

## Shame on You

John Fockler, Jr.

When I was a kid, one of the most popular shows on television was *Leave It to Beaver*. The show was about a suburban family of Dad, Mom, and two sons. I was never much of a fan of the show, but for years, I did not know why. Finally, as an adult, it dawned on me; I am, in fact, a child of Leave-It-to-Beaverland. I grew up in the 1960s in Bay Village, Ohio, a suburban community much like the one that was home to television's Cleaver family. My brother and I had two younger sisters that Wally and the Beav didn't have, and my mother did not wear a string of pearls every day like June Cleaver, but my father put on a suit and tie and went off to the office every morning. My mother, who held degrees from Wellesley and Columbia, stayed home and kept the house. I failed to warm to the show simply because it was much too close to my real life.

One difference between our house and the Cleavers' was that there was never any "wait 'til your father gets home." When I acted up, as I often did, my mother was generally the font of justice. It was not that my father was not willing to discipline us. He was. It was not that he and my mother were not on the same page on how to raise children. They were. If Dad happened to be closest when the need presented itself, Dad would wield the gavel. But Mom was home every day, and thus had more opportunity to handle the chore.

Mom and Dad had a variety of punishments available to suit the severity of the crime. Grounding was not common in our household, but TV privileges were often suspended. Extra chores might also be meted out. The nature, severity and ramifications of the offense were always discussed in detail, and one admonition often accompanied this discussion: "Shame on you!"

As was common in that time and place, my siblings and I were raised with a strong sense of the ethical rules we were supposed to live by. These rules were taught, by precept and example, by my parents, and reinforced by weekly visits to the Methodist Church. The schools in that time and place were not yet afraid to discipline students, and that further strengthened the message. We knew what was expected of us, even if I, for one, did not always live up to it, and we were capable of experiencing a sense of shame when we deviated from those standards.

Appealing to an individual's sense of shame has traditionally been a part of the process of teaching and enforcing cultural or ethical norms. The sense of shame is the realization on the part of the individual that he or she has violated the standards or values of his/her community. Including humiliation as part of the punishment deepens the violator's sense of shame. He or she feels shame as the internal sense of failing to meet expectations, and humiliation is society's show of disapproval.

Back in the '60s, it was common practice to make a child who had misbehaved in class stand in the corner for some period of time. In researching the subject, I found references to children being made to do so for long periods of time, but in my experience, the punishment was

generally used for periods less than one hour, usually much less. The point of making the child stand in the corner wasn't to inflict physical discomfort. It was to make an example of the child in front of his or her peers, to appeal to the student's sense of shame.<sup>1</sup> In that time and place, it was considered correct to use a sense of shame to train young people to meet the expectations of society.

Back in Colonial America, the stocks or the pillory were used for punishment of a variety of offenses. The stocks were a wooden frame that enclosed the ankles of the extended legs of the offender, holding him in place for whatever the length of sentence was. The offender so confined was often forced to sit on the narrow side of a board, adding additional physical discomfort to the experience. The pillory was similar, enclosing the neck and wrists of a standing miscreant.<sup>2</sup> While both punishments were uncomfortable or even painful, instilling a sense of shame was as much an integral part of the experience as the physical discomfort was. The stocks and the pillory were always erected in a public place, and the offender was thus on display to his neighbors and friends. Those neighbors were encouraged to pelt the prisoner with verbal abuse or even rotten fruit. It was being made clear to the offender that his conduct was disapproved of by the community.

Two factors are required in order for a sense of shame to be a useful and effective means of social sanction. First, the society's rules of conduct need to be clear and well known, and second, the individual must have a sense of personal responsibility for his or her conduct. Back in the suburbs of my youth, neither was really an issue. As I noted, I knew from a very early age what was expected of me: I was to go to school, turn in my homework, and "stay out of trouble." It was also made abundantly clear to me that I was responsible for my conduct. There were no excuses. My family understood, my community understood, and I understood that I was fully capable of understanding my responsibilities and fulfilling them.

Today, sadly, neither of these points may be taken as a given. The rules of society can no longer be assumed to be either clear or well known. Instead of a rigid code of expected conduct, we have the concept of moral relativity, "the view that when it comes to questions of morality, there are no absolutes and no objective right or wrong; moral rules are merely personal preferences and/or the result of one's cultural, sexual or ethnic orientation."<sup>3</sup> We are instructed not to be "judgmental," and if the speaker realizes that that admonition is, itself, judgmental, well, we will just move along quickly and hope nobody notices.

If the social rules are no longer as clear as they once were, neither is the sense of personal responsibility. Once upon a time, people in the public eye used to try to avoid personal scandal—or at least, tried to avoid being caught at it. Whether the individual was a political figure or in the entertainment industry, he or she expected that a scandal would damage the career. When they were caught, the usual course of action was to admit guilt and apologize. Today, that has often changed.

The person in the public eye today will usually avoid accepting guilt by any means possible. First, the individual will try to claim that whatever it is—betraying a spouse or sexually harassing an employee or taking performance-enhancing drugs or using racial slurs or

lying to clients or plagiarizing—never happened or was not what it seemed. The next step is to claim that whatever it is was someone else’s fault, as in, “I leave my staff to handle things like that,” or “it wasn’t my purse.”<sup>4</sup> If all else fails, then the individual heads to rehab, because, after all, he or she just was not in control of his/her actions.

Please don’t mistake my comments here for a preference to the world of 1960s suburbia to the world of today. I do not mean anything in this piece to be taken as a blanket approval of the social code that was common in my youth. Although there is a seeming desire of the part of some people today to return to the 1950s, the era was not necessarily all that good if you were black or female. The same was true if you were non-Christian, Hispanic, gay, or poor. The social norms of white Midwestern suburbia in that era were very strong and not very accepting of people who were different. And in this regard, at least in American suburbia, the ‘50s lasted until at least 1965. Issues like gay rights and the right of women to access to a full range of career choice and equal pay were still below the radar, even in socially liberal families.

The values of society itself have undergone change in those forty-plus years. Some things we condemned back then are more acceptable today, while other things that were then assumed to be harmless are condemned. The choice of a single woman to have a child was roundly condemned in the 1960s. Today, we are much more accepting of that choice, although some people might tie acceptance to the ability of the mother to meet the responsibilities of raising the child. On the other side, open expressions of racism were commonplace then, but socially unacceptable today. Both changes represent, in my opinion, progress in the evolution of our social morals.

Lest we think that the changes have been all positive, though, in the Bay Village of the ‘60s, we never heard a condemnation of “snitching.” While “tattling” on your friends over minor infractions was never popular, it was assumed that most people would cooperate with authorities when major offenses against person or property were concerned. Today, in some sectors of society, this is considered morally unacceptable. “Stop Snitchin’” is the name of a controversial DVD aimed at convincing or threatening informants not to cooperate with police.<sup>5</sup> Especially in poor urban communities, this has become a part of the societal norm. Raising loyalty to a segment of society over loyalty to society as a whole is dangerous.

The racist and sexist failings of that earlier code of conduct should not blind us to its positive values, though. That code valued self-reliance. We were raised to take care of ourselves, and that prepared us for an adult life in which we would earn a living, at least if male, pay our own way, expect no charity and raise our children the same way. We were taught to “love our neighbors as ourselves.” We treated our neighbors and their property with respect. We tried very hard not to disturb them unnecessarily. We would help our neighbors out if they needed a hand, at least so long as they didn’t need it too often. We shunned violence, at least within our communities.

The non-judgmental code of today has its weaknesses as well. We are enjoined to be sympathetic to the underprivileged, but it is “politically incorrect” to lay any blame on an

individual for dropping out of school, failing to develop proper work habits or not avoiding a dependence on drugs or alcohol.

That doesn't mean that shame is obsolete, even as a method of punishment. In an op-ed piece from *USA Today* on November 17, 2009, Jonathan Turley relates that judges across the country are reviving the use of shame and public humiliation as a form of punishment.<sup>6</sup> He cites as example the sentence of a 55-year-old woman and her 35-year-old daughter to sit in front of the courthouse holding signs that read, "I stole from a 9-year-old on her birthday! Don't steal or this could happen to you!" Turley claims, "Studies have shown limited value in humiliation as a punishment in terms of actual deterrence in crime." He concludes the piece as follows:

All criminal sentences produce shame for most citizens. But there is a difference between shame *from* a punishment and shame *as* a punishment. These judges are inventing their own forms of retributive justice like little Caesars toying with citizens. It is a threat to the basic principles of our legal system. It is an abuse of not just the criminal code but of the criminals themselves. It is not just wrong. It is, in a word, shameful.<sup>7</sup>

A week later, *USA Today* ran a response from another of the judges cited by Turley. Ted Poe had previously been a judge in Houston, Texas, and was then a Republican Congressman. Poe defended his practice of employing shame as a method of censure, claiming that those receiving such "creative justice" in his court had a very low rate of reoffending.<sup>8</sup>

So what should we conclude? Does shame have a place in enforcing the norms of society? Can we expect it to be used effectively?

Turley sees the practice of using this means of sanction against adult offenders as motivated more by politics than by justice. He believes the judges are playing to the baser instincts of the mob. Critics of making an unruly student stand in the corner call the practice "cruel" and "humiliating."<sup>9</sup> (The article did not use the term, but I sensed the term "self-esteem" lingering just off stage.)

The behavior being sanctioned in these examples is wrong because it interferes with the rights of another person. A thief is depriving another person of his or her property. A child who disrupts class is interfering with the rights of the other students to pursue their educations. It is not cruel to draw the malefactor's attention to his or her failure and to the disapproval of society. The person who does this does not need to have his or her self-esteem protected in this regard. An excess of unmerited self-esteem may often be a contributor to this kind of behavior.

If there is a problem with shame as a method of social sanction, it is in the realm of effectiveness. As we have noted, neither the clarity of the social rules nor the concept of responsibility for one's own actions is in ascendancy these days.

In the case of the mother and daughter who allegedly stole from a child, we have to ask ourselves, "Are these people capable of learning anything from their punishment?" Since the person who would commit this crime is probably totally self-centered, the only thing important to them being that "they get theirs," the women exposed to this sort of punishment are more

likely to simply see themselves as victims than to feel shame. On that score, then, the punishment is pointless.

The child who disrupts class may be able to profit from this kind of penalty if, and only if, the message is reinforced at home. If, instead, the child goes home and the parent's reaction is to blame the teacher and the school, the child loses the idea that the original behavior is wrong.

At the end of the day, the capacity to feel shame is found only when society practices the civic virtues. In the presence of these virtues, an appeal to the sense of shame can succeed. In its absence, such an appeal must fail. In a community of shared values, like Leave-It-to-Beaverland or the Bay Village of the 1960s, shame is powerful; in a community without shared values, as ours has grown to be, shame is powerless.

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<sup>1</sup> <http://www.opposingviews.com/i/is-a-student-standing-in-the-corner-cruel-child-discipline>

<sup>2</sup> <http://en.allexperts.com/q/U-S-History-672/2009/6/Puritan-Punishment.htm>.

<sup>3</sup> <http://www.truthnet.org/Christianity/Apologetics/Morality1/>.

<sup>4</sup> <http://www.leaderpost.com/entertainment/Paris+Hilton+cops+plea+avoids+jail+time+drug+bust/3552432/story.html?id=3552432>.

<sup>5</sup> <http://stop-snitching.com/>

<sup>6</sup> Turley, Jonathan, "Shaming undermines justice," USA Today, November 17, 2009, page 13A.

<sup>7</sup> Ibid.

<sup>8</sup> Poe, Rep. Ted, "Creative justice helps cut crime," USA Today, November 24, 2009.

<sup>9</sup> <http://www.opposingviews.com/> op cit.

## \*Biographical Note



John Fockler, Jr., is a “lifer” in the hotel industry, having served in a variety of jobs in hotels over the last 30 years and managed properties in Ohio and Pennsylvania. He is currently part of the management team in a property in Austintown, Ohio. He is a 1979 graduate of Colgate University in Hamilton, NY, with a degree in history.

Apart from work and Torch Club, Fockler has been active in the Libertarian Party. He has twice been a candidate for political office, and plans to seek the party’s nomination for the US Senate in 2016. Among his current positions, he is a member of the Libertarian Party of Ohio’s Central Committee and serves as deputy director of communications.

Fockler is a past president of the Torch Clubs in Youngstown and Akron, and maintains membership in both. This is his ninth appearance in *Torch* magazine. Presented to the Youngstown Torch Club, November 15, 2010.

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