

PUTTING EDUCATIONAL EQUALITY IN ITS PLACE

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Abstract

Educational equality is one important value of justice in education, but it is only one. This article makes a case for a meritocratic principle of educational equality and shows that certain arguments against that principle do not justify rejecting it. It would be wrong to, for the sake of educational equality, undermine the value of the family or economic growth in ways that damage the prospects for flourishing of the least advantaged. But insofar as educational equality can be improved without harming those other values, it should be pursued; in practice, educational equality can be pursued effectively within the limits set by those values.

1. INTRODUCTION

Education, in its broadest sense, mediates between the wider society and our individual prospects. How well a child will do, even what sort of person she will become, in any given society will be significantly shaped by the kind of education she receives. That education is, in its turn, profoundly influenced by the character of the social order. Whether or not the government makes schooling compulsory and free at the point of delivery makes a difference to everyone's prospects. If government uses schooling to indoctrinate children in a favored religious view, they will live very different lives than if it used schooling to promote personal autonomy or an ethic of hedonistic enjoyment. So the issues of how to distribute education and what kind of education to distribute are pressing to the theorist of justice. We shall put aside the issue of what kind of education to distribute and concentrate on the distributive rule.¹

How should education be distributed? It is common to invoke the principle of educational equality—the idea that everyone should have an equally good education. But it is not at all clear what it means to say this. Some accounts of educational equality demand equal educational resources or inputs, for which per student spending is often considered a proxy. But of course students are different in terms of what they need to reach any particular level of achievement; whether because they come from a disadvantaged social environment or because they have special educational needs, some students will achieve much less at a given input level than others. So an alternative account calls for equal educational outcomes or achievement; achieving this demand would require that more resources be spent on less advantaged students than on more advantaged students. A further complication is that governments only directly control expenditure on educational resources in schools and other public institutions; aiming for equal outcomes by expending compensatory resources on disadvantaged students might trigger an arms race as advantaged parents supplement with private resources to improve their own children's achievement. Short of measures severely curtailing parental power, equal achievement would be impossible to achieve.² These, and other problems with a principle of educational equality, have led some to endorse the recent movement in the United States preferring the rhetoric of adequacy to that of equality. Rather than demand that educational opportunities be equal, all should have an adequate education (Liu 2006; Anderson 2007; Satz 2007, 2008).

In part this shift has been inspired by the realities of political strategy. While equality might be an appealing political ideal, adequacy is likely to get

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1. See Brighouse 2006 for an exploration of the normative rules guiding the content of education.
 2. For the best treatment of the various possible conceptions of educational equality and their strengths and weaknesses, see Jencks 1988.

more traction in litigation that attempts to appeal to the provisions of state constitutions. But which is the better fundamental moral standard: equality or adequacy? The view in favor of adequacy gains support from the fact that few egalitarians object to all educational inequalities, even in principle, and that it seems impossible to produce strict equality of educational outcomes even if that were desirable.

The burden of this article is to defend an ideal of educational equality. We start by providing what we take to be the intuitive argument for that ideal and elaborate the very demanding conception of educational equality that argument supports. The bulk of the article is taken up with exploring two other values—benefiting the less advantaged members of society and parental liberty—that we, in common with most opponents of educational equality, believe properly constrain the pursuit of that ideal. That these other values are more important does not warrant wholesale rejection of the egalitarian principle, though it does constrain what may permissibly be done in its pursuit. We look at the practical consequences of these constraints and suggest that in fact a good deal can be done to pursue the proposed conception of educational equality while observing these constraints. As a test case, we look at the recent proposal for weighted student funding (WSF), arguing that educational equality requires it and that the other values permit it. Finally, we return to the principle of educational adequacy and argue that, when properly understood in the nested sense that we set out, a principle of educational equality is superior.

2. THE FAIRNESS CASE FOR EDUCATIONAL EQUALITY

The intuitive case for educational equality rests on an intuition about what it takes for a competition to be fair. Modern industrial societies are structured so that socially produced rewards—income, wealth, status, positions in the occupational structure and the opportunities for self-exploration and fulfillment that come with them—are distributed unequally. Education is a crucial gateway to these rewards; a person's level and kind of educational achievement typically has a major influence on where she will end up in the distribution of those potentially life-enhancing goods. It is unfair, then, if some get a worse education than others because, through no fault of their own, this puts them at a disadvantage in the competition for these unequally distributed goods.

Thus the intuitive case for educational equality is fairness based; more specifically, it depends on the idea that, in order to be legitimate, inequalities should result from fair procedures. The dominant understanding of educational equality in contemporary Anglo-American political discourse is meritocratic. Think of the call in the United States to eliminate the achievement gap, which, if understood strictly, demands that there should be no difference

in achievement between children born into lower or higher socioeconomic classes.³ In the United Kingdom, which has a quite different education system from the United States but is similar in having a high degree of economic inequality relative to other wealthy democracies, successive secretaries of state for education have called more explicitly for the elimination of any influence of social class on educational achievement (Clarke 2003; Miliband 2003). The broad principle is what we shall dub the meritocratic conception of educational equality.

The Meritocratic Conception: An individual's prospects for educational achievement may be a function of that individual's talent and effort, but they should not be influenced by his or her social class background.

This is very demanding. Given what we know about the influence of social class on achievement, for example, it seems to require that considerably more resources be spent on educating children from lower socioeconomic backgrounds than on children from more advantaged backgrounds and that these resources be spent effectively. In other words, it appears to imply some form of WSF, in which effective spending is inverse to advantage. It also strongly suggests that measures going beyond the education system should be adopted. If it is not known how to educate large numbers of children who are raised in relative poverty to the levels that can be achieved by more advantaged children in the same society, for example, the principle demands the elimination of child poverty.⁴ If, as some researchers argue, aspirations to educational achievement are strongly influenced by the educational level of the neighborhood in which a child is raised, then the principle suggests measures to integrate neighborhoods by educational level (Ainsworth 2002).

Demanding as it is, to some the meritocratic conception of educational equality may nonetheless seem insufficiently egalitarian. It is concerned with eliminating unfair inequalities in prospects for achievement between children of different class backgrounds, but it is entirely silent about inequalities in prospects for achievement between children with different levels of effort and talent. If it is unfair for a child's prospects for achievement to be influenced by her social origins, why it is fair for them to be influenced by her natural talent

3. We understand that "eliminating the achievement gap" is not usually meant literally. The provisions of No Child Left Behind require only that no children achieve below a certain threshold and allow for inequality of achievement above that threshold—hence our invocation of the more explicit demands of British secretaries of education.

4. See Rothstein 2004 and Berliner 2006 for nice accounts of how noneducational reforms might be crucial to improving schools and why addressing child poverty might be especially important. Lee and Burkham (2003) provide a rich account of the unequal preparedness of children to deal with school.

(which is entirely beyond her control) or level of effort (which is itself heavily influenced by familial and neighborhood factors)? Thoughts along these lines may exert pressure in the direction of a more complete, and radical, conception of educational equality, but for present purposes we put that more radical conception to one side.

It is also important to note that, standing alone, the meritocratic conception permits, although it does not require, considerable inequality of both educational resources and educational achievement, as long as those inequalities do not track social class. For example, it is consistent with concentrating resources on those who have high levels of talent and motivation, with the aim of producing very high levels of achievement for them, while leaving those with lower levels of talent and motivation to fend for themselves with, presumably, low levels of achievement. It would be equally consistent with this conception to concentrate resources on those with very low levels of talent and motivation in order to produce more equal levels of achievement across the board. The conception simply does not tell us. We dub the conception *meritocratic* because it meshes well with the demands of supporters of meritocracy to reward talent but not class background; we describe it as a conception of educational *equality* because it is closely connected to Rawls's principle of fair equality of opportunity. But, alone, it rejects only one source of inequality. However, as we show, when it is put in its proper place, together with other principles it guides us more precisely.

There are some objections to the intuitive argument from the importance of fair competitions that society is not a race: there is not "one Grand Racetrack on which we are all bidden to run" (Lomasky 1987, pp. 180–81). Society is indeed not a race. But as we shall show later, it is *relevantly like* a race. The distribution of the benefits of social cooperation is structured to reward those who do well and penalize those who do poorly in competitions with which they have no feasible alternative to participation.

Notice two things about our conception of educational equality. First, it does not support a principle of equal educational resources, if that principle is understood to mean that the government spends equally on each child in school. As we have said, it seems clearly to require that the government spend more resources on children disadvantaged by their class background than on children advantaged by theirs. Of course, there is another sense in which the government, in spending additional resources on those disadvantaged by class, is attempting to achieve equality of educational resources; it is simply compensating for the inequality of educational resources provided by the family and neighborhood. But there is no support in this conception for the idea of equal government spending per child. Second, even having put more radical ideas aside, the barriers to achieving educational equality are enormous. Its

demands are such that it is hard to see how to achieve it in the United States today, for example. In the subsequent sections we show that, when put in its proper place and weighed against other values, the meritocratic conception appears somewhat less demanding, and some of its apparently implausible implications are muted.

3. PUTTING EDUCATIONAL EQUALITY IN ITS PLACE

All we have so far, though, is a *prima facie* case for acting to implement the proposed conception of educational equality. Even if there are good reasons to value something, that does not mean we should implement it wholesale, only that we should implement it as far as possible without undermining other more important values. So it is important to consider whether the conception might be susceptible to the following two objections.

The Harming the Less Advantaged Objection

The harming the less advantaged objection says that an unfair distribution of education can work ultimately to the benefit of the less advantaged in society. Of course, they do not get more positional advantage than they would under an equal distribution of education, but positional advantage is not all that matters; what matters ultimately is that people get to live rewarding and flourishing lives, and these are not distributed in a zero-sum game. The opportunities of the less advantaged for rewarding and flourishing lives can be enhanced by distributing education in ways that violate the meritocratic conception of educational equality. Perhaps wealthy parents could be permitted to buy unfairly unequal educational opportunity for their children, say by paying for them to attend elite private schools or paying for expensive private tuition. As a result, those children have a better chance of getting the college places, jobs, and status to which all are aspiring than do other (similarly talented and hardworking) children. But because parents can invest in their children they do so, and thus the total stock of human capital in society is enhanced; the economy can then harness the productivity gains, due to that enhanced human capital, to the benefit of the less advantaged. Notice, moreover, that an unequal distribution of education might in time lead to the worse off having more or better *education* than they would otherwise have and that this could itself yield important benefits. Education is partly a positional good, but only partly so. It also yields benefits that have nothing to do with people's competitive position relative to others but that accrue directly to the educated person: the enjoyment of being able to read literature, appreciate movies, write poetry, play a musical instrument, or understand scientific issues. This objection might concede that educational equality is immune to the leveling down objection

when that objection focuses on the positional aspect of education—its role as a competitive means to other goods. But it is susceptible to a “bigger picture” version of the leveling down objection—one that says “equal education results in the less advantaged having *fewer opportunities to lead flourishing lives* than they otherwise might.”

The Parental Liberty/Family Values Objection

The second objection is expressed by Nathan Glazer (Glazer 2005, p. 13) in his review of Jonathan Kozol’s recent book (Kozol 2005):

To be sure, the case for both [racial] integration and equality of expenditure is powerful. But the chief obstacle to achieving these goals does not seem to be the indifference of whites and the non-poor to the education of non-whites and the poor. . . . Rather, other values, which are not simply shields for racism, stand in the way: the value of the neighborhood school; the value of local control of education and, above all, the value of freedom from state imposition when it affects matters so personal as the future of one’s children.

Parental liberty is extremely important, and if it has moral priority over our conception of educational equality, then we should not do anything in pursuit of the latter (desegregate public schools, abolish elite private schools, enforce neighborhood diversity) that violates it.⁵

Before evaluating these objections, we want to make a comment about the form they take and why we have rendered them in this form. It is commonplace in everyday political discussion to observe that distinct values conflict, and then to conclude that because one value should take priority, the other does not matter. It is often observed, for example, that equality conflicts with freedom; some argument is then made that freedom is more important, and the inference is drawn that equality should be abandoned. But the inference is simply invalid. Even if freedom did matter more than equality, equality might be sufficiently important that we should pursue non-freedom-violating measures that promote it. Just because one value matters more and so should win out in cases of conflict, it does not follow that the other value matters not at all.

We have posed the objections not as objections to the meritocratic conception of educational equality but as objections specifically to *policies designed to foster that conception*. In our rendering, each objection breaks down into two claims: (1) Policy X violates/impedes/jeopardizes value Y, and (2) Value Y is more important than educational equality.

5. Variants of this objection can be found in Fishkin 1982 and Tooley 2000, chapter 4.

Rendering them this way makes for clearer philosophical discussion. But we think it also makes it easier to map the philosophical terrain onto actual policy debates. For example, no one uses the parental liberty/family values argument against equalized state funding because it is hard to see how that could violate parental liberties.⁶ But it is used against abolishing private schools and against busing for integration purposes because it is much clearer how those policies interfere with the liberties of parents.

4. EVALUATING THE HARMING THE LESS ADVANTAGED OBJECTION

Let us consider the harming the less advantaged objection. This asks us to consider the possibility, for example, that abolishing elite private schools would lead to diminished investment in the human capital of those children of the rich who have fewer than normal marketable talents, and parents would instead spend the money they are prohibited from investing in their children bidding up the prices of naturally scarce goods; or the resources needed to combat their powerful campaign against egalitarian policies and to prevent them from evading their effects are so great that it would have been better for the less advantaged to expend those resources directly on programs designed to enhance their prospects for flourishing. Adopting these measures to pursue meritocratic educational equality might then come into conflict with benefiting the least advantaged.

We shall not provide an argument in any detail, but we believe that in the realm of values the medium- to long-term prospects for all-things-considered flourishing of those who flourish least in a society are the most urgent consideration of justice, and the prospects for flourishing of the less advantaged are more urgent than those of the more advantaged, even in wealthy societies (Brighouse and Swift 2006a). In other words, we believe that the second part of the standard two-part objection is correct in this case: concern for benefiting the less advantaged all things considered should indeed trump our principle of educational equality. Thus if it *were* the case that prohibiting elite private schools harmed the prospects of the less advantaged in general and the least advantaged in particular, then we would oppose prohibition.

But we are somewhat skeptical that the policy in question—prohibiting elite private schools—does damage the prospects for flourishing of the less advantaged. Whether it does so depends entirely on the facts in the particular social context.

The objector has to specify the mechanism whereby an equalizing reform makes things worse for the less advantaged. In the scenarios we have laid out,

6. This is not to say that it might not infringe on other liberties; extreme property-rights libertarians, for example, might argue that it undermines liberties with respect to property rights. We restrict our attention here to the arguments specifically pertinent to educational equality.

the mechanisms are the incentives and motives (and hence actions) of the parents of advantaged children and the subsequent actions of their children. Whether permitting the parents to pay for private schooling actually benefits the less advantaged depends on several factors. For example:

- Whether the gain in human capital to the privileged children yielded by private schooling exceeds the loss in human capital to those who attend government schools caused by the absence of the advantaged children from those schools and (a) the attendant detrimental impact on the quality of the learning experience in the school and (b) the loss from their parents of lobbying power and support for the schools.
- How unequal the distribution is of income and other benefits attached to competitive positions.
- How the tax-transfer system is devised or, more broadly, how the economy as a whole distributes the additional product between the advantaged and the less advantaged.
- How that additional product contributes to prospects for flourishing at different places in the distribution.
- The *relative* contribution of the competitive labor market and the noncompetitive nonlabor market benefits of education to prospects for flourishing.

The objections to prohibiting private schooling that we have outlined are more often presented in terms of income and wealth rather than flourishing because enhancing the total pool of human capital more directly increases the production of consumable resources than the production of human flourishing. The assumption behind the objection is that increased production can be readily transformed into increased human flourishing and turned to the benefit of the less advantaged.

We are somewhat suspicious about this assumption, at least in wealthy economies structured like those of the wealthy capitalist countries in the Organisation for Economic Co-operation and Development. In such economies, education influences access to positions in the occupational structure that have unequal status, income, and levels of control over work attached to them. Broadly speaking, the better your education, the better your prospects for income, status, and high levels of control over your work. But inequality of status, income, and control over work (in societies like ours) itself has a detrimental impact on some people's health states, longevity, and subjective well-being. People with less status and control over their work have worse health and longevity than those with more, and the direction of explanation seems to be from the lower status and control to the lower health and longevity (Marmot 2004). Similarly, controlling for absolute level of income, those with

less income than others report lower levels of subjective well-being; again, the direction of explanation seems to be from the income inequality to the lesser well-being (Layard 2005). Subjective well-being has a nonlinear relationship to economic growth: in wealthy countries people seem to continue reporting increased well-being in line with economic growth up to a certain point, after which economic growth continues but subjective well-being reaches a plateau (Frank 2000; Lane 2000). Good health and longevity are both components of flourishing, on any plausible account, and indicators of it and subjective welfare reports are indicators of flourishing. We suspect that they are quite good indicators of flourishing (but there is certainly room for disagreement about how good). To the extent that this is true, relative position is more important than absolute wealth in determining one's prospects for flourishing.

It is obvious that the putative increased production yielded by, for example, the unfairly superior education of the privileged in elite private schools will only improve the prospects for flourishing of the less advantaged if some of that product finds its way into their hands (because the tax-benefit system or the design of the economy facilitate this). For example, a story can be told in which the increases in life expectancy across the income profile that have continued long after subjective well-being reports ceased to improve with growth are connected to the growth that inequality has wrought, and these increases have presumably improved prospects for flourishing in one respect. This observation would constitute a partial defense of economic growth, and whatever educational inequality was necessary to generate it, though not of the educational inequality that just happened to accompany it. But even if the increased production does redound to the benefit of those whose prospects are worse in some respects, the negative effects on their prospects for flourishing or the inequalities they suffer might offset those benefits. The challenge to the defender of particular mechanisms that violate the meritocratic conception of educational equality is to show precisely why it is that they are necessary for improving prospects for flourishing of the less advantaged. We suspect that in most cases in wealthy industrial countries, it will be hard to make a plausible case for educational inequality on these grounds.

The story might be very different in poor societies, of course. In societies in which it is clear that increased economic growth yields improved prospects for flourishing throughout the population, perhaps because basic material, medical, and educational needs have not yet been met, economic growth is a tremendously urgent imperative. Most societies in the history of the world so far fit this description—material resources have an enormously important impact on flourishing. In those societies there may be a great deal to be said for the idea that an unfair distribution of education could, over time, benefit the least advantaged, all things considered (Tooley 2005, 2007). In such

circumstances, a society would be justified in tolerating and implementing the educational inequalities that have the best prospects of benefiting the less advantaged in terms of their prospects for flourishing. Education matters a great deal, but it is not all that matters in assessing the quality of a life, and all-things-considered flourishing is (by definition) all that matters. The claim that an inequality really benefits the least advantaged relative to the alternative feasible arrangement that is the next best for them is, in our view, a successful justification of that inequality to them.

Which inequalities those are—how big, who benefits from them—will depend on the circumstances, for it is the circumstances that determine which arrangements are feasible. In some contexts, it might be necessary for the sake of economic growth to tolerate the nepotistic endowment of competitive advantage by relatively advantaged parents on their children, but it is important to see that in such cases it is the motivations of parents that are being taken as given, as determining the feasible set, and hence as grounding the case for that particular kind and extent of educational inequality. On its own, the growth case for educational inequality lends no support to the idea that parents should be free to invest in their own children. Only in combination with a further claim about how differential investments in children will be more efficient if carried out by parents than by the state, which might instead choose to direct more-than-equal educational resources toward those children most likely to yield productive return to the extra investment, does this become an argument for that idea.

So we doubt that in wealthy societies this is a successful objection to measures such as prohibiting elite private schools, even though the objection correctly identifies a value that is more important than educational equality. We may be wrong, of course; it depends on the facts. But two kinds of argument warrant particular suspicion. In the first, the person pressing the objection is simply *insincerely* invoking a correct value in objecting to an egalitarian policy. Consider, for example, someone who makes this objection to a policy of taxing elite private schooling but simultaneously supports a political party that shifts the relative tax burden away from high earners and toward middle and low earners. Such a concatenation of arguments is not uncommon, and certainly it is possible to favor such a distribution of the tax burden on the grounds that it will do better even for the less advantaged in the very long run. Still, it can be hard to take seriously the harming the less advantaged objection to educational equality when it comes from someone who otherwise expresses hostility to policies that benefit the less advantaged. The objectors simply seem to be arguing in bad faith, unless they can accompany their argument with a powerful case for expecting the benefits to reach the worse off without any action by the state.

The second case is even more widespread. This occurs when the person making the argument is simply mistaken about the effects of the policy in question. We have already suggested that in wealthy countries it is usually the case that raising the relative educational levels of the less advantaged just is the best way to benefit them. But even if that is not true, people are often mistaken about the effects of policies. Perhaps in some circumstances prohibiting elite schooling would indeed diminish the overall pool of human capital. Still, in other circumstances the elite schools themselves might be inhibiting the development of human capital by depriving children in nonelite schools of the benefit of the elite parents' political clout or the beneficial peer effects of sharing schools with their children, without actually doing much to enhance the productivity of the elite children in them. This might be the case if, for example, the elite parents are motivated by snobbery and are ill informed about the relative effects, in terms of the enhancement of human capital, of elite and nonelite schools.

Although we have focused on the fairness argument for educational equality, the preceding sentence suggests a circumstance in which a second, rather different, argument supports the meritocratic principle of educational equality. This is an efficiency argument—it is, in many circumstances, actually inefficient for wealthy parents to be able to buy educational advantages for their children, especially when those educational advantages are positional rather than substantive in character. Suppose, for example, that instead of developing the human capital of the children attending them, elite private schools provide them with training in examination techniques or support in negotiating the application procedures to elite universities. Suppose further that those universities are gateways to occupations that have more beneficial effects for society if they are carried out with more rather than less skill. Allowing wealthy parents to invest in pushing their less talented children up the queue in those circumstances may be socially inefficient.

In section 2 we noted that the meritocratic conception taken alone was consistent with a wide range of educational inequalities because it prohibits just one source of inequality, but we promised that more guidance would be provided once we put it in its proper place vis-à-vis other principles. The objection under consideration in this section depends on a deeper principle, normatively prior to the meritocratic conception of educational equality, that inequalities are justified when they redound to the benefit of the less advantaged.⁷ So consider the choice between two conflicting policies that are consistent with the meritocratic conception: concentrating resources on students above the

7. In other words, some version of Rawls's difference principle (Rawls 2001, pp. 42–43, 61–66).

median level of talent, and concentrating them on those below the median level of talent. The principle that inequalities should redound to the benefit of the less advantaged commands the policy maker to make a judgment about which of these policies is more likely to benefit the least advantaged in the context. In other words, putting the principle of educational equality in its place provides more precise guidance than the principle does on its own.

5. EVALUATING THE PARENTAL LIBERTY OBJECTION

What about the parental liberty objection? Nathan Glazer (2005) says that it would be a violation of individual freedom to prevent people from spending their money on their children's education. Similarly, he suggests, it would be a violation of their freedom to prevent them from buying houses in neighborhoods whose composition came about as a result of the voluntary choices of individuals in the housing market. In order to prevent segregation or inequality, policy makers would have engaged in this kind of prevention. Blocking that kind of gift or choice inhibits freedom, and it does so in an apparently peculiar way: it singles out for prohibition the provision of something widely recognized to be of great value, while allowing the provision of more frivolous, less valuable goods (expensive cars are fine, expensive educations are not).

Egalitarians might be tempted to respond by saying that there is no freedom at stake here, but that seems a mistake to us. Freedom really *is* restricted; some action or actions are specified that parents are not free to take. The interesting question is whether parents have a *right* to perform the action that they are prevented from taking. Many measures infringe freedom and are none the worse for that. We are barred from bribing trial judges even on behalf of our own children; candidates for political office in most countries are restricted as to how much of their own money they can contribute to their own campaigns; taxation restricts the individual's freedom to use all of her market-earned income as she might like.

Simply saying that some measure restricts someone's freedom does not show that it is wrong. The answer to the question "Why shouldn't I be allowed to spend my money on trying to save my child from being convicted of a crime she committed?" is that fairness requires the criminal justice system to be insulated from background inequalities of wealth. In this arena, fairness trumps freedom. The answer to the question "Why shouldn't I be allowed to spend my money buying my child a superior education?" is that in order for it to be fair, the competition for socially licensed benefits must be similarly insulated. The burden of proof is on the opponent of the measure supporting equality. Mere demonstration that some measure inhibits freedom is insufficient to impugn it. The objector must show that the measure violates some *basic* liberty,

some freedom to which we are entitled as a matter of justice (Dworkin 1985, chapter 9; Rawls 1995). Establishing that we are entitled to a particular freedom requires one to show that it is necessary to some basic human interest in a way that gives others a duty to respect it. So the objection from parental liberty has to shift to offering grounds for the parental liberty and showing that it can bear the weight that the objection places on it.

The best way of doing this, we think, is to posit an interest in maintaining the value of the family and to argue that mechanisms designed to equalize or desegregate violate that interest. How powerful this move is depends on what is included in “the value of the family.” A plausible account will allow parents to spend a good deal of time with their children and to express partiality toward their children in a range of ways. We surely think that reading bedtime stories to one’s own children (and not, if one does not want to, to other people’s) is something one has a right to do, even at some cost to educational equality (Swift 2005). Why? If we were prevented from doing that sort of thing with our children, we would be deprived of the opportunity to create and maintain a valuable familial and loving relationship with them. Similarly, it seems obvious that parents must have distinctive rights to share their values and enthusiasms with their children. They have the right to take their children to their church and to serve them food that reflects their cultural background, as long as they are not thereby harming their children (e.g., by indoctrinating or poisoning them), and no one else has that right. Both parent and child get something distinctively valuable from being able to share themselves with each other, and for this parents need a space of prerogatives with respect to their children.

In a short article it is impossible to offer a full theory of the value of the family that would answer all the difficult questions about which equalizing policies do and do not conflict with that value. Our own account (Brighouse and Swift 2006b, 2006c) focuses on the specific value to parents and children of enjoying an intimate relationship, such that parents share their lives with their children on a day-to-day basis and play a fiduciary role in their children’s lives. The idea of parents as fiduciaries is not at all new, but we believe that parents have a nonfiduciary (self-regarding) interest in acting as fiduciaries for their children. This does not support an interest in being able to control every aspect of a child’s upbringing and education, but it does rule out certain kinds of measures. Here is the rule of thumb for deciding whether a policy is justified:

When an activity

1. Conflicts with some other important value like fairness or equality of opportunity,
2. Is not itself essential to realizing or expressing the value of the family, and

3. Is such that removing or prohibiting it would, with appropriate institutional measures, leave ample (perhaps just as much) space for activity realizing family values,

then it is a candidate for prohibition.

Applying this test, it would be wrong to force all children into day care centers for twelve hours a day, six days a week, fifty weeks of the year; doing so would simply prevent the establishment of intimate parent-child relationships. Requiring parents to live apart from their school-age children for ten months of every school year would be wrong, even if it facilitated equality. Whatever we do to promote educational equality must leave sufficient space for the creation and maintenance of valuable familial relationships. This does indeed rule out some strategies.

We believe, however, that it is possible to devise significantly equalizing and desegregating measures that are entirely consistent with leaving that space available. Abolishing elite private schools, for example, normally leaves parents with ample opportunity to create and maintain valuable relationships with their children; just as people who now cannot afford to send their children to elite private schools can have valuable family relationships, so typically would parents who were prevented from spending their wealth that way. Measures forcing schools, or giving them incentives, to find an intake with a socioeconomic mix that reflected the society by which they were surrounded would similarly leave plenty of space. There is no reason why desegregating classrooms to harness peer effects to the benefit of the less advantaged has to undermine valuable family relationships.

As in our discussion of the harming the less advantaged objection, we have conceded that the value under consideration is more important than the proposed conception of educational equality. We believe that the relationship goods realized through healthy family life are profoundly important features of successful, flourishing human lives and that protecting these goods is more important than promoting that ideal. But many measures designed to promote it, including those that are most in dispute in public debate, can be adopted consistently with respect to family values. Family values trump educational equality, in other words, but the measures implementing educational equality do not jeopardize, threaten, or undermine family values properly understood.

A final comment on the value of the family objection: not only might some indirect measures do a great deal to enhance educational equality without sacrificing family values, they might well actually promote such values. Large-scale redistribution of resources toward the less advantaged—that is, greater equality with respect to income and wealth—would make it easier to educate the less

advantaged children in society, to provide their parents with more control over their own lives, and to ease some of the pressures on their relationships with their children. From what we know, it seems that equality broadly conceived is friendly both to family values and to the meritocratic conception of educational equality.

6. EQUALITY AND WEIGHTED STUDENT FUNDING

A recent manifesto (Fordham Institute 2006) calls for WSF in U.S. public schools. The basic idea is that funding should follow educational need:

Under WSF, the per-student amount varies with the characteristics of the child. Students with added educational needs receive extra funding based on the costs of meeting those needs. The amount attached to each student is calculated by taking a base amount and adding money determined by a series of “weights” assigned to various categories of students. . . . students with higher levels of need receive more “weight” in the funding system. As a result, the schools they attend end up with more dollars.

The United States already has an extremely crude version of this in the provisions of the Individuals with Disabilities Education Act (IDEA), which targets students with diagnosed learning-related disabilities. The signers of the manifesto recognize barriers to taking full advantage of educational opportunities that cannot be captured in a medical diagnosis, and also recognize that the composition of the school has effects on how well students are likely to learn.

As we discussed when first introducing it, the meritocratic conception of educational equality requires that the government concentrate extra resources on children from less advantaged social backgrounds to compensate for their background disadvantage, up to the point that their prospects for achievement are equal to those of children from more advantaged backgrounds. It thus implies some form of WSF. But the Fordham Institute proposal does not come close to demanding the level of WSF that the meritocratic principle would require. It leaves the weights vague:

These weights could take the form of dollar amounts: an extra \$500 for a student in one category, an extra \$1000 for a student in another. Or they could be expressed in proportional terms, with students in a high need category generating 1.4 or 1.5 times the base level of funding.

We doubt that these numbers approach the level required by the meritocratic principle. The funding formula in the United Kingdom gives about twice the base level of funding to children who are socioeconomically disadvantaged and does not come significantly closer than the United States to realizing the meritocratic version of equality.

Although we have rejected “equality of educational resources in schools” as an interpretation of educational equality, it is worth noting that even proponents of that principle should support WSF. This is because, at least in the managerial environment of U.S. public schools, we would need WSF even to get simple resource equality of the kind for which equal funding is supposed to be a proxy. Teachers in U.S. public schools are not compensated for how difficult their job is or for how well they do it but within districts for years of service and professional credentials and across districts for how wealthy their district is. Wealthier districts can provide better working conditions and higher salaries and therefore have their pick from the talent pool entering teaching. Equalizing per student funding would correct for the pay inequalities but not for the inequalities in working conditions. Within school districts, where because of the socioeconomic segregation of housing patterns on the one hand and the system of neighborhood schooling on the other, schools are highly segregated by levels of educational need, working conditions in some schools are much better than in others. This gives those schools their pick of the talent pool. So although the same amount is spent on their schooling, children in those schools get more educational resources overall because they are taught by better, less stressed, less burned-out teachers. WSF helps to combat this by giving greater funding to schools with high concentrations of educational need and thus allowing them to alter working conditions in order to compete more equally for high-quality teachers.

As we have said, it is not clear at what level WSF should be set. One of the current authors has argued for a formula that gives schools 300 percent of the standard unit of funding for each child on free school lunches in the United Kingdom, and we believe that the U.K. government is likely to adopt this standard soon (Brighouse 2008).⁸ But receipt of free school lunch is a crude measure of disadvantage and 300 percent is a crude number, based on an assessment of political feasibility, not of what it would actually take to compensate for disadvantage. Julian Betts (2005) has suggested one mechanism for setting the weights, adapted from energy deregulation: first fund the

8. See also question number 488 and then-minister Stephen Twigg’s response in the Minutes of Evidence of the House of Commons Public Administration Committee’s Investigation on Voice and Choice in Public Services. Available www.parliament.the-stationery-office.co.uk/pa/cm200405/cmselect/cmpubadm/49/5012705.htm. Accessed 13 August 2008.

schools equally on a per student basis, then distribute tradable rights to admit highly advantaged students and allow schools to auction those rights. Schools would then be forced to work out how much they valued the money they were spending relative to the highly advantaged children they wanted. We do not know what the outcome would be. At one end of the spectrum would be schools with high concentrations of advantaged children and not much money; at the other would be schools with high concentrations of disadvantaged children and lots of money. It would probably take a few years for administrators to work out the real costs of disadvantaged children, but they would have a powerful incentive to do just that. Of course, policy makers are unlikely to adopt such a radical mechanism. What Betts suggests is a way of getting at the information that would be necessary in order to determine the right weights if one were committed to a strong principle of educational equality.

Finally, as the Fordham Institute (2006, p. 25) recognizes, WSF will be more effective in having an impact on the labor market for teachers if principals and administrators are given a great deal of freedom in the use of funds. They might want to attract some teachers with higher pay, others with smaller classes, and still others with a promise of regular sabbaticals or shorter work weeks at regular pay. There is an independent and strong case for loosening the regulation of U.S. public schools so that principals are more able to manage them effectively. But even those who reject that case should acknowledge that the egalitarian effects of WSF will be enhanced by giving principals in schools with high concentrations of educational need the freedom to manage the surplus funds as they judge best.

7. EDUCATIONAL EQUALITY AND EDUCATIONAL ADEQUACY

Many legal theorists and educational strategists (and now some philosophers) in the United States argue for educational *adequacy*, a principle that would ensure not that children had equal educational resources, opportunities, or prospects but rather that everyone was educated well enough so that they would meet all others as equals or peers in the public domain. There are several versions of the principle, all of which have the following form: Everyone should receive an education adequate for them to do or be X.

Versions of the adequacy principle differ in their specification of X. James Tooley (1996), for example, demands education adequate to functioning in the economy; in his case X is understood as being able to get and hold down a job. Amy Gutmann (1987) ties adequacy to the developed capacity to participate as an equal in political life, so in her case X is the ability to function effectively in the political decision-making process, whereas Elizabeth Anderson (2007) and Debra Satz (2007) have both recently defended a version of adequacy that

emphasizes the importance of being able to function as a peer in public social interactions.⁹

Advocates of the adequacy principle also differ in the status they grant to the adequacy principle. Our sense from talking to activists is that for many of them adequacy is a pragmatic retreat from equality. But for others, including Tooley, Satz, and Anderson, adequacy is regarded as genuinely all that children are owed, and inequalities of education above this threshold are entirely unobjectionable. Although the relationship between principles of justice at the social level and sectoral principles, which are supposed to concern the distribution of particular resources, is complex, in some cases advocates of adequacy in education are motivated by their commitment to a principle of sufficiency at a more fundamental level—the idea being that adequacy, rather than equality or maximizing the position of the least advantaged, is what justice demands regarding the distribution of resources all told (Anderson 1999; Frankfurt 1987). Tooley and Anderson, for example, both explicitly ground their support for educational adequacy in the sufficiency critique of a principle of equality of resources.

We should say first that educational egalitarians (like us) are likely to see educational adequacy (on any of the versions presented above) as an extremely urgent political demand in a society that falls so far short of providing it to so many. Everyone should receive an education sufficient for them to become effective and deliberative participants in the political process, to be able to be productive and self-confident members of the workforce, and to deal with those more advantaged than they are as peers. Children from more advantaged backgrounds should receive an education that does not place barriers in the way of their being able to empathize with and value those less fortunate than themselves. Adequacy is a very demanding principle, and one that egalitarians should not reject.

Nevertheless, as a matter of principle, the meritocratic conception of educational equality is superior to adequacy for two reasons. First, as we have seen, the competitively positional aspect of education means that getting “enough” will not give one a fair chance in competitions to which education is relevant, if others are getting more than enough. Second, education is valuable not only for competitive reasons; in addition to improving career prospects, it independently improves individuals’ lives by enabling them to engage in a wide range of intrinsically valuable pursuits, such as reading good literature and discussing it with friends, playing complex games, entertaining themselves with mathematical puzzles, and socializing with people who speak other languages. This

9. For other variants, see Curren 1995 and White 1994.

“intrinsic” value of education typically contributes significantly to the quality of life. Considered simply as an intrinsic good, it is just not fair that through luck some should get more or better education than others, even if all get enough.

This article has aimed to show why equality is a more robust principle than it is often thought to be. On its own, the proposed principle of educational equality might well have counterintuitive consequences. But we see the principle as nested in a larger theory of justice that gives due weight to other values such as the family and priority to the prospects for flourishing of those who have less. In that context the principle demands that equality be pursued only to the extent of, and in ways that are consistent with, realizing these other values; put in its proper place, it is not vulnerable to objections that it demands leveling down or that it undermines the value of the family. We have accepted that adequacy is an urgent educational goal to pursue in a society that falls far short of providing it to all. But we reject the view that, philosophically speaking, it is an adequate principle to guide educational spending. To see this, suppose the education budget receives a bounty and the authorities have a choice as to how to spend it. They could divide it equally among all children, devote it to the 10 percent of children who receive the most educational input from their families, or devote it to the education of the 10 percent of children who receive the least educational input from their families. Suppose also that the principle of adequacy is already satisfied and would still be satisfied however the bounty was used. Adequacy provides us with *no reason at all* to care how it is spent. The meritocratic principle of equality, by contrast, gives us reason to prefer the last option. It seems to us that a view that provides no reason for caring how the money is spent in these circumstances is defective. Equality is a better principle than adequacy.

8. CONCLUSION

The fairness-based, meritocratic conception of educational equality matters a great deal. It matters less than maintaining the value of the family, by our account of what that value is; but maintaining the value of the family allows us considerable freedom to adopt measures designed to promote a fairer distribution of education. We should also be willing to sacrifice meritocratic principles where it is necessary to benefit the less advantaged, all things considered. In some societies this might justify a considerably unequal, and unfair, distribution of education as long as it is combined with appropriately substantial redistributive tax-benefit systems, but in wealthier societies it may well not justify much, if any, violation of the meritocratic principle. Educational policy makers have compelling moral reasons to do whatever is feasible to advance the proposed concept of educational equality, within the limits we have described.

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