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Due Process in Grading: Bias and Authority

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A Letter to My Students

What do you hope to gain by studying with me? If you are like most students, you have not really given that question very much thought. You are here because someone told you to come, you think you might meet interesting people here, you want the status and security of a diploma, or you want to learn whatever you have to know to get and keep a good job. If these reasons, or others like them, explain why you are here, then the next few paragraphs are especially for you. If you are here to seek personal growth or enlightenment also, please have patience, and I will say some things to you a bit later.

I promise to do the best I can in teaching the subject matter I am supposed to teach. I will try to be fair and impartial in judging how well you learn that subject matter. But before I accept you as a student, you must acknowledge the fact that I have been given the authority to teach the subject matter in the way I consider most effective and the authority to judge how well you learn it. The authority to teach and grade you has been given to me by the people who will accept your credits and grades as tokens of what you can do for them. As the agent of those people and of society in general, I have a responsibility that I will not take lightly.

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As my students you will have to learn my opinions, and you will be graded according to how well you understand them. Since I cannot read your minds to see how well you do understand my opinions, I shall require you to pretend that you agree with them, and I shall grade you according to how well you give the appearance of agreement. You must not only repeat my opinions to me, but you must show that you understand them by answering new questions from my viewpoint and by telling me some of the other opinions which I hold but have not told you.

Does all this bother you? Do you think it is unfair to require you to seem to agree with me in order to pass the course? Please note that I am not requiring you to agree with me. What you believe in is your business, not mine. All that I demand is that you demonstrate that you can successfully *pretend* to agree with me. Does it seem phony and shallow that you will be graded according to how well you succeed at this game of make-believe? Well, perhaps it is shallow, but then so is your interest in getting a diploma, job, status, or friends. If you want to get these things you must learn how to imitate the behaviors they entail. By wanting these things you put yourself under the power of the people who control them; people who have hired me to teach you appropriate behaviors and to judge your performance; people who are confident that my opinions represent an acceptable version of their opinions. Therefore, if I judge that your behavior is acceptable in view of their opinions, then the same people will rely on my judgment and give you what you want. Whether you agree with those opinions is irrelevant. All that matters is that you be able to succeed at giving the appearance of agreeing with them, and that is the basis on which I shall grade you. You may get a good grade even though you overtly disagree with the "correct" opinions, provided that the way you state and argue your disagreement agrees with my opinions about how disagreements should be argued.

If you think that teachers should be unbiased and should not require students to appear to agree with them, you are mistaken. Bias is unavoidable, and those who pretend to be unbiased are (perhaps unwittingly) doing a subtle and pow-

erful job of indoctrinating you without your awareness. What it means to be *considered* well educated is to give the appearance of agreeing with the common biases of those who consider you to be well educated.

Societies stay together because people have certain common opinions and behave in accordance with them. To become a member of society you too must learn how to conform to these opinions. This is true for the big society and its opinions about wearing clothes, robbing, and killing. It is equally true for the little society of workers in some field of study who have opinions about how to study and produce. Nobody can move a muscle or think a thought without doing so in conformity or opposition to some opinion concerning how to move or think. Thus, bias is unavoidable. People consider other people competent only when all of them behave in conformity to similar basic opinions.

Do you still feel that all this is phony? Then give up your concern for diploma, status, security, friends, and job. Strive for personal insight, spiritual enlightenment, inner peace, and joy. Do these things by yourself, or with the aid of a guru. But as you achieve these goals you will discover that credits and grades are no longer important because they merely represent other people's opinions of you and other people's promises to give you material goods. Since you are not really interested in status or goods, you will not care about credits or grades. Therefore you should not come to school at all, or if you come, you should accept whatever grades I give you without joy or sorrow, without anxiety or protest.

Now let us realize an obvious fact. You need material goods to survive; and you need the favorable opinions of others to stay out of jail, get a job, and obtain the material goods. You need these things to survive, whether you are merely a lazy drifter or a charismatic seeker of wisdom. If you are a lazy drifter I will not help you, but if you are a sincere seeker of wisdom, then I shall help you all I can.

The seekers of wisdom are *extremely* rare. I do not set myself up as dictator in judging who is a real seeker. Rather, I follow the requirements of my culture except on the rare occasions when you and I mutually agree to give up our "rights" in the

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customary due-process system and enter into a very special relationship. In these cases I am willing to give you a grade which is better than your performance merits. I do this knowing that society will think you have performed at the level of your grade. I am deliberately helping you to fool society into giving you the favorable opinions and material things you need to survive so you will be free to seek wisdom. In doing this I violate an unspoken oath, contained in my teaching certificate or contract, in which I tacitly promise to teach and judge you in conformity with the interests and opinions of those who hire me. Since society itself is my ultimate employer, the deliberate violation of this obligation is an act of civil disobedience.

I think society will not judge me too harshly, since society has, however reluctantly, provided me with "academic freedom" which gives me the power occasionally to digress from what I am supposed to teach and how I am to grade. Perhaps the purpose of "the system" is to provide due process for the vast majority while also providing escape routes for those rare individuals who prove themselves worthy of special treatment by the fact that they are able to "beat the system." If this is so, then society will wink approval when I help the rare seeker of wisdom "beat the system." However, a teacher who too often violates his oath to judge in accord with society's vested interests will lose effectiveness. People will begin to realize that the teacher's grade is meaningless, so the grade will no longer bring society's favorable opinion and material goods. The teacher who wants to help the rare seeker of wisdom must firmly create the general appearance of a strict traditional grader.

I wish to be very harsh with teachers who deliberately violate the customary standards of grading on a regular or routine basis. For example, I know a teacher who had the habit of giving every student a course grade of B at the beginning of the course—no higher and no lower grades were permitted. This teacher claimed he was freeing students from anxiety and artificial motivation so they could explore whatever they thought was truly valuable. I claim that this teacher's conduct is not permissible, unless he is engaging in an act of massive

civil disobedience to overthrow a grading system he considers perverse. But in that case, he should publicize his actions rather than hide them, and he should dramatize his case by welcoming the penalties for "incompetence" that his colleagues are obligated to impose upon him. Furthermore, I argue that such a teacher is mistaken in his assumption that the grading system is bad. The system is very good in serving the vocational interests of students and society and sorting new members of society into appropriate categories. The grading system is merely a symptom of a much *more* profound evil: excess vocationalism and neglect of opportunities for self-realization.

An Explanation to My Colleagues

When old-fashioned masters take on apprentices, or when gurus help truth seekers achieve enlightenment, there is no due process. Students beg to place themselves under the authority of a master who alone exercises total, unappealable judgment in "passing" or "graduating" them.

Students seem to want the intimacy and spiritual growth a guru provides, but they also want the protection of due process. Since these two are incompatible, problems arise. Students oppose the impersonal standardization of objective exams, while simultaneously opposing the subjective way some instructors use essays to grade students for their opinions. Students want warmth and personal intimacy with teachers, but object to unequal treatment obtained by students who brown-nose, play "teacher's pet," or express hostility toward teacher's views. Some students think it is wrong to put any grade on creative or expressive work in art, music, poetry, or philosophy.

This paper does *not* attempt to make explicit the prevailing mores of educational evaluation. Rather, it deals with two general issues that grow out of the increased emphasis on due process in grading. (1) Should teachers, especially in the humanities, be permitted to teach their opinions and to require students to understand those opinions? If so, can due process be safeguarded? (2) Should teachers have the right to violate it by giving to selected "worthy" students grades or

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credits they have not really earned in order to help them "beat the system"? Of course I am expressing my personal views in this article. But I believe I am also expressing the general justification for the entire grading system as presently practiced. That is, I believe most teachers operate in such a way that logic would require them to agree with my main points.

Grades, Opinions, and Cultural Transmission

To grade a student is to express an opinion about the worth of his work. Even when students are ranked according to relative performance in meeting standardized requirements, the validity of the requirements and the decision to give rewards according to rank are matters of opinion. Grades yield consequences in terms of employment, salary, social mobility, and prestige. Why should teachers have such power to affect a person's life by recording their opinions about him?

One important function of education is to transmit culture. A teacher who is knowledgeable about some aspect of the culture and whose style exemplifies acceptable behavior represents his culture. Certifying and hiring a teacher confers upon him the authority to act in place of society. Thus, a teacher's grade certifies a student's level of competence in demonstrating cognitive and affective behaviors which the teacher, acting in place of society, deems good. Grades help society sort out students and allocate them to positions in such a way as to maintain the culture's patterns.

This right of the school to transmit and enforce cultural standards is challenged most severely in the area of student "discipline." Regulations governing dress, hair style, student organizations, and off-campus activity are challenged in court. Students' "rights" are increasingly negotiated rather than handed down, conduct codes must be put in writing, and due process must be followed when someone is accused of an infraction. Yet, although it sometimes appears that "law and order" have broken down, the school is nevertheless transmitting our culture. Confusion and conflict over moral opinions in the culture are reflected in confusion and conflict over disciplinary regulations in school. More to the point, however,

is the fact that students are learning to conform to society's changing opinions concerning the importance of due process. When a culture uses violence to settle disputes, so do students. When a culture emphasizes legalistic protection of the rights of accused criminals, the students begin insisting upon their rights. Thus, students receive good grades or "good-conduct standing" depending on how well they conform to society's opinions concerning how to behave or how to resolve conflicts over how to behave.

The right of the school to transmit and enforce cultural standards is even challenged in the area of subject matter, although here the challenge is less severe than in the area of "discipline." In every academic subject, students seem willing to acknowledge a teacher's right to grade them on "facts" but not "opinions." The history student is willing to be graded on how well he recalls the facts about what happened, but not on his interpretations and conclusions. The philosophy student acknowledges the teacher's right to grade on how well he recalls the details of a particular philosophy or the facts about the history of philosophy, but he objects to being graded on his own philosophizing. Opinions about what subject matter to study are also challenged. Teachers feel threatened about grading anything other than demonstrable fact; thus, facts and details become central to both teaching and grading. Science, mathematics, and language learning acquire larger portions of the curriculum both because they deal with politically neutral facts and details and because there appears to be little disagreement over "correct" procedure in these disciplines. Students who insist on impartial objectivity and the other rights of legal due process in grading therefore bear great responsibility for creating an educational environment they label depersonalized, inhumane, obsessed with trivial details, and unresponsive to deeper needs.

Canons of Reasonableness Are Opinions

It is important to realize that opinions are unavoidable, even in the most rigorous cognitive disciplines. Every discipline has certain canons of reasonableness, which are *opinions* about

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what standards to apply in judging the acceptability and worth of a piece of work. These opinions are agreed upon by a consensus of the experts and constitute folkways to be mastered by neophytes.

Mathematics and science have the most explicitly stated and well-developed canons of reasonableness, so that these disciplines appear farthest removed from opinion. Yet even here, as in all disciplines, there are constant battles over the canons of reasonableness. Perhaps we may define an expert as someone who knows his field well enough at least to understand, and perhaps to participate in, these battles. Mathematicians quarrel over the reasonableness of proof by contradiction and question whether Goedel's Proof demonstrates that the Russell-Whitehead concept of the well-formed formula is unacceptable as a mandatory canon of reasonableness. Physicists debate the relative merits of using wave or particle equations to interpret and solve problems in subatomic mechanics. Psychologists battle over Freudian versus behavioristic analyses of motivation, and Gestalt versus associationistic theories of learning. Quarrels over canons of reasonableness are attempts to define or demarcate the disciplines. "Intuitionist" mathematicians say that someone who relies on universal propositions is not doing mathematics; behavioral psychologists claim that Freudian analysis is theology rather than psychology; artists disagree over whether to admit industrial design to their discipline; poets now think that rhyming is outmoded; "legitimate" theater is unsure whether to encourage audience participation.

Although the canons of reasonableness are subject to dispute in every discipline, the disputes themselves are conducted in ways that the participants recognize as valid. So there are canons of reasonableness for debating what should be the canons of reasonableness! At some level the disputants, at least tacitly, accept certain shared opinions about what is reasonable, or else the dispute becomes an unscholarly brawl. Even in the scientific disciplines at the upper levels the canons of reasonableness are so amorphous that the expert must be constantly alert to keep up with them, and they are so complex

and nebulous that the student can master them only through osmotic initiation.

Learning *How* to Think

Students often say they want to learn *how* to think rather than *what* to think. In particular, students do not want to be subjected to propaganda or to be required to agree with the teacher. Yet, by examining the nature of canons of reasonableness, we have seen that how to think is itself a matter of opinion. Somewhere along the line a student simply must accept the authority of his teacher or of the community of experts if he wants to be considered well educated.

Notice that being considered well educated does not depend upon whether the canons of reasonableness really are correct or whether a person really believes in them. All that a student has to do is to understand the canons well enough to be able to give the appearance of abiding by them whenever called upon to do so. The analysis is the same whether we are talking about subject matter or disciplinary behavior, and whether we are talking about teacher certification or pupil credits and grades. The teacher's job is to stand in place of society by exemplifying the folkways of the culture that has certified him and by grading students according to how well they can give the appearance of exemplifying the same folkways.

Teachers Should Teach Their Opinions

As a certified exemplar of his culture, a teacher has the right and the duty to teach his opinions. Students learn *what* to think by listening to a teacher's substantive opinions about the facts or "stuff" of the discipline. Students learn *how* to think by observing a teacher operate according to the opinions known as the "canons of reasonableness" and by imitating the teacher's performance. In the more complex disciplines (e.g., mathematics, philosophy, art) teaching a student *how* to think requires us to put aside questions about *what* to think. If we want

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to teach *how* to think then we must temporarily adopt some one viewpoint, with all its one-sided opinions, as a vehicle to explore its inner workings. For example, we might select Plato's philosophy and spend a whole year learning how his doctrines are interrelated, how to draw prescriptive conclusions from his doctrines, and actually drawing conclusions about current events from this ancient philosophy.

A student may legitimately be required to state new conclusions not covered in class, but in conformity with the teacher's viewpoint, as a way of demonstrating that he understands how to think this way. Both teacher and student can do their jobs better when the teacher presents opinions that he really believes in, because then there is a more realistic exposure of the student to a mode of thought and a more accurate evaluation by the teacher of whether the student has successfully given the appearance of thinking that way. So long as it is clear that the student is playing a game and need not *really* believe in these things, there is no problem of indoctrination. Indeed, the teacher who presents his opinions blatantly and one-sidedly thereby protects his students against the normal kind of subtle indoctrination that takes place in courses which purport to be even handed. Teachers cannot avoid teaching their opinions and render a valuable service by teaching them. For example, most Americans who teach use Standard American English (SAE) and require students to speak and write SAE. The question has been raised whether this violates the rights of racial and ethnic minorities. But no matter what dialect a teacher uses, he will be conforming with some opinions while violating others. And since SAE is the commonly accepted canon of reasonableness in America, a teacher has the right not only to use it himself but also to require students to use it. Whether SAE is really good or right is irrelevant. SAE can be learned like a foreign language. To get ahead in American society a person must know how to use it correctly when the situation demands, as in applying for a job or seeking status among professional colleagues.

Critics who attack the schools for requiring students to conform to behavioral rules in the affective domain must logically broaden their attack to the cognitive domain as well. In both

areas we are asking the same question: should society have the right to require participants in various activities to give the appearance of behaving in conformity with commonly accepted standards for those activities? People who emphasize the importance of due process in handling discipline problems must logically give equal emphasis to it in the evaluation of cognitive performance. But both the critics and the supporters of the schools overlook an important point established earlier. Schooling deals with appearance rather than reality. Schools help people master the art of behaving in such a way as to create the appearance of conformity to commonly accepted canons of reasonableness, and schools evaluate how well students have mastered the art of giving those appearances. School is not as serious as most people think, although it becomes serious and even dangerous when we make the mistake of taking it seriously.

Teachers and students do not then function as a voluntary community of colearners or truth seekers, but as a community of sellers and buyers, or judges and judged, engaged in socially prescribed tasks. All of us are paid prostitutes to the social order. However, if special truth seeking relationships are established, then within those relationships we find a community of colearners where evidence of mastery is not behavioristically observable, and one person can only intuit another's level of self-realization.¹ Education for self-realization is far more important than schooling for enculturation and provides a domain where credits, grades, and due process are irrelevant. But that is a subject for a longer essay.

1. Kenneth R. Conklin, "Educational Evaluation and Intuition," *Educational Forum* 34, no. 3 (March 1970): 323-32.