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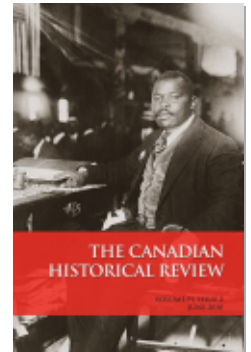
## No Longer a 'Last Resort': The End of Corporal Punishment in the Schools of Toronto

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# No Longer a 'Last Resort': The End of Corporal Punishment in the Schools of Toronto



*Abstract:* In 1971, following a protracted and tumultuous debate, the Toronto Board of Education formally abolished the use of corporal punishment in its schools – the first Ontario board to do so. Corporal punishment continued to be employed elsewhere in Ontario and throughout Canada well into the 1980s, and the use of physical discipline was prohibited in all Canadian schools only in 2004, following a ruling of the Supreme Court of Canada. Why did educators and legislators defend corporal punishment for so long, and why did the tide turn in the last part of the twentieth century? Concentrating on legal and political dynamics, this article explores the ways in which the Toronto Board of Education grappled with the issue of corporal punishment in the three decades before its abolition. It seeks to situate the story of Toronto's approach to school discipline on the broader social landscape on which the battle over corporal punishment was conducted. It concludes that the particular configuration of the Toronto Board of Education following trustee elections in 1969 strongly affected the shape and outcome of the corporal punishment debate.

**Keywords:** corporal punishment, school discipline, Toronto Board of Education, school reform

*Résumé :* En 1971, après un long débat tumultueux, le Conseil scolaire de Toronto a officiellement aboli l'utilisation du châtiment corporel dans ses écoles, le premier conseil scolaire à prendre une telle décision. Le châtiment corporel est demeuré employé ailleurs en Ontario et au Canada jusqu'au milieu des années 1980. La correction physique n'a été interdite dans l'ensemble des écoles canadiennes qu'en 2004, à la suite d'une décision de la Cour suprême du Canada. Pourquoi les éducateurs et les législateurs ont-ils voulu conserver le châtiment corporel durant si longtemps, et pourquoi le vent a-t-il tourné au cours de la dernière partie du XX<sup>e</sup> siècle? Le présent article est axé sur la dynamique légale et politique et examine comment le Conseil scolaire de Toronto s'est accommodé de cet épineux problème du châtiment corporel au cours des trois décennies qui ont précédé son abolition. L'auteur cherche à situer l'histoire de la méthode torontoise envers la discipline scolaire dans un contexte historique plus vaste où s'est déroulé la lutte ayant trait au châtiment corporel. Il en vient à la conclusion que la configuration particulière

*du Conseil scolaire de Toronto après l'élection des fiduciaires en 1969 a eu une importante influence sur la forme et le résultat du débat sur le châtiment corporel.*

**Mots clés :** châtiment corporel, discipline scolaire, Conseil scolaire de Toronto, réforme scolaire

He that spareth the rod hateth his son, but he that loveth him chasteneth him betimes.

– Proverbs 13:24

The best Teacher, like the best Parent, will seldom resort to the Rod; but there are occasions when it cannot be wisely avoided.

– Egerton Ryerson, superintendent of schools, Canada West, 1864

Recommendation 29: 'Abolish corporal punishment and other degrading forms of punishment as a means of discipline in the schools, in favour of a climate of warmth, co-operation and responsibility.'

– *Report of the Provincial Committee on Aims and Objectives of Education in the Schools of Ontario*, 1968

The corporal punishment of children in families and schools has an enduring, if not exactly exalted, history. The physical discipline and punishment of the young reaches back at least to ancient Greece and in many parts of the world continues today.<sup>1</sup> While lawmakers in liberal-democratic societies have been reluctant to intervene in family life by proscribing physical punishment, they have, in an increasing number of jurisdictions, banned the rod and strap in schools. Still, harsh forms of classroom discipline survived most of the twentieth century in North America, even in the wake of other major educational reforms. The Board of Education of the City of Toronto prohibited the use of the strap in 1971, the first board in the province of Ontario to do so, but physical discipline was not officially abolished from all Canadian schools until 2004 following a ruling of the Supreme Court of Canada.

What explains the history of the strap and its various predecessors? Why did educators and legislators defend corporal punishment for so long, and why did the tide turn in the last part of the twentieth century? This article, focusing on the period from 1945 to 1971,

1 In 2008, corporal punishment was legal in the schools of twenty-one us states. According to Human Rights Watch of the American Civil Liberties Union, 233,190 American students received corporal punishment in 2006–7. See 'More than 200,000 Kids Spanked at School,' [CNN.com/US](http://edition.cnn.com/2008/US/08/20/corporal.punishment/), <http://edition.cnn.com/2008/US/08/20/corporal.punishment/>. For reports on corporal punishment internationally, see World Corporal Punishment Research, <http://www.corpun.com>.

explores the ways in which the Toronto Board of Education, the largest school jurisdiction in Ontario and the second largest in Canada,<sup>2</sup> grappled with the issue of corporal punishment. Drawing primarily from archive documents (including original discipline records), newspaper stories, published memoirs, and oral interviews with ex-trustees and board administrators involved in the policy debates, I attempt to situate the story of Toronto's approach to corporal punishment on the broader social landscape on which the battle was conducted.<sup>3</sup> This study concentrates on the political and legal dimensions of the corporal punishment debate, but it also seeks to complement recent scholarship on the 'embodied regulation of children in schools' – the process by which disciplinary techniques were 'inscribed' on students' bodies, not only through the use of the rod and the strap, but through physical education regimens, dress codes, and gendered discourses.<sup>4</sup> This article aims to contribute to the political, social, legal, and cultural historiography of twentieth-century schooling.

Justifications for the bodily castigation of children echo throughout history. Governments, religious leaders, educators, and parents commonly believed that corporal punishment was righteous and efficient. Used appropriately, it would secure or restore order, discipline the body and motivate the mind, imbue religious and moral lessons, and both punish and prevent aberrant behaviour. While historians do not

- 2 This was one of several urban boards of education (now amalgamated into a single metropolitan-wide board called the Toronto District School Board) in the old Municipality of Metropolitan Toronto. In 1970, there were just over 110,000 students enrolled in the Toronto Board compared to 229,000 in the Commission des écoles catholiques de Montréal, Canada's largest school board. See Robert Gagnon, *Histoire de la Commission des écoles catholiques de Montréal* (Montreal: Boréal, 1996), 244. I have prepared this article in the course of a research project on the history of schooling in Toronto from 1945 to 1980.
- 3 Although I had access to a number of Toronto Board of Education corporal punishment record books, which list the names of students who were strapped, strict privacy regulations prevented me from attempting to contact these individuals or their relatives. I did interview several surviving school board trustees and administrators who were involved in the debates, and they are cited with their permission. I also interviewed Loren Lind, a *Globe and Mail* reporter, who extensively covered the campaign to abolish corporal punishment, and he graciously allowed me access to his personal files.
- 4 Mona Gleason, 'Disciplining the Student Body: Schooling and the Construction of Canadian Children's Bodies, 1930–1960,' *History of Education Quarterly* 41, no. 2 (Summer 2001): 191; Kate Rousmaniere, Kari Delhi, and Ning de Connick-Smith, eds., *Discipline, Moral Regulation, and Schooling: A Social History* (New York: Garland, 1997); Carolyn Strange, 'The Undercurrents of Penal Culture: Punishment of the Body in Mid-Twentieth-Century Canada,' *Law and History Review* 19, no. 2 (Summer 2001): 343–85.

all agree on the extent of corporal punishment through the ages,<sup>5</sup> the record suggests that in every era there seemed to be good reason to lash out, literally, at unruly, or merely maturing, children. According to the Spartans, physical pain made young men more durable; the writer and soldier Xenophon, a contemporary of Socrates, claimed that 'tears are a master's instrument of instruction.'<sup>6</sup> Such lessons were not lost on the Romans, who held children 'culpable' for their behaviour at the age of seven, a practice passed down to England and its future colonies, including Canada, where the Juvenile Delinquents Act of 1908 made those between the ages of seven and sixteen liable for criminal prosecution. The Romans are also credited with creating the instruments of physical punishment: the 'scutia' or strap of leather; the 'ferula' or rod, and the 'virga,' a switch that resembled the birch.<sup>7</sup> Versions of all of these were used in Canadian schools in the nineteenth and twentieth centuries.

Theological doctrine offered a powerful validation for the physical discipline of children and youth at home and in school. The Old Testament famously warned adults not to spare the rod, and according to the 'doctrine of original sin,' flogging the essentially 'depraved' child contributed to the expulsion of the devil. 'As flagellation was necessary to penance, so flogging was deemed essential to the spiritual and mental growth of children.'<sup>8</sup>

While corporal punishment endured, and was practised with particular intensity in early-nineteenth-century British and American schools, dissenting or at least moderating views were periodically voiced. Enlightenment thinkers, notably John Locke and Jean Jacques

5 Philippe Ariès, *Centuries of Childhood: A Social History of Family Life* (New York: Vintage Books, 1962), 241–68; Lloyd deMause, ed., *The History of Childhood* (New York: Harper and Row, 1975); Linda A. Pollock, *Forgotten Children: Parent–Child Relations from 1500 to 1900* (Cambridge: Cambridge University Press, 1983), 188–202.

6 Charles Wrock, 'A History of Legal Actions Arising out of Controversies with Respect to Corporal Punishment in the Public Schools' (MA thesis, University of Toronto, 1975), 16.

7 P. Monroe, ed. *A Cyclopaedia of Education* (New York: Macmillan, 1926), 84, cited in Wrock, 'History of Legal Actions,' 17.

8 F. Henry Johnson, 'Changing Conceptions of Discipline and Pupil–Teacher Relations in Canadian Schools' (doctor of paed. diss., University of Toronto, 1952), 14. See also Barbara Finkelstein, 'A Crucible of Contradictions: Historical Roots of Violence against Children in the United States,' *History of Education Quarterly* 40, no. 1 (Spring 2000): 1–21; Philip Greven, *Spare the Child: The Religious Roots of Punishment and the Psychological Impact of Physical Abuse* (New York: Vintage Books, 1992). Also, Proverbs 22:15: 'Foolishness is bound in the heart of a child; but the rod of correction shall drive it far from him.'

Rousseau, advised teachers not to rely excessively on force. They believed that brutality was not normally required in the teaching and learning of lessons, though Locke noted that the rod might be necessary in cases of ‘willful and obstinate disobedience.’<sup>9</sup> In 1847, American author and educator Lyman Cobb questioned the morality and effectiveness of physical punishment in the burgeoning common school system and recommended that the rod be employed only ‘as an *ultimatum* or *last resort* to make a boy yield or submit when all *mild* and *persuasive* means have *failed*; and not as a “means of moral discipline” at all.’<sup>10</sup> Nevertheless, corporal punishment in schools thrived in the United States. New Jersey formally abolished its use in 1867; the second state to do so was Massachusetts – in 1972.<sup>11</sup>

Similar sentiments and practices endured in British North American schools in the late nineteenth century, where students (boys and girls) frequently experienced and probably always feared the rod, the ferule, the birch, or the teacher’s open hand. The rise of mass, state-funded, and compulsory schooling posed particular challenges for discipline. On the one hand, teachers were tempted to use corporal punishment to establish and sustain order in large and growing classrooms, and regularly did so. On the other hand, prominent officials like Egerton Ryerson, superintendent of education in Ontario, realized that force alone would not, in the long run, create a compliant, appropriately socialized citizenry. A robust, peaceful, and morally grounded community required voluntary deference to authority, not simply threats and physical coercion. Ryerson explained in 1847, ‘Though punishment is sometimes necessary, where moral influence has done its utmost, the conscience is, in all ordinary cases, an infinitely better disciplinarian than the rod. When you can get children in a School to obey and study, because it is a right, and from a conviction of accountability to God, you have gained a victory, which is worth more than all of the penal statutes in the world.’<sup>12</sup>

9 John Locke, *Some Thoughts concerning Education*, s. 47, cited in Johnson, ‘Changing Conceptions,’ 17.

10 Lyman Cobb, *The Evil Tendencies of Corporal Punishment as a Means of Moral Discipline in Families and Schools: Examined and Discussed* (New York: Newman, 1847), 9.

11 Donald R. Raichle, ‘The Abolition of Corporal Punishment in New Jersey Schools,’ in *Corporal Punishment in American Education: Readings in History, Practice and Alternatives*, ed. Irwin A. Hyman and James H. Wise, 62–88 (Philadelphia: Temple University Press, 1979).

12 Cited in Bruce Curtis, *Building the Educational State: Canada West, 1836–1871* (London, ON: Althouse, 1988), 322.

The province sought to oversee and generally regulate classroom discipline while leaving implementation to the discretion of local educational authorities. The language on discipline included in the Department of Education Act of 1891, which remained in place for most of the twentieth century, was an idealized expression of 'in loco parentis,' a construct that assigned authority to the teacher to 'stand in place of the parent,' or in the words of the act, 'to practice such discipline as would be exercised by a kind, firm, and judicious parent.'<sup>13</sup>

What did this mean in practice? Apart from the phrasing above, the Ontario Education Act made no explicit reference to corporal punishment or to the physical discipline of school children. The Criminal Code of Canada, however, did, and a number of legal cases established the parameters and limits of the practice in Ontario and elsewhere. Teachers were permitted to use 'reasonable' force in the Canadian classroom, but could be found criminally liable if an action resulted in the 'permanent injury' of a student, 'was too severe for the offence, or was inflicted with malice thereby rendering such punishment to be not in good faith.' Hitting pupils on the head, which could lead to enduring physical harm, was generally proscribed by the courts, as was 'excessive and improper punishment,' typified by a 1932 Quebec case in which a teacher flogged a student repeatedly for ten to fifteen minutes with a leather strap.<sup>14</sup>

By establishing conditions on the use of physical discipline, the courts essentially secured the place of the strap, or its equivalent, in Canadian schools throughout the twentieth century. Boards of education developed specific corporal punishment practices deemed permissible by both the Canadian Criminal Code and provincial education regulations. The Toronto Board of Education's by-laws (1955) instructed teachers to 'administer corporal punishment only when necessary and then only in the manner following: a) on the hands of the pupil, b) with the strap supplied by the Board, c) in the presence of another teacher or the principal.' Students were obligated to submit to corporal punishment, and 'in the case of opposition' they could be suspended by the principal. Notably, the by-law included the long-standing directive that school discipline be consistent with the practices of a 'kind and judicious parent.'<sup>15</sup>

13 Wrock, 'History of Legal Actions,' 43, 48.

14 Ibid., 102–8.

15 'Teachers Duties,' in Revised Regulations of the Board of Education for the City of Toronto, as Approved by the Special Committee of the Board, June 1955, Historic Book Collection, Toronto District School Board Archives (hereafter, TDSBA). See also Peter Barga, *The Legal Status of the Canadian Public School Pupil* (Toronto: MacMillan, 1961), 126–7.

In the decades around mid-century, the application of the strap, and the threatened use of it, were embedded components of the disciplinary code in Toronto schools. In 1933, 1500 pupils in Toronto schools were strapped, the vast majority in elementary schools, though 11 per cent of Toronto principals reportedly 'had no occasion to use it at all during that year.'<sup>16</sup> A more detailed profile of corporal punishment practices can be found in annual corporal punishment record books for each elementary school, which included the students' names, reason(s) for the strapping, and the number of 'slaps' given. Ogden Public School, for example, administered the strap forty times between September 1945 and June 1946. All recipients were boys, twenty of whom received six slaps, nine of whom eight slaps, four of whom four slaps, and one of whom, an unusually high ten slaps. The most common 'offences' were truancy, lying, fighting, disobedience, smoking, and continuing misconduct. In 1950-1, fifty-seven Ogden students were strapped for similar reasons, along with individual episodes of 'filthy talk to girls,' being found in a girls' basement, rolling dice in a room, selling and buying firecrackers, and stealing from cars. The incidence of strapping decreased dramatically in 1956-7 and fell to a new low of eight in 1957-8, which coincided with the appointment of a new principal. But the number of cases increased significantly in the early 1960s, peaking in 1965-6 at seventy-five and included four girls. The latter were punished, respectively, for being a 'disturbiee and saucy,' for 'leaving class to go swimming,' for 'shopping on the way to school many times,' and for 'failing to admit truth.' Boys' offences involved more aggression: bullying, biting, rough play, spitting, and throwing snowballs. In virtually every year, several students received the strap more than once.<sup>17</sup>

The corporal punishment records of other elementary schools reveal similar patterns: four to six slaps appeared to be the norm; girls were strapped but relatively infrequently; and students were punished for behaviour considered by school authorities to be insubordinate.<sup>18</sup>

16 George Macdonald, 'Corporal Punishment in Schools and Its Interpretation by the Law Courts,' n.d., 40, cited in Johnson, 'Changing Conceptions of Discipline,' 47. The total elementary school enrolment in Toronto schools in 1933 was 81,908 students (excluding vocational and secondary schools), suggesting a strapping rate of about 1.8 per cent.

17 Record of Corporal Punishment, 1937-1967, Ogden School, box 2003-0708, TDSBA.

18 Record of Corporal Punishment, 1940-71, Rose Avenue Public School; Record of Corporal Punishment (2 vols.), Grace Street Public School; Record of Corporal Punishment, Balmy Beach Public School (TDSBA). The Board Archive collection of corporal punishment record books is not comprehensive; file titles and locations vary.



While aggregate corporal punishment records for every year are not available, the board did issue a full report on the incidence of strapping in elementary schools to a private session of the Management Committee in May 1948. Between 1 November 1947 and 30 April 1948 a total of 3,497 boys and 300 girls were strapped, representing some 6 per cent of the total student population – a rate that would have been surpassed had the entire academic year (September to June) been included in the report.<sup>19</sup> The patterns suggest, as a Board Archive report notes, a higher incidence of corporal punishment in ‘downtown or central core schools’ than in the more affluent, middle-class areas of the city, although students everywhere were vulnerable to such discipline.<sup>20</sup> Charles G. Fraser School strapped the highest number of boys – 174 – followed by Queen Alexandra and Ryerson, both at 148. These schools were all located in the city core. By contrast, between November and April no boys were strapped at seven schools – Allenby, Blythwood, Brock Street, Coleman Avenue, Cottingham, Davisville, and Deer Park – five of which were located in more prosperous neighbourhoods.<sup>21</sup>

Indeed, the degree of strapping in individual schools frequently changed – either rising or falling – when a new principal was appointed. As the school’s dominant authority figure, the principal, normally administered the strap, always in the presence of an adult witness, usually a teacher, or sometimes an office assistant. In the absence of the principal, the vice-principal or a designated male teacher strapped the students, while female teachers virtually never did. The latter would more than likely serve as witnesses when their own students were being punished. In his first elementary teaching job, Edward McKeown was instructed by the inspector to store the strap in his cupboard because he was ‘the only male teacher on the floor.’<sup>22</sup>

19 C.C. Goldring (director of education) to the chairman and members of the Management Committee – in Private Session, 21 May 1948. Corporal Punishment Reports 1940–1962, box 2003-0237, TDSBA. There were 61,627 students enrolled in the elementary schools in 1947. Note: the ‘rates’ cited here and for later years include ‘repeaters’ – those strapped more than once in an academic year. If they were to be counted only once, the overall ‘rate’ of strapping would be slightly lower than the figures cited in the text.

20 Toronto Board of Education, *An Annotated Guide to the Manuscripts in the Historical Collection of the Toronto Board of Education* (Toronto: Board of Education, 1977), 40.

21 Brock Street and Coleman Avenue were ‘downtown’ schools.

22 Interview, Edward McKeown, 28 Jan. 2009. McKeown served as associate director of the Toronto Board of Education from 1973 to 1980 and director from 1980 to 1989.

Why were girls disciplined so differently from boys? Former teacher and board trustee Fiona Nelson surmised that boys were expected by teachers to behave more aggressively than girls, and those who got into trouble, more often than not, did. Girls seemed better able to 'conform' to social and gendered expectations by working quietly at their desks for longer periods.<sup>23</sup> Because girls fought less and were generally less 'rambunctious,' most escaped the strap. But as we have seen, the strap was not meted out only in response to violent or physically disruptive behaviour. Truancy, disobedience, insolence, smoking, and stealing all led to the principal's office.

While there are few detailed accounts of such behaviour, the corporal punishment record of Rose Avenue Public School for the early 1960s contains additional information on individual cases. As elsewhere, very few girls received the strap, but those who did appeared to have been chronic rule breakers whom teachers simply could not manage. One student was part of a group that had been 'fighting, ganging, quarrelling for almost a month.' The incident triggering the strap was an 'attack' on a girl in the hall leading to a head injury. According to the principal, 'Strapping was the only recourse left. Now it will be a police matter.' Another girl was strapped for 'constant disturbance, constant swearing even in class' (for which she received an extraordinary ten slaps), not unlike the case of a student who engaged in 'absolute insolence, screaming defiance ... a repetition of several previous occasions.' In two other instances, girls were found to have been 'late and lying about it,' and being truant 'more than once.'<sup>24</sup>

While the evidence is limited, one could conclude that corporal punishment patterns in the school mirrored the treatment of 'delinquents' in the Canadian courts, which, as historians have recently discovered, was profoundly gendered. Between 1950 and 1965, Ontario boys were charged under the Juvenile Delinquents Act at a far higher rate than girls, and the charges were very different. Males were most likely to be arrested for breaking and entering, theft, and property damage, while girls were charged, in the main, with the character-based offence of 'incurability.'<sup>25</sup> As in the schools, the gender of

23 Interview, Fiona Nelson, 23 June 2009.

24 Record of Corporal Punishment, 1940-71, Rose Avenue Public School, TDSBA.

25 Joan Sangster, *Girl Trouble: Female Delinquency in English Canada* (Toronto: Between the Lines, 2002), table 4.3, 76; Mary Louise Adams, *The Trouble with Normal: Postwar Youth and the Making of Heterosexuality* (Toronto: University of Toronto Press, 1997), 53-82. Note, however, that while 'incurability' in the juvenile courts was linked most frequently to sexual and moral offences, I have found no evidence that girls were strapped in Toronto schools for activities related to assumed sexual behaviour.

'troublesome' children and youth affected the ways in which they were perceived and treated by police and the courts.

The strap was a largely unquestioned instrument in the school's disciplinary arsenal. Ronald E. Jones, who started his career as an elementary teacher in the 1940s and became director of the Toronto Board of Education in 1970, recalled that 'the strap was the main source of discipline in the schools and it certainly was an effective means of controlling misbehaviour. Moreover, it was generally accepted by pupils, teachers and parents as a proper and effective punishment. A principal who didn't advocate its use and who didn't "back up" its use by his teachers was considered a weak disciplinarian.'<sup>26</sup> James Laxer, who attended McMurrich Public School in the late 1940s and early 1950s, described the ritualistic-like administration of the strap. 'If you misbehaved in a flagrant way, you would be strapped. Strappings were solemn occasions. We sat gravely in our seats as the teacher, holding a black leather thing that looked like a slab of licorice, led the miscreant, always a boy, into the classroom. Then we waited for the thwack, followed by another and another, wondering if the boy would cry, as he sometimes did.'<sup>27</sup> When asked their opinions, although that happened rarely, many students defended corporal punishment. An anonymous poll of a class at Whitney Public School in 1945 found nineteen students in favour of the strap and seventeen against. One supporter claimed that 'it had a strong influence in making you do right,' whereas those opposed said that while the strap was 'frightening at first,' it soon lost its meaning; what's more, there were 'kinder' ways to teach – 'might was not always right.'<sup>28</sup>

Even if they were in a minority, the students who expressed doubts about the strap were not alone in their skepticism. Long before corporal punishment was abolished, some educators, health professionals, and parents voiced their concerns about the reliance by teachers on coercive forms of discipline. The mental hygiene movement, which emerged after the First World War, challenged educators and parents to comprehend the relationship between children's behaviour and their mental health. Fear, anxiety, insufficient rest, improper food,

26 R.E. Jones, *The Ron Jones Story (His Life and Times, 1914–1995): An Autobiography Written Especially for My Grandchildren* (Toronto: Jones, 1995), 98, Historic Book Collections, TDSBA.

27 James Laxer, *Red Diaper Baby: A Boyhood in the Age of McCarthyism* (Vancouver: Douglas & McIntyre, 2004), 22.

28 'Pupils Favor Use of Strap, Whitney School Poll Reveals,' *Globe and Mail*, 14 Feb. 1945.

and emotional insecurity all could lead young people to engage in anti-social activities. According to S.R. Laycock, a psychology professor from the University of Saskatchewan and a leading figure in the mental hygiene movement, families and schools should adopt 'behaviour-guidance' strategies, through which the child would learn self-control and self-direction. Adults should explore and treat behavioural problems systematically and scientifically, and not resort to punishing children in a 'blind fashion.'<sup>29</sup> Laycock's colleague William E. Blatz, founder of the Institute of Child Study at the University of Toronto, also favoured alternative punishments such as 'isolation or restitution.'<sup>30</sup> In the 1940s and 1950s, mental hygiene advocates and other 'progressive' educators successfully promoted guidance, testing, and the use of psychologists in Canadian schools, including those in Toronto, but even as these innovations were effected, the strap remained, notwithstanding periodic challenges from aggrieved parents or individual trustees.<sup>31</sup>

In 1954, Trustee Edna Ryerson proposed that the board abolish the use of the strap on small children. She said she could not 'conceive of a calculated misdemeanour of a child under eight years that would warrant a strapping.' The Board Management Committee rejected the motion, a position supported by C.C. Goldring, director of education, and by Stella McKay, president of the Toronto Home and School Association. 'I don't think that corporal punishment should be abolished,' she contended, 'but it should be kept under strict control. Some children may know of no other correction in their home and therefore have great respect for the strap even if it's only in the principal's office or in the teacher's desk.'<sup>32</sup> As Edward McKeown noted,

29 S.R. Laycock, 'You Can't Get Away from Discipline,' *Educational Review* (New Brunswick Teachers' Federation) 54, no. 4 (Mar. 1946): 5. On mental hygiene and psychology in Canadian schools, see Mona Gleason, *Normalizing the Ideal: Psychology, Schooling, and the Family in Postwar Canada* (Toronto: University of Toronto Press, 1999). See also, 'Ban on Strapping Children Advocated by Psychiatrists,' *Toronto Daily Star*, 23 Sept. 1946.

30 W.E. Blatz, 'Discipline versus Corporal Punishment,' *Childhood Education* 5 (Nov. 1928), 144-49, cited in Johnson, 'Changing Conceptions of Discipline,' 283-4.

31 Minutes, Toronto Board of Education, 19 Apr. 1945, 17, TDSBA; 'Mayor Shocked at Big Welts on Strapped Boy, 13,' *Toronto Daily Star*, 1 Dec. 1949; 'To Strap or Not to Strap,' *Globe and Mail*, 15 Jan. 1958; Johnson, 'Changing Conceptions of Discipline,' 338-41.

32 'The Strap Will Stay in Toronto Schools,' *Toronto Telegram*, 10 Mar. 1954. Also, C.C. Goldring and Z. Phimister to the chairman of the Management Board, 8 Mar. 1954, vertical files - Discipline, TDSBA.

it was 'fear of the strap,' not so much the strap itself, that helped regulate classroom life, at least, that is, until the end of the 1960s.<sup>33</sup>

The reform of public schooling was in the air by the mid-1960s. The extraordinary growth of elementary and secondary enrolments in the postwar period was accompanied by a reassessment of the organization of school systems and of classroom pedagogy.<sup>34</sup> Notwithstanding innovations during the 1950s, school change emerged slowly. Educators and editorialists certainly debated the virtues of 'progressive,' child-centred approaches to instruction, but schools, in the main, stressed the importance of order, oral and written presentation skills, good citizenship, Christianity, and wholesome family living. They also promoted 'democracy' in the postwar period – an omnibus term that was employed in different ways by those with competing political and educational ideas. For some, it meant vigorously opposing communism; for others it spoke to the importance of enhancing and extending educational opportunities. A third perspective stressed democracy's role in cultivating loyalty, civic engagement, and personal responsibility, while a fourth pointed to the failure of traditional schooling to respond adequately to the needs and interests of students as individuals. The uniformity and inflexibility of the classroom experience, the continuously high attrition or dropout rates, and the over-emphasis pedagogically on good behaviour (including the use of the strap) meant, from this perspective, that too many students were deprived of the 'democratic' possibilities and choices that schools ought to offer. The huge baby boom demographic itself was an increasingly visible and assertive presence, and helped fuel a cultural and political movement focused on school reform.<sup>35</sup> Against this back-

33 Interview, McKeown.

34 Paul Axelrod, 'Beyond the Progressive Education Debate: A Profile of Toronto Schooling in the 1950s,' *Historical Studies in Education* 17, no. 2 (Fall 2005): 227–41; R.D. Gidney, *From Hope to Harris: The Reshaping of Ontario's Schools* (Toronto: University of Toronto Press, 1999), chap. 4; Robert M. Stamp, *The Schools of Ontario 1876–1976* (Toronto: University of Toronto Press, 1982), 203–24.

35 For a sampling of this range of views, see Frank C. Clarke, "'Keeping Communism out of Our Schools': Coldwar Anti-Communism at the Toronto Board of Education, 1948–51,' *Labour / Le Travail* 49 (Spring 2002): 93–120; Michael Gauvreau, 'The Protracted Birth of the Canadian Teenager: Work, Citizenship and the Canadian Youth Commission, 1943–55,' in *Cultures of Citizenship in Post-War Canada, 1940–1955*, ed. Nancy Christie and Michael Gauvreau, 201–38 (Montreal and Kingston: McGill-Queen's University Press, 2003); C.C. Goldring, 'Some Trends in Education,' in *Centennial Story: The Board of Education for the City of Toronto, 1850–1950*, ed. E.A. Hardy and Honora M. Cochrane, 282–6 (Toronto: Nelson, 1950); Minister of Education, Ontario

ground, corporal punishment, among other traditional educational practices, elicited growing critical scrutiny.

One group of critics, the authors of the 1968 *Report of the Provincial Committee on Aims and Objectives in the Schools of Ontario*, known popularly as the *Hall-Dennis Report*, sharply condemned corporal punishment and the use of the strap. Reflecting an anti-authoritarian, child-centred philosophy that infused the commission's work, it found no 'educational advantage in pain, failure, threats of punishment, or appeals to fear.'<sup>36</sup> Notably, the Ontario minister of education agreed. In a speech to the Legislative Assembly on 4 December 1968, William Davis called upon principals and teachers to 'refrain from using [corporal punishment] ... in the schools of Ontario.'<sup>37</sup> The Department of Education followed this speech with a letter to senior educational officials throughout Ontario reiterating the minister's position. The province, however, took no legislative or regulatory action on this matter. Instead it encouraged school boards to 'interpret' the current longstanding regulation, which required pupils 'to submit to such discipline as would be exercised by a kind, firm and judicious parent,' in such a way as to foster 'an atmosphere of respect and trust between students and teachers with the cultivation of individual responsibility as a major goal.'<sup>38</sup> This directive allowed Ontario school boards to continue using corporal punishment, and for the time being every single board did.<sup>39</sup>

Department of Education, *Annual Report*, 1952, 2; Doug Owram, *Born at the Right Time: A History of the Baby-Boom Generation* (Toronto: University of Toronto Press, 1996), esp. 124–35; Satu Repo, ed., *This Book Is about Schools* (New York: Random House, 1970), 167–354.

36 *Report of the Provincial Committee on Aims and Objectives of Education in the Schools of Ontario* (Toronto: Newton, 1968), 57.

37 Ontario, Legislative Assembly, *Debates* (3 Dec. 1968), p. 305 (William Davis, MPP).

38 'Memorandum from G.L. Duffin, Assistant Deputy Minister, Ontario Department of Education to Regional Directors and Superintendents, Program Consultants, Municipal Directors and Superintendents, Principals of Schools, Secretaries of School Boards, Principals of Private Schools, Re: Corporal Punishment,' 16 Dec. 1968, repr. in Wrock, 'A History of Legal Actions,' appendix.

39 The federal Criminal Code legislation permitting corporal punishment (cited earlier) remained in place, and the Ontario government may have concluded that the province did not have the power to ban it. See Bargen, *Legal Status*, 125–6; and Allan W. Thorn, 'The Use of Corporal Punishment in Ontario Schools,' in *Comment on Education* (Guidance Centre, College of Education, University of Toronto) 2, no. 2 (1971): 1–4. However, Ontario clearly believed that the school boards could choose through their own regulations not to employ corporal punishment in the schools they operated.

In 1968 Toronto Trustee William Ross sought to change that practice. An elementary teacher in the 1950s who left the profession for a business and legal career before being elected to the board in 1961, Ross felt that he had 'misused' the strap, and from that time onwards he favoured its abolition. Provoked by an article in a June 1968 issue of the *Globe and Mail* magazine, which alleged that students in Toronto schools were being strapped for 'petty offences,' Ross called for board officials to report on this matter.<sup>40</sup> They informed the trustees that in 1967–8, there were 2,155 strappings in the schools, with the highest number – 120 – occurring at Perth Avenue School. This represented some 2.8 per cent of all elementary students in the city. Twenty-three schools did not administer the strap at all.<sup>41</sup> The report, prepared by N.A. Sweetman, superintendent of public schools, contended that it was 'administrative policy to discourage negative control measures in favour of those that are positive and dynamic.' But 'there will continue to be occasional serious situations which teachers face in dealing with unruly children,' and so the strap would remain in the schools. Both the Toronto Teachers' Federation and the Toronto Public Schools Principals' Association wrote to the board expressing their continuing support for the strap. It was required, claimed William Lawrie, president of the Federation, 'to keep order.' William Ross was not assuaged. His motion that Toronto schools 'refrain from administering corporal punishment at all times' was formally introduced at the 23 January 1969 meeting of the board and deferred to a 'subsequent meeting,' but did not, in fact, appear again.<sup>42</sup>

The issue of corporal punishment, however, was far from settled. It erupted again in the fall of 1970, when Graham Scott, a newly elected trustee from Ward 7, appeared on the front page of the *Globe and Mail* brandishing a plywood paddle, which he claimed had been used by the then principal of Brant Street Public School to discipline six- to ten-year-old children with 'emotional problems' in a 'rehabilitation'

40 Interview with William Ross, 8 May 2009.

41 '120 Strappings in One School, None in 23, Toronto Reports,' *Toronto Daily Star*, 2 Dec. 1968. See 117.

42 The notice of motion was originally introduced at the Board meeting of 12 Dec. 1968. Minutes, Toronto Board of Education, 12 Dec. 1969, 792; Minutes, Toronto Board of Education, 23 Jan. 1969, 11–12; 'Strap Debate Deferred by Trustees until March,' *Toronto Daily Star*, 24 Jan. 1969. I have been unable to determine why the 23 January motion was not 'subsequently' taken up. There was no discussion of this issue at the Board meeting in March, nor was there any reference to it in the minutes of the Management Committee meetings.

class.<sup>43</sup> The previous day Scott, a vocal opponent of corporal punishment, had visited the school, which was not in his ward, and obtained the paddle from a teacher. He had originally been informed by a parent of the school's disciplinary practices. Scott then contacted *Globe and Mail* education reporter Loren Lind, who (accompanied by a photographer) attended the Board Management Committee meeting on the afternoon of 15 September, where Scott dramatically produced the paddle.<sup>44</sup>

Alerted to Scott's impending revelations as a result of his unorthodox visit to Brant Street School a day earlier, the board summoned the former principal, Robert Holmeshaw, to the Management Committee meeting. (He had since been assigned to another school.) Holmeshaw explained that there were severe behavioural problems among the children, that he used the paddle on seven of them a total of twelve times in the previous school year, and that he administered no more than two 'smart smacks' on the buttocks of each child. He also acknowledged having washed three children's mouths out with soap for using foul language. The parents were made aware of his disciplinary methods, none complained, and because the children's behaviour improved he believed that the punishment worked. He contended that the use of the paddle was more humane than the leather strap. Holmeshaw noted that he had had 'no experience' working with emotionally disturbed children before taking on the principalship at Brant Street, his first such appointment.

A subsequent investigation of the Brant disciplinary cases completed by the board director's office in February 1971 confirmed and augmented the principal's account. It reported on the treatment of each child – five of whom had been recommended for a residential treatment centre and might have been helped had 'a proposed day school been in existence.' Before the paddling, the children's behaviour was severely problematic, and included violent attacks on other pupils, kicking walls and furniture, throwing books and glass jars, urinating in halls and down stairwells, and physically attacking the teacher on five occasions. The school staff had regular conferences with the board special education consultant and a support team from Child Adjustment Services, though the decision to discipline the students with the paddle was evidently made by the principal and teachers who were

43 Loren Lind, 'Disturbed Children Paddled with Plywood at City School, Board Hears,' *Globe and Mail*, 16 Sept. 1970.

44 Minutes, Management Committee Meeting, Toronto Board of Education, 15 Sept. 1970, TDSBA, 148; interview with Graham Scott, 26 Feb. 2009; interview with Loren Lind, 14 Apr. 2009.



indeed concerned that the strap would be far harsher than the paddle, particularly for such emotionally challenged children. When Child Adjustment Services officials and the special education consultant learned of the disciplinary practice, they 'expressed reservations' but did not intervene. According to the report, the paddle was never used in anger, and school officials discussed the appropriateness of the punishments with the parents and the children. The paddle was not used again after April. The experience indicated 'the magnitude of the problems in these two classrooms and suggests that the demands the school system made on the teachers and principals were so great as to verge on the impossible or unrealistic.'<sup>45</sup>

The media scrutiny of this episode was intense and embarrassing to the board. A *Globe and Mail* editorial blamed board officials for staffing the school inappropriately, criticized trustees for not being more vigilant in their scrutiny of the situation, and called for an investigation into teaching practices in special education programs in Toronto schools.<sup>46</sup> At a special board meeting convened one week later to discuss the paddling incidents, the trustees instructed board officials to prepare a 'full report' on special education (from which the detailed information above was derived) that would address such issues as the staffing, supervision, and support services provided in these programs. The meeting was attended by some 250 teachers whose spokesperson, Margaret Csapo, president of the Toronto Teachers' Federation, condemned the public 'castigation' of the teachers and principal involved in the Brant Street case. Once the motion on special education teaching practices was passed, the meeting was quickly adjourned, with no further discussion of the Brant Street events or of the corporal punishment issue.<sup>47</sup>

But the subject was again taken up the following week upon the publication of excerpts from a confidential report on the incidence of strapping in city schools. It found 760 students were strapped in 1969-70, down from 889 cases in 1968-9. There were thirty-three girls strapped in 1969-70, all in elementary schools. While it was commonly believed that high school students were never strapped,

- 45 File: Board of Education, Office of Director of Education, to Chairman and Members of the Board of Education, folder: 'Reply to Trefann Court Brief, 18 Feb. 1971,' box: Office of Director of Education, miscellaneous files, TDSBA. Also Loren Lind, 'Education Department Report Says Summer Courses Irrelevant to Toronto Teachers and Handicapped,' *Globe and Mail*, 24 Feb. 1971.
- 46 'Blame Where It Belongs,' editorial, *Globe and Mail*, 17 Sept. 1969.
- 47 Warren Gerrard, 'Teachers Spared Paddle Inquiry by Trustees,' *Globe and Mail*, 22 Sept. 1970.

the report revealed otherwise. In 1969–70, the strap was administered to 141 secondary students, but all were in a selected number of vocational schools that drew most of their students from inner city and working-class neighbourhoods. At East End High School, 101 students were strapped (the highest incidence in the city for all schools), and most of the remainder (thirty-one) were at Parkway Vocational School. Secondary school students in the majority of technical and vocational schools and in schools with university-streamed academic programs were untouched. Woodfield Road Public School led the elementary school ‘hit’ list, with sixty-three strappings in 1969–70.<sup>48</sup>

This report was leaked to *Globe and Mail* reporter Loren Lind by Board Trustee Ernest Barr, a self-described ‘radical humanist’ who was ‘against punishment in any form.’ Lind, a lifelong opponent of corporal punishment who found nothing persuasive in its defenders’ arguments, later described his investigative work on this story as one of his ‘proudest accomplishments.’ As a journalist, ‘I threw everything I could at them.’<sup>49</sup> Lind shared the reform-oriented views of newly elected trustees, including Graham Scott, Fiona Nelson, David Shanoff, and Gordon Cressy, and later published a book deeply critical of the administration of Toronto schooling.<sup>50</sup>

He continued his extensive coverage of this issue, including the 1 October board meeting at which a motion, introduced by Graham Scott, called for the suspension of the strap, pending the completion of a full study on the use of corporal punishment in the schools. This proposal had been first recommended in August by the board’s Summer Committee but had not yet been acted upon. The meeting heard a lengthy presentation by York University psychology professor David Bakan, who had written on the history of child abuse and who strongly opposed corporal punishment. He claimed that physical forms of discipline legitimized violent behaviour, damaged children with mental health challenges, compounded the dropout problem, and now stood condemned by leading child psychologists and psychia-

48 R.S. Godbold, acting superintendent of public schools, A.L. Milloy, superintendent of secondary schools, and Ronald E. Jones, director of education, to the chairman and members of the Board, ‘Corporal Punishment,’ 28 Sept. 1970, private collection, Loren Lind.

49 Interview with Lind. Barr quoted in ‘14 New Trustees Differ on Method of Educational Reform,’ *Globe and Mail*, 8 Dec. 1969. The Board had indicated its intention to withhold publication of the report: ‘Board’s Report on Strapping to Be Private,’ *Globe and Mail*, 6 Aug. 1970.

50 Loren Jay Lind, *The Learning Machine: A Hard Look at Toronto Schools* (Toronto: Anansi, 1974).

trists. Bakan's comment – that it was incomprehensible that the community 'still allows children to be beaten in public schools' – elicited groans from the gallery, consisting largely of teachers in favour of retaining the strap.<sup>51</sup>

Board Director Ronald Jones asserted that the abolition of corporal punishment was inevitable and that he was quite sympathetic to the views of Professor Bakan. But he opposed the motion to ban the strap because parents favoured its continuing usage. He believed that before the strap was eliminated teachers required more experience with alternative forms of discipline. 'Changes such as this cannot be properly achieved by legislation; they must be achieved by education.' He noted that in any event the use of the strap had declined 75 per cent from 1947 to 1967 and another 75 per cent over the past three years.<sup>52</sup> Following the debate, the board voted ten to eight against the motion to suspend use of the strap.

In the days that followed, Graham Scott's decision to publicize the Brant paddling episode drew strong criticism from the Toronto Teachers' Federation and from some of his colleagues on the board. W.L. Birmingham, principal of Dewson Street Public School and president of the Toronto Teachers' Federation, deplored the 'dirty pool type of tactic' used to address an issue that 'could have been solved internally.' Employees of the board had been humiliated, and the incident had generated 'mistrust' among Toronto teachers. Trustee William Charlton agreed that Scott had acted with 'gross discourtesy,' and Barry Lowes criticized him for not exploring other options before producing the paddle in such a sensationalist fashion.<sup>53</sup> For his part,

51 David Bakan, 'On Corporal Punishment,' prepared for presentation before the Toronto Board of Education, 1 Oct. 1970, private collection, Loren Lind. See also, Loren Lind, 'Strapping Produces Brutal Child, Psychologist Says,' *Globe and Mail*, 1 Oct. 1970; Loren Lind, 'Foes of Strap Jeered as Trustees Vote 10–8 to Keep It in Schools,' *Globe and Mail*, 2 Oct. 1970; Loren Lind, 'Trustees Vote 10–8 to Keep the Strap in Toronto Schools,' *Toronto Telegram*, 2 Oct. 1970. An earlier survey of the Federation of Women Teachers Association of Ontario (elementary school teachers) found that the majority opposed the Hall-Dennis Report's recommendation to abolish the strap, even though most had not used it for years. 'The interviewers concluded that the teachers had a sense of security in knowing the strap was available when needed.' Leone Kirkwood, 'Teachers Disagree with Suggestions Made by Hall-Dennis Report,' *Globe and Mail*, 15 Aug. 1969.

52 Loren Lind, 'Ronald Jones on Corporal Punishment,' notes on Jones's statement to the Board, 1 Oct. 1970, private collection, Loren Lind; Also, Jones, *Ron Jones Story*, 98.

53 Loren Lind, 'Disclosure of School Paddling Denounced by Metro Teachers,' *Globe and Mail*, 8 Oct. 1970.

Scott was unrepentant and unapologetic. He believed that corporal punishment contributed nothing of value to the teaching process, and that children who were strapped, or threatened with the strap, remembered only the experience of intimidation and not what they learned in class. Furthermore, in the Brant Street School case the principal flouted regulations that prohibited the administration of corporal punishment with anything other than an approved leather strap.<sup>54</sup> An admitted gadfly who was fully prepared to challenge authority, Scott continued his campaign; later that fall, the tide began to turn in favour of his position.

In the wake of the Brant Street School controversy, the board established a special committee on corporal punishment, headed by Trustee Robert Orr, to offer further advice on this form of discipline. Scott and his supporters on the board pressed the committee to consider limiting (in lieu of abolishing) the use of the strap. After extensive debate, the committee accepted Scott's proposal to give parents the right to 'exempt' their children from corporal punishment. The committee forwarded this motion to the full board, where it was endorsed at its 10 December meeting. The regulation required parents to submit a note to the school requesting exemption. If the principal believed their child deserved the strap, he was required to contact them immediately and they were obliged to participate in the resolution of the discipline matter.<sup>55</sup>

The decision moved the board closer to a policy of abolition, but this outcome was far from a certainty. The director's officer reported on 6 July 1971 that the number of strappings in 1970-1 had declined dramatically to 196 from 760 in the previous year, consisting of 24 cases in secondary schools and 172 in public schools. For those favouring abolition, this was a sign of the anachronistic status of corporal punishment, and ending it was the logical next step. For defenders of the strap, the numbers meant that teachers were showing restraint and were using the strap only as a 'last resort,' a prerogative that ought to be maintained. At its 13 July meeting, the Management Committee, consisting of thirteen board members (nine of whom were present) and chaired by 'reform' trustee Fiona Nelson, opted for the

54 Interview with Scott.

55 'Office of Director of Education to the Chairman and Members of the Special Committee Re Corporal Punishment,' 3 Dec. 1970, private collection, Loren Lind; Board of Education Minutes, 10 Dec. 1970, 949; Loren Lind, 'Parents Given Right to Forbid Strapping of Child at School,' *Globe and Mail*, 11 Dec. 1970.

abolitionist position. It prepared a report recommending to the full board that the strap be permanently banned.<sup>56</sup>

The board received the Management Committee report at its 22 July meeting, where the matter was vigorously debated. Notwithstanding Director Ronald Jones's continuing opposition to the recommendation, the board resolved by a vote of eleven to six to abolish corporal punishment in Toronto schools. A close analysis of the vote reveals that two trustees who had previously opposed abolition in October 1970, K. Dock Yip and Mary Fraser, changed their positions. No votes changed in the other direction. What also mattered was the absence of seven trustees from the meeting, three of whom had previously voted against abolition – Charles Arsenault, William Charlton, and Maurice Lister. Ernest Barr, who favoured abolition, was absent, as was Bob Orr, who had chaired the special committee on corporal punishment. Barry Lowes missed both the October 1970 and the July 1971 meetings.<sup>57</sup> While it appears that if all twenty-four of the trustees had been present, the 'ayes' would likely have prevailed, the vote might well have been very close. Ultimately, the 'reform' trustees and their supporters on this specific issue carried the day.

The decision to abolish the strap was the climax of a long chapter in the board's history, but it did not resolve the debate on corporal punishment in Toronto or elsewhere. All of the other boards in Metropolitan Toronto, including the Metropolitan Separate School Board, retained the strap for the time being; indeed, a 1971 Ontario-wide survey found that 87 per cent of Ontario school boards favoured retention,<sup>58</sup> and the Toronto board itself faced pressure to reinstate it

56 Minutes, Management Committee Meeting, 13 July 1971, TDSBA, 113.

57 Memorandum from Ronald E. Jones et al. to the chairman and members of the Management and Advisory Vocational Committees, 6 July 1971, reporting on the number of strapping incidents, vertical files – Discipline, 1960s and 70s, TDSBA. At the 22 July meeting, Jones again spoke against abolition, and the Board 'discounted' similar advice from the Toronto Teachers' Federation and the Toronto Public School Principals' Association. Minutes, Toronto Board of Education, 22 July 1971 (which includes the 13 July Management Committee Report), 574; Loren Lind, 'Toronto Abolishes the Strap,' *Globe and Mail*, 23 July 1971.

58 Thorn, 'Use of Corporal Punishment,' 3. He noted that fifty-two of sixty boards that responded to the survey 'recognize the need for some corporal punishment under legal restraint and at least tacitly recommend its use.' Also 'Many Boards Favour Punishment: Survey,' *Globe and Mail*, 19 Jan. 1972. Proponents of corporal punishment were encouraged by the decision of the London (Ontario) Board of Education that voted to reinstate the strap in January 1975. N. John Adams, 'London Trustees to Reinstate Strap, Former Bishop Deplores Permissiveness,' *Globe and Mail*, 24 Jan. 1975.

in 1975. This movement was triggered in part by the resignation of John S. Winter, an Essex Senior School teacher. During his eight-year tenure at the school, Winter admitted 'hitting, slapping, punching and kicking his students to maintain classroom order.' A former Episcopal seminarian, he invoked biblical justification for his decision to defy board disciplinary regulations. Since he no longer had access to the strap, which had been removed from the schools, he frequently used a yardstick to punish or control misbehaving students. He claimed that the majority of school parents supported his methods, and that they and many students at the school signed a petition calling for the reinstatement of the strap. A motion to restore corporal punishment came before the board at its meeting of 4 February 1975, one month after the Winter disciplinary story broke. Winter himself addressed the board, but to no avail. The trustees voted nineteen to three to continue the three-and-a-half-year ban on the strap, thereby permanently settling the matter.<sup>59</sup>

Concerns about discipline in Toronto schools, however, did not end with the abolition of the strap. The director's office reported on strategies that were employed to secure order and stability in the classroom, which in some respects had become a more complicated venue to govern. The liberalization of elementary pedagogy in the wake of the *Hall-Dennis Report*, the growing demographic diversity of the urban student population by social class and ethnicity, and the challenge to authority flowing from the youth and student movements, suggested the need for a range of interventions with respect to discipline. In 1971 Director Ronald Jones explained that schools were making fuller use of guidance departments, in-service training for teachers on the subject of child development, individual timetabling for high school students, volunteers and teacher aides, the withdrawal of aggressive students from classes for 'cooling-off periods,' and, ultimately, suspension.<sup>60</sup> In his 1975 report on discipline to the board, Director Duncan Green underlined the complexity of 'line-drawing or rule-making in the schools' in an era that increasingly emphasized individual rights, and where 'moral positions that seemed at one time immutable [are] severely shaken.' He added that 'the alienation

59 Jeff Sallot, 'Toronto Vote Rejects Strap, New Discipline Ideas Sought,' *Globe and Mail*, 5 Feb. 1975. The Metropolitan Separate School Board banned the strap in 1985. Louise Brown, 'Metro Catholic Board Bans Use of Strap in Schools,' *Toronto Star*, 25 Apr. 1985.

60 Office of the Director of Education to the Chairman and Members of the Management Committee ['Report on Discipline'], 28 Sept. 1971, vertical files – Discipline, 1960s and 70s, TDSBA.

of city living ... has eroded any commonly accepted set of values.' At the same time, the more 'relaxed' atmosphere in the schools had improved relations between students and teachers. Green, who received more than 100 briefs from parents, principals, teachers, and students on this matter, concluded that better communication, suspensions, enforcement of trespass regulations, and more work experience for students would help enhance the classroom environment. He opposed any proposal to reintroduce corporal punishment since this matter had been voted on twice by the board.<sup>61</sup>

Toronto's resolve to discipline exclusively by 'other means' remained exceptional in the educational community. The US Supreme Court ruled in 1977 that physical discipline in the classroom did not constitute 'cruel and unusual punishment,' nor were students entitled to a hearing before being spanked.<sup>62</sup> By 1979, the York and North York boards had joined Toronto in banning the strap, but in the early 1980s it was still permitted in Scarborough, Etobicoke, East York, Peel, York Region, the Metropolitan Separate School Board, and virtually everywhere else in the province.<sup>63</sup>

While the Progressive Conservative government of Ontario had recommended an end to corporal punishment in 1968, it did not pass enabling legislation on this issue. (In Canada only the province of British Columbia, in 1973, had done so.) Several subsequent attempts by Ontario education ministers to bring forward such a law foundered in light of school board opposition throughout the province. In response to a 1981 letter from Minister Bette Stephenson, proposing to make it illegal for teachers to use 'physical force in disciplining a student except to protect himself or another student,' the Niagara-South, Peel, Lanark, and Middlesex boards voted defiantly and 'overwhelmingly' to retain corporal punishment. William Kent, the chairman of the Peel board, explained that the strap was 'seen as a symbol. By removing it, we would be sending a signal that discipline

61 'Discipline in the Schools,' report to the chairman and members of the School Programs Committee by director, Duncan Green, 15 May 1975, Director's Files, TDSBA; Minutes, Toronto Board of Education, 13 June 1975, 410-11.

62 Irwin A. Hyman and Eileen McDowell, 'An Overview,' in Irwin A. Hyman and James H. Wise, eds., *Corporal Punishment in American Education: Readings in History, Practice, and Alternatives* (Philadelphia: Temple University Press, 1979), 3.

63 Pat McKenly, 'Metro Residents Evenly Split on Strapping Students,' *Toronto Star*, 27 Apr. 1981; editorial, 'No Place for the School Strap,' *Toronto Star*, 4 Aug. 1983.

is being softened in the system.’<sup>64</sup> In 1987 Sean Conway, the Liberal government’s minister of education, drafted an amendment to the Education Act prohibiting corporal punishment, but this initiative also failed to reach fruition.<sup>65</sup>

The campaign against corporal punishment, both in families and school classrooms, continued, as did the resistance to abolition. But the sands were certainly shifting, at least in the use of physical discipline in schools. Between 1989 and 1997, the governments of Nova Scotia, New Brunswick, Yukon, Prince Edward Island, Northwest Territories and Nunavut, Newfoundland, and Quebec amended their education acts to prohibit corporal punishment.<sup>66</sup> Activists focused their efforts on Section 43 of the Canadian Criminal Code, which still permitted educational authorities to authorize the strapping or spanking of schoolchildren. Child ‘experts,’ including pediatricians, psychologists, and child care organizations increasingly linked corporal punishment and child abuse. While acknowledging that a majority of Canadian parents had used corporal punishment, a 1995 report prepared for the federal departments of Justice and Health contended that the practice ‘not only lacks effectiveness but it carries significant risks for children’s developmental outcomes.’<sup>67</sup>

The final (or at least most recent) judgment on corporal punishment arose from a Supreme Court of Canada decision in January 2004. The Canadian Foundation for Children, Youth and the Law, a children’s right advocacy group, contended that Section 43 of the Criminal Code violated the Canadian Charter of Rights because it was ‘overbroad and vague’ and ‘because it denie[d] children the legal protection against assaults that is accorded adults.’ While the trial judge and Court of Appeal in Ontario rebuffed this challenge, the Supreme Court of Canada, in the so-called spanking case, ruled differently. In a six to three decision, it upheld Section 43, but set new conditions on its application. The court determined that parents could

64 Julia Turner, ‘School Boards Balk at Provincial Plan to Ban the Strap,’ *Globe and Mail*, 26 Feb. 1981. Stephenson raised the issue again in 1983, but no new legislation followed. Alden Baker, ‘Ministry Considers Banning the Strap,’ *Globe and Mail*, 26 July 1983.

65 Rosemary Speirs, ‘A New Move to Ban the Strap in Schools,’ *Toronto Star*, 11 Feb. 1987.

66 ‘School Corporal Punishment,’ Repeal 43 Committee, <http://www.repeal43.org/schools.html>.

67 Joan E. Durrant and Linda Rose-Krasnor, ‘Corporal Punishment: Research Review and Policy Recommendations’ (1995), cited in Virginia Galt, ‘“Spare the Rod” Gaining in Popularity,’ *Globe and Mail*, 25 Apr. 1995.



spank children between the ages of two and twelve but those younger and older could not be subjected to corporal punishment. In no case could parents use implements other than the hand, strike a child on the face or head, or enforce discipline in an 'inhuman' or 'degrading' manner. The court also prohibited corporal punishment in schools, while ruling that 'teachers may reasonably apply force to remove a child from a classroom or secure compliance with instructions, but not merely as corporal punishment.'<sup>68</sup> By way of illustration, one analyst interpreted this to mean that teachers could intervene in a fight to separate or restrain students, or guide a disruptive student by the arm to a different location in the school.<sup>69</sup> Thus, teachers who acted reasonably while using a minimum of force would not be subject to prosecution. With this ruling, the strap and other instruments used for disciplinary purposes formally disappeared from Canadian schools.

The long historical debate over the physical discipline and punishment of children arose from different perspectives on appropriate forms of child rearing and pedagogy. At one end of the spectrum were adults and educators who believed that social order, good behaviour, and moral development required the regular use of disciplinary instruments such as the rod and the strap. At the other end were those who felt that physical discipline constituted, or would lead to, the abuse of children. Classroom instruction and school management, instead, should draw from 'positive' and empathetic forms of teacher-student interaction; in the modern era, the incentive to learn should not be built on the fear of physical punishment. The majority of Canadian adults most likely occupied a middle range on the spectrum, neither believing in the moral virtues of strapping, nor persuaded that occasional physical discipline constituted child abuse.<sup>70</sup> That Toronto educational authorities by the late 1960s could point to the declining number of strappings was probably reassuring. At the same time teachers' and principals' fervent insistence that they required the strap as a 'last resort' seemed rational without sound-

- 68 Canadian Legal Information Institute, 'Canadian Foundation for Children, Youth and the Law v. Canada (Attorney General), [2004] 1 S.C.R. 76, 2004 SCC 4,' paragraph 40, <http://www.canlii.org/en/ca/scc/doc/2004/2004scc4/2004scc4.html>; 'Top Court Upholds Spanking Law,' *Toronto Star*, 31 Jan. 2004; Kirk Makin, 'Top Court Sets Limits on Spanking,' *Globe and Mail*, 31 Jan. 2004.
- 69 Paul Howard, 'Did Corporal Punishment Survive Supreme Court Scrutiny?' *Education Canada* 44, no. 2 (Spring 2004): 47-8.
- 70 According to a 1974 national Gallup poll, 50 per cent of Canadians believed that 'discipline in the public school in their area [was] not strict enough,' while 44 per cent held this view in 1969. 'Gallup Poll,' *Toronto Daily Star*, 27 Apr. 1974.

ing menacing or brutal. As Carolyn Strange explains, authorities and citizens in the mid-twentieth century commonly believed that physical pain could be inflicted on prisoners, children at home, and students in school in a 'civilized' way. Perceived cruelty and sadism were unacceptable, but the rule-bound, formulaic, and carefully recorded application of physical discipline was considered reasonable and potentially rehabilitative.<sup>71</sup>

When the *Hall-Dennis Report* and the Ontario minister of education called for the abolition of the strap in 1968, one might have assumed that the days of corporal punishment in the province were numbered. But exercising their local autonomy on this matter (enabled by the Education Act), Ontario school boards, supported by teacher organizations, resisted. Why, then, did the Toronto Board of Education move earlier to a policy of abolition? The answer lies in the particular political configuration of the board, which was reshaped by trustee elections of 1969. A newly elected group of reformers firmly committed to child-centred approaches to education, and fully prepared to challenge conventional authority, including that of the board director, took up this issue as a high priority. The public exposure of the Brant Street School 'paddling' incident, facilitated by the work of a local journalist who detested corporal punishment, aided their cause. By 1971, the reformers had sufficient support from individual trustees to formally alter disciplinary practice in Toronto schools. Philosophical divisions on the matter endured, as they did elsewhere in the province and the country. Not until the Supreme Court decision of 2004 did corporal punishment lose its legitimacy in Canadian schools as a corrective behavioural policy of 'last resort.' The political struggle to ban the use of physical discipline in Canadian families and households continued.<sup>72</sup>

71 Carolyn Strange, 'The Undercurrents of Penal Culture: Punishment of the Body in Mid-Twentieth-Century Canada,' *Law and History Review* 19, no. 2 (Summer 2001): 384–5. The lash was abolished in Canadian prisons in 1972, and this may well have helped alter public attitudes to corporal punishment in schools.

72 In the years following the Supreme Court ruling in 2004, Senator Céline Hervieux-Payette introduced several private member's bills to repeal Section 43 of the Criminal Code. The bill she sponsored in 2008 was passed by the Canadian Senate in June, but because of the dissolution of Parliament for the November federal election, it was not taken up by the House of Commons. See 'Updates on Canadian and International Developments,' from Pamela Mountenay Cain, chair, Coalition on Physical Punishment of Children and Youth, to Endorsers of the *Joint Statement on Physical Punishment of Children and Youth*, 1 May 2008. [http://www.cheo.on.ca/english/pdf/js\\_memos\\_e.pdf](http://www.cheo.on.ca/english/pdf/js_memos_e.pdf). Accessed, 22 May 2009; Tim Naumetz, 'Anti-Spanking Bill Heads to House of Commons after Senate Approval,' *Canadian Press*, 18 June 2008.