the 'game plan' of the educational system -- that is, the manner in which it wishes to initiate children to a program of socialization or acculturation -- is defensible, either in totality or in part. For a school system to suppose it has a right to tell someone else either how to live his or her life, or to tell someone what that person must know, or believe, or value, or what an individual's goals should be, is extremely arrogant and presumptuous -- and this is true even under the best of circumstances (namely, when there is a certain degree of truth present). However, for a school system to presume, in addition, that it has the right to grade students according to how well, or poorly, the latter individuals accept such an imposition is fundamentally immoral as well as inconsistent with the principles on which any democracy that values individual freedoms and rights is founded.

One can agree that individuals need to acquire certain qualities of civility, fairness, productiveness, and cooperation in order to be able, in some minimally acceptable fashion, to constructively participate in society and, thereby, not to be an undue burden on, or source of problems for, others. One also can agree that a schooling system has an obligation to help young people work toward acquiring such qualities.

Notwithstanding the foregoing concessions, none of this provides a justifiable basis for claiming that school systems have the right to not only grade students but to do so in a way that puts an indelible, public mark on the lives of those students, and in the process, interferes with the rights of a person to pursue life, liberty and happiness in a fashion that will assist such a person to struggle toward maximizing her or his inherent potential (and, from a purely practical point of view, what other notion of 'life, liberty, and happiness' is there?) – a process that will be advantageous to both individual and society. The way to enhance the likelihood of collective tranquility, safety, and happiness is by honoring the integrity of individual potential for constructive good through establishing conditions that are conducive to the realization of that potential, rather than by establishing conditions that nurture and agitate our individual potential for destructiveness - toward ourselves and others.

Grading is a very effective way in which to establish conditions that, for the most part, are not in the interests of anyone except those who use grading for non-pedagogical purposes that are intended to oppress, discriminate against, control, threaten, and punish anyone who does not go about life in a certain way. At best, grading is irrelevant to the process of learning, and at worst, it completely undermines the ability of teachers to teach and students to learn because it destroys the fabric of trust, communication, honesty, and compassion that are needed to bring student and teacher together in a constructive social dynamic that involves the bidirectional probing, questioning, critiquing, and reflection necessary for significant learning to take place -- both with respect to students as well as teachers.

The goal of acculturation or socialization within a democracy should not be to produce automatons, parrots, and sycophants. Students need degrees of freedom through which to question, challenge, analyze, doubt, critique, and struggle with the great issues of life -- truth, purpose, identity, justice, morality, duty, commitment, love, freedom, community, family, character, democracy, and so on.

As long as grades are held over the head of a student, none of the foregoing can be pursued effectively. As long as teachers are the dispensers of grades, they are not free to assist, or to be

accepted by, students to do what is necessary to really engage learning about the great issues of life.

As long as students and teachers are oppressed by the presence of grading, the essential democratic interests of society will not be served. If those people who believe that competition is necessary to bring out the best in everyone, then, they should be prepared to permit education to be deregulated so that students and teachers are free to busy themselves with the issues of real learning rather than become bogged down by matters such as grading that unnecessarily constrict the real source of competition – that is, the dynamics of diversity coming together to explore the common questions of life.

The quality of competition is not enhanced by everyone thinking the same way, or knowing the same things, or using the same methods, or pursuing the same goals, or being assessed by arbitrary, irrelevant and unreliable grading systems. The quality of competition is enhanced by helping people -- students and teachers -- to explore and develop their potential so that synergistic feed-back loops can be established that permit the learning context to be constantly enriched and challenged by differences of perspective, approach, understanding, techniques, methodology, and so on.

Not only can the truth withstand these assaults, but the very rigor of such explorations tends to be of benefit to everyone who is actively

involved in the process. Only people who profess to know the truth but who, secretly harbor doubts and do not trust the conditions of learning, try to constrain the free flow of ideas, and, unfortunately, grading is one of the systems used by such people to inhibit, constrain, oppress, and undermine the dynamics that are necessary to bind student and teacher together in a common cause of real learning.

Aside from problems surrounding the issue of grading in relation to reliability, validity, relevance to learning, labeling, and the viability of the student-teacher relationship, there are several other features entailed by the process of grading that undermine any claims to the pedagogical value of this practice. For example, the process of grading completely fails to take into account the reality of differences in learning style and life circumstances among learners.

In the terminology of computer technology, this issue -- involving learning styles -- is known as the 'user-interface' problem. Since the advent of computer programming, a major difficulty confronting the development of software has been the fact that users approach the use of software from their own perspective and not necessarily that of the people who have put the software program together.

Trying to come up with a set of standard protocols that will allow all kinds of users --

irrespective of abilities and circumstances -- to be able to interface with a given piece of software as the latter was envisioned to be used by its creators, is a very tricky problem. What is obvious to programmers is not necessarily obvious to users. What is 'intuitive' to people who are computer literate is not necessarily intuitively clear to the rest of humanity.

Users engage a software program from a wide range of intelligence levels, background experiences, interests, expectations, fears, resources, needs, home environments, skills, abilities, aptitudes, motivations, pressures, personalities, and so on. Some of these people will be able to figure the program out on their own, while others will need help, to varying degrees, through books, courses, and friends.

For some people, even when assistance, of one sort or another, is available, this might not be enough to enable them to operate a particular program properly or to realize its full potential. However, this is not necessarily because these people are inherently computer-challenged, but, quite often, this is because the help that is accessible to them might not be able to present the material in a manner that fits in with their style of learning -- that is, in a way that fits in with how their minds, emotions, personalities, talents, aptitudes, and patterns of motivation merge together to acquire and understand information concerning the world.

Despite an extensive amount of clinical and experimental evidence in, for example, psychology, education, medicine, and information technology that steadily has been accumulating over the last fifty years, or so, that indicates, among other things, that there is tremendous diversity in the manner through which individuals experience, think about, linguistically frame, react to, learn about, and process information concerning the world or life, nonetheless, modern education -- in its infinite wisdom -- has largely ignored these findings because the latter don't harmonize with schooling's tendency to insist, for the most part, on treating all students as if they were the same and, therefore, capable of being force-fit into a, more or less, standard learning package.

The reason why most schooling systems try to operate -- very unsuccessfully, one might add -- on the basis of a fiction that all students are the same is because its instructional orientation demands this. The system has hired teachers, so all students must accommodate themselves to the limitations, personalities, quirks, biases, theories, and understandings of those people in whom school money has been invested (and this is true even of 'good' teachers -- who, unfortunately, are in the minority).

The system has bought textbooks, so all students must accommodate themselves to the limitations, biases, understandings, values, and theories of these materials on which school money

has been spent (and this is true even of 'good' textbooks that are far fewer than one might hope for). The school system has built facilities so all students must accommodate themselves to the presuppositions, limitations, architectural biases, and educational theories that are given expression through the structures that constitute a large amount of on-going capital expenditure.

At considerable expense, the school system has devised a curriculum, so all students must accommodate themselves to the lacunae, mistakes, weaknesses, assumptions, and biases entailed by the curriculum in which money has been invested. And, quite often, since many school systems are caught up in pursuing one educational fad after the next, students are continually having to adjust themselves to the path that such spent money is forcing everyone in the schooling process to follow.

In professional sports, even though it is not the coach or manager who goes out on the field and makes errors or does not produce in game situations, nevertheless, because so much money is tied up in player contracts, firing a manager or coach is much less problematic than is getting rid of a team of players. In education, just the opposite is true -- that is, because so much money is tied up in coaches (teacher contracts), managers (principles), and facilities (schools and equipment), the players (students) are expendable, despite the fact that the real problem with schools can be laid much more at the feet of the faulty teachers,

principals, facilities, and theories of education that regulate school functioning, than such problems are either created by, or the responsibility of, students.

If students aren't learning, it is because schools haven't solved the aforementioned user-interface problem. Moreover, as long as schools insist that the user-interface problem is either non-existent or is the student's responsibility to solve, then, such schools will continue to fail their students, and, as a result, many students will go on failing.

The nature of schooling is what needs to be, and can be, changed. Human nature is what it is, and schools must accommodate themselves to bringing out the potential inherent in that nature, not vice versa.

For the most part, the structure of schooling is oriented toward use of reading and lecturing as the primary means of instruction concerning the world. In addition, what constitutes 'correct' understanding, interpretation, and application of what is read and taught through verbal means is a function of certain kinds of rational conceptualizations of the world.

In other words, although reality is not a concept, and although concepts are not capable of either fully describing or explaining the world, nonetheless, all students are required to approach life as if the latter were only amenable to conceptual and verbal representations of a certain kind -- i.e., the kind taught through schools. Yet, not

all students are inclined, or equipped, to engage, process, or understand experience in the limited modality that is being pushed through most schools.

Some people are primarily visually attuned to the world. Some people use sound to map their encounters with experience. Some people are sensitive to temporal and other kinds of rhythm and tend to organize experience through these metered themes of life. Some people develop a sense of the world through movement. Some people utilize the realm of emotion to parse life. Some people are spiritually oriented toward existence. Some people order the world through tastes and smells.

Art, music, dance, athletics, empathy, creativity, and spirituality -- to name just a few -- all constitute different ways of engaging, processing, understanding, and organizing experience. Words, concepts, and rational discourse can neither encompass, explain, nor replace these latter modalities of experiencing and learning about the world, and what is more important, words and concepts are not necessarily superior to other 'non-rational' (but not necessarily without intelligence, insight or wisdom) ways of learning about the world.

Yet, schools are largely structured on the premise that not only is the superiority of conceptualization over all other modalities assumed to be undeniable, but that all students are

inherently constituted according to this conceptual inclination and orientation (and, if not, they 'should' be) -- and, yet, there is little, if any, reliable and valid evidence to prove or demonstrate the truth or correctness of this presumptive bias.

To just take one very simple example with respect to such individual differences, consider relatively recent work that has been done in chronobiology -- that is, the manner in which biological systems are rooted in, as well as shaped, colored and oriented through different rhythms of life that temporally help structure phenomenology ... for instance, internal cellular processes and hormonal cycles, as well as phenomena like circadian rhythms that run in roughly 24 hour cycles and are linked, in part, to environmental contingencies such as daylight. Experiments have been done that indicate that many people seem to fall into one of two classes of peak functioning during the day.

Some individuals operate best and are most alert during the early hours of the day, and the people in this group are referred to as 'larks'. Other individuals seem to function best during the latter part of the day, and are known as 'owls'.

To demand that 'owls' perform well early in the day, or that 'larks' should function well during the later hours of the day, is to expect people to operate in ways that do not reflect the realities of the manner in which they function either biologically or cognitively. Furthermore, to grade

these people on what they do in those times that might not be congruent with their optimal modes of operating biologically and cognitively, is not only inherently unfair, but it is forcing people to learn under circumstances when they are not most receptive to learning.

Similarly, to expect that people who, primarily, might be attuned to experience through vision, sound, rhythm, emotion, movement, and so on, should be able to learn well, or easily, through largely conceptual, verbal modalities is to be in denial about the complexities that are reflected in individual differences of learning style. Moreover, to grade people according to a learning style that might not be conducive to the manner in which such people engage, process, and understand experience is, at the very least, pedagogically foolish and, quite possibly, morally indefensible.

In addition to the foregoing sorts of differences that have considerable impact on cognitive functioning and an individual's ability to learn, there are numerous personal, family, and community factors that have ramifications for the quality of functioning that a child or young person brings to any given set of learning circumstances. For instance, to expect hungry children or young people who come from difficult, if not abusive, home and community environments, to learn in the same way as children who are well-fed or from relatively healthy home environments is totally absurd, and, yet, the process of grading not only

ignores such realities, but adds insult to injury by making disadvantaged students pay all their lives (due to the labeling of school records) for learning difficulties that are, for the most part, not of their own choosing or creation.

As long as there are individual differences in learning style and life circumstances -- and as long as human nature remains as complex as it is, this will always be so -- then, grading will remain an inherently unfair and fatally flawed process, because no human grading system can possibly take into account, and adjust for, in a fair manner, the many differences that affect how, when, or if things will be learned in any given set of circumstances. The process of grading always will be comparing apples and oranges, and, consequently, such a system, inevitably, will be arbitrary, artificial, invalid, unreliable, subjectively biased, and, therefore, inequitable -- that is, not only will any grading system devised by human beings be unable to take all essential factors and differences into consideration but, as well, will be unable to weigh each of them in a precise fashion that allows judicious comparisons to be made across individual differences.

The first three parts of this essay have provided an overview of the different ways in which the practice of grading not only fails to provide any general, positive, constructive assistance to the process of learning but, in fact,

tends to undermine and corrupt that process. However, if grading has no proven, reliable, valid heuristic impact on learning and education, then, an obvious question is: why does it exist?

There are at least nine or ten basic motivations that keep 'grading' in place. These revolve around issues of: abuse, obfuscation, ignorance, fear, control, money, ego, punishment, mistrust, and a hatred of real democracy.

The comments below address such issues in no particular order of importance, since all of the foregoing factors play their roles -- both individually and collectively -- in helping to maintain the status quo. Moreover, while a great deal more could be said, and has been said, in relation to the following remarks, only something of the flavor of each facet will be touched upon in this brief review of what is a multi-dish, full course, and very disagreeable meal.

Those who work with issues of physical, emotional, and sexual abuse have long been aware of the very strong relationship that exists between those who have been abused as children and those who, themselves, grow up to become abusive toward others. Applied to the context of education, the sad fact is, many people who 'learned' within abusive systems of education, have mastered their lessons all too well, and, now, inflict upon vulnerable people what was forced upon the former when they were younger.

All too many of those who control the corridors of power in relation to schools -- from: government officials, to: superintendents or commissioners of education, principals, teachers, school boards, media representatives, and PTA groups were brought up in a zero-sum game in which there were winners and losers, and one of the ways in which one distinguished between the two was through grades. Good grades, supposedly, meant one was: 'smart', 'successful', 'motivated', 'disciplined', 'responsible', 'competent', 'leadership-material', and 'serious' about life, whereas poor grades, supposedly, meant one was: 'slow', 'unsuccessful', 'unmotivated', 'undisciplined', 'irresponsible', 'incompetent', 'not worthy of leadership', and not 'serious' about life.

The focus on results, competition, winning, success, and rewards became so great, that somewhere along the line a lot of the people who participated in the process misplaced their humanity. Issues of kindness, reciprocity, generosity, community, love, respect, compassion, humility, gratitude, harmony, balance, selflessness, and service to others were all seen as interfering with, or obstacles to, becoming triumphant in the zero-sum game they were being forced to play by the educational system within which they were raised, and, as a result, when they grew up, the only thing they knew how to do -- the only thing that, in many ways, they had been taught -- was how to be inhumane to others and force upon succeeding

generations what had been forced upon previous generations.

Grading has nothing to do with learning or creating conditions that are conducive to learning. It flies in the face of more than 60 years of discoveries within cognitive psychology, not to mention a great deal of clinical experience both within, and outside of, school settings. Oddly enough, however, the people who are the educated 'elite' continue to choose to ignore what is inconsistent with that to which they have been habituated through years of terrorist raids into their psyches by the school system. And, in compliance with the Stockholm Syndrome, the 'elites' have identified with those who have held their humanity hostage through the practice of, among other things, grading.

Approached from another perspective, the use of grading soothes, strokes, and nurtures the egos of those who believe their divinely ordained mission is, on the one hand, to reward those who are subservient to the former's 'calling' to fill the empty receptacles of human ignorance with the pearls of an educator's self-proclaimed wisdom, while, on the other hand, chastising and casting down into the depths of hell, those who would resist what, clearly, is for the "good" of humanity, truth, justice, and democracy. The youth who receives good grades is the one who has proven her or his 'worth' in this most vital 'Rite of Passage' in which one drinks from the Cup of Accumulated

Wisdom and regurgitates (quite socially acceptable in this context) precisely what has been given, whereas the child who has received bad grades also has revealed his or her true nature by refusing to drink or spitting out -- not socially acceptable -- or drinking a little too slowly for the educator's liking, that which is being offered.

Showing little evidence of humility, filled with the arrogance of an ego satisfied with its self and what it believes it knows or understands, and untroubled by the presumption that one has a right, within democracy, to force arbitrarily and artificially chosen tidbits of information down the mental throats of another human being, the educator feels justified in labeling people for life with the scarlet letters of education. The nature of an ego's narcissistic tendencies is to look for the mirrors that reflect what it wishes to see -- namely, itself -- and this is what grading accomplishes. Grading identifies and reflects what the grader finds most pleasing about life -- his or her own predilections, interests, biases, prejudices, and inclinations.

Naturally, those who fail to pay proper homage to an educator's ego, must suffer the consequences. They must be punished, humiliated, embarrassed, mocked, ridiculed -- in other words, these poor excuses for human beings who, for whatever reason, have failed to stroke, soothe, accommodate, and bow down to the educator's ego must be: degraded ... not just temporarily, but forever.

Surely, the punishment fits the crime. To borrow, somewhat, from Billy Congreve: 'Hell hath no fury like that of an ego scorned'.

The blood sport of grading uses classical and operant modalities of conditioning, shaping, bending, spindling, folding, and mutilating the souls and psyches of children in order to exert several kinds of control. First, due to the fact that many of these educators do not know -- because they have never learned or been taught -- how to enter into a process of reciprocity and equitableness with an inquiring mind, they need some form of threat to keep the hostile natives -- toward whom the educator has imperialistic designs -- in check.

If you don't learn what I want you to learn, when I want you to learn it, and in the way that I want you to learn it, and with the attitude with which I want you to learn it, then, not only am I going to be very upset, but I'm going to hurt you -- not physically but emotionally and in terms of life opportunities. You see, I have real power, and I have been licensed to wield it as I deem fit. This is my own little fiefdom, and you are my vassals, and if you revolt, or try to undermine my authority, or resist my rule, or seek your freedom, then, I will use my grading mace to teach you something about the realities of life.

Think the foregoing is an exercise in hyperbole? There are very few schools, at any level of education, that do not subscribe to its central principles -- either overtly or implicitly. However,

they tend to use civilized, sophisticated, and learned words like: 'discipline', 'order', 'necessity', 'fair', 'rational', 'enlightened', 'responsible', 'realistic'. Nonetheless, beneath the surface of civility lies an authoritarian heart and mind set that uses punishment and negative reward contingencies to control behavior.

The second aspect by which grades are used to control students is rooted in fear, mistrust, as well as considerable ignorance. Unfortunately, it is also opposed to the spirit of democracy.

Far too many educators are fearful of what would happen if students were really encouraged to develop skills in critical inquiry that: involved asking pointed and probing questions of themselves, governments, history, science, religion, or society; or, generated solutions to problems that were inconsistent with the vested interests of money, commerce, or politics; or, sought to find constructive alternatives to the cancer of mindless, insipid, decaying conformity and uniformity; or, that brought educators to task for the way they often sacrifice students on the altars of the career interests of people who, supposedly, have been entrusted with enhancing the welfare of youth. Far too many of these same educators do not trust young people to even have an inclination to want to be: willing to learn, genuinely curious, reflective, properly skeptical, tolerant, open to possibilities, as well as committed seekers after truth, meaning,

purpose, fairness, identity, peace, love, and happiness.

Democracy does not thrive in a sterile soil of conformity and strict crop control but through the cross-pollination of diversity. Democracy was intended as a process by which differences of perspective, understanding, values, and beliefs were exchanged by means of a continuing, informed critical discussion whose underlying intent was the search for ways to, as far as possible, harmoniously balance the interests, rights, duties, and needs of both individuals and the collective -- and included in this discussion were explorations of what might be meant by ideas such as: 'understanding'; 'values'; 'as far as possible'; 'critical'; 'discussion'; 'balance'; 'harmoniously'; 'needs'; 'rights'; 'duties', and 'interests'.

If an educator wants to help young people learn about the real nature of democracy, then, this process begins not in a textbook or with a visit to the state capital, but in the school system. If an educator is afraid of open-ended exploration and discussion, then, that person is an advocate of neither genuine education nor democracy. If an educator does not trust young people to take the foregoing sorts of issues seriously, then, how can such an individual trust anyone to take such matters seriously -- and, more importantly, why should any student trust such an individual?

The right of students to: freedom of speech and thought, privacy, protection against unreasonable

search, freedom from inhumane punishment, as well as to equal protection under the law in the pursuit of life, liberty, and happiness are trampled on, again and again, within schools. The fact that the law often upholds such practices only goes to prove that Justice Holmes was correct -- 'the law is an ass', and, in a self-serving manner, all too many judges and lawyers misinterpret their own braying as enlightened comments on law and democracy.

But, of course, students are not actually citizens are they? Like the Greeks, schools think of students to be similar to slaves, who are not really entitled to the rights and privileges of citizenship, and, of course, the Greek tradition is part of the inherited wisdom that we wish to pass on to these lowly wretches and future peons of society.

If an educator believes that she or he has all the answers, then, they should be running for 'emperor of the universe' and not waste precious time on something so mundane and trivial as a search for truth, justice, meaning, purpose, and identity. And, if an educator is willing to acknowledge that he or she does not have all the answers, then the nature of the learning exchange should be one of sharing, mutual respect, and reciprocity -- not one of handing down the 'Book of Life' from Mount Olympus.

Educators use the threat of grades to curtail, if not eliminate altogether, genuine exploration, discussion, and critical analysis. Educators use the threat of grades to condition students to accept the

frequently artificial, arbitrary, limited, and limiting modus operandi of schooling as it is, and has been practiced, for some time now.

Educators use the threat of grades to hide the fact that many of them are afraid to stop grading because of the career ramifications it would have for educators. Consequently, students are sacrificed on behalf of those fears, even though a career in education supposedly is about helping, not sacrificing, students. In doing so, educators become the Judas goats that lead their flocks to emotional, intellectual, social, and spiritual slaughter by continuing to wear the bell of grading and insisting that students follow that bell wherever it leads.

Some educators might respond to the foregoing by saying that the cessation of grading is not practical because the whole system needs the process of grading in order for it to work properly. In truth, this is not so, and it is not so in a number of respects.

If grading stopped today, society would not come to a halt. Higher education would merely place more weight on the results of various tests such as SAT or ACT, or any of the other standardized vehicles, along with interviews, recommendations, portfolios, life experience, and so on. Similarly, business -- through its human resources departments or the assessments of supervisors -- would develop, if necessary, additional instruments to determine someone's suitability for employment in a given company.

It is a well-established fact that there is no correlation between GPA or standardized tests and life success. Furthermore, so much corruption has crept into the grading process -- both through grade inflation, as well as through student cheating -- that the grading process is largely bankrupt as a valid, reliable, fair, and accurate reflection of either learning or learning ability.

In addition, businesses are often commenting on how schools (high schools, as well as colleges and universities) don't teach students the things that permit students to hit the floor running in the world of business. So, why not discontinue a practice -- namely, grading -- that, by general consensus, has neither predictive nor legitimate heuristic value?

Colleges, universities, graduate schools, and businesses should busy themselves with something other than interfering with, and undermining, the learning process in elementary, middle, and high schools by means of the former's incessant push for grading and accountability. If they are worried about what children are learning, then let them devise their own system for selecting candidates independent of grades, and, in the process, leave public and private learning contexts alone.

Indeed, admission into higher education or acceptance into a business should be based on a person's actual, current competence, knowledge, understanding, abilities, and performance, and grades do not provide an accurate reflection of any

of this. How can anyone possibly know what a person really can do or is about by looking at a grade since the latter carries absolutely no historical context with it?

Who were the teachers? What kind of people were these teachers? Were they competent communicators? How well did they explain ideas? How logical and well-executed were the development of topics? Were there any conflicts between teacher and student? What textbooks were used? Were those books any good? What facts, methods, ideas, processes, purposes, issues, problems, and questions were emphasized by the teacher or the textbooks? How relevant, arbitrary, or artificial was the material to be learned? What was the nature of the process used to evaluate performance? How subjective, valid, reliable, or fair was it? How much bias and prejudice entered into the evaluation process? What problems existed in the various classes, and how did they affect the conditions of learning? What problems existed in the school and how did these affect the process of learning?

No college, university, graduate school, or business is prepared to take the time, or make the effort, or expend the resources that are necessary to explore the foregoing themes with any degree of thoroughness or rigor. Consequently, there is no justifiable reason for them to even look at grades because they have absolutely no idea about what sort of history and circumstances surround those

grades, and, therefore, they cannot have any real insight into what a person actually knows, understands, or can do by looking at such grades.

Like the Wizard of Oz, educators all wish to give the impression that they really know what they are doing behind the curtain of obfuscation that they place between their private understanding of such matters (which is almost none) and their public pronouncements. In truth, however, looking at grades is little different than staring at tea leaves at the bottom of a cup and trying to use the latter to assess the potential, ability, competence, character, creativity, and understanding of an individual.

Elementary schools, middle schools, and high school schools -- whether public or private -- should stop being pimps for business and higher education. The obligation of the former should be to students and to learning, and not to satisfying the insatiable appetites of business and higher education for warm, supple minds, bodies, and hearts that already have been conditioned to being morally and intellectually compromised by the process of grading.

So, who is to be held accountable for what goes on in schools? Well, who else could it be but students and teachers?

However, unless you give students, in consultation with their parents and other resource people, the freedom to act in their own interests, as any consumer should have the right to do, then, the

whole issue of accountability becomes an exercise in futility and obfuscation. The future potential, opportunity, competence, and happiness of students should be the primary focus here, and no one -- not government, the courts, business, higher education, nor even parents -- has the right to deny students a substantial say in determining what does, or does not, work with respect to their capacity and ability to learn.

If students are not learning in conjunction with a particular teacher or schooling system, then, they should have the option of changing how they go about the process of acquiring an education -- a potential for change that needs to be free of threats, labels, penalties, or punishments. And, believe it or not, the best judges of whether or not real learning is going on, or whether someone understands what she or he is doing, or whether what is being learned is coherent, interesting, challenging, and worthwhile, are, quite often, the students themselves -- if only we would learn to listen to them.

Moreover, when student and teacher are freed from the way in which grading disrupts and corrupts the learning relationship, they are likely to give an honest assessment of: what each feels is going on, where problems might exist; or, where they would like, or need, to go in future learning contexts. Testing can help inform this process of evaluation, but grading does nothing but muddy the waters.

Parents, politicians, educators, and business people can all waste as much time, energy, talent, and resources as they like in arguing about what grades do and don't mean, or about how to improve grades, or how to make grades a function of standardized testing, or about funding this or that project that is designed to give us a quantifiable figure that we can use as an index for learning. However, the truth of the matter is this: we do not have a means of providing scientific, mathematical or computational analysis that is capable, in any standard, universal, fair, reliable, valid, and unbiased manner, of evaluating, real learning -- learning that takes into account individual differences involving the learning, understanding, and application of: critical inquiry, paradigm shifts, praxis, hermeneutical reflection, character formation, creativity, the ability to ask timely and probing questions, or the development of an appreciation for, and commitment to: truth, purpose, justice, equality, freedom, democratic principles, community, identity, or service to others. Anyone who tells you differently is lying, delusional, or believes that doing well on Jeopardy is equivalent to being educated.

The continuation of grading serves the money game by obfuscating a number of important issues. Instead of concentrating on students as primary consumers of, and participants in, the learning process, arguments about grading and accountability are used to give the appearance of a commitment to the former, when, in truth,

everyone involved in those arguments is merely trying to get money, in one way or another, by perpetuating the grading process and treating it as if it were really what learning was all about, when, in truth, grading has nothing whatsoever to do with assisting children to learn.

However, as long as grading exists, then, schools, teachers, school boards, media representatives, parents, and politicians have a convenient means of diverting attention away from the real issues of learning, while all the time being able to fool themselves and/or others that the grading discussion is about student learning. Endless reams of figures, test results, statistical analyses, interpretations, claims, counter-claims, reports, columns, and articles can be paraded into the public forum like body counts in the Vietnam War, and, meanwhile, learning has become MIA.

People who seek to use issues of grading to obfuscate their aspirations for money, control, power, and abusive behavior under the guise of an altruistic concern with student learning should be ashamed of themselves. Unfortunately, this is not the case.

In fact, quite, the opposite might be true. This is so since many such individuals tend to be extremely proud of their self-proclaimed sense of being champions of 'real education' -- something they, very likely, have never been involved in, either within or outside, of school ... indeed, they

tend to fear 'real education' and try everything in their power to make sure it doesn't happen.

Conservatively speaking, 50-60 % of problems -- with few, if any, adverse consequences for learning -- currently occurring through the process of schooling would disappear if the practice of grading were discarded (and another 15-20% of these schooling problems would be resolved -- again, that would not hurt, but enhance, the learning process -- if compulsory homework were abandoned). And, for those people who insist on becoming overwrought about whether the absence of grades would be detrimental to the preparation of students for higher education and/or the world of commerce, why not give students an opportunity to show that they could, and would, thrive in such an atmosphere, and, thereby, refute what is nothing but idle speculation concerning that (i.e., what would happen if grading were discontinued?) for which, in any event, there is no hard, reliable, valid, longitudinal evidence capable of plausibly supporting a negative prognosis.

Students are well aware that the future is waiting for them. They know that, sooner or later, they must find a way to earn a living and pay their own way in life. They understand that they must be able to demonstrate competence in order to gain admission into higher education.

A healthy sense of responsibility is developed over a period of time. It cannot be forced upon an individual, for not only are various kinds of

pathology more likely to arise out of such a context of stress, coercion and control, but the sort of learning that is deep-rooted and long-lasting is functionally dependent on an individual's readiness to learn -- and such readiness can never be compelled, rushed, or demanded. In fact, like a wine advertisement of a few years ago, there can be 'no learning before its time'.

Most students, given an opportunity, will, eventually, acquire a constructive sense of responsibility on their own. Grading interferes with the development of this healthy sense of responsibility.

To be sure, there might be those who, for a variety of reasons, will not take full advantage of the opportunity to learn during elementary and/or high school years even though the practice of grading is not present. Either these people are not, yet, ready to learn the lessons of responsibility, or they might never be ready to do so, but, in either case, sacrificing the good of the many, for the folly of the few, is just not good pedagogical practice.

Another positive possibility that might arise out of an abandonment of the practice of grading is a leveling of the playing field for those who, under the present manner of conducting education, are disadvantaged in any number of ways due to socio-economic status, geographical region, race, ethnicity, religion, and so on. More specifically, if one made actual ability, knowledge, and understanding the focus for gaining entry into

higher education and the business world, rather than grading systems that are, to borrow from Churchill, a "riddle wrapped in a mystery inside an enigma", then, where a person went to school, or the status of that school, or whether the school was public or private, home based or chartered, religious or secular, then, the grades, or concomitant degree/certificates, that were received would no longer be of relevance. Instead, only what a person could actively demonstrate in the way of learning, knowledge, and understanding would be germane.

Indeed, if one not only got rid of grading but, as well, high school diplomas and certificates, and made learning the only issue, students could take whatever entrance tests for higher education or business that had been devised by the latter, and do so in an anonymous fashion without being burdened by the sort of social, economic, and historical baggage that might be, and often is, used to pre-judge or bias an evaluation of a student's potential and capacity to be successful in either higher learning or commerce. Yet, as long as grading and diplomas exist, then, all too many people will try to use these factors to work the system to their advantage, quite independently of considerations of actual learning, knowledge, competence and understanding.

Moreover, if these people really believe that their particular private and public schools deliver a superior education, then, they should be quite

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comfortable in meeting 'whomever' on the sort of level playing field outlined above, without feeling they have to hang on to a security blanket of socio-economic advantage, status, and prestige. If, on the other hand, such people are not at all confident in letting go of advantages that have nothing to do with ability, intelligence, talent, or potential, then, their reluctance merely lends proof to the fact that socio-economic advantage is what decides matters rather than learning, knowledge and understanding.

4.) The Interrogative Imperative

One of the most central dimensions of learning is the capacity, and freedom, to ask questions. In fact, being able to pursue the interrogative imperative -- to which many facets of our being give expression -- is fundamental to the development of human nature and a healthy sense of identity.

Some researchers have estimated that comparatively speaking, human beings learn far more in the first three to four years of life than is learned throughout their remaining time on Earth. As anyone knows who has children, or spends much time around children, asking questions is one of the primary fuels propelling this early journey of exploration, and, generally speaking, adults get tired of answering questions long before children get tired of asking them -- which the latter rarely do.

Unfortunately, a great many things change as children get older, and among these changes are a variety of strategies that are invoked by parents, society, and school that are designed to contain, constrain, and/or prevent children from continuing to ask questions at the same rate as might have been permitted during the first 3-4 years of life. This is an extremely ironic phenomenon within democracies ... democracies that, theoretically, prize freedom, education, and the pursuit of knowledge.

Within schooling, there are many techniques that are utilized in order to curb the natural tendency of human beings to inquire about the experiences arising out of such exploration. For instance, appointing teachers to be the medium through whom all inquiries and answers must travel means that children are at the mercy of the biases, prejudices, limitations, understanding, needs, and agenda of the individual who has been appointed by the schooling system to filter inquiry.

Rules about who can talk to whom, or when, or how, or why, or where, and about what, tend to structure much of what goes on in schooling. In addition, the very structure of most classrooms often is such that everything is arranged so that seeking, processing, analyzing, and evaluating virtually all information needs to be funneled through the person at the front of the classroom -- that is, the teacher.

Now, this arrangement of things might be in accordance with how teachers, principals, superintendents, school boards, and departments of education wish things to be, but if this is so, then how these individuals and agencies wish things to be has the effect of curtailing, constraining, and containing the kinds of inquiry that are necessary for substantial learning to occur. No scientist, inventor, artist, writer, or entrepreneur tends to operate very successfully within a jungle of rules and regulations that are designed to place severe limitations on the acquisition, and use, of

information concerning the why, what, where, when, or how of experience.

Yet, many educators suppose that by serving as filters for what can be asked and answered with respect to life, they not only are performing a necessary and unavoidable function, but, as well, in doing this, they are preparing children to be curious, inquisitive, analytical, independent, creative, resourceful, free adults. However, none of these educators can provide convincing proof with respect to how the latter qualities will arise, naturally, out of the former, authoritarian methods.

One should not interpret the foregoing comments to mean that learning must operate as a laissez-faire enterprise. On the other hand, there is a huge difference between, on the one hand, establishing principles that will permit relatively free markets to arise that will enhance the creation, exchange, use, and distribution of quality, heuristically valuable, as well as non-exploitive information, and, on the other hand, insisting that central, authoritarian, artificial, and arbitrary command structures dictate and control all policies.

In short, there is a certain inconsistency in using education to extol the virtues of capitalism, freedom, and independence of thought, while, simultaneously, using methods that are socialistic, authoritarian, and intended to stifle independence of thought. This is like speaking out of both sides of

one's mouth at the same time ... and about as coherent.

Some schools of education recommend that teachers allow at least three seconds to expire following the asking of a question. Supposedly, this will give students sufficient time to digest the question and come up with an appropriate response.

However, studies have been done that indicate that, on average, teachers wait only one second before repeating a question, or rephrasing a question, or asking another kind of question, or moving on to someone else in order to get a response. Moreover, studies also have been conducted that estimate that, on average (and once one has factored in such things as lunch, class-breaks, and study halls), that teachers are asking a question about once every 5-6 seconds throughout the day.

There are many reasons why teachers can't seem to shut up. (1) They believe -- and without any real proof to substantiate such a belief -- that their questions play a crucial role in a student's learning; (2) they believe that in the absence of any intervention of curriculum strategies and techniques that are given expression through processes such as posing questions, students will be lost -- again, without any real proof to back this up; (3) teachers often believe -- yep, no proof here either -- the questions that they pose are far more important than the questions that students pose or

would like to voice; (4) they fear losing control of the learning process because they would not know how to proceed, nor would they feel comfortable under such circumstances; (5) they tend to fear (and, here, there is lots of evidence to substantiate their concerns) that as a result of what they perceive to be losing control of the learning process, other teachers, the principal, members of the school board, and parents might react negatively, and, consequently, this would prove to be problematic for their career aspirations ... and let's forget about the clients - namely students -- whom educators are supposed to be serving; (6) like many people, teachers find silence threatening and believe their words are the only glue holding things together.

Teachers talking, together with: pre-packaged class periods separated by bells/buzzers; a set curriculum to be covered; examinations (both national and local) to be prepared for; homework, and, the punitive use of grading -- all of these effectively undermine a student's opportunity to ask important questions about: truth, purpose, identity, freedom, democracy, justice, community, values, and life -- except in accordance with someone else's agenda (teacher's, principal's, school boards', superintendent's, department of education's) concerning such matters.

Even were teacher's to give students much more time to think about, and respond to, questions that teachers raise in class, the type of

questions being asked makes a great deal of difference to what ensues. Here, too, the modality of questioning, knowingly or unknowingly, places constraints on the learning process.

For instance, lower-order questions are geared to elicit specific, simple, short pieces of information about what, why, when, where, who, and how. These questions tend to be devoid of any need for critical analysis, evaluation, reflection, problem-solving, insight, creativity, subtlety, or the like. By contrast, higher-order inquiries reverse the foregoing set of priorities -- seeking to explore the many issues and problems lying beneath the who, what, why, where, when, and how of lower-order questions, or even whether what we believe the who, what, why, where, when, or how of something is, in fact, the case, or the problems surrounding the methodologies that are used to examine such matters.

Many teachers tend to utilize lower-order questions to a much greater degree than higher-order questions. Moreover, if and when the latter sort of questions are asked, then, generally, these higher-order questions are intended to give expression to what the teacher or school system wishes to emphasize rather than what might be of most value to the students, and, thereby, control the access routes to learning and inquiry.

Studies have been done that demonstrate that when educators explore material that is relevant to the on-going lives of individuals, students tend to

learn more as well as to become engaged in the learning process in a more committed, intense, and productive manner. Now, what could be more relevant to the on-going life of an individual than the manner in which matters of empowerment, history, equality, justice, fairness, methodology, values, prejudice, bias, political agenda, economics, presuppositions, philosophy, identity, trust, control, self-esteem, honesty, relationships, and so on, are being given expression within a classroom or school. Yet, only rarely -- very rarely -- will students be permitted to pursue these issues freely, openly, critically, and without risk of interference or punitive sanctions.

Instead, almost all of a student's time is structured for them in arbitrary, irrelevant, artificial ways over which they have little, if any, control. Within the boundaries of such a structuring, there is no time for real critical inquiry or for learning how to conduct such an inquiry.

As a result, differences between: information and understanding; knowledge and wisdom; description and explanation; authoritative and authoritarianism; critical thought and indoctrination; regurgitation and reflection; justice and inequities; objectivity and bias; or, need and desire, are all conflated and confounded or glossed over. In all too many classrooms and schools, little, or no, time is given for sorting any of these issues out in a considered, patient, thorough, and fair manner that will serve the interests of the student

rather than the interests of the teacher or the school.

Most educators will acknowledge that one cannot force someone to learn. Consequently, they all tend to ask the same question: how can we get students to want to learn?

Yet, study after study comes back, indicating that the answer to the foregoing question is to empower students to have control over what they are learning so that it is relevant to their lives and, in the process, they are permitted to critically engage such material according to their aptitudes, interests, needs, purposes, and circumstances, as well as in an open and unencumbered manner. When this is permitted to occur, students not only learn, but they enjoy working at, and struggling, with the difficulties that learning, inevitably, entails.

Unfortunately, many, if not most, educators, ignore such findings. Instead, they proceed in a direction that is diametrically opposed to what has been established, again and again, both empirically and clinically, for more than seventy years.

Educators who are not prepared to ask tough, probing questions of themselves will never permit their students to learn how to ask those sorts of questions. Many educators would rather betray those students for whom, supposedly, they have various duties of care, than look in the mirror and acknowledge the enabling role that they play in serving as guardians and administrators for a

schooling system that consistently seeks to terminate, limit, and corrupt the dimensions within human beings that gives expression to the interrogative imperative.

Whatever the ultimate potential of human beings might be, the accomplishments of science, technology, art, literature, creativity, law, exploration, and spirituality have come on the wings of questions that have taken people to inventions, places, insights, developments, creations, and heights that no one previously had conceived. Beauty, healing, understanding, joy, freedom, and self-realization have been some of the species that have taken flight through the use of such wings.

Yes, there have been avenues of inquiry that have had problematic, if not destructive, consequences for human beings and the rest of creation. Yet, through the medium of the interrogative imperative, we also have learned to recognize such possibilities as well as sought for -- and, sometimes, found -- solutions.

There is considerable arrogance in so-called educators who believe they should be the primary regulators and keepers of the interrogative imperative. Moreover, asking questions for which one, supposedly, knows the answer is presumptuous, controlling, and self-centered.

Such arrogance presumes one knows the truth of the things about which one asks. It controls the avenues to determining whether or not the

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presumption is justified. And, such arrogance is rooted in a self-serving process that treats the interests, ideas, needs, and values of the teacher as if these were the center of the universe, while relegating the interests, ideas, needs, and values of students to near extinction.

How ironic, yet depressing, is the fact that, all too often, education that, supposedly, is about inquiring into, and learning about, the truth of things, becomes the vehicle through which the interrogative imperative in so many students is destroyed, distorted, or co-opted to serve purposes other than the ones for which it exists. Furthermore, many -- perhaps most -- human problems have their roots in this sad state of affairs.

5.) Knowing and Doing

Why do educators expect that students should be willing to learn and change, when many -- all too many -- educators are not prepared to do the same? There are a variety of ways to illustrate some of the realities underlying the foregoing question, but, for purposes of discussion, let us consider some of the following themes.

For example, educators who insist that education is a matter of issuing directives such as: "all students will be required to know, or do: x, y and z, generally, are presupposing, at least, seven things. All of these presuppositions are highly arbitrary and, quite frequently, run contrary to what is known about learning and human beings.

The first assumption revolves around the idea that knowing something is the same thing as understanding that same something. Another, closely related assumption is that the knowledge of recall is equivalent to the knowledge of recognition. A third presupposition associated with educational directives similar to the one noted above is that students should be learning such uniform content at the same rate. A fourth assumption underlying the aforementioned sort of directive is that students not only need to be told what is appropriate to learn, but that they must be forced to do so by putting in place penalties (e.g., the possibility of poor grades being attached to one's record permanently, or the withholding of a

diploma). A fifth presupposition is that uniform standards are the most effective manner through which to determine the content for learning. A sixth assumption is that whatever content is taught should be highly specific, and, finally, whatever is taught and learned should be capable of being quantifiable.

To begin with, the capacity to recognize a particular answer as something that is being sought by a teacher or test item is not the same thing as the ability to recall a correct answer, and neither the process of recall nor recognition necessarily entails any degree of understanding concerning what has been recalled or recognized. Let me illustrate the foregoing by an experience from my own life.

When I was a freshman in high school I participated in several state sponsored courses exploring various aspects of science and mathematics that were being given via television. In addition, the Department of Education for my state had various teachers in science and math visit individual schools or a group of schools in an area in order to supplement the television material with 'live' tutorials.

This period of time was within a year or two after the Russians had stung the ego of the West, especially that of the United States, by launching Sputnik, and, as a result, steps were being taken to catch up to Soviets in science, math, and technology by providing opportunities for accelerated learning

in relation to students who showed aptitude for, and/or interest in, any of these subjects.

I was the only kid in my high school who took the courses. Moreover, even though my school was very small (just 44 students), nonetheless, for whatever reason, I was also lucky enough to be selected to receive a number of individual tutorials through some of the aforementioned visiting teachers.

The courses lasted a year -- or, more precisely, they lasted for the length of a school year -- running, approximately, from late September or early October to late April or early May. Toward the end of the school year, a final was given in the state-sponsored television course on science.

Although I had watched the weekly classes on television, as well as read relevant material, and spent time with the tutors who had been sent, and although I did have an interest in the material, in all honesty, at that time, I was not a very knowledgeable science student. As the time for the final exam drew near -- and the final mark would have a substantial impact on my course grade or standing -- I began to get extremely anxious because I really didn't feel like I knew much, and there was just too little time left for me to cram and try to learn everything in the few short days before the test was to be administered by my school principal.

I did the only thing that I could think of -- and I am not quite certain whether this was my own

'brilliant' idea born from the loins of desperation or I had picked up on some hint that had been given by the tutor or during one of the televised classes. In any event, I reviewed the previous tests that had been given, and this was the only studying that I did for the final.

The exam was multiple-choice. When I was handed the test booklet and began to read over the questions, my fears and anxieties turned to incredible elation because there before me was question after question that had been taken, almost verbatim, from previous exams.

I couldn't believe my luck. I raced down through the questions, and selected what I 'knew' were the correct answers. In all, there might have been just a few questions that I did not recognize and just guessed as best I could.

Several weeks later, the results were released. Although I was only one of several freshmen in the state to take the course, and despite the fact that I was competing against mostly juniors and seniors at much bigger and better schools, I placed 12th in the state from among several hundred participants -- largely due to the fact that I had aced the final.

The only problem with this result is that it was completely misleading. I really didn't understand much of the material in the course.

I had pursued a plan of action in relation to preparing for the final, and, apparently, this was a plan that had not occurred to a lot of the other

people taking the course, for if it had been, I likely would not have placed 12th in the course. Although I had made the right decision as far as getting good results were concerned, in terms of learning and understanding, the contents of the course were largely lost on me.

The test I took was almost entirely centered on my capacity to recognize questions from previous exams and mark the appropriate answer. If I had been asked to give the definition of a term in my own words, or to apply a certain concept, or explain a particular process, or solve a problem, then, in all likelihood, I would have flunked the test.

In short, my success was built on my capacity to recognize the correct answers for test questions that I had studied. I could not have recalled the material if I had been asked to do so, and, more importantly, I understood precious little of the course's content.

Most standardized tests are built around the capacity for recognition. This is so because obtaining test construct validity and reliability is much, much harder to accomplish (across both exam-takers as well as those who score the tests) when questions require the recall of information that must be manually entered in by a student rather than merely being preselected from provided information from which a student must choose a correct answer, such as 'true' or 'false', or (a), (b), (c), (d) or (e).

While the ability to recognize a correct response does constitute a kind of knowledge, it does not necessarily give expression to the same kind of knowledge as does the ability to recall such material in the absence of cues, hints, and a ready-made list of possible choices. Furthermore, the ability to recall information does not necessarily mean that the individual who demonstrates recall has any degree of insight or understanding with respect to the material being recalled.

There are people who have eidetic memories -- that is, they have the capacity to visually recreate a past set of circumstances (e.g., reading a certain book) with unusual accuracy and clarity. They are able to recall, perfectly, almost any set of facts with which they have had contact during their lives. But, the ability to remember in this way does not always entail a capacity for critically reflecting on, or being able to solve problems using, such material.

There are 'human calculators' who are able to add, subtract, multiply, divide, and take power roots of virtually any set of numbers one likes. They will even ask you if the answer should be given from left to right or right to left, and they will do all of this as quickly as, and sometimes faster, someone who is using a hand-held calculator.

Just don't ask them how they do it, because they don't know. They can give correct answers, but they have absolutely no understanding of, or insight into, how this amazing talent works -- nor do the experts, and, to add injury to insult, the

existence of such abilities tends to undermine a great many theories of cognitive functioning and neurobiology.

Students can take prep-courses for standardized tests, or schools can teach to these tests, and both of these processes help people improve their scores on such exams -- despite the insistence of the people who construct these sorts of exam that their tests are not vulnerable to such techniques. Indeed, among other things, some of the preparatory methods that are taught show you how to use what you do know to correctly answer questions that you don't know by eliminating various possibilities and increasing your odds of guessing the right answer.

I know from my own personal experience, this approach has helped me, from time to time. However, being able to do this just lends emphasis to what has been said above -- namely, what does it say about understanding when one can get a correct answer, not because one knows the subject matter but because one knows how to increase the odds of getting the right answer by eliminating certain possibilities.

Politicians, government leaders, schools boards, superintendents, principals, teachers, parents, and media representatives can either coo about, or decry, the results on standardized tests. However, the sad fact of the matter is that irrespective of whether these scores are going up or down, one is learning almost nothing about what

students actually understand in relation to any given subject topic. Recognizing correct definitions, technical vocabulary, or isolated facts from among pre-selected possibilities is not necessarily synonymous with any sort of sophisticated or high-level understanding concerning the material for which a student is showing a facility of recognition.

Educators have known for years -- both on the basis of personal experience (with themselves or their students) as well as in relation to the course material (both within psychology and education) taken during university and/or teacher college - - that there is a huge potential difference among: (a) knowledge of recognition, (b) knowledge of recall, and (c) knowledge of understanding. Yet, much of the modern trend toward educational 'accountability' is rooted in the capacity for recognition -- which is the weakest and most misleading form of knowledge on which to base an assessment of learning and education but is used because the limits of standardized testing demand this and, as such, is surely a case of the tail of measurement wagging the dog of learning.

Why do educators continue to ignore what they have learned and fail to apply what they know about cognitive psychology? Perhaps, this is because although they recognize the truth of such things, they have difficulty recalling the material, or worse, they don't understand the significance of what they can recognize.

Whatever the truth of this matter might be, educators who use the results of standardized tests as a measure of educational achievement are just deluding themselves to suppose that one can attach any importance to such scores in relation to the issue of gauging what students know in the sense of the latter's ability to not only be able to recall information but to understand what is being recalled and be able to use that understanding to solve problems or engage issues in a critically astute manner. More importantly, educators who use standardized tests as a basis of accountability are cheating students -- both those who do well on such exams as well as those who do not do so well - - since reliance on these tests serves to obfuscate the issues of what constitutes real knowledge and whether, or not, schools are at all successful in helping students to acquire this kind of understanding.

In fact, even if a student cannot recall certain information, but knows where to obtain what is necessary, as well as knows how to use that information to solve problems or explore issues in a reflective, rigorous, creative, and critical manner, that person might be better off than a person who can do well in any standardized test you care to choose. This is so, because those who can do well in the latter situation (i.e., taking standardized tests) will not necessarily be able to do well with the former -- and the former skills tend to more valuable in life -- over a longer period of time, and across a greater variety of circumstances -- than

are the skills associated with performing well on standardized tests.

Let's take a look at another one of the assumptions of those who approach education by issuing directives that are of the form: 'students will know: a, b, c. While there is nothing necessarily wrong with requiring students to know certain things by the time they graduate from high school (although what these things should be is quite another issue), there is a problem with expecting that students should be able to learn material at, roughly, the same rate so that there are uniform performance goals that must be reached, simultaneously, by all students within each week of school, and by the end of any given school year. There is a great deal of evidence from developmental and cognitive psychology indicating that individual differences play a huge roll in not only establishing the readiness of a particular student to learn certain kinds of material, but, as well, establish when such material will be learned, under what circumstances, and through what pedagogical means.

To saddle students with permanent grades without taking into consideration the foregoing sorts of individual differences borders on, and, maybe, crosses over into, the realm of sadism, if not cruel and unusual punishment. The aforementioned studies and empirical data within cognitive and developmental psychology that have been collecting for well over 50 years have been

available to educators -- and, indeed, many of them have taken courses in either psychology and/or education that included such material within the curriculum, and, yet, educators, for the most part, continue to ignore what has been staring them in the face for many decades.

Oddly enough, educators continue to expect students to learn and change in accordance with what is being taught even though many of these same educators have refused, apparently, to learn and change in accordance with that to which the latter group have been exposed through cognitive and developmental psychology, or courses in applied education, or realizations from their own personal experience. To operate from a perspective that demands that students do as educators say, not as the latter do is a study in hypocrisy.

Consider another of the previously noted presuppositions. More specifically, educationally speaking, why should I know what you know, or vice versa? Why should there be uniformity in what is known? How does this help either of us or society?

I remember a movie from the 1960s called *The Time Machine* that starred Rod Taylor and was based on H.G. Wells' book of the same name. For present purposes, the relevant part of that movie arose in one of the last scenes of the film.

Rod Taylor had traveled to the future and helped the Eloi defeat their cannibalistic tormentors, the Morloc, and, then, returned to turn

of the century England (1900) to relate his tale to a group of disbelieving friends who had gathered for dinner according to a prearranged agreement from a week earlier. After the friends had left, the hero decides to return to the future and takes three books from his library with him because the Eloi civilization -- if it can be called that -- had become bereft of any knowledge, having lost it (along with any interest in retaining or acquiring it) over the centuries.

His closest friend -- I think his name was Alan, but, maybe not -- who had left with the others becomes a little worried about the hero and goes back to the latter's house to check in on him, only to find that his friend is nowhere to be found. He quizzes the housekeeper about his friend's actions after the guests had left, and she reports that he had gone into the study for a few moments, and, then, subsequently, just disappeared.

The hero's friend goes to the study and, on the basis of a theory he has formulated about what the hero might have been up to, begins checking over the books in order to try to determine which ones might have been selected. After determining that there seem to be three spaces in the rather full shelves of the library, the hero's friend pauses and wonders aloud about which three books a person might take who wanted to build or rebuild a civilization.

In a sense, every educator might, at some point in her or his career, asks a similar question. What

books or what facts or what information or what ideas or what knowledge or what methods need to be passed on in order to provide the current generation of students with what is needed to preserve and develop civilization?

In truth, a hundred different teachers are likely to give a hundred different answers. Although there might be some overlap of agreement among such responses, there also are likely to be substantial differences.

Thousands of books have been written on individual subject areas. Each of these works brings its own perspective, biases, interests, motivations, purposes, methods, strengths, weaknesses, interpretations, evaluations, and contents.

Pick any subject you like and there are an indefinite number of ways of putting together material for a course. Such packages would often differ in findings of fact, interpretation of those facts, the sort of significance assigned to such 'facts', as well as the kind of methods used to establish, interpret, and evaluate the 'facts' that are to be taught.

For instance, take arithmetic and mathematics. While every student needs to have some basic understanding concerning the concept of numbers and the idea of a number system, along with such operations as addition, subtraction, multiplication, and division, how one should go about helping students to acquire this information, and, hopefully, a concomitant understanding, is an issue

that is still far from being resolved and with respect to which there are a number of competing frameworks.

More importantly, even if one leaves aside the issue of how to teach the rudiments of arithmetic, there are many possibilities concerning where one takes students, once the rudiments have been learned. This question is an important one for any number of reasons, but, perhaps, none of the reasons is as haunting as the fact that educators really have no idea what a student will need in order to get on with life in the future.

Life sweeps us all into uncharted waters. Science, technology, economics, and society are in constant motion -- shifting in unforeseen directions, and, therefore, what is important to know today might be relatively useless tomorrow.

Any educator who tries to tell her, his, or their students that the reason for learning, say, algebra, geometry, trigonometry, calculus, finite math, and so on, is because students will need this knowledge later in life, is lying. The fact of the matter is, there will be very few students who will need familiarity with such material in their later lives, and of those who do require this knowledge, they won't need all of it but, usually, at most, some small subset of it, and they will lose contact with the rest of the material, forgetting much of what they learned in those areas that are not needed for the contingencies of everyday life.

I think back to all of the algebra word problems I did ... and I was pretty good at solving them. However, the truth of the matter is, not even once in my later years have I been confronted with a real life problem that required me to find out how much of each blend of various kinds of coffee were necessary to create a desired mix, or how many faucets of different gauges would be needed to fill a pool in 'x' amount of hours, or how long it would take 'x' people painting at such-and-such varying rates to finish a house, or anything remotely similar.

All of the courses on algebra, geometry, trigonometry, and so on, are, for all practical purposes, a complete waste of the time, efforts, and resources of a great many students. For many students there is little, or nothing there, which helps them live a better life. For many students, these subjects did not train their minds to think critically or logically or rigorously because almost nothing of what is learned in mathematics is transferable to subject areas outside of math and science.

Mathematics and science don't teach one how to think about, or evaluate, or engage life unless one wishes to think about, evaluate, and engage life only through the lenses of a mathematician and/or scientist. And, as hard as it might be for mathematicians and scientists to accept, in point of fact, few people have any interest in being

mathematicians or scientists, or looking at life in the way the latter do.

One might wish to argue about whether the foregoing is a good or bad state of affairs. Yet, the truth of the matter is, mathematics and science have almost nothing of importance to say about issues that are of far more interest to the vast majority of people -- issues such as: purpose, meaning, identity, morality, happiness, love, spirituality, surviving in a chaotic world, or what is the best way to use the time one has.

Should the foregoing be construed as an argument in favor of banishing mathematics and sciences from the curriculum? Not at all, but the foregoing considerations do constitute part of an argument which says that what many educators are trying to sell as being necessary to know is largely a fiction of convenience -- convenience being defined as a function of how educators wish to control the lives of students in order to serve the needs, interests, and careers of educators, and not necessarily the needs, interests or futures of students.

Similar sorts of things could be said in relation to the teaching of literature, history, geography, and any number of other subjects that might be taught in high school. There is simply too much information, too much disagreement, and too many unknowns for any educator to be able to say that what all students need to know is: a, b, c,

One could have a thousand English teachers put together completely different sets of books to be explored by their respective classes, and none of these differences would prevent the students from considering issues of: symbolism, style, form, mood, character, plot, interpretation, creativity, evaluation, influence, or writing. So, why should the creators of standardized tests -- and their enablers who insist that all students must know the same list of things -- believe that such tests are capable of probing what is, and isn't, important to know merely by limiting the framework of discourse to a small subset of arbitrarily chosen facts, definitions, terms, names, and the like?

Or, whose perspective of, say, American history is one going to teach? The 'facts', methods, interpretations, and understandings, will be very different if one approaches American history from the point of view of: indigenous peoples, African-Americans, women, religious communities, the military, the well to do, unions, organized crime, various ethnic and racial minorities, the poor, and so on. How, and on what basis, does one conclude that one set of facts is more important than some other set of facts?

Insisting that all students engage history from a particular point of view -- that can be acquired only through a standard list of dates, events, and players -- is both authoritarian and totally arbitrary. However, one can take almost any set of historical records and reflect upon them in order to

critically explore the problems inherent in trying to arrive at 'the' facts, meaning, value, relevance, and uses of historical material in general.

Students do not need to know the same list of names, chronologies, and so on in order to engage history. Rather, the problems and questions raised by the 'fact' of history in which all students are necessarily immersed by virtue of being at all, is the starting point for exploring the events, issues, and people that are shaping the lives of students in various ways, and there are an indefinitely large number of directions in which an educational process might legitimately proceed within such a context.

Let's assume that I am part of a baseball or football team. I am a shortstop or defensive back.

I know how to play my position, and, maybe, I might even be pretty good at what I do. I don't necessarily know -- except in a very general way -- how to play any of the other positions, although, in certain situations, I might be able to play out of position and get by.

Of course, most of the people on these teams will be, more or less, familiar with the basic rules of these games, as well as have varying degrees of 'feeling' for the game. However, aside from a common sharing of the framework within which the game takes place, it really isn't necessary for everyone to know what everyone else knows in order to play the game, or to do well as a team.

The same principles hold in relation to: being in an orchestra, working on a job, doing a play, living in a community, being part of a family, participating in politics, or becoming educated. We don't need to know what everyone else knows, we just need to know what is required in order to benefit and contribute in our own individual way within each setting.

Yes, in all of the foregoing scenarios, there will be some sort of framework that needs to be learned and that enables one to interact with others in a way that permits the activity in question to take place in a relatively harmonious, and, hopefully, at least in a minimally competent fashion. Nonetheless, such frameworks often tend to consist of more than rule-governed behaviors that can be put on a list -- either to be memorized or to be consulted whenever this is deemed to be appropriate.

There also tend to be principle-governed behaviors that require an understanding of how 'facts' and 'rules' fit together to give expression to the purposes inherent in the activity. It is possible to be able to know all the rules surrounding a given activity and, yet, know few, if any, of the principles underlying those rules and why they exist, or what purposes they were intended to serve, or how they are to be used, and under what circumstances.

For instance, one might be able to come up with a list of rules covering a number of do's and don'ts that govern marriage. Nonetheless, the

principle of love that should underlie the implementation of those rules is much more elusive to grasp hold of -- which is why a lot of people end up living within a marriage according to the rules but, unfortunately, quite independently of the presence of love.

What is the underlying framework of principles for education that needs to be understood by students and teachers? In other words, what are the principles to which the process of education should be giving expression? Or, said in, yet, another way, what do students and teachers need to know in order to get on with the activity of learning?

In responding to the foregoing questions, educators have often confused and conflated rule-governed behavior with principle-governed behavior. Education is not a matter of: students need a pass to be in the hallways during class time; school will begin at 7:30 a.m. and end at 2:30 p.m., with regularly scheduled breaks at such and such times; classes will begin and end with the ringing of a bell (Pavlov would have loved that); students must sit in rows, be quiet, and not speak unless spoken to by the teacher; students will know the following list of facts, dates, names, methods, definitions, and so on.

I don't have to know the same list of facts, dates, names, methods, or definitions as you do in order to interact with you (whether you are a student, teacher, volunteer, parent, principal, or

whatever) within a context of learning. Moreover, although 'schooling' might depend on everyone being on the same page with respect to the rule-governed behaviors that are expected of everyone, whether or not learning requires the same set of rules that schooling demands is an entirely different issue -- although all too many educators suppose (quite incorrectly and without evidential warrant) that schooling and learning are one in the same process.

The shared framework of learning revolves around the idea that we are beings who are born, live, and die amidst relationships with other people (family, work, friends, community, nation, and the world) and that we need to find constructive ways in which to spend this time -- both individually and collectively. Among other things, there needs to be respect, reciprocity, empathy, caring, sincerity, and integrity that shape the framework within which individual and group learning are, hopefully, to take place, but these are principle-governed behaviors that cannot easily, if at all, be reduced to a list of rules about such things as: lines of authority, length of the school year, compulsory homework, the use of bells or buzzers to demarcate classes, and whether, or not, students can use the washroom without permission.

Establishing the meaning of the term "constructive ways" is not a function of a knowing a list of dates, names, terms, and definitions, or other kinds of rule-governed behavior. This problem of

discovering the significance of being "constructive" is about principles and the purposes that those principles serve.

Understanding something is a matter of grasping relevant principles. Knowing dates, chronology, terms, definitions, and even methods will not necessarily generate such understanding. In fact, often times, only through a critical exploration that tries to determine: what the 'facts' of a situation are; how one might interpret those facts, as well as the different ways in which one might evaluate their significance, does one begin to approach some of the principles inherent in the educational process.

The process of critical inquiry and exploration is what needs to be shared ... not an arbitrary list of isolated facts concerning that which is to be conceptually and experientially engaged. Far better that a student truly understand just one issue than have the capacity to recognize and/or recall a whole litany of facts with little, or no, understanding concerning their significance or how to use that information in real life situations -- for in the former case, a student is getting a taste of something that might have value and relevance to his or her life, whereas in the latter case, a student is just acquiring information of unknown significance and reliability.

Group discussion is not about everyone reciting the same ideas, facts, definitions, dates, and methods. Group discussion is about searching for

insight concerning the significance of whatever topic is being pursued in relation to the acquisition of 'constructive ways' to contribute to the development of self, family, community, nation, and world.

I don't have to know what the others do in order to participate in such a discussion. In fact, the discussion might be better served if we didn't know the same things but brought our individual differences in knowledge, understanding, experience, temperament, motivations, and personality to bear in taking a journey of reciprocity whose destination might not be known.

We still can play our individual and collective positions without having to know precisely what everyone else knows. We just need to have a degree of clarity about some of the principles that frame the learning process -- a clarity that is absent from all too many schools and educators.

While the rules of education tend to encompass things that can be specified and quantified in some manner, the principles of learning tend to involve qualitative issues. Critical thinking, creativity, insight, purpose, heuristic value, understanding, interpretation, character, and judgment tend to be highly nonlinear in nature and, as a result, very resistant to being exhaustively specified or lending themselves to quantification.

Many educators know the foregoing. Unfortunately, and for many different reasons, educators often do not do things in accordance

with what they know -- and, as a result, students, education, society, and even the teachers, themselves, fall victim to this disparity between knowing and doing and, in the process, become lost in rules and arbitrary sets of facts that have been removed from the original principle-governed framework of real inquiry.

Approximately 90 years ago, a very interesting and revealing experiment took place. It was, and is, known as the 'Eight-Year Study'.

The basic facts of the study are as follows. Some 30 schools, located in different geographical regions of the United States, participated in a program that was fashioned cooperatively by students and teachers.

In general, although there were some small degrees of variation in the form that different programs assumed, the curricula across these schools tended to be ungraded, interdisciplinary, emphasizing understanding rather than memorization, and was experiential oriented, rather than rooted in textbooks or lectures. In addition, competition was replaced with collaboration among students, and, as well, there was a sharing of power between teachers and students with respect to the direction that learning took.

The progress of more than 1500 students from the thirty experimental schools was matched with a

control group of about the same size who went about education in the usual way -- that is, through a process of schooling that was immersed in competition, grades, teacher control, textbooks, memorization, and treatment of subjects as being isolated and unconnected to one another.

In order to make sure that students in the experimental schools were not disadvantaged with respect to post-secondary opportunities, the assistance of hundreds of colleges was enlisted to disregard their usual admissions criteria (e.g., grades) concerning such students. Once admitted to college or university, the academic status of these students was monitored for four more years (thus, the title: 'Eight-Year Study'), along with the progress of their counterparts from the aforementioned control group.

The two groups were compared along a number of dimensions. These included: drop-out rate; grades; intellectual curiosity, and extracurricular activities.

The results from the study demonstrated that the experimental group did either as well as, or better than, the control group across the range of variables that were examined. In fact, one of the findings was that, within the context of the study, the greater the differences between the experimental curriculum and the usual or standard college-preparatory program, the better was the college record of the former relative to the latter.

Since the 'Eight-Year Study' there has been considerable research that has lent support to the forgoing findings. When students are given more control over their learning, when educators are more willing to listen, or more willing to serve as resource people and learning facilitators rather than didactic bankers who make regular deposits in the minds of students, when experiential oriented learning is emphasized over rote memorization, when collaboration among students is encouraged rather than competition, when grading and extrinsic rewards give way to non-graded, intrinsically motivated learning, when individual differences are treated with respect rather than ignored, then, in study after study, the results have indicated that either students do as well as, if not better than, students who are taught through the usual regimen of schooling.

The former students tend to retain basic material better, are more interested in the subject matter, as well as appear to be more creative and resourceful in problem solving and in adapting to new situations, than are their more traditionally bound counterparts. Moreover, and, perhaps, of even greater significance, is that when the context of learning is altered along the lines outlined above, the very people who tend to fall through the cracks of traditional models of education -- namely, the poor, racial minorities, and children whose individual differences make them odd-person out in 'regular' classrooms -- these students tend to be the greatest beneficiaries of educational programs

that are less authoritarian, less competitive, less regimented, less given to rote memorization, and less rooted in extrinsic modes of motivation such as grading.

If educators are exposed to the foregoing studies and do not do what they know, then shame on them. If the schools of education know of such data and results but do not pass them on to the future generations of educators through curricula that are firmly rooted in such findings, then shame on them, and if they do not know about these studies, then, they are just plain incompetent and unworthy of the responsibilities that surround assisting the would-be educators of tomorrow -- the people whose minds and hearts will be shaping the minds and hearts of many generations of children

If none of the foregoing gives one pause for serious reflection on the deplorable condition of all too much schooling today -- and irrespective of how well students do on artificial, arbitrary, and irrelevant standardized tests -- then consider a study by Stanley Milgram that was conducted in the early 1960s in New Haven, Connecticut. Ostensibly, the study was about learning and memory.

More specifically, advertisements were placed in a New Haven newspaper seeking participants who would be paid to serve as 'teachers' or 'learners' in a study that, supposedly, was intended to explore the manner in which punishment affects a person's memory. In truth, the experimental set-

up was organized so that the people who responded to the ad were always the 'teacher', and the 'learner' was a confederate of Milgram's who was posing as just another individual who saw the ad and decided to participate in the experiment.

Another confederate of the experiment played the role of a researcher whose primary job was to outline the nature of the experiment to the participants, appear authoritative and official, and to encourage the 'teacher' to complete the experiment. Once the experiment began, this 'researcher' would not speak or interact with the experimental subject (i.e., 'teacher') except to encourage the latter, whenever that person hesitated, to complete the experiment, or to indicate that completing the experiment was very important, or something similar.

The counterfeit learning task consisted in the 'teacher' saying word pairs, and, then, testing the 'learner' by repeating the first word of the pair, followed by four words, only one of which was correct. If the 'learner' provided the correct answer, the 'teacher' would go to the next word pair on the list.

If the 'learner' provided an incorrect answer, the lab was set up with a machine that was said to be a shock generator and came equipped with 30 switches that were set at increasingly higher intensities, ranging from: 'Slight Shock' (15 volts), to: 'Danger: Severe Shock' (435 volts). Each time the 'learner' produced an incorrect response, the

experiment required that the switch for the next level of shock be thrown.

In the most common form of the experiment, the 'teacher' and 'learner' were placed in separate rooms. The 'learner' was strapped into a chair that was wired to 'transmit' shocks delivered by the 'teacher' whenever the 'learner' responded by selecting the wrong switch that turned on one of four lights in the room where the 'teacher' was situated. In addition, the 'teacher' and 'learner' were connected by an intercom system.

Prior to the start of the saying of the word pairs, the 'teacher' observed the 'learner' getting strapped into the hot seat. Moreover, during this time, the 'learner' would say something to the effect of: "I hope the shocks are not too bad because I have a heart condition."

Once the 'teacher' returned to the room where the shock generator was located and started giving the word pairs, followed by the memory test, the early part of the 'learning' experiment would proceed uneventfully with some correct answers and some incorrect answers. When the latter occurred, the teacher administered the next level of shock.

Initially, the comments of the 'learner' after 'receiving' shocks from the teacher (that were, actually, no shocks at all – although the 'teacher' did not know this) were low-key, light, or humorous. However, when the switch marked 75 volts was thrown, the learner was heard to moan

audibly over the intercom, and as the supposed intensity of the shocks increased with each, ensuing, incorrect answer, the pronouncements of the 'learner' became more desperate -- such as: "the shocks are becoming painful"; or, "Get me out of here"; or, "I can't stand the pain;" or, just a howling or screaming of someone in considerable pain, or a banging on the walls; or, finally, just whimpering and, then, silence.

Each time a 'teacher' hesitated when hearing some of these verbal utterances of pain, the confederate 'researcher' would calmly tell or encourage the 'teacher' to proceed with the test. Despite the fact that many of the 'teachers' were experiencing tremendous conflict, discomfort, and emotional distress with respect to what appeared to be going on, Milgram discovered that 63% of the 'teachers' were prepared to throw all 30 switches, including the last one marked: 'Danger: Severe Shock'.

Over the next decade (until a set of ethical guidelines were implemented that prevented experiments like the foregoing being run) there were around 130 additional studies -- including some conducted in a number of other countries -- which replicated and augmented Milgram's findings concerning the issues of obedience and compliance. Furthermore, while the basic experimental format was altered -- by Milgram and other researchers -- in various ways to see what, if any, effect such changes would produce in the

experimental outcomes, and although in the case of some of these changes the percentage of people who were willing to complete the sequence of switches dropped to 20%, most studies generated obedience figures of between 50 and 65%, and some of the results even went as high as approximately 90% compliance.

The people who 'volunteered' for these studies were neither sociopaths nor sadists. They were average people representing a cross-section of society, and one wonders how 'average' people could be prepared to deliver such supposedly painful shocks with little more than a polite but firm "please continue".

There has been much research to try to identify the dimensions of personality, family life, socio-economic status, and value systems that might create a context out of which such obedience is likely to emerge -- a compulsion to act in a socially defined way despite the pain or difficulties that are being generated for others as a result of such actions. Obviously, one critical question is the extent to which, if any, the authoritarian properties inherent in much of modern schooling -- both public and private -- induces students to become inclined to be obedient to the presence of authority figures under various social conditions that might require actions that cause pain to other people.

However, there might be darker implications residing within the different obedience and compliance studies -- something that is not about

possible tendencies toward obedience being acquired by students as a result of authoritarian schooling structures. The potential problem here concerns teachers.

Although Milgram seemed to be both surprised and fascinated by the manner in which the experimental subjects would exhibit intense physiological and emotional signs of distress in relation to their behavior -- that is, being obedient to the urgings of authority to finish the test -- there is no indication that Milgram, himself, was distressed by what he was doing to his subjects. Apparently, he felt completely at ease with his role of enticing, on average, 63% of the subjects to run the complete set of 30 switches.

In other words, Milgram should have added himself to the data pool, because, in actuality, he was doing to his subjects what his subjects only thought they were doing to the 'learners'. Milgram was obedient to the scientific imperative to find out things no matter what harm might be inflicted upon others in the process.

It doesn't matter what rationalization Milgram and others like him use. The fact of the matter is that he (and the rest) knowingly caused people great physical, emotional, and moral pain, and he did this not once or twice, but again and again and again and again. He did it for all of the subjects who 'went the distance' in the basic experimental design ... and, to some extent, he did this even with respect to those who stopped short of throwing the

complete set of 30 switches, but who, nonetheless, might have experienced tremendous conflict before saying: 'no more'.

As saddening as the truth is that there were such a large percentage of people who were inclined to see things through to the bitter end, these subjects only did this once. Milgram did it many, many times, and one wonders why did he would do this? ... because the experiment required it? ... because the scientific process 'required' it? ... because the search for knowledge 'required' it?

The only apparent difference between Milgram and his subjects is that he experienced little, or no, physical, emotional, moral, or spiritual difficulty in relation to the pain he put others through. In addition, as noted above, he did many times what his subjects did only once.

The possible parallels with schooling are, in a rather macabre fashion, intriguing. If one puts educators in the role of Milgram, they, too, believe, apparently, that irrespective of whatever pain they put students through, the process is warranted because authority requires that it be done -- not because available evidence warrants this (which it does not); or, because one can prove (which one can't) that the damage done is compensated for by what is accomplished (namely, the ability of a small percentage of people to do well on various standardized test and who, very likely, would have done just as well, if not better, if they not been treated like so many medieval vassals who are

subject to the whims and fancies of their 'lord liege', the educator); or, because one can show (which one can't) that it is the moral thing to do; or, because one can demonstrate (which one can't) that the future of civilization depends on inflicting such pain on 'those who are about to die' by entering the modern coliseum known as school.

Like Milgram, educators inflict their pain on the unsuspecting, innocent, naive, students, not once or twice, but again and again and again. Like Milgram, all too many educators are caught up in their own obedience feed-back cycle with respect to which they do not have the understanding, competence, or courage to break free -- in other words, to be like the 37% of experimental subjects who refused to be obedient to the dictates of the experiment. Like Milgram, all too many educators, believe that encouraging, if not forcing, students to go on with the experiment despite the obviously increased levels of distress and difficulty that are encountered at enhanced levels of punishment, is quite appropriate.

One can add food for thought to the foregoing by noting the work of Martin Seligman (also done in the 60s) concerning 'learned helplessness'. In somewhat abbreviated terms, Seligman discovered that when dogs were placed in an experimental apparatus through which they were subjected to repetitions of painful shocks from which they could not escape, eventually, the dogs tended to retire to

one corner or another, lie down, and just whimper as the shocks continued to be administered.

Furthermore, Seligman observed something else. Once the dogs had been conditioned to their circumstances of inescapable, repeated pain, then even when they were shown a way out of their situation -- and, sometimes, dragged through a door to demonstrate there was no pain on the other side -- nevertheless, when placed back in the 'room of pain', the dogs would tend to just lie down and continue to experience the pain without doing anything to alleviate that pain.

Learned helplessness might be endemic in the hallowed halls of 'schoolhood'. In fact, not just students exhibit many characteristics of this pathology, but so do many of the educators.

Both students and teachers are placed in an experimental apparatus called school from which there is little opportunity to escape and within which pain, of one sort or another, is inflicted on a regular basis. Teachers 'shock' students. Students 'shock' teachers. Both are 'shocked' by, and, in turn, 'shock': principals, school boards, superintendents, and so on.

Even when someone comes along and shows the conditioned victims of schooling (i.e., students, parents, teachers, principals, administrators, and school boards) how to escape the pain, many of them just retreat to their respective corners and continue to whimper while trying to endure an intolerable, yet, totally unnecessary, situation.

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Depression, performance anxiety, poor self-esteem, learning difficulties, and a variety of physical pathologies are all traceable to the effects of learned helplessness. Yet, the beat goes on, and educators continue to act in ways that are completely at odds with what is known.

Knowing and doing ... as someone once said: "Betwixt cup and lip is many a slip". (If you enjoyed this chapter, then, you might also like *The Schools Our Children Deserve* by Alfie Kohn.)

6.) Homework

There is a general belief among many parents, teachers, educational administrators, politicians, and media representatives that homework is essential to the process of schooling. This belief is true, but not for the reasons that most people suppose.

According to those who hold the foregoing belief, homework plays a crucial role in helping students to: (a) acquire a love of learning; (b) develop self-discipline; (c) enhance creativity; (d) learn good study habits; (e) facilitate communication between parents and teachers; (f) improve student attitudes toward school, and (g) become better citizens. The truth of the matter is there is little, or no, reliable empirical data to back-up any of the foregoing claims.

To be sure, there have been hundreds of studies that purport to demonstrate 'this' or 'that' concerning the relationship between homework and one, or more, of the aforementioned qualities, but the vast majority of these studies either suffered from a variety of research design defects, or generated results of a contradictory nature, or could not show that whatever relationship that might exist between homework and some given quality related to schooling was clearly causal in nature rather than correlational ... that is, associated with one or more of the above qualities in a statistical manner that could not be properly

experimentally analyzed to indicate whether the nature of the association was something other than incidental or, even, irrelevant, to the studies central hypothesis.

For instance, let us suppose some educator does a study that seeks to prove that giving homework leads to, say, greater academic achievement. This educator completes his investigation, writes up the results, and concludes there is a positive correlation between the assigning of homework and test scores.

Before one starts jumping to conclusions that this educator has proven that homework leads to better test scores, one has to consider a variety of factors. Where was the study done (for example, in a private school, rural region, or inner-city district)? What was the kind of homework involved? Was the result independent of teaching methods and/or teachers? What subjects were considered in the study? What were the criteria used in assessing the test scores and performance on homework? Were these objective or subjective in nature? Would the students who did well on the test have done just as well without homework? What control groups were there? What steps were taken to ensure that the control groups and the experimental group were roughly homogenous in all relevant respects except for the variable of homework? What statistical methods were used in analyzing the data? Were these methods appropriate? Was the positive correlation

statistically significant and at what level? Were the results reproducible or replicated in other studies? Could one plausibly account for the outcome of the study in other ways? ... and so on.

When someone says that a given study concerning homework entailed one, or more, design defects, such an individual is maintaining, in effect, that questions, like those noted above, were not addressed adequately and, as a result, the conclusions of the study are suspect or have been compromised, and, therefore, are unreliable. Alternatively, if two different educators run a similar study seeking to determine the relationship between homework and academic achievement, but produce contradictory results (i.e., one study says that homework helps, and the other study says that homework does not help), then, one has to do further studies in order to try to figure out what actually is going on -- both with respect to such studies, as well as in relation to the hypothesis that assigning homework leads to better test scores. Until one is able to sort all of this out, we are not in a position to claim either that homework does, or does not, help with respect to higher test scores.

The fact there have been hundreds of studies centering on homework and schooling that have been conducted over many decades and, yet, no definitive evidence has been forthcoming that demonstrates that homework generates the results that advocates claim for it is, in and of itself, highly significant. After all, if the homework issue were

the 'no brainer' that many proponents of homework maintain, then one might suppose that a rather substantial amount of 'reliable' and reproducible evidence should have been forthcoming by now, and this just is not the case.

Even if someone were able to show there was some sort of positive correlation between the assigning of homework and test scores, and even if someone were able to demonstrate that the correlation was strong and that other possible explanations for, say, enhanced test scores had been eliminated, there is another question that must be raised in conjunction with such findings -- that for purposes of argument I am assuming to be positive -- namely, what costs are there associated with the assigning of homework.

For instance, if a student is assigned 'x' amount of homework that requires 'y' amount of time every evening, then, what impact does this have on the individual's relationship with his or her family? If a youngster lives in a home in which the student needs to work in order to help the family pay bills, and/or needs to look after siblings because the parents are working, and/or has responsibilities with respect to ailing grandparents, and/or is expected to do various kinds of chores (such as cooking meals), and/or has religious commitments within the home, then, how does a student balance the needs of the family against the demands of school, and how does one weigh the importance of the two different realms -- especially if there is no

experimental evidence that shows that doing more homework will result in getting subsequent employment that is high paying and permanent.

Or, let's look at this issue from a slightly different set of vantage points. Is doing homework more valuable than spending time with family? Is doing homework more valuable than volunteering in the community? Is doing homework more valuable than pursuing and developing proficiency with some hobby such as photography, computer graphics, and so on? Is doing homework more valuable than belonging to groups such as Boy or Girl Scouts? Is doing homework more valuable than developing a stable, healthy set of relationships with other people? Is doing homework more valuable than trying to establish a clear-cut sense of social or spiritual identity? Is doing homework more valuable than participating in neighborhood projects -- ranging from political campaigns, to charitable causes, to cleaning up the neighborhood?

Many advocates of assigning homework suggest that the process of homework helps people to develop skills that will assist the individual to be better workers, citizens, and community members. However, one can easily ask whether there might not be alternative -- and, perhaps, better -- ways to learn how to become more fully contributing participants in the world of work, democracy, and community, other than through homework.

There also are important questions of equity surrounding the issue of homework. Not every student goes home to the same set of circumstances, and, consequently, some students face stresses, obstacles, and problems in relation to the completion of homework that are not experienced by other students.

More specifically, if a student has no regular place to do homework, or cannot find peace and quiet for an extended period of time, or cannot afford the supplies that might be necessary to do homework, or does not have the equipment (computers, typewriters, calculators, paper, pens, glue, tape, stapler, and so on), or does not have parents who are able to assist her or him, or who might not even be supported and encouraged at home to do well in school, then, from the point of view of educational fairness, how does one reconcile these circumstances with those of a student who has a regular, quiet, well-equipped place of study and, in addition, has parents or other resources that can be called upon in order to finish homework assignments? Does homework really mean the same thing in both sets of circumstances or does it have the same educational impact on the respective students?

Another aspect of the equity issue is whether schools even have the moral right to intrude into, and disrupt, the families of students via the agency of homework. Furthermore, what right do schools have to expect that parents should be able (either

in terms of competency, training, or time) to take on the unpaid responsibilities of doing what schools and teachers get a great deal of money to do -- namely, to educate students? And, finally, what right do schools and teachers have to assume that parents should be willing to help their children do homework that might involve lesson plans, projects, or themes, with which the parents don't agree -- politically, morally, spiritually, and/or philosophically?

Are the educational gains of homework worth the stress, tension, and disharmony that enters a home via such extra-school requirements? Is homework more important than family harmony and stability?

These questions can't even be addressed because the available 'evidence', if it can be called that, has, yet, to demonstrate, beyond all reasonable doubt, that homework has a pay-off that is of greater import than family harmony, or the physical and emotional well-being of a student, or a healthy development in a student's sense of self-esteem or identity, or the student's participation in the community (through work, volunteering, clubs, and, even, friends). Indeed, how would one go about weighing, analyzing, and assessing such issues, and what criteria and standards would one use?

None of the foregoing discussion has, yet, touched on the quality of homework. Are students merely being given busy work to create the

impression that teachers and schools are doing their job? Is the homework boring or interesting and challenging, and can one assume that what is interesting and challenging to a teacher will be received in the same way by students? And, do creative, innovative homework assignments necessarily lead to better understanding among students?

What standards are being used in the generation and evaluation of homework? Whose standards are these? How were they developed and why? Do all teachers operate with the same set of principles in the assigning and grading of homework? Do teachers co-ordinate their homework assignments? Who, if anyone, is keeping track of all this and ensuring that the homework, taken collectively, is serving and achieving substantial purposes involving learning?

Homework is a mantra that is part of a faith that is imposed on students and their families alike. It is a mantra that is chanted by many, if not most, school boards, principals, teachers, and politician but whose efficacy, validity, and value are in serious question.

Like many doctrinaire systems, no one is permitted to question this central tenet of educational faith without running the risk of being labeled a heretic and trouble maker. Moreover, the chant concerning homework is so prevalent that even parents have been induced to mouth it despite the fact of experiencing, on a daily basis,

the tremendously disruptive and, often times, destructive effect homework has on family life and on the healthy development of their children.

Many advocates of homework argue that we live in a world where we must learn how to work longer and harder in order to compete and survive. Homework is part of the intensification of effort that is being foisted on students and their families in order, supposedly, to make us more competitive and more to offer to the community.

Yet, working harder and longer is not necessarily the same thing as working 'smarter'. Moreover, until educators can prove that homework is synonymous with working 'smarter', those who insist on making homework a central part of the schooling process seem little better than snake-oil scam artists of the past who made all kinds of promises about the wondrous effects of the elixir they have to offer for what ails us educationally, but with respect to which the beneficial results have, yet, to be proven.

The subjective, anecdotal impression of educators that homework has fundamental value is really not sufficient to warrant the intrusion into the extra-school life of students and/or their families. Educators would not accept the subjective impressions of students concerning various issues, and educators would demand that students be able to back up their claims. This practice of do as I say, not as I do (when it comes to proving that homework works and is worth the sacrifices that

must be made by everyone) sets a terrible example for students.

There is a principle that exists that is referred to as the 'known-harm' test. Essentially, this principle states that if one cannot demonstrate the positive value of some practice, but one can provide evidence concerning the discernible harm that ensues from such a practice, then, one has an obligation to adopt a policy that avoids the known harm, rather than opt for a policy that promotes a practice that is of dubious and unproven value.

Under the present empirical circumstances, there are numerous reservations about, and questions surrounding, the issue of homework's value with respect to learning. To continue to pursue a policy of assigning homework under such circumstances -- while, simultaneously, keeping in mind the very real problems that homework generates in the lives of students, their families, the community, and even schools -- violates the principle of 'known-harm' in a rather substantial way.

Less anyone should construe the foregoing as advocating that students need not expend effort to learn, please note the following point. There is a huge difference between compelling someone to do school work (that is, usually, of an arbitrary, artificial, and irrelevant nature) outside of school hours and establishing a learning environment in which an individual is motivated to explore, reflect,

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and do research on her or his own, quite independently of compulsion.

Educators tend to assume -- without justification -- that the former is the same as the latter and will produce the same results. However, this is not only experimentally and clinically not correct, but the foregoing assumption runs counter to what most of us know to be so and that is backed up by the empirical data arising out of our own personal experience across many years of education.

Individuals must find their own way to cognitive and creative industry. Such commitment cannot be manufactured -- for instance, through homework -- by someone else and forced upon an individual without considerable, counterproductive damage being done in the process.

(If you are interested in exploring the issue of homework further, you might want to read: *The Homework Myth* by Alfie Kohn as well as *The End of Homework* by Etta Kralovec and John Buell)



7.) The Sound of One Hand Clapping

A lot of controversy, anger, and intolerance have been generated through the Creationist/Evolutionist debate. But, as the old Buffalo Springfield's song, 'For What It's Worth', states: "Nobody's right, if everybody's wrong", and in this debate, there is a great deal of 'wrong' that is being committed on both sides of the argument.

What follows isn't about whether one side, or the other, in this two-tiered monologue is correct. Much more space than is occupied by the present essay would be necessary to try to arrive at a judicious judgment concerning the tenability of any given position -- a problem made more difficult since there is more than one position being given expression through each side of the debate.

Instead, this essay is a comment on the apparent inability, or unwillingness, of all too many, supposedly, rational people to be interested, seemingly, in searching for the truth, as opposed to merely advancing a scientific, philosophical or theological perspective that they champion. My point of departure is a series of e-mails I sent to representatives from both sides of the debate.

More specifically, more than 20 years ago, I wrote a book entitled: *Evolution and the Origin of Life* that used the venue of a mock trial as a vehicle for exploring various ideas within modern, scientific accounts concerning the origins-of-life

issue. Although self-contained, the book was a fairly technical examination of a body of data drawn from such areas as: pre-biotic chemistry, earth sciences, molecular biology, thermodynamics, cytology, and membrane functioning -- data that tends to be used to lend support to an evolutionary account for the appearance of life on earth.

After finishing the above work, I began to contact a number of people who I believed might be interested in the book in an attempt to generate discussion along certain lines that I felt, up until then, had been receiving insufficient attention. The people contacted were those who espoused either 'creationist' or 'evolutionist' inclinations.

While I cannot argue that the sample on which this article is based is representative of the respective creationist or evolutionist populations as a whole, nevertheless, there were some disturbing findings -- informal and statistically questionable though these might be. And, oddly enough, what was most disturbing was an attitude that appeared to be held in common by both sides.

Perhaps, the best way to describe what I mean is to say that the attitude in question seemed somewhat reminiscent of the orientation of the clergy at the time of Galileo when they refused to look through the telescope in order to verify whether there was any factual substance to Galileo's claims about certain aspects of the physical universe. Or, stated in another way, both Creationists and Evolutionists seemed to be saying:

don't bother me with facts, they only confuse the matter.

Over the years, I have tried to enter into discussion with people from both of the foregoing camps. With certain exceptions, I have found each of the camps (yes, so-called scientists as well) to be fairly arrogant, intolerant, closed-minded, and surprisingly ill-informed about a variety of issues.

I'll describe two, relatively brief, examples to try to illustrate what I have in mind. One of these comes from the 'creationist' side of things, and the other example is derived from the 'evolutionist' perspective -- and let me reiterate that neither side can be distilled down to a single, monolithic position, so one has to consider what is being elaborated upon here with a certain soupcon of intellectual caution.

In any event, when I e-mailed a variety of people from the 'creationist' camp and informed them about my book, I suggested their position might be enhanced if they were to refrain from trying to base their reasoning on an 'argument from design' approach because this had the effect of deflecting focus away from the actual factual issues and, in the process, permitted the evolutionist camp to alter the framework of discussion by avoiding having to deal with problematic scientific data and/or conclusions and, instead, evolutionists could spend all their time on critiquing a vulnerable philosophical position (i.e., arguments from design), rather than having to

defend the weak underbelly of their own scientific theories concerning the origins of life on Earth.

Almost invariably, the response that I received to the foregoing suggestion was a variation on the following: there was no need to remove the 'argument from design' issue from the table because they wanted to show not only that evolution was incorrect but that the available evidence served to 'prove', as well, that their theological perspective was correct. In other words, it was theological desire that was most important, not evidential considerations -- even though, if they had stuck with just critically examining the evidence, their ultimate goal might have been better served.

At the very best, an argument from design, cannot possibly demonstrate that one theological perspective is more correct than some other such perspective. All such an argument can show -- even if correct -- is that somehow, order is present in the universe, and one can only speculate as to why and how such order came to be.

In fact, as some proponents of complexity theory argue, there might be physical laws in the universe that might operate in such a way that emergent structures arise out of the interaction of purely random systems when one goes from one level of scale to the next. So, the existence of determinant structure does not necessarily point in the direction of a theological answer - or, so such an argument goes.

By insisting on a modus operandi that is, at heart, theological in nature, the creationist camp opens itself up to a whole series of issues that takes attention away from what should be the sole topic of debate -- namely, whether available evidence actually 'demonstrates' that an evolutionary account of the origins of life is tenable. By letting their theological agenda get in the way, such creationists tend to undermine their own interests and complicate the discussion unnecessarily.

By contrast, people from the evolutionist camp often tend to argue that modern evolution constitutes the only theory that is accepted by scientists as being reflective of the available evidence. This might be true, but it is neither here nor there as far as trying to establish whether modern evolution embraces a correct understanding of how life began on Earth.

Across history, the majority of scientists, eventually, have been shown to be wrong about many, if not most, of the things that they held to be true. Although every generation of scientists tends to believe that it possesses insights into, the 'truth' about nature, succeeding generations of scientists always have disclosed the flaws in, and problems with, previous scientific theories and understandings.

Consequently, to say that the majority of scientists today hold the theory of evolution to be true or consider that theory to be the only, available candidate worthy of being advanced,

probably says more about the sociology of science than it does about the state of the universe. Furthermore, even if one were to agree that modern evolutionary theory is the only, available, scientific account of the origins-of-life on Earth, this is like saying that because the police have only one suspect who they are seriously considering, then, therefore, the police's theory about how things occurred must be correct.

To begin with, there is general confusion between macro-evolution and micro-evolution. Essentially, the former is preoccupied with population genetics, whereas the latter is about how genetic systems come into being in the first place.

Population genetics is entirely irrelevant to the origin-of-life question. Population genetics only becomes relevant when one has populations of biological or quasi-biological systems that are capable of passing on information about how to perpetuate, or generate new, viable forms and functions to subsequent generations.

Micro-evolution attempts to explain how biological or quasi-biological systems arise from conditions that are devoid of such systems. In other words, how does one make the transition from the realm of non-living chemical systems to the world of living entities?

My aforementioned book, *Evolution and the Origin of Life*, was a critique of modern scientific accounts concerning the origins of life on Earth.

The book was not pushing a theological agenda, nor was it trying to prove some theological position.

Rather, in effect, the book put forth a variety of scientific data and arguments indicating that micro-evolution was not even remotely close to providing an adequate, plausible, tenable theory concerning how life came into being on Earth. There were just too many, unanswered questions and too many lacunae in the theory, or set of theories, that constitutes the modern evolutionary account of the origins of life.

Often times, the response I get from evolutionists is a variation on the following -- 'well, if the theory of evolution is not true, then, what are you going to put in its place?' In truth, when we don't know something, we should admit our ignorance rather than try to force-fit facts into a theory that is, at best, fundamentally incomplete, and, consequently, tends to raise more questions than it answers.

However, rather than engage me in a purely factual or evidential discussion concerning the adequacy of evolutionary theory vis-a-vis the origins of life enigma, the response I got back from evolutionists was either complete silence, or some sort of critical musing about how could someone, in this day and age, who has a graduate degree (i.e., me), be so scientifically unsophisticated as to not accept evolutionary accounts concerning the origins of life on Earth.

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Like Galileo, I have looked at the available evidence and have come to certain conclusions that, in time, might prove to be correct or incorrect. Unfortunately, the response of all too many evolutionists whom I have contacted seems to be one of being like the clerics of Galileo's time and refusing to really look at the evidence because they are afraid, apparently, of what they might 'see'.

From an educational perspective, I am uncomfortable with either creationists or evolutionists being in charge of shaping curriculum with respect to origin of life issues. My discomfort arises from the fact that, despite certain exceptions on both sides, I have found each side to be resistant to the idea that the fundamental commitment we have to children is to help the latter search for the truth rather than be force-fed preconceived, problematic doctrines that might prove to be obstacles and stumbling blocks on the way to finding truth, understanding and wisdom.

Am I saying that all of spirituality or all of science is doctrinaire and problematic? Not at all, but just because something calls itself scientific or spiritual or claims to be in the best interests of children, this does not, in and of itself, automatically make it so.

8.) Ockham's Razor

Someone once asked the following question with respect to the previous essay, 'The Sound of One Hand Clapping': "Isn't one obligated to defer to long- standing guidelines, like Ockham's razor, when engaging issues such as the debate between evolutionists and creationists, and, if so, doesn't this mean that one should accept evolution as being the simpler of the two accounts concerning origins?"

For those who might be unfamiliar with the idea of Ockham's razor -- which, sometimes, is referred to as the principle of parsimony -- this precept (first stated by William of Ockham in the 13-14th century) maintains, in effect, that: assumptions, terms, and concepts should not be multiplied beyond necessity. One of the problems facing this principle is that we cannot always be sure we understand what, precisely, is entailed when the phrase: "beyond necessity" is used.

Theories are, by nature, projections onto a body of data, and, in the process, theories seek to make coherent sense of such data. Unfortunately, the fit between the form of a theory and the structural character of a given data set is, usually, not precise since there tend to be both empirical and logical lacunae in a theory that leaves a variety of facets of the data unexplained or associated with questions that cannot be adequately addressed by

the theory -- that is, so-called anomalous results, facts, or data.

In addition, over time (both short and long term), assumptions, vocabulary, and concepts all change, and, among other things, this makes comparisons between even similar, scientific theories rather difficult, let alone between relatively different approaches to a given body of data such as is the case in relation to evolutionary and creationist accounts of the origins of life on Earth. Consequently, trying to determine which of two theories has, or has not, multiplied terms, concepts, or assumptions 'beyond necessity' is a complex problem, and, oftentimes, an issue that cannot be easily, if at all, resolved.

Furthermore, implicit in the idea of 'beyond necessity' is the assumption that, in any given instance of phenomena, we know what is going on and, therefore, we know what is, and is not, necessary as far as description, understanding, and explanation are concerned in such cases. In truth, we rarely are in a position to be able to ascertain the boundary conditions of necessity with respect to that which is to be treated as requisite -- i.e., necessary -- terms, conditions, and assumptions.

Now, the 'reality' of 'things' is all there is. And, certainly, no theory should impose something on to 'reality' that does not belong there and, as such, would be 'beyond necessity'.

However, there is nothing that obligates one to accept any given application of Ockham's razor as

an expression of universal truth. Ockham's razor is a working principle that, loosely speaking, indicates there is a certain desirable symmetry in having our understanding exhibit congruence -- which is itself an ambiguous idea -- with the 'data' to which our experiential engagement of reality gives rise.

Nevertheless, simply because a theory claims to give expression to this principle, this does not, automatically, mean the principle in question has been served. Indeed, a lot of things have been claimed in the name of Ockham's razor, and not all of these claims necessarily are legitimate expressions of this principle in action.

For instance, to work from the assumption of randomness is not necessarily any more parsimonious than to work from an assumption of Divine design. In fact, one can never prove anything to be a function of random events since there always could be some unknown algorithm that is capable of generating a given structure that, heretofore, has been assumed to be an expression of random phenomena.

Alternatively, there is no inherent contradiction in proposing that evolution does occur, and, yet, simultaneously, argue that such evolutionary transformations give expression to Divine design. There has been more than one theistically oriented thinker who has taken this sort of stance (e.g., de Chardin and Matthew Fox) -- and, one can note this fact quite apart from any

questions concerning the ultimate tenability of those particular theories.

One of the crucial issues -- a primary 'sticking' point, as it were -- underlying the evolutionist versus creationist debate turns on whether biological origins and/or change is, or is not, a function of purely random events, or, considered from a slightly different perspective, is a function of events that might be determinate but are, in some sense, self-contained and, consequently, quite independent of any need to invoke a theistic dimension to either account for such processes, or to set them in motion, or to regulate them.

If there is no God, then, assuming a Deity in order to account for phenomena that are 'purely' natural is, according to this way of thinking, a violation of Ockham's razor. On the other hand, if there is a God, and God created the physical universe, then, assuming a purely physical account (whether of a random, or a determinate, but non-linear kind) to explain phenomena that, ultimately, are rooted in Divine dynamics of creation is also a violation of Ockham's razor, for it has construed things in a way that takes them 'beyond necessity' - - necessity being established by reality, not theory.

Even if one were to demonstrate there were a set of physical, chemical, biological, and thermodynamic laws that were capable of adequately describing and explaining the origins of life on Earth, such a set of laws, in and of itself, does not preclude the possibility that a Deity or Supreme

Being has authored, generated and established those laws. In other words, the existence of a complete scientific theory concerning the origins of life cannot be used as grounds for invoking Ockham's razor in order to disallow the possibility that the existence of those laws is due to Divine activity. This is so because the idea of Divine creation could be seen to be fully consistent with such a set of laws and, therefore, the former cannot be either empirically or logically precluded by the presence of the latter set of laws.

The matter is rationally indeterminate as it stands. And, Ockham's razor is incapable of deciding the issue because what is 'beyond necessity' cannot be settled by a philosophical or methodological principle that cannot, by itself, determine the nature of 'necessity', and, thereby, establish a baseline against which 'beyond' can be measured in any reliable, undeniable fashion.

Aside from what has been said above, there is a further difficulty with the use of Ockham's razor. More specifically, this principle tends to presuppose that the idea of what constitutes 'necessity' is something that is capable of being resolved through rational means. In other words, use of this principle tends to have a rationalistic bias to it ... or, at least, this is how the principle tends to have been employed down through the years, and, moreover, such a bias reflects the philosophical orientation of its 'inventor', William of Ockham, who was a proponent of scholasticism -

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- a form of thinking that was deeply influenced by the logic and metaphysics of Aristotle.

If, however, the nature of reality is such that it is not capable of being reduced to, or completely circumscribed by, rationalistic methods, then, one has to question the meaning and value of bringing Ockham's razor into the discussion. One cannot assume one's conclusions, and through one's desire for 'rational' accounts of the universe, demand that reality fit into one's rationalistic molds.

One must take 'reality', whatever this might be, on its own terms -- as best one can. Maybe, some levels of 'what is' can be understood through rational modalities -- as far as the terms, assumptions, and concepts of such modalities go -- and that these modalities are, more or less, accurate, or useful, ways of talking about such phenomena ... and, indeed, the successes of science, mathematics, and technology are consistent with this sort of perspective.

On the other hand, there might be some dimensions of 'what is' that fall beyond the horizons of rational discourse ... not because such realms are irrational but because they supersede the limitations inherent in the capacity of reason to grasp the nature of 'what is' within such dimensions of Being. If so, then, to invoke rational principles to explain what is supra-rational is a violation of the spirit of Ockham's razor even though, for the most part, this, usually, has not been

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part of the mind-set underlying use of this philosophical principle.



9.) Educational Purpose

One of the recurring and central themes of debates, discussions, and arguments concerning education revolves about the issue of purpose. More specifically, there is a wide divergence of ideas and opinions with respect to what the nature of educational purpose should be.

The problem is critical because pretty much everything that goes on within education is affected by the clarity -- or lack thereof -- that characterizes a person's understanding of this notion. Politicians, government officials, school boards, principals, teachers, students, parents, universities, businesses, and media representatives all tend to evaluate the process of education in terms of whether, or not, a given school, course, student, and/or teacher is engaged in the sort of activities that seem capable of realizing the purpose(s) that one, or another, individual perspective has projected onto education as the reason or reasons why one believes education is worthwhile pursuing.

Educational reforms are supported, or resisted, because the changes being put forth are believed to either advance, or undermine, a particular purpose of education. Power struggles within, and among, schools, school boards, and governments are often, -- either directly or indirectly -- about matters of: educational purpose, who gets to control what that

purpose will be, and how such a purpose is to be realized.

The following comments provide a brief overview of some of the many purposes that could shape an educational context. The exercise is not an academic one for there might be an oasis, of sorts, awaiting us at the end of this journey.

However, in order to better appreciate the potential value of what such an 'oasis' might have to offer, one needs to understand, to varying degrees, the actual nature of the problem with which we are confronted. Perhaps, one way of achieving this kind of insight is to outline some of the available possibilities and see where reflection on these perspectives might lead.

The present exploration is not meant to be exhaustive. Yet, a sampling of some of the candidates being alluded to above might be all that is necessary to provide sufficient evidence to lend credence to the idea that the aforementioned oasis of mystery is not a mirage and is capable of helping us to survive, if not flourish, amidst the arid wasteland of education with which we, currently, are surrounded.

If one were to ask interested parties about what they believed the purpose of education should be, one might receive something like the following list of candidates. This would include:

(1) preparing for jobs and careers; (2) acquiring civic responsibility as well as an understanding of the nature of democracy and government; (3) forming character, along with developing ethical and moral sensitivities; (4) learning how to solve problems; (5) fostering processes of critical thinking; (6) awakening and honing spiritual or religious awareness; (7) being initiated into a tradition of accumulated cultural and scholarly discoveries, institutions, and achievements; (8) realizing individual and collective potential; (9) searching for truth; (10) mastering emotions and forming healthy relationships within families and communities; (11) nurturing creative potentials through art, music, literature, and dance; (12) becoming world citizens and stewards of the earth's collective ecological, economic, technological, and humanitarian future.

Some lists might contain just one of the foregoing possibilities. Other lists might involve more than one candidate, and among these multiple selection lists, one would find the choices being combined and emphasized in different ways.

Nevertheless, whether an individual selects one educational purpose, or a number of them, a person is faced with a need to begin specifying what is meant by the educational purpose, or set of such purposes, that one is advocating. This process of trying to put purpose into concrete terms will

raise a number of questions that must be answered satisfactorily before one can hope to enlist the support of other people. Moreover, the following questions are but a small subset of the total number of critical questions that might be asked in relation to any given approach to educational purpose.

For instance, what kinds of jobs and careers should students be preparing for? How does one prepare students for a job market whose characteristics, demands, needs, technology, and problems are constantly changing? Who gets to determine what such preparation will entail, and on what basis does one justify either the 'who' or the 'what' in such determinations? How much say and choice should parents, students, teachers, schools, school boards, businesses, and governments have in shaping and implementing such determinations? What remedies are there if the process of determination turns out to be faulty?

What rights, duties, and responsibilities are inherent in the nature of civic responsibility? What is democracy? Is it just a matter of the majority rules or are there rights and principles to which individuals are entitled that cannot be ignored, or run rough-shot over, by the majority? If so, what are these fundamental rights and principles, and how does schooling either enhance them or undermine them? Whose version of democracy should be taught or learned?

What does character formation entail? Is it a matter of nature or nurture or some combination of the two, and if the latter, what is the precise relationship between the two? Is character a function of ethics and morality, or are the latter a function of the former? Which systems of ethics, morality, and character formation should be taught and why? How should these systems be taught, and do individual students have any choice in what they are, and are not, exposed to, or to what degree?

What kinds of problem solving should be taught: Scientific ... Mathematical ... Political ... Economic ... Legal ... Emotional ... Social ... Spiritual ... Interpersonal? Which methodologies ought to be adopted and why? Can all problems be solved by a core set of techniques, and how do we assess the quality of any given 'solution'?

What is meant by 'critical thinking'? What assumptions, methods, values, goals, and criteria are involved in critical thinking? Is there only one way of doing 'critical thinking', and if not, how does one compare different styles of critical thinking? Can everyone develop a certain degree of facility for critical thinking? What is 'objectivity'?

What is meant by spiritual or religious realization? Should the approach be exoteric or esoteric -- that is, should the approach be concerned with only the outward rites and litanies, or should it be focused on inner, mystical possibilities, or some combination of the two?

Should a variety of traditions be taught, or should only one? What about those who are not interested in pursuing religious or spiritual goals? Does the constitution forbid the teaching of religion in public schools, or does it only forbid the use of public schools to establish a given religion independently of a person's right to choose her or his own path or to be free of the ramifications of such a process of establishment?

Given that the intellectual and cultural gifts of the past that have been bequeathed to posterity have taken thousands of years to accumulate, and given that there are experts who have spent their entire lives just trying to master one or two of the aforementioned set of gifts, and, finally, in light of the fact that such experts disagree about the significance or importance of different aspects of what has been bequeathed, how does one go about selecting that subset of the entire collection of intellectual and cultural treasures should be introduced to students in elementary, middle, or high school? Is the memorizing of certain facts the best way to engage what has been bequeathed, or is the development of an appreciation and understanding concerning the principles, issues, problems, and methods entailed by the achievements of our predecessors, the best way to go? If the former is preferable, then, which set of facts should be selected and what justifies such a selection? If the way of insight, understanding and appreciation of principles and issues is chosen, then, which insights, understanding, and modes of

appreciation are to be taught, and why? And, what are the criteria for determining what constitutes: "best"? Will learning such things make individuals better, more responsible, more committed, and happier, and if so, in what ways is this so, and how do we demonstrate this?

What is meant by individual or collective potential? Is this potential: intellectual ... spiritual ... physical ... economic ... cultural ... political ... creative ... or, some combination of these, and, if so, what kind of combination, and what, precisely, is meant by any of these various sorts of potential? How are individual differences of potential treated and what significance, if any, should be attributed to such differences? What if an individual is interested in developing some of the potential but not all? What if these inclinations run contrary to what others in society feel is appropriate?

How do we recognize the truth? How do we search for it? How many levels of truth are there? Is searching for the truth an obligation, and, if so, what is the authority that sanctions this sort of duty? Can the truth be discovered only through rational means or are there trans-rational ways of engaging the truth, as well? What is meant by rational and trans-rational? Even assuming that one could learn the truth of things, what follows from this?

What does being emotionally 'healthy' mean and entail? Which criteria are to be used in evaluating this issue? What justifies using such

criteria? Can one teach someone to be emotionally healthy? How do identity, personality, and temperament figure into the equation? Is being 'normal' necessarily the same thing as being 'healthy'? What are the roots of pathology? How does one distinguish between individual differences and pathology? What constitutes a 'healthy' relationship -- in terms of rights, duties, freedoms, obligations, love, compassion, kindness, tolerance -- between individual and community, and among communities?

How essential is creativity to either the individual, or the community, or both? What functions does creativity serve? Is creativity largely a matter of innate talent, or can it be taught to people irrespective of natural abilities? Should boundaries be placed upon the development and exercise of creativity, and why -- or why not -- should this be done? Is life a creative art form?

What does it mean to become a citizen of the world? What assumptions, values, and principles should govern the assuming of stewardship? What kind of future for earth -- ecologically, economically, technologically, and politically -- ought to be sought? What justifies such an agenda? Who, if anyone, should oversee the process of stewardship?

All of the foregoing questions can be approached through a multiplicity of perspectives. Thus, one could use methods, values, and principles from: physics, philosophy, law, religion,

psychology, sociology, economics, ecology, evolution, politics, mythology, chemistry, mathematics, history, humanism, anthropology, art, literature, music, and so on in order to address the various issues, questions, and problems entailed by any given idea of educational purpose. In addition, within any of these disciplines, there is a tremendous amount of variation that, substantially, could influence how one frames the issue of educational purpose, as well as how one tries to answer the foregoing questions.

If one wished, one could argue until the cows came home -- if they hadn't wandered off somewhere during all of this discussion -- about which set of methods, values, perspectives, and principles best served the combined interests of individuals and the collective alike. One also could argue about how one should go about evaluating such proposals and what constituted the most valid and reliable means of assessing the situation.

Assumptions, values, criteria, methods, goals, needs, interpretations, biases, qualities, theories, and paradigms could be debated endlessly. Yet, no matter how much time, energy, and resources were, are, and will be devoted to this process, not only is achieving a general consensus unlikely as far as which educational purpose(s) should be pursued and implemented is concerned, but, as well, one also is unlikely to establish even a simple majority.

In short, while there might be agreement about some given purpose in the abstract, as soon as people begin to try to make a transition to concrete, specific policies, programs, and curricula, whatever agreements exist will tend to disappear. In place of education will emerge a Tower of Babel -- which brings us to the present time.

In the absence of agreement, various officials and groups have sought to impose educational purposes upon communities. The people who have done this try to give the impression that they have a mandate to do so, but such is not the case, since, in truth, decisions concerning education are, for the most part, made by the few, quite independently of what the needs, desires, or wishes of the majority might be.

On virtually every level, the process of education is, with some exceptions, under the thumbs of a variety of arrogant, ignorant, self-serving control freaks, who refuse to share power with the people who are most affected by such self-centeredness -- namely, students and parents. Sometimes these power mongers are politicians, and sometimes they are: principals, superintendents, teachers, unions, or school boards, and sometimes they are various combinations thereof.

Such people insist that only their approach to the issue of educational purpose is valid. These people presume that they have the right to impose their purpose on to the community, irrespective of

what damage ensues to the lives of individuals and communities alike, both in the present, and in the future.

The imposition of educational purpose is antithetical to the principles of human rights that are inherent in the idea of democracy. Indeed, education should be one of the key areas in which freedom of choice, individual rights, and fundamental principles of liberty help keep the spirit of democracy dynamic and vibrant.

How can education inform citizens about the nature of democracy when, to a very great extent, the practices of the people in charge of the former process are authoritarian and autocratic, and, therefore, exhibit few, if any, democratic qualities? When education is largely a dictatorship, what attitudes concerning the nature of democracy are going to be formed in the minds and hearts of children ... perhaps permanently?

When education is steeped in tactics of control, force, punishment, regimentation, indoctrination, manipulation, and punishment, what is a student learning about the 'democratic' way of doing things? When students do not have the right to choose their own educational destinies or are not permitted to find and utilize the approach that is best suited to their individual styles of learning, then, really, what is the difference between so-called 'democracy' and fascism, communism, or dictatorship?

The process of education could be immeasurably improved in North America if the people in power would stop trying to convince everyone, including themselves, that there is only one way to do things -- namely, their way. In truth, there are many constructive avenues to educating the youth, and students have a right to select from among these, and, as well, have viable access to a variety of alternatives.

The responsibility for preparing for the future belongs to the individual, and one must provide that individual with the time, degrees of freedom, resources, and choices that are needed to realize one's capacity for an active and mature sense of responsibility without any of this being preempted, undermined, or imposed from without. Let students -- in consultation with parents, teachers, and other educational resource people -- map out their own programs and use whatever combination of home schooling, vouchers, stipends, public education, library and municipal resources, charter schools, tutoring, and private enterprise that will help the individual realize his or her educational objectives.

Public schools should be permitted to accommodate a variety of educational purposes, simultaneously, within one and the same school. Let students, in consultation with others, construct their own programs and the ones with whom students consult should help students learn how to engage this process responsibly -- that is, in a

manner that will be of value for both the individual and community.

Teachers within a school should enter into constructive, co-operative cycles of improving the quality of education by providing students with increasingly enhanced opportunities for engaging the educational process through a variety of purposes, methods, ideas, media, techniques, and materials. Schools, more than any other institution within democracy, need to be deregulated in order that everyone might benefit from the tremendous potential of individual differences -- among both teachers and students -- that need to be permitted to interact with new modes of educational synergy and constructive cybernetic feedback loops.

Furthermore, there should be a greater variety of choices among subject topics. Beyond the usual 'group of suspects' (e.g., reading, writing, arithmetic, mathematics, history, geography, science, and so on), students -- and I mean all students both rich and poor -- should also have the opportunity to explore different dimensions of, say: philosophy, various kinds of psychology (including abnormal, social, developmental, trans-personal, theories of personality), sociology, anthropology, computer science, political science, law, medicine, crisis intervention, wilderness survival, entrepreneurial skills, hermeneutics, mythology, as well as media and cultural studies, plus whatever other subject topics might serve as means to help the individual student engage the world and begin

to learn about it in a rigorous, constructively adaptive, and critically reflective manner.

Democracy thrives amidst diversity. Not every student must know the same things nor understand those things in the same way.

The people who established democracy in various locations brought their individual differences to such projects, and through the dynamic interplay of those collective resources, democracy became possible. Moreover, the people who helped democracy to survive and develop, did so by lending their individuality to the needs of the community, rather than limiting themselves to drawing from a sterile or stagnant pool of ideas and actions.

Being able to freely engage the universe through a process of considered exploration (i.e., education and/or non-institutionalized learning) that serves the interests of both the individual and the community is what binds people together within a democracy. An education that is mired in the uniformity and conformity of a common stock of 'facts, methods, and ideas' is not the glue that holds democracy together, but a poison that, sooner or later, will destroy education, learning, and democracy.

For learners to be able to flourish -- and, as a result, for democracy to prosper -- they need to be given the opportunity to choose from among public schools, tutors, voucher supplements, charter schools, the internet, home schooling and whatever

other resources might be available to the community considered as a whole in order that a rich, varied, heuristic learning program can be woven together. Permit the student to be able to explore an array of learning purposes, and let the individual arrive at her or his own conclusions about how to learn and make use of a variety of learning resources.

Enterprise zones of learning should be established within every community to provide an array of teaching styles, resources, and opportunities that would both increase educational choice, while generating revenue for the community. Ways should be found to enable these zones to make use of the thousands of people who are earning doctorates and masters every year but are either unemployed or working beneath capacity. These ways might include: teaching; publishing; writing; research; or, various cultural activities, ranging from: theater, to music, poetry, and so on.

Broadening and deepening the choices available to students does not necessarily always have to cost additional money. This kind of a process often only requires people in power to be willing to share that power with others, or permit that power to be distributed in constructive ways within the community, and, thereby, enable people to make more efficient, effective, and creative use of existing resources.

In order for democracy to be viable, there must be a balancing of individual and collective interests. Nonetheless, to suppose such a balance can be achieved only through authoritarian and dictatorial control of, among other things, the learning process is totally absurd.

Indeed, one enriches democracy whenever one can increase choice and freedom without undermining the essential interests of either individuals or the community, or adversely affecting the balance between the latter. Increasing the degrees of freedom within the process of learning is not a descent into anarchy but, rather, a fulfilling of the promise of democracy in which individuals and communities alike benefit from the resources that are generated through the empowering of students, parents, and teachers to use a variety of means to enrich the dynamics of learning -- dynamics that will shape the fate of democracy's future.

Learning, like democracy and capitalism, is about having the freedom to choose. Learning, like democracy and capitalism, depends on people acquiring the ability to engage such freedom responsibly and constructively. Learning, like democracy and capitalism, cannot survive if the capacity to use choice in order to learn responsible behavior is undermined by autocratic rulers who insist that everyone must learn the same things in the same way, at the same time, for the same purpose.

10.) Qualities of A Teacher

There might be many individuals within education who have the qualities that are to be described in what follows. However, I tend to doubt that this is so, for, if such were true, then education -- public, private, and higher -- would be vastly different than, unfortunately, is the case.

On a personal level, there are only a precious few individuals with whom I have had the good fortune to come in contact who gave expression to all the qualities outlined below. Moreover, of this select group, only one came from within formal education.

My sample, of course, is limited and, possibly, skewed by my own biases. Nonetheless, I have been exposed to school systems in a number of countries, and on a variety of levels -- both as a student and teacher -- and I wish, with all my heart, I could report that the sort of qualities about to be explored were far more prevalent than what I have been able to observe.

If the foregoing claim accurately reflects the condition of formal education, there are a number of factors underlying this sad state of affairs. In the last part of this essay, a few words will be directed toward addressing some of those contributing factors.

There is much that could be said about any of the following list of qualities. The intention here is

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merely to offer an overview of each one ... something of a thumbnail sketch. Furthermore, the qualities being described are introduced in no particular order of importance since all of them are, in many ways, equally important.

'Honesty' -- Although always guided by a sense of propriety concerning circumstances, a teacher is someone who bears witness to the truth as she or he understands it, and does so without preaching rancor, or being overbearing. More often than not, this honesty is given expression according to the perceived need of the one(s) who is (are) listening with respect to what is being said or done, as well as according to the ability of the one(s) with whom the teacher is interacting to handle and make use of what is being said or done. As required, what is said and/or done might be issued in a diplomatic fashion, or it might be expressed more directly and openly.

'Committed' -- The duty of care is always directed toward the needs of the one who is seeking after learning and understanding. The commitment is not to society, government, business, parents, or school, but to the individual, and this is done with the knowledge that if the needs of the individual are properly attended to, then, society, business, parents, and the school will all benefit as a result of the primary directive being served. A corollary of the foregoing principle is that

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a teacher would never sacrifice the needs, interests, and potential of learners for the self-centered, self-serving, and arbitrary whims of politicians, officials, administrators, or unions.

'Flexible' -- A teacher is not tied to any preconceived way of doing things. He or she is open to the possibilities of the moment and is prepared to pursue whatever avenues appear to be most resonant with the needs, interests, and circumstances of those who are seeking after knowledge and understanding. If something is tried and is not working -- in the sense of lacking in heuristic value for the other participants -- the teacher will be ready to switch gears.

'Humility' -- Such people do not think of their abilities, talents, accomplishments, or experiences as reflecting something special about them as individuals. They are quick to acknowledge the help, guidance, efforts, and support of other people as being more responsible for what they are and have than anything that comes from them as individuals.

'Balanced' -- Such teachers bring emotional, cognitive, community, interpersonal, economic, physical, and spiritual dimensions together in due proportions. They recognize human nature as complex and that the health of that nature depends

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on the integration of various potentials within human beings.

'Democratic' - These individuals are not necessarily right or left of center, or even involved in political life, but they have an abiding devotion to issues of freedom, justice, fairness, equality, and truth as benchmarks that are crucial to the viability and success of both learning and community. These issues are not just theoretical entities to them but are meant to be put into practice in order to benefit all participants. Yet, the manner of implementation is not only non-authoritarian or non-coercive in character, but seeks to find paths to either consensus or ways of operating within a framework of acknowledged and accepted differences of perspective.

'Respectful' - The teachers I have in mind do not intrude into the lives of people and will accept the boundaries that are established. At the same time, they are ready to respond in whatever way they can when invitations are extended.

'Character' -- They offer models of values, ethics, and/or spirituality through who they are and what they do, not by lecturing. They do not necessarily speak about kindness, generosity, love, tolerance, patience, or compassion -- rather, they

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are these things and give expression to them through the way they go about life.

'Consistent' -- What these individuals say is reflected in what they do and vice versa. They are not different in different circumstances but always centered within their sense of self, although often in low-key ways. They are sincere in everything they do and say without being annoying in the process.

'Given to Reciprocity' -- Such qualities as trust, openness, warmth, respect, and friendliness are treated as two way streets for which the teacher has a primary duty of care with respect to establishing precedents in each instance.

'Tolerant' -- A teacher recognizes that people come in all manner of shapes, sizes, colors, temperaments, interests, needs, personalities, beliefs, and values. The goal is not to change people in ways that are pre-determined but to work with them, according to their capacity and ability, to help them realize their potential.

'Realistic' -- These people understand the ways things are politically, socially, economically, biologically, and emotionally. Yet, without trying to persuade others to adopt any particular point of view, they do whatever they can to help prepare

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individuals to deal with these realities in a manner that will not open either individuals or society to the destructive potentials that are inherent in human beings, both individually and collectively.

'Idealistic' -- They are committed to such qualities as: truth, freedom, justice, equality, fairness, love, compassion, kindness, and honesty. In addition, while they realize that these qualities are often only approachable as a limit, nevertheless, they spend their lives seeking to realize these qualities in deeper and more refined ways so that others might benefit through the teacher being the best that he or she can be.

'Sense of Self' -- These teachers know who they are. They are aware of both their strengths and their weaknesses. They appreciate their history, and they have a destination toward which they are striving, as well as a means through which to undertake the journey.

'Not Ambitious' -- They are unconcerned with achieving career status, monetary rewards, or recognition by others. Teaching is not a means to something else, but a way of sharing whatever they have with others.

'Independent' -- The 'road less traveled' seems to be their preferred path. They do not operate

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according to the expectations of others, nor do they change themselves to suit the likes and dislikes of those around them. Yet, they tend not to be confrontational, arrogant, or belligerent in the manner through which they give expression to their independence.

'Supportive' -- They offer a context of security within which individuals can explore possibilities without fear of ridicule or adverse consequences for making mistakes. They encourage people to find out about themselves and the world around them, but to do so at their own pace, as well as in accordance with their particular package of capacities, talents, and interests.

'Humanitarian' -- These individuals love people ... Believe in people. Such teachers want others to realize whatever potential the latter have and to be happy in doing so. These teachers care for people and will do whatever she or he can to assist them along the path of life.

'Courageous' -- In a very unassuming way, these teachers have faced the 'stings and arrows of outrageous fortune' and have opposed them -- not with arms -- but with steadfastness, optimism, and a willingness, if necessary, to fail while committing all that one has and is to the process of life.

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'Self-critical' -- They are very aware of their own weaknesses or limitations, and they are aware of the need to continually make efforts to improve as a person. Moreover, they are open to receiving criticism from others -- accepting what is true, discarding the rest, and using what is true to try to become better human beings.

'Challenging' -- They have an aura about them that -- to slightly paraphrase Jack Nicholson's line to Helen Hunt -- 'makes you want to be a better person'. Their very mode of being in the world inspires people and, in the process, induces others to seek to explore, learn, discover, and make efforts toward self-realization.

'Friendly' -- These individuals do not approach people as teachers or educators or instructors, but as friends who wish the best for others. They are present for people when the latter need them. They are protective, faithful, and non-judgmental. They listen and care about what they are hearing.

'Rigorous' -- They operate in accordance with a set of standards that critically probes experience in a deliberate, thorough, considered, and patient manner. They are not inclined to accept facile or shallow answers -- either from themselves or others. They enjoy pushing the envelope on matters of critical inquiry.

'Teachable' - These teachers demonstrate a willingness to learn from their interactions with others. They are aware of the many facets of their own ignorance and treat the insights and abilities of others -- including those of so-called 'students' - as so many 'found treasures'.

'Optimistic' -- This is not the optimism of Voltaire's Dr. Pangloss, but that of someone who has faith in human beings when the latter are provided with the degrees of freedom necessary to explore, develop, and realize one's potential. This optimism is committed to the idea that when opportunity arises in a context free from exploitive, authoritarian, and manipulative influences, then such opportunity will be embraced by those who are trusted with the duties of care that accompany such possibilities. Such teachers know there will be exceptions to this principle, but they do not let this sort of risk get in the way of that which would benefit the many.

'Open' - These teachers are guileless. On the one hand, they are people of integrity and tend to treat others as people of integrity as well -- an integrity that entails respect, honesty, sincerity, and an absence of duplicity. On the other hand, such teachers are not inclined to be people who

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provide one with more personal information than one wishes to hear.

'Forgiving' – The individuals who I have in mind understand that mistakes and errors are part of what being human involves. They recognize that mistakes and errors form an important part of the fabric of experience out of which learning arises. They are inclined to help people to develop maturity through encounters with such problems and, then, move on to other issues without letting interpersonal history interfere with opportunities for learning.

'Unassuming' -- They are not pretentious with respect to what they know or have done. They are comfortable with what they understand but have no need to impose this on others or force others to acknowledge such things. Furthermore, they have no expectations concerning how others with whom they interact should approach learning.

'Appreciative' – These teachers have gratitude for the gift of life and embrace the many levels of opportunity that life offers human beings. They appreciate the efforts and struggles of anyone who sincerely seeks to take advantage of such opportunity.

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'Inquisitive' – These individuals are inclined to ask important, essential questions about: truth, justice, freedom, equality, purpose, identity, love, commitment, beliefs, values, and understanding. They do not have an idle curiosity but are inquisitive about human nature and what it means to be rather than not at all. More often than not they represent a model of how to ask questions, and what kinds of question are important to reflect upon, but allow people to be free to find their own way to solutions to these questions that make sense within the framework of a given individual's circumstances, interests, and abilities.

'Generous' -- They are very free with their knowledge, time, help, personal resources, and encouragement. They are forthcoming in their praise and appreciation of others without trying to flatter people or give them a false sense of accomplishment.

'Patient' – Such teachers know that understanding and learning do not always come easily for everyone in all situations. They are cognizant of individual differences in relation to circumstance, development, ability, temperament, interest, and aptitude. They have some degree of insight into the many factors that need to come together in order for important kinds of learning to occur. They wait, observe, listen, and try to be receptive to the advent of so-called 'teachable

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moments', but, in the meantime, they do whatever they can to pave the way to such moments or to make them more likely to occur, than not. They do not have a hidden agenda, nor do they feel the need to cover so much material, of a particular kind, in a given time.

'Sense of Humor' -- They do not take themselves too seriously. They can enjoy the lighter side of life, as well as poke fun at some of the absurdities that are disclosed through the locus of manifestation known as a human being -- including themselves. In addition, without being disrespectful or insensitive to circumstances, they often take some of the edge away from life's darker side through laughter.

'Fair' -- More often than not, essential learning and understanding arise out of circumstances in which an individual is comfortable with, and trusts, those circumstances. An important component in the development of such a sense of comfort and trust is to feel that one is being treated fairly. The sort of teacher I have in mind acknowledges this and does whatever is possible and feasible to create such circumstances by, among other things, removing as much arbitrariness, artificiality, bias, favoritism, prejudice, and irrelevancy as possible from the context of would-be learning -- all of which serve as cultures conducive to the growth of unfairness.

'Pragmatic' – Such teachers make do with what is reasonably available to those who are seeking to learn and understand. Such teachers encourage students to do so as well, but, in addition, encourage the latter to be resourceful and creative in relation to discovering what is amenable to being used in the pursuit of learning.

'Gentle' -- As much as possible, the sort of teacher I have in mind employ non-intrusive means for stimulating opportunities for learning and understanding. This means that, whenever possible, they employ learning modalities that are devoid of influences that are punitive, destructive of self-esteem, rooted in extrinsic rewards, competitive, or steeped in stress -- all of which have been shown, experimentally and clinically, to interfere with learning, both short-term, as well as long-term.

'Competent' – These teachers 'got game' in relation to life. Whatever they know in the way of facts, methods, history, names, formulae, and/or ideas is secondary to their grasp of the principles of how to engage life in order to work toward the realization of individual potential. This is not to say that the former sort of things (i.e., facts, methods, etc.) are necessarily unimportant (although they often are), but the priorities must be clear. To

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possess the former (i.e., facts, methods, and so on) in the relative absence of the latter (the realization of individual potential) is, for the most part, extremely limited and limiting, if not altogether useless.

'Uncompromising' - Such teachers are uncompromising when it comes to abiding by the truth, but they do so without making anyone else feel, in the process, that the latter are expected to follow suit or are being judged according to whether, or not, the latter go along with what the 'teacher' says or does.

'Self-sacrificing' -- They are willing to take a 'hit' in order to protect, support, and serve their students, and, yet, such a teacher often does this in private and without others knowing that it is being done. Such teachers do not see such behavior as being self-sacrificial, but as being part of the duty of care that any friendship deserves.

'Protective' -- They understand, all too well, what awaits learners once the latter are removed from the sanctuary that arises within the sphere of influence that has been established through a teacher's manner of giving expression to the duties of care entailed by the vocation of teaching. The kind of teacher I have in mind tries to preserve the aforementioned sanctuary and protect its

inhabitants for as long as possible -- considering every moment spent within the sanctuary as providing students with that much better chance of surviving in the wild where many kinds of two-legged predators roam.

At the beginning of this essay, a claim was made that there might be few people in formal education who exhibit all of the foregoing qualities -- although they might have this or that characteristic or some small sub-set of such qualities. If this is so, why should this be the case?

One crucial reason for this state of affairs is there are few places of learning that have the resources or competence necessary for teaching people how to be 'teachers' in the foregoing sense. You can't teach what you don't know, understand, appreciate, or aspire to.

A second, fundamental reason for the set of circumstances existing vis-a-vis the absence of 'teachers' is that many different elements within formal education tend to conspire together, knowingly and unknowingly, in order to drive out anyone who demonstrates the quality of being a teacher in the previously noted ways. This is done because teachers in the sense outlined above threaten too many vested interests that seek to initiate students into the modern form of indentured servitude within certain kinds of political, economic, and philosophical ideologies, and, as such, teachers in the sense specified earlier

are largely antithetical to the agendas being pushed in much of elementary, secondary, and post-secondary education. As such, 'teachers' in the foregoing sense are considered to be 'loose cannons' who cannot be relied on to serve political, economic, social, and expedient interests that are not capable of serving an individual's essential potential for self-realization.

Occasionally, in spite of the prevailing mind-and heart-set within formal education, one comes across someone who reflects the qualities of a teacher as outlined above. However, my experience has been that, more often than not, to the extent one comes across such people at all, one will find them outside the hallowed halls of formal education -- and, even there, they might be an endangered species, for the same destructive forces that are shaping much of modern education are also present outside the classroom, and such forces wish to be rid of the influence of such 'teachers' for the same reasons as were indicated above.