

“Re-Shaping Us”

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I am frankly a little bit sick and tired of living in a society where individual rights are now considered more important than common sense. Now think about that, personal rights getting in the way of common sense. I encourage all of you [to read], and I'm stealing a lot of what I'm saying, from the book *The Collapse of the Common Good* by Philip K. Howard. A very interesting book.

He helped me realize that when I was really indignant this week - over the last couple of days, actually - by an incident that happened at East High School. Many of you know about it - right here in Des Moines. A few misguided youth (I'm being nice to them right now) were driving to school with a large Confederate flag attached to their car. Understandably, many people found it offensive - myself included. The administration at the school did, I think, a wonderful job - or at least tried to. The administration told the young man who was driving the car, to take down the flag or the car would be towed. So the ignorant young man left the flag on the car and moved the car out of the parking lot and onto the street next to the school; and darned if the school could do anything about it. It was so frustrating, I'm sure, for the administration that was trying to keep the peace and stop there from being violence. They did everything within their power, but these few youths with that Confederate flag had their rights.

You know what bugs me? If you're first to flex your rights, then you can do everything you want, and nobody else has rights [that] can be impeded, and nobody gives a darn. Look at all of the other people at East High except for these few young men. Their rights were impeded by having to look at the stupid flag, but no one can do anything about it because we are so concerned about these few boys and their rights to carry that flag. That is the eroding of our society in a nut shell, frankly, and what are we going to do about it?

I thought KCCI did a really nice job with their reporting. A reporter interviewed one of the boys - not the driver - but one of the others. He was so proud of the Confederate flag and he said, "It is our Fifth Amendment right." I am so glad you all chuckled. (It was kind of an intelligence meter I was testing you all on.) That little boy, frankly, didn't pass the intellect meter and the reporter was so nice. She didn't rub it in, although I would have. She just said, he was mistaken. It was the First Amendment right: the Freedom of Speech. You know, if you are really going to raise a ruckus, at least know what in the world you are talking about.

Then she went on to talk about something that you are who older, and have lived here longer than I have, have known about for years but I found it rather interesting. The reporter referenced the Tinker law; *Tinker vs. Des Moines Independent School District*, (1969). It made national, even international news. Des Moines. How about that? There was a decision by the United States Supreme Court that defined constitutional rights of students in the U.S. public schools; it is still being done today. The Tinker test is still used by courts today to determine whether a school's disciplinary actions violate students' First Amendment rights. It was done because in 1969 some students had black arm bands protesting the Vietnam War. And, you have First Amendment rights, according to the Tinker law and according to

the Des Moines School System at that time - but not if it causes harm or interferes with the operation of the school.

I thought that was very interesting and it could be applicable in so many other parts of society.

The Des Moines Public schools responded, which I thought was very good: "We support student expression, but the district's first priority is and always will be maintaining a safe and orderly environment." Good Lord, why does that even need to be stated? But in the society in which we live apparently it does.

The young man moved his vehicle, as I said, but just off the school property and was still able to taut his views. You know what? If those little guys get beat up, the school will probably get sued for not taking enough care of them, because these young men do not have the sense to take personal responsibility. And yet the school will still probably be in violation if they don't protect them themselves. These individual rights have frankly, in my opinion, run amuck.

It is not just in the public schools. A number of years ago - well not really not that long ago - baseball was brought under question: little league baseball.

Baseball is America's national pastime, or at least it used to be. The rules that govern baseball are very familiar to almost all of us, and so are the risks. That ball goes very fast when it is going from the pitcher to the catcher. You can hit that ball, and it can fly, and there is a chance you might get hit by it. You might get a foul out of it when it goes into the stands and hits someone on the head. It can line drive and hurt somebody. You should know the risks before you play and while you are in the stands.

When you are coaching little league, you aren't doing it for the money. I don't think there is any money involved, but the coaches do it for the love of the kids and the game. But in this particular instance the center fielder didn't show up that day - maybe he was sick, I don't know the circumstances - so the coach moved the really good second baseman to center field. There was a pop-up to center field and the boy lost the ball in sun and it hit him in the head. His parents sued the coaches, because the boy was not trained on how to catch a pop up (having only been trained to be a second baseman) and because he was not given appropriate eye wear so that the sun would not be a bother to him while he was playing the game. The coaches had to settle out of court and pay the family \$25,000. This is the society we are living in.

Common sense is gone. Now we have this thing called "the assumption of risk." It is a legal principle - but it only takes one lawyer willing to find a loop hole, and there is no "assumption of risk" any more. We take that example, and we move it back to the public school system.

Professor Laurence Steinberg did a 10-year study of 20,000 middle-class teenagers, and found that today's students know less, and can do less, than their counterparts 25 years ago. Now I want to make a statement: That is not because of our teachers today. Our teachers are excellent. By and large, they are wonderful teachers and every bit as good as 25 years ago.

So what is happening that is allowing students to not learn as much? The reason is that no one with responsibility should be making decisions to help teachers in their performance of their duties. Everyone is scared of the almighty law suits. Americans want reasons for every little thing that takes place. "Why would my Joey get sent to detention? Why did this happen? Why did that happen?" You have 400 students in an elementary school, you don't have time to answer every one of those [questions]. We distrust authority so much we do not let anyone have any control in the classrooms any longer, and it is a shame.

In Montclair, New Jersey, a misbehaving second-grader - let me repeat, a second-grader - when caught by the arm of a teacher because he was totally out of control in the room, [was] willing to hurt himself and others. [He] turned to the teacher and screamed at her, "I will call DYFS; Division of Youth and Family Services." When a 7- or 8-year-old knows how to call the authorities to turn in a teacher, we have a problem. We shouldn't be choking. I'm being too flippant, but this is how serious society has become. Disorder has become the number one problem in schools today, but teachers and principals feel they can't do anything without starting a fire storm. We have left them neutered.

The academic failures are nothing compared to the social failures. We have left our children without a lot of hope, and our teachers and administrators frustrated. One group of high school students say they are too scared to go to the bathroom at school - and you cannot even help them, because you can't control the bad students, physically, emotionally or otherwise; so they can run amuck far too often. The breakdown of civilized order is reflected in practically every aspect of school life. They even tried removing the doors on the bathroom stalls, and that hardly helps. Hardly a day goes by that a school doesn't have a teacher being threatened by a student, either physically or legally. We should be thanking our teachers every day that they can get through the day and into the next day.

Allowing ourselves to daydream a moment, let's think about what life should be like, maybe the way it used to be. What would we want our American schools to look like and to have? You know, you think about more books, more opportunity, more hours to teach or to think about all of those things. But when they surveyed educators, it was an interesting thing. They didn't talk about things. They said, "What we need is a sense of shared purpose. We are all on the same page. It's all about caring about every single kid - making sure that the parents and the teachers and the administration are all focused on that child's educational process, and we have gone so far from it."

I went back in the book that I recommended at the beginning, and he quoted somebody named Lord Moulton who, at the beginning of the 20th century, was a respected British Judge and Cabinet member. He said things don't hinge on the big morality points - issues like abortion or school prayer. Those big things aren't what make the difference; but it is on the smaller values of being considerate to others and pulling your weight. Those are the things that make the difference - and friends. Those are things teachers can't do anymore - because if you give anyone a recommendation, or you try to change some one's behavior, you have broken their rights.

They [students] have the right to act the way they want to act. "That is how I'm allowed to be; that is who I am." So the teachers have no other response. Lord Moulton is talking about neither the legally enforceable nor the purely private; but about the connected tissue

of a society, and how it becomes healthy. That's why ours is like God with the potter's clay warping.

We have a preoccupation with so much legal entitlement that administrations aren't even able to take the time to think about how to encourage students' growth, because they are so busy covering their backsides. Who are we to judge the values of a profane child, because they are those values and the child has values and that is their right to have their own values. So they can curse and scream. They can interrupt and nobody can do a thing about it. It is wrong.

They can carry Confederate flags to school; and as long as you do it first, no one else's rights seem to matter. In a shared activity, one person [who] asserts his rights almost always affects what other people can claim as their rights. In other words, and I will quote Chester Barnard, the management pioneer: "Ability is not something that is possessed by an individual, independent of their environment."

In other words, you don't live your life in a vacuum. Neither do I. Neither do those children. Every action that we have is affected by everybody else around us. So if I'm flexing my rights, somebody else's rights are affected; and if you jump to protect somebody's civil rights - and they are carrying a Confederate flag - everybody else's rights are affected negatively.

What are we going to do about it? When are we going to say some things are acceptable and right in every situation, and other things are just wrong? Because if we don't stand for something then no one is free, because nobody's rights will ever be cared for in a group setting. And that's where we are.

Are schools today neutral? We are trying to make schools neutral so that everybody has their place and everybody can be self-affirmed, without any moral or ethical bias. Living in a free country, we are taught that means that everyone can do whatever he or she wants. But freedom doesn't mean you can do whatever you want. We live in a free society but that doesn't mean you can abuse someone. There are limits to freedom. That is why we have prisons; we have laws; we have responsibilities. But all of these rights that we have - individual rights - are making it very, very difficult to determine what is acceptable and what isn't anymore.

I would like to quote a man named Richard Riley. According to the book I recommended earlier, he was the Secretary of Education in 1999. If you agree with me on what I am saying, he is the reason - in big part - why we are stuck in our educational system where we are today. He was the Secretary of Education in 1999, and he made the comment [that] education was a civil right. And a reporter said, "Well, if that is a civil right, then do parents have the right to bring a law suit, if they believe their children's education is somehow deficient?" Mr. Riley said, "If that is what it has come to, then so be it."

So then we can sue every teacher. We can sue every school administration because, "if my little Susie isn't as smart as the kid next door," or "they don't get enough attention," then you can just sue them. It opened the flood gates to all of the craziness that is happening right now and it is bleeding over. I'm just using schools as an example. It is in everything.

And, our pot is crumbling, I have said before, about the First Amendment and the black arm bands with the protest of the Vietnam War, Justice Abe Fortas declared that public schools would not be enclaves of totalitarianism. I can agree with that part. Students should have the right to share what their feelings are. "Students should not shed their constitutional rights at the school house gate," was the statement. I can accept that. But it didn't stay there. It opened the flood gates, and I want to give you an example of how those flood gates were opened:

The Supreme Court, in 1971, did the most incredible thing I have ever heard. In 1971, in a school auditorium in Columbus, Ohio, a young man started carrying on and disrupting an entire school assembly. So the principal got the police officer for the school to go out and stop him, because he [the young man] was disturbing everybody. The police officer tried to escort him off. Four of this young man's friends went over and started beating on the police officer. The principal, who was witnessing this with the rest of the school, suspended the four boys who were beating the police officer. It [the case] went all of the way to the Supreme Court, and the Supreme Court overruled the principal, because they [the school] did not follow an appropriate process to evaluate and give these young men opportunity to defend themselves. Did the policeman have an opportunity to defend himself as he is being beat up by these boys?

This is where we have gone. Logic has been twisted so fundamentally wrong, that we have lost all sense of common good.

If we, as a society, do not regain our understanding that a unified corporate aspect of life in our society is important, with basic moral values, then we are going to fail. We won't need God to collapse our pottery. We will do it ourselves. If we continue to allow coaches to be sued because it is too sunny outside, principals reprimanded for suspending students for beating up police officers - then common sense is gone and society will be diminished.

Today pray for common sense to return to our society, otherwise God will not, as I said, need to collapse our warped piece of clay, because we are warping it ourselves. It is important that we pray for our society and the hard work ahead of us; personal rights are important, but we have to figure out how the lives of all people in the society in which we live are lived out faithfully and appropriately. So that we can say "no" to Confederate flags and "yes" to the respect of all people. Amen.