

Negotiating Public and Private: Philosophical Frameworks for School Choice

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Executive Summary

Beneath controversies about whether school choice “works” are deep philosophical and moral commitments about how choice advances different educational values, purposes and aims. This policy brief takes a step back from practical debates about such issues as efficiency and effectiveness to examine the underlying philosophical debate. In particular, this brief examines how different claims for and against school choice pose different understandings of “public” and “private” educational goals and priorities.

While many scholars, researchers and advocates frequently use the terms “public” and “private,” the meaning assigned to these terms varies widely. Philosophy offers resources for clarifying these terms. In particular, different philosophical frameworks allow for the clearer understanding and evaluation of various choice proposals, especially in terms of their implications for the “public” purposes of American education.

The brief begins by describing how school choice policies have shifted commonly accepted definitions of public and private education. This section is followed by a summary of five philosophical frameworks that might provide a basis for clarifying the “public” and “private”: liberty, equity, justice, pluralism and democracy. Each of these frameworks construes the relationship between the public and private in different ways. Some arguments, for example, equate the public good with many satisfied individuals, each pursuing their self-interests. Others argue that the public good is synonymous with an active citizenry that creates the schools it thinks best through the processes of democratic deliberation.

Because debates about choice are muddled by imprecise terms and unarticulated philosophies, this brief calls for greater integration between conceptual studies of school choice and educational policy and practice. In particular, it recommends that policy analysts, policymakers and other stakeholders:

- Employ philosophical frameworks, especially those of liberty, equity, justice, pluralism and democracy, to help interpret how various school choice policies affect what is considered desirable in and for schools.

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- Employ philosophical frameworks to clarify the assumptions that various empirical studies make about what is desirable in schools.
- Employ and articulate philosophical concepts to frame efforts to direct policy and practice, in order to make assumptions about what is desirable explicit and to better align policy and goals.

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Introduction

Beneath controversies about whether or not choice “works” are deep philosophical and moral commitments about how choice proposals reconfigure commonly accepted definitions of public and private education.¹ Perhaps more so than other educational policies, school choice raises fundamental questions about the nature of American education: how individual rights are tempered by social obligations, how demands for liberty are balanced by demands for equality, and how private interests interact with public goods.

Indeed, concepts of “public” and “private” have been central to arguments for and against choice. Choice is often said to be “redefining” public education, as new organizational arrangements—often privately operated—deliver “public” education. In fact, much of the rationale for choice relies on reconfiguring the very terms “public” and “private” by expanding and reshaping what counts as public education. While both advocates and critics of choice use the language of the “public” and “private,” the *meanings* of these terms vary across positions. For advocates, school choice policies provide a means of building equity in education, and acknowledge parents’ rights to have their children educated in line with their own values and beliefs. For critics, choice weakens access and opportunity for the most disadvantaged students, and risks segregating students into increasingly unequal schools. Moreover, the very notion of choosing one school from among a “marketplace” of options transforms education into a commodity, in contrast to its history as an essential public good. In these arguments, the very terms “public” and “private” are invested with different meanings and positions.

It is necessary to understand, therefore, what we *mean* by public and private. How are these terms defined? What arguments are made on their behalf? This brief takes a step back from practical debates about such issues as efficiency and effectiveness to examine this *philosophical* debate. Philosophy does not answer empirical questions (what *is* happening here?). Instead, it uncovers the assumptions and judgments (what *ought* to happen?) embedded in empirical questions and arguments. While empirical studies play a crucial role in assembling evidence about the practical *consequences* and *effects* of different choice policies, evidence alone cannot resolve normative debates about appropriate *purposes, aims and values* of choice policies.

This brief reviews major philosophical justifications for and against school choice. In particular, it explores the concepts of “public” and “private” at the heart of the debate. Various arguments, both historical and conceptual, have been made about how school choice can balance private, individual rights against public, social obligations. To place the debates about choice in context, the first section reviews the historical development of the public/private distinction in school choice, tracing shifting definitions of the term “public” in “public education” across time and among different researchers, educators, and policymakers. This review is followed by a survey of major conceptual arguments for and against choice, grouped into five frameworks: liberty, equity, justice, pluralism and democracy. The conclusion sketches out some implications of this philosophical field for school choice policy and practice, and offers stakeholders some recommendations for employing philosophical frameworks in their work.

Public and Private in School Choice

The terms “public” and “private” are notoriously difficult to define because they reflect a complex and shifting cultural, political and ideological terrain. Most often used as modifying adjectives, “public” and “private” often refer to specific kinds of institutions: public transportation or public education, for example. In addition to their ordinary life as adjectives, these concepts can also be understood as substantive categories (“The Public” and “The Private”), as well as modifiers for particular spatial metaphors (the public or private sphere, realm, sector etc.). Particularly important for school choice, public and private are also used to capture a sense of “interest,” as in the “Public Interest,” or our “private self-interests.” Most importantly, perhaps, “public” and “private” are typically defined in relation to and against one another; they are relative, not static terms. The private sphere of action is only definable in relation to a public one: that is, we usually define the “public” by what it is not. Thus, we contrast the private world of the family and home “in here” with the broader public world “out there.”²

Understanding what counts as “private” and “public” is also shaped by experiences in these kinds of institutions. Experiences with private education—in private schools we may interact with—shapes our sense of the term. Likewise, experiences in public institutions—schools, parks, and the like—help shape how we conceptualize the “public.” In this sense, our understanding of what counts as “public” and “private” education has been shaped by the evolution of public and private education in this country.

Development of the “Public School”

Debates about school choice have developed in conjunction with—and in opposition to—what we usually term “public education.” Choice is often counter-posed to a “traditional” idea of public education: the district-run, publicly governed, common school. It is important to remember, however, that this “traditional” concept of public education is a relatively recent invention, and one that has evolved considerably over the last century and a half.

Public education, as we currently understand it, started to develop through the antebellum expansion of the “common school” ideal. As Christopher Lubienski details, the common school movement deliberately fought to articulate an emerging school system as “public” in contrast to the “private” system of academies available at the time.³ In doing so, Horace Mann and other reformers fought for public funding of common schools, accessible to everyone and democratically controlled by their local communities. Many of the characteristics typically associated with public education—public financing, access and governance—grew out of the common school movement. Over the next century and a half, these rural and decentralized schools would take on new roles, and the characteristic concepts of democratic control and equality of opportunity would change with them.

In terms of democratic control, early Twentieth Century urbanization, industrialization and immigration increased the role that public schools played in assimilating newcomers and inculcating common values.⁴ At the same time, thousands of locally run schools were centralized into larger, bureaucratically administered districts. Progressive reformers saw these new governance arrangements as forces of efficiency and social improvement; for many local officials, however, the new arrangements transferred power from rural communities to at-large elected officials, and from neighborhoods to city bureaucrats.

Likewise, the ideal of equal opportunity central to American public education has also been a contested concept. As student enrollment increased throughout the last century, schools were also expected to educate larger numbers of students to higher levels of achievement. As the century progressed, public schools were increasingly seen as engines of access, integration and equity; increasingly, they were expected to play an active role in reducing social inequity. Through these new expectations, the very meaning of “equality” would come to encompass more groups of people and higher standards of achievement.

Development of “School Choice”

Just as the meaning of “public education”—associated with public funding, democratic control and equality of opportunity—has evolved, the meaning of “school choice” has also been shaped historically. Many

researchers and scholars credit Milton Friedman with establishing the conceptual argument for school choice more than 50 years ago.⁵ Friedman first outlined his proposal for school vouchers in a 1955 essay, “The Role of Government in Education.” Further elaborated in 1962’s *Capitalism and Freedom*, his argument was that the private sector, responsive to issues of supply and demand, could more effectively provide education. Here, Friedman separated provision of education from funding of education. The proper role of the government, for Friedman, was to provide enough oversight to ensure the functioning of the market, and to provide enough funding (in the form of vouchers) so that students could receive an adequate education for general citizenship. As Jeffrey Henig points out, the power of Friedman’s proposal rests on his “detailed and vivid description of the generally harmful consequences of permitting public schools to operate as monopolistic providers.”⁶

In contrast to the largely economic and libertarian argument advanced by Friedman, other proponents have advanced the case for choice by drawing on concepts of equity. For example, under the auspices of the federal Office of Economic Opportunity (OEO), the sociologist Christopher Jencks in 1970 advanced a specific voucher proposal focused on expanding educational opportunities for disadvantaged children.⁷ Highly regulated, the Jencks proposal required participating schools to accept all eligible students, to use lottery mechanisms for admissions decisions, and to accept the voucher as full payment for tuition.⁸ A year later, John Coons and Stephen Sugarman developed another voucher proposal that similarly pursued increased educational equality for disadvantaged students and expanded parental choice.⁹ These early proposals and limited experiments helped to repackage choice in terms of equity, pluralism and parental empowerment.¹⁰

At the same time, public school districts were experimenting with a range of different public school choice programs: magnet schools, intra-district choice plans, alternative schools, charter schools and intradistrict options.¹¹ All of these experiments in public school choice helped to shape the case for using choice as a vehicle for school improvement, racial integration and educational equity. With these experiments, choice advocates were emerging from different sides of the political landscape. As William Reese points out, “choice” became a rallying cry for both liberals and conservatives after the 1970s.¹² For liberals, choice meant teacher and community-driven alternatives to the “public school monopoly”; for conservatives, it offered ways to inject market solutions and competitive forces into a staid and inefficient educational system.

With the exception of early voucher experiments, these initial programs were all still part of the public school system. Although Friedman’s proposals for private choice had attracted attention in select think tanks, academic circles and early experiments, vigorous political opposition halted any widespread implementation. John Chubb and Terry Moe’s *Politics, Markets and America’s Schools* helped to change this

dynamic.¹³ Using empirical evidence on school effectiveness, they argued that schools were failing because they were too democratic.¹⁴ They also popularized a distinction central to the development of choice reforms, differentiating reforms internal to schools (“organizational”) from those external to them (“structural”). This distinction implied that only radical—that is, external and market-driven—reforms could fix the broken school system. Organizational reforms internal to schools (new approaches to staff development, different reading curricula) couldn’t change schools to the degree that external structural reforms (developing voucher alternatives, allowing parents to freely move children between schools) could if given the opportunity.

In addition, Chubb and Moe’s use of empirical evidence helped shift the terms of the debate. Choice was no longer just a theoretical assumption, but something that could be subject to policy experimentation and empirical research. Debates about choice soon became focused on whether or not specific choice programs “worked” to raise student achievement, win parent and student satisfaction, and improve cost effectiveness. Subsequent debates about the efficacy of choice have left questions about the goals and purposes of choice relatively unexamined. That is, questions about the *purposes* of choice were supplanted by questions about the *effectiveness* of choice.

Redefining Public Education

Choice is often said to be “redefining public education,” by both critics and advocates.¹⁵ We routinely think of public and private as different *kinds* of schools. That is, public schools are publicly financed and operated schools, accessible to everyone; private schools are privately financed and managed independent schools—sometimes religious—that have limited enrollment. Choice advocates argue, however, that both public and private *institutions* can serve public *purposes*; that is, they believe that public education can be provided by private schools. From this perspective, to provide public education, a school need only be publicly funded, accessible and accountable. In fact, certain advocates prefer to avoid the term “public schools” and instead talk about “district schools” or “government schools” to emphasize that many different kinds of institutions—including private businesses—can, like school districts, function as providers of public education.¹⁶

This new model embeds a “functionalist” definition of public, one that focuses primarily on the results of institutions. Highlighting this shifting definition, Gary Miron and Christopher Nelson have argued that charter schools, for instance, employ two definitions of public-ness: a traditional, “formalist” definition, which emphasizes public ownership and control, and a newer “functionalist” definition, which requires only that schools serve the public interest, even if they are privately owned and controlled.¹⁷ Andrew Rotherham has employed the same distinction in

analyzing types of charter accountability, arguing that the “public-ness” of charter schools is measured not by ownership and governance, but by the fact that the schools serve the public’s children and are publicly accountable.¹⁸ Similarly, Lubienski contrasts the new definition of public education used by contemporary choice advocates with older conceptions of public education used by early common school reformers. Earlier, education was defined as “public” in terms of common values, public governance, equality of opportunity, democratic due process, and the “common good.” For contemporary choice proponents, however, public education is defined functionally, in terms of the “instrumentality of its academic mission.”¹⁹ That is, public education counts as “public” to the degree that it increases the academic achievement of the nation’s students.

From this functionalist perspective, public education is a matter of accountability for public outcomes—academic achievement first among them. This accountability is largely conceived in terms of individual students. That is, schools of choice are only—and understandably—accountable for the achievement of the individual students enrolled in them. This understanding of public accountability, however, represents a significant shift from defining public accountability in terms of an equality of opportunity. Equality of opportunity is concerned not just with the experiences of *individual* students that take advantage of choice schools, but with the *aggregate* experiences of students in school systems. As Tomas Englund argues, recent school reforms have gradually shifted the terms of debate, from understanding education as a public good towards viewing it as a private good.²⁰ This concern reflects one of the most fundamental criticisms of privatization: that public education will be conceived as a private good, thereby impoverishing the public system as a whole.

David Labaree makes a similar argument through a different analytic lens.²¹ For Labaree, three conflicting purposes of education—democratic equality (preparing citizens), social efficiency (training workers) and social mobility (preparing individuals to compete for social positions)—have interacted throughout the history of the American public school. Democratic equality and social efficiency both understand education as a public good, designed to prepare citizens for—respectively—public roles and private advancement. In contrast, social mobility understands education as a commodity: as a private good designed to improve an individual’s position in a competitive marketplace. This latter understanding, as Labaree argues, has dominated recent discourse about the public purposes of education.

While there is dispute about how to define public education, few critics or advocates would dispute that school choice, as a reform movement, has deliberately attempted to influence concepts of public and private. Several scholars have detailed the political nature of this redefinition, arguing that the conceptual legacies of school choice were the

result of a concerted and political effort on the part of certain theorists and scholars to shift the terms of a debate.²²

Frameworks

While we can distinguish between the private and public dimensions of education, it is commonly accepted that education has *both* public and private dimensions. Since it is neither solely a private good nor solely a public one, it is impossible to ask whether education should serve the private *or* the public interest. The real question, of course, concerns just *how* education fulfills and balances both private and public aims. This is a question particularly suited to the method and tradition of philosophy.²³ Much of the philosophic tradition has addressed how we relate private rights to public responsibilities, how we balance the rights of the individual—and the family—against broader social goals. This tradition has particular applicability to questions in education, especially to issues central to school choice.

Instead of arguing for education as a distinctly public duty or private right, different scholars adopt distinct conceptual frameworks to describe *how* education ought to mediate between our private interests and public goals. Some, for instance, emphasize liberty. Others lean towards equality. These different ideals and values offer alternate understandings of the proper relationship between private rights and public obligations, and the particular role that school choice might play in mediating this relationship. This section summarizes these different emphases in the philosophical literature: liberty, equity, justice, pluralism and democracy. Any argument made for or against choice invariably addresses—in some form—each of these different concepts. While each area of scholarship advances all of the values listed above, there are significant differences of *degree* and *emphasis* between arguments.

Liberty²⁴

First, many understandings of education emphasize the rights of families to send their children to independent rather than state-sponsored schools. Indeed, parents' rights to secure private education for their children are well recognized and upheld (within certain limitations) by legal precedent.²⁵ *Pierce v. Society of Sisters*, for instance, deliberately recognized the rights of parents to educate their children as a form of liberty protected under the Fourteenth Amendment. This decision, more broadly, sought to balance the "fundamental values necessary for the maintenance of a democratic political system" against the individual freedom to exit public schools in accordance with the "private beliefs of the student and his or her family."²⁶ Liberty, then, has been associated both with the right to exit the public schools and with the right to hold certain private beliefs that may conflict with public schooling.

These private beliefs imply the existence and legitimacy of pluralistic visions of what constitutes a flourishing life. Such different visions of a good life do, under certain circumstances, come into conflict with the curriculum and practices of the public school system. One of the most discussed legal cases, *Wisconsin v. Yoder*, offers a demonstration. In this 1972 case, the Supreme Court recognized the right of Amish families to withdraw their children from compulsory public education after eight years in order to strengthen their connection to their Amish community and way of life.²⁷ Different theorists have employed this case to argue for conceptions of liberty in education. William Galston, for instance, employs the principle evident in this case in arguing for a concept of “expressive liberty” in education.²⁸ His argument promotes deference to the rights of parents to lead lives, and raise children, as they see fit with minimal intrusion from the state.²⁹

Similarly, Eamonn Callan endorses some respect for parental rights, particularly with respect to “culturally dissident minorities,” but not to the extent advocated by Galston.³⁰ Callan argues that the state has a legitimate interest in protecting the future autonomy—in a sense, the future liberty—of children. Sometimes an interest in protecting the developing autonomy of children will conflict with an interest in protecting parents’ rights to practice different visions of a flourishing life. The conflict here, as Callan relates, is not between individuals and the state, but between “parental choice and the basic interests (as society defines those interests) of individual children.”³¹ To protect these interests, various private and independent schools are still subject to various public provisions. Likewise, not all private beliefs are recognized as equally compelling reasons to opt out of the public school system.³²

In addition to the right to “opt out,” other theorists have posited the right of access to specific kinds of schools as a kind of liberty.³³ Here, access to distinctive schools—ones that endorse and support different “reasonable” conceptions of a good life—can be understood to be a kind of right. Similar arguments are offered in support of public funding for private schools and for home schooling. These conceptions of liberty are tied, broadly, to market rationales for choice, despite the fact that many arguments for a market-based system stress only the *effectiveness* of market reform. For some advocates, a market-based system simply provides quality education more efficiently and effectively; for others, market reform provides for the exercise of individual rights.³⁴ In these latter cases, advocates link a market-based system to arguments for freedom of choice. Individual rights to choose particular approaches to education are juxtaposed against a monolithic and mandatory system of education. The right to choose among market options becomes, in this formulation, a kind of liberty providing defense against invasive forms of state control.

Equity

Other theorists have argued that appeals to liberty, especially those rooted in market choices, were part of the “first-generation” rationales for choice.³⁵ As choice has matured, arguments have started to emphasize notions of equity instead.³⁶ Alan Wolfe argues that choice has been most politically successful when it has appealed to equality.³⁷ Indeed, the language of “equality,” “equity” and “fairness” saturates the choice movement. Paul T. Hill remarks that the focus on equity among proponents of choice is part of an “attempt to move the debate on choice ahead by focusing on the risks of choice and how they can be controlled.”³⁸ Opponents, too, often appeal to equity when enumerating the disadvantages of choice programs, particularly for students left behind in district schools. As Stephen Macedo summarizes, “the best arguments for school choice invoke equity, but so do the least defensible arguments and the least-attractive forms of school choice. It all depends on what we mean by equity.”³⁹

Indeed, definitions of equity vary considerably. The term is often used interchangeably with other concepts: “equality,” and, increasingly, “adequacy.” The meaning of all three terms is subject to debate. First, the concept of equality, or equal opportunity, has changed over time. In the common school movement, equality meant not making everyone equal, but providing opportunity for everyone to make themselves equal.⁴⁰ In a shift, the *Brown v. Board of Education* decision argued that education “must be made available to all on equal terms”⁴¹; that is, the focus moved to ensuring that the opportunities education provided were equally available to all citizen groups. While the term “equality” was used routinely from common school reform through the civil rights movement, the term “equity” has appeared more frequently in state-level school finance litigations decided in the wake of the 1973 *San Antonio Independent School District v. Rodriguez*. The concept of “equity” tends to emphasize equality of resources rather than opportunities or protections.

In more recent decades, the courts have increasingly moved away from attempts to define equality or equity in favor of “adequacy” standards.⁴² Rather than attempting to equalize financial resources across school districts, adequacy standards establish a minimum threshold of education to which all students are entitled. “Minimum standards”—described in New York State, for instance, as a “sound and basic” education—have increasingly replaced the language of “equal educational opportunity” and “equal protection” in legal judgments.⁴³ This language, as scholars have detailed, presumes that financial—and educational—inequities will continue.⁴⁴ Districts and parents, of course, remain free to spend more than what is adequate. Here, arguments for adequacy standards defer to parents’ rights.⁴⁵

Applied more specifically to issues of school choice, the concept of equity has increasingly been linked to access and choice. Proponents

argue that parents, regardless of income or residence, should be granted an equal opportunity to choose the schools their children attend. Equality here does not imply that parents will choose between equal schools. Rather, equality means that all parents have an equal opportunity *to* choose.

Justice

Equity arguments closely correspond to arguments that emphasize justice. More general than appeals to equity, appeals to justice commonly place a sense of “fairness” at the heart of school choice debates. While justice is also difficult to precisely define, the concept plays an important role in philosophical considerations of choice.

Most notably, Harry Brighouse argues in *School Choice and Social Justice* that certain choice mechanisms could be arranged to meet the demands of justice and equity.⁴⁶ Justice, for Brighouse, requires that “children’s prospects...should not be entirely dependent on their own talents and the resources and prudence of their parents.”⁴⁷ This principle of justice necessarily implies a principle of educational equality. While not arguing for “full privatization,” Brighouse nevertheless advocates for a universal system of vouchers that might serve the goals of social justice.⁴⁸ Drawing on similar proposals by Herbert Gintis and James Dwyer, Brighouse advocates for a highly regulated voucher policy that would involve increased regulation for eligible private schools and would prohibit parents from “topping off” the voucher amount with available private funds.⁴⁹

Many arguments for justice understand choice as a *mechanism* for achieving certain educational ends, not as an end in itself. Stephen Macedo suggests that if our interest in equity is properly understood as providing a “good public education for all,” school choice may not be the most obvious or compelling means to that end. Such arguments demonstrate the different kinds of questions that philosophy can ask: not just questions about what kinds of choice work best, but questions about whether we should have school choice at all. Clarifying educational aims allows for focused inquiry into the best means to realize them. Employing a similar philosophical strategy, but with different results, Harry Brighouse argues that voucher proposals might be more, not less, likely to meet the demands of social justice than other more politically palatable forms of choice, such as interdistrict choice options or charter schools.

Still other theorists equate justice with different *kinds* of ends. Macedo, Brighouse, and other theorists in the liberal tradition generally use a concept of distributive justice, often measured in access to material goods. However, as Kathleen Knight Abowitz argues, justice involves more than fair access to goods. Following Nancy Fraser and other critical theorists, Knight Abowitz contends that justice involves issues of recognition and participation as well as distribution.⁵⁰ More recently,

Knight Abowitz has argued that choice schemes might be evaluated according to an ideal of “intergenerational justice,” which would attend to the ways in which different educational policies might secure justice for future generations, not just for students presently enrolled in schools.⁵¹ In addition to this conception, other theorists have attempted to revise, expand and critique the tenets of a distributive paradigm.⁵² These efforts have resulted in alternate areas of literature on school choice, particularly concerned with the ability of school choice to build *pluralist recognition* and *democratic participation*.

Pluralism

Many arguments for school choice, aiming to increase the diversity and range of schools available to families, draw on conceptions of pluralism. Likewise, many opponents of choice are concerned that pluralist schools will increase segregation and fail to teach a common sense of democratic citizenship in an increasingly diverse society. Either way, concepts of pluralism appear in almost every consideration of choice. William Galston’s ideal of “expressive liberty,” for instance, while emphasizing freedom, argues for the inevitability of difference and people’s rights to express different versions of a good life. Stephen Macedo counters that appeals to religious, social or intellectual pluralism do not provide an adequate justification for the public funding of private schools.⁵³ While supportive of educational accommodation to pluralism, Macedo argues for a distinction between nonpublic values and aspirations and public goods created through political deliberation.⁵⁴ Although there is a place for many nonpublic values pursued by diverse pluralist communities—the desire to teach children distinctly religious views, for example—these values do not have to be publicly supported.

Different theorists take different positions on how much parents’ convictions should be respected, protected and sustained.⁵⁵ While the basic rights of parents to “opt out” of public schools, in favor of private alternatives or the decision to home-school, are well recognized, many choice theorists argue that the public school system should provide options that recognize and support different ethical convictions. Michael W. McConnell, for instance, contends that pluralism is an inescapable fact of American life, and demands an educational system that is “private and pluralistic,” as opposed to one that is “democratic and collective.”⁵⁶ He believes parents should be able to choose among a wide variety of different schools, public and private, which reflect their values and convictions. Advocating public support for religious schools and home schooling, he contends that parental preferences should be granted wide latitude, constrained only by minimal civic goals and standards of educational quality.⁵⁷

Rob Reich also argues that pluralism is a fact of life in any liberal society.⁵⁸ For Reich, school choice provides a potential vehicle for

accommodating pluralist preferences within common ideals, rather than seeking to *assimilate* them to any one particular ideal. Here, Reich distinguishes between the “structure” and the “substance” of a common school ideal. He argues that a variety of school structures, public and private, can uphold common educational values and goals. For Reich, these common goals must include, at minimum, teaching the norms of citizenship and ensuring the future autonomy of students. For Reich, autonomy entails the ability to freely consent to one’s political system of governance, and—especially important for school choice—the ability to criticize and even exit the way of life a child grew up in. He is critical of both those who argue against reasonable pluralist conceptions of schooling and those who defend overly expansive versions of pluralism that are incapable of securing the autonomy of students.⁵⁹ While supportive of school choice in general, Reich is critical of particular forms of school choice (certain forms of home schooling and religious schools) that preclude the ability of students to reflect on—and potentially exit—the ethical worldview of their parents or community group.

Reich’s focus on the importance of autonomy-facilitating education is a theme echoed by many other scholars. Different theorists pair a focus on autonomy with other values: with equality of opportunity (Brighouse), tolerance (Gutmann), or “critical rationality” and “deliberative excellence” (Callan).⁶⁰ However they define it, these scholars see autonomy as a central civic goal, and they caution that no school should privilege promoting a particular conception of “the good” over developing students’ ability to define and eventually choose their own conception.⁶¹ Other theorists, as is evident in earlier discussion, are less concerned about the development of autonomy⁶² or less worried that particularistic schools could threaten student autonomy.⁶³ Still others are skeptical that choice policies will be able to promote student autonomy in any case.⁶⁴

Here, considerations of pluralism and school choice are implicitly connected to a broader field of scholarship examining the requirements of citizenship and the demands of cultural recognition in education.⁶⁵ This scholarship examines the ways in which educational policies, school choice among them, balance the prospective rights of children against the existing rights of distinctive communities. In striking this balance, some theorists emphasize the risks of pluralistic communities for civic cohesion. Walter Feinberg, for instance, argues that the state has a certain interest and role to play in private and religious schools.⁶⁶ Although supportive of diverse kinds of private education, Feinberg views these schools as dependent upon a larger system of public education, which should “reproduce the understandings and dispositions needed to secure the political climate where all deeply held religious ideals can be expressed.”⁶⁷

This argument—that public schools have a distinct role to play in creating a national identity and common values—goes beyond the

minimal public role advocated by other theorists emphasizing pluralism. Echoed by other scholars, other versions of this argument draw on conceptions of pluralism and diversity to argue against choice, and for the integrating potential of the common, public school.⁶⁸

Democracy

Theorists who focus on democracy are chiefly concerned with students' ability to relate across lines of difference, and privilege concepts of democratic participation in their analysis of school choice. Amy Gutmann, for instance, argues that conceptions of democracy should play a central role in evaluating educational policy. Positing a "democratic ideal," she argues that educational strategies should be measured by how well they prepare children for a life of equal liberty and opportunity.⁶⁹ Her argument stresses democratic participation as the best means for achieving these goals of equal liberty and opportunity. For Gutmann, democratic deliberation provides a way to adjudicate the diverse conceptions of the good that will occur in any discussion of public education. In this conception, schools are not just a means for securing certain public *ends*; rather, schools are, themselves, kinds of public *spaces*. As Benjamin Barber contends, "public schools are not merely schools for the public, but schools of publicness: institutions where we learn what it means to *be* a public and start down the road toward common national and civic identity."⁷⁰

Many theorists who privilege democracy, however, are cautious not to suggest specific measures of national identity. While some argue that schools should develop civic knowledge (such as principles of government), virtues (such as tolerance), and skills (such as voting), these theorists argue that such dimensions of citizenship are best created through democratic participation. Here, too, civic education is an indispensable means for achieving these democratic ends. In fact, interaction with others, particularly across lines of difference, is considered to be a necessary part of what makes public schools public. Stephen Macedo argues that this interaction is crucial for the development of civic cooperation and mutual respect.⁷¹ Likewise, Deborah Meier contends that "public schools can train us for such political conversation across divisions of race, class, religion and ideology...what training for good citizenship is all about."⁷² Public schools are not just a *means* for achieving civic ends, they are, in themselves, sites of democratic citizenship and worthy as ends in their own right.

For these theorists, public schools secure their legitimacy as public institutions by serving as sites of democratic deliberation and participation. Public schools, in other words, need to be more than just publicly accessible and publicly financed; they must be democratically controlled and operated. Democratic control, however, can be defined in a myriad of ways: as increased parental engagement, decentralized decision-

making, or accountability to some public authority. Some scholars argue that charter schools, for instance, offer parents revitalized possibilities for investment in their local public schools.⁷³ Others, in contrast, argue that schools of choice—especially as they further increase the segregation of students by race—contribute to the fragmentation of common civic values and erode a broader conception of democratic accountability.⁷⁴ Still others understand democratic control, and the politics that come with it, as part of the problem with public education.⁷⁵ While some scholars assert that market forces provide efficient and meaningful public participation in education, others argue that public education is, by definition, messy and inefficient.⁷⁶ In the latter case, democratic control, while politically frustrating and economically inefficient, is an important part of what makes public education “public.”

Defining Public and Private

This brief has reviewed a number of different conceptual frames used in debates for and against choice: liberty, equity, justice, pluralism and democracy. Using these different frameworks, advocates and critics of choice both employ the concepts of “public” and “private” in arguing for or against various choice policies. Different arguments, however, invest these terms with different *meanings*. Even as they use the same language, advocates and critics privilege different values, aims and purposes.

Arguments justifying school choice on the basis of individual liberty and pluralism lean toward one side of this conceptual field, and stress individual choice. Such arguments emphasize education in private terms as a good that meets the needs, interests, and identities of families and children. From this perspective, the public goals of education are met as parents become more involved in their children’s education, in turn improving the educational system as a whole. Arguments that privilege pluralism emphasize increasing the number, kind, and types of choices open to parents. These arguments contend that having many different choices among schools reflects the pluralistic nature of American society: there are many different and sometimes competing conceptions of the “good life.” Rather than seeking to impose one vision of public education, they argue that proliferating variations produce a more vital sense of the public good.

Arguments privileging democracy and equity lean toward the other side of this field, stressing the social rather than the individual. They suggest that privileging parental liberty and pluralism may lead to the balkanization of education, as individuals choose schools that reflect their narrow interests and identities. Equity proponents fear that individual choices may simply exacerbate inequality as individual students and families compete for limited resources. Another risk is that young people’s future autonomy to choose their own ends will be compromised,

as will their ability to encounter and engage with difference. Theorists who emphasize democracy stress schools' function as sites of democratic participation. Choice, in this sense, sidesteps the political processes involved when communities, as a whole, deliberate about shared educational goals and policies.

Arguments that privilege justice try to mediate between these two poles; they attempt a balance between competing values of democracy and liberty, access and effectiveness, equity and choice. Figure 1 briefly summarizes how the different arguments for choice reviewed above frame education as a public or private good.

Figure 1: Arguments for Education as a Public and Private Good

Education as a...	Public Good	Private Good
<i>Liberty</i>	A collection of satisfied and invested individuals.	Parental rights to educate their children as they see fit.
<i>Pluralism</i>	Many proliferating and diverse visions of the good life.	Education that meets the needs and affirms the distinctive values of families.
<i>Justice</i>	Fair balance between social equality and individual liberty	Fair opportunities for individual flourishing regardless of status
<i>Equity</i>	Equality of access and opportunity secured by social institutions	Equal opportunities for individuals to choose schools
<i>Democracy</i>	Creation of common values through democratic participation	An individual's constructive participation and role in society

Each of these frameworks construes the relationship between the public and private in different ways. Some arguments equate the public good with many satisfied individuals, each pursuing their self-interests. Others argue that the public good is synonymous with active citizens, creating schools through the processes of democratic deliberation. In sum, then, while many scholars, researchers and advocates use the language of the “public” and “private” in school choice, philosophy can help us attend to the differences in meaning various theorists assign to these terms. As choice continues to rewrite the nature of public obligations and private rights in education, understanding what we mean by “public” and “private” has never been more important.

Philosophy—in conjunction with a wide variety of empirical research, both quantitative and qualitative—can help research on school choice address the values, goals and purposes of education. In particular, philosophy can help ask questions about the public purposes of education. As this review details, school choice does not serve public *or* private purposes. In contrast, different choice policies, schools and practices enact certain *qualities* of public-ness and private-ness. Conceptual studies

in philosophy, history and related fields can help us attend to the ways in which the meaning of terms and concepts, like the “public school,” have changed over time and in response to shifts in policy.

Recommendations

These philosophical considerations often seem far removed from questions of policy and practice. And, indeed, the policy implications from this brief may be less than obvious. This review of philosophical frameworks does not provide any *one* framework for evaluating policy; in contrast, it helps to sketch out a range of arguments and frameworks that policy analysts might use. As Michelle Moses notes, philosophy helps “conceptualize alternative frameworks for the analysis of educational policy and practice.”⁷⁷ Building on this review, future studies might examine, for instance, how different states’ charter school policies further the interests of pluralism. Here, scholars might examine whether charter legislation allows for schools to represent different “conceptions of the good life,” or whether increasing accountability requirements have constrained the ability of charter schools to significantly differ from other public schools. The ability of charter schools to serve the interests of pluralism may, for instance, be augmented or restrained by different policy arrangements across states and school districts.

As this example demonstrates, attention to philosophy can in fact be useful in practical policy analysis. Following are three suggestions for approaches that policy analysts, policymakers, and other stakeholders might use to incorporate philosophical considerations into their work, followed by more detailed explanations of each:

- Employ philosophical frameworks, especially those of liberty, equity, justice, pluralism and democracy, to help interpret how various school choice policies affect what is considered desirable in and for schools.
- Employ philosophical frameworks to clarify the assumptions that various empirical studies make about what is desirable in schools.
- Employ and articulate philosophical concepts to frame efforts to direct policy and practice, in order to make assumptions about what is desirable explicit and to better align policy and goals.

Interpreting Consequences

Frameworks of liberty, equity, justice, pluralism and democracy can help *interpret* the normative consequences of different school choice policies—that is, whether the effects of a policy are desirable or undesirable in terms of specific goals. Normative understandings of choice are different from, but connected to, empirical evidence about choice. Working with well-crafted empirical research, philosophy can help to illustrate the *significance* of evidence for claims of justice, equity,

liberty and the like. Take, for instance, studies finding evidence for the claim that charter schools increase segregation between social class and racial groups. While there may be evidence that sorting and segregation are taking place in charter schools, different researchers and scholars reach different conclusions about the significance of this evidence. Some have argued that school choice policies exacerbate existing patterns of racial segregation, worsening inequalities in education.⁷⁸ Others argue that sorting from choice policies is no worse than the widespread segregation built into a housing market that constrains access to schools.⁷⁹ Still others argue that sorting and segregation into distinctive schools reflects the realities of a pluralist society.⁸⁰ Some advocates argue, furthermore, that these distinctive represent the democratic efforts of parents to create schools relevant to their own communities.⁸¹

More empirical research, while certainly necessary, cannot by itself help us determine which of these conclusions to support. However, as empirical research examines links between different choice policies and patterns of segregation, conceptual studies can ask other questions to help further clarify the situation: is this sorting an acceptable form of pluralism, as communities create schools around their own ethical convictions? Does it reflect an appropriate balance between the rights of parents to choose schools and the need to protect the interests of parents and children who lack practical access or ability to make choices?

Although the frameworks detailed here cannot by themselves provide easy answers to these questions, philosophical analysis can help clarify the questions and values in conflict. For instance, if we assert that schools are serving the interests of pluralism, what exactly do we mean by that concept? Under what circumstances could schools be understood to further different conceptions of the good? Should schools even seek to play that role in a liberal democratic society?

Clarifying Assumptions

In addition to helping interpret the significance of evidence for researchers, policymakers and practitioners, philosophical frameworks can also help to *clarify* the normative assumptions present in various empirical studies. Scholars have long emphasized the inseparability of conceptual questions from empirical research in education.⁸² In issues of school choice, normative assumptions about appropriate goals are embedded in the design of various empirical studies. How, for instance, is the effectiveness of a given policy measured? Is it to be assessed by its success in increasing academic achievement? By its success in terms of creating new, quality schools? Or, by its success in providing greater equality of opportunity for a given group of students?

Philosophy can help to clarify the different measures of “success” employed in different research designs. In particular, any one of the goals that educational policy aims at—equity, for example—are often deeply

contested concepts. Conceptual studies can help us examine how terms like “equity” are defined and how they become operationalized in evaluation and research. While many scholars argue that school choice should build equity in education, there is little agreement or clarity about what, exactly, this vision of equity entails. Philosophical inquiry can help illustrate what equity is, how it relates to a larger discourse about equality, and how it may be translated into equality of opportunity.⁸³

In examining the assumptions that guide policy and research, philosophical frameworks can also help examine the seemingly neutral or non-normative language of “efficiency,” “effectiveness” and “achievement.” While academic achievement, for instance, seems to be an uncontroversial goal, the language of “achievement” contains assumptions about the nature of knowledge and the purposes of education. A singular focus on achievement also obscures other, and sometimes competing, goals of education. Philosophy, here, can help to clarify the different goals—particularly moral, social and civic ones—toward which education policy may aim.

Framing Policy and Practice

Philosophy can help to more directly *frame* issues of policy and practice. While many theorists treat different forms of school choice as one static entity, other scholars have started to examine the “nuts and bolts” of choice proposals, drawing such distinctions as those between different kinds of school choice (vouchers vs. charters, for example) and between different implementations of a particular choice option (specific charter legislation across states, for example). From the standpoint of policy, these contributions can help explain why, as David Plank and Gary Sykes write, the “rules matter” in school choice.⁸⁴

Conceptual studies of choice are beginning to engage more fruitfully with more detailed dimensions of policy and practice.⁸⁵ Harry Brighouse, for example, has recently examined different voucher policies—universal regulated, universal unregulated, progressive, and targeted plans—against claims of justice.⁸⁶ Examining key variables in voucher programs (for example, to what extent providers are allowed to select students), Brighouse developed a measure of different equity levels in various voucher proposals. His scholarship could, in turn, be employed by advocates of choice seeking to design voucher proposals that build equality of opportunity for students from disadvantaged backgrounds. Likewise, using these criteria, Brighouse argues that we might support vouchers and oppose charter schools on grounds of justice.

Choice is, in many ways, here to stay.⁸⁷ Scholarship on choice has come to reflect this new reality. Rather than asking whether or not to support choice, researchers and policymakers are increasingly asking what kinds of choice should be supported, under what circumstances.⁸⁸ As choice policies continue to expand, it will be more and more important to

draw distinctions between kinds, degrees and variations of choice. Brighthouse and the other scholars in this brief offer different examples of how we might make these distinctions. As we have seen, a more developed understanding of the public purposes of school choice offers us one powerful way to start.

Notes and References

¹ By school choice, I refer to a wide range of programs and policies, including: open enrollment policies (both inter- and intradistrict), charter schools, cyber-schools, vouchers, tax credits and deductions, dual/ current enrollment in post-secondary education options, as well as homeschooling. Given the purposes of this brief—a broader review of philosophical arguments that bear on school choice—I often refer to “school choice” or “schools of choice” in general terms. While choice policies certainly differ—and importantly so—from one another, a more comprehensive review of these differences is beyond the scope of this brief.

² Gary Fenstermacher contrasts the “in here,” and “out there” aspects of the public and private.

Fenstermacher, G. (1997). “On Restoring Public and Private Life.” In J.I. Goodlad and T. J. McMannon (eds.), *The Public Purpose of Education and Schooling*. San Francisco, CA: Jossey-Bass. While the separation between public and private spheres of action remains central to most liberal theory, Fenstermacher also draws our attention to other traditions and understandings of these terms. Feminist thinkers, in particular, have argued that such a separation privileges public over private life, to the disadvantage of women who have historically been excluded by positions of public authority and power.

³ Lubienski, C. (2001). Redefining “Public” Education: Charter Schools, Common Schools, and the Rhetoric of Reform. *Teachers College Record*, 103(4), 634-666.

⁴ As many historians of education have detailed, this process was neither neutral nor without conflict. The seemingly “secular” curriculum of the public school system was saturated with Protestant religious sentiment, which helped to spur the creation of a separate—and largely Catholic—private school system. See, Tyack, D. (1974). *One Best System*. Cambridge: Harvard University Press; Kaestle, C. (1983). *Pillars of the Republic: Common Schools and American Society, 1780-1860*. New York: Hill and Wang.

⁵ Friedman, M. (1955). *The Role of Government of Schooling, in Economics and the Public Interest*, ed. R.A. Solo. New Brunswick, N.J.: Rutgers University Press

Friedman, M. (1962). *Capitalism and Freedom*. Chicago: University of Chicago Press.

⁶ Henig, J. R. (1994). *Rethinking School Choice: Limits of the Market Metaphor*. Princeton, New Jersey: Princeton University Press, pp. 59.

⁷ Jencks, C. (1970). Education vouchers: A report on financing elementary education by grants to parents. Washington, DC: Centre for Policy Studies. It is also important to note that these later arguments were usually accompanied by actual—although modest—policy experiments, where Friedman’s argument was—at least at the time— a conceptual one.

⁸ Viteritti, J. P. (1999). *Choosing Equality: School Choice, the Constitution and Civil Society*, Washington D.C.: Brookings Institution, pp. 55.

⁹ Coons, J. E., & Sugarman, S. D. (1978). *Education by Choice: The Case for Family Control*. Berkeley: University of California Press.

¹⁰ As Joseph Viteritti argues, Coons and Sugarman, “saw choice as a vehicle through which families could select schools that revealed their own educational values,” thus conceiving “parental empowerment in both political and economic terms.”

Viteritti, J. P. (1999). *Choosing Equality: School Choice, the Constitution and Civil Society*. Washington D.C.: Brookings Institution., p.56.

¹¹ Armor, D., & Peiser, B. (1997). *Competition in education: A case study of interdistrict choice*. Boston: Pioneer Institute.

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- ¹² Reese, W. (2005). *America's Public Schools: From the Common School to 'No Child Left Behind'*. Baltimore: Johns Hopkins Press.
- ¹³ Chubb, J. & Moe, T. (1990). *Politics, Markets and America's Schools*. Washington, D.C.: Brookings Institution Press.
- ¹⁴ Jeff Henig provides an excellent analysis of why this volume became influential. As he argues, the re-emergence of choice as an idea and policy involved linking existing magnet schools to a rationale of choice and an alternative statement of market theory.
- Henig, J. R. (1994). *Rethinking School Choice: Limits of the Market Metaphor*. Princeton, New Jersey: Princeton University Press, pp. 64-66. In addition, Chubb & Moe's study won more attention because it presented a detailed model and linked this model to a broader theory of politics and democracy (Henig, 1994, p. 87).
- ¹⁵ For criticisms of choice, see:
- Barber, B. (1997). Public Schooling: Education for Democracy. In J.I. Goodlad and T. J. McMannon (eds.), *The Public Purpose of Education and Schooling*. San Francisco, CA: Jossey-Bass.
- Carnoy, M. (2000). "School Choice? Or is it Privatization?" *Educational Researcher*, Vol. 29, No. 7, 15-20.
- For advocates of choice, see: Hill, P. T., Pierce, L., and Guthrie, J. (1997). *Reinventing Public Education: How Contract Schools Can Transform American Education*. Chicago: University of Chicago Press
- Nathan, J. (1996). *Charter Schools: Creating Hope and Opportunity for American Education*. San Francisco, CA: Jossey-Bass.
- ¹⁶ While more extreme advocates of choice generally use the term "government schools," Christopher Lubienski details how a variety of choice advocates in Michigan used this language to broaden the possible definition of public schools.
- Lubienski, C. (2001). Redefining "Public" Education: Charter Schools, Common Schools, and the Rhetoric of Reform. *Teachers College Record*, 103(4), 634-666. (See pp. 639-640 in particular.)
- ¹⁷ Miron, G., and Nelson, C. (2002). *What's Public About Charter Schools?: Lessons Learned About Accountability and Choice*. Thousand Oaks, CA: Corwin Press.
- ¹⁸ Rotherham, A.J. "Educational modernization and school choice," *Education Forum*, 9, April 2003. Retrieved February 29, 2004, from www.educationforum.org.nz/documents/policy/briefing_no.9.pdf
- ¹⁹ Lubienski, C. (2001). Redefining "Public" Education: Charter Schools, Common Schools, and the Rhetoric of Reform. *Teachers College Record*, 103(4), 634-666, 641-642.
- ²⁰ Englund, T. (1993). Education for Public or Private Good. In Miron, G. (ed.) (1993). *Towards Free Choice and Market-Oriented Schools: Problems and Promises*. Stockholm: Skolverket.
- ²¹ Labaree, D.F. (1997). Public goods, private goods: The American struggle over educational goals. *American Educational Research Journal*, 34(1). 39-81.
- ²² For excellent examples of this kind of scholarship see:
- Henig, J. R. (1994). *Rethinking School Choice: Limits of the Market Metaphor*. Princeton, New Jersey: Princeton University Press
- Lubienski, C. (2001). Redefining "Public" Education: Charter Schools, Common Schools, and the Rhetoric of Reform. *Teachers College Record*, 103(4), 634-666
- Labaree, D.F. (1997). Public goods, private goods: The American struggle over educational goals. *American Educational Research Journal*, 34(1). 39-81

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- ²³ For the purposes of this review, I define “philosophical scholarship” broadly to include work in philosophy, political theory, and educational theory, as well as the different conceptual frameworks employed by scholars of school choice. While not formally “philosophy,” the scholarship addressed in this review all addresses, in a variety of ways, conceptual and normative aspects of school choice.
- ²⁴ My use of the concept “liberty,” here, is different from both the political meaning of “liberal” (a leftist, progressive, political orientation) and the academic meaning of “liberal” (a tradition of academic arguments that emphasize the importance of individual political rights). For the purposes of this review, I do not examine arguments of liberalism, per se, which is a diverse and complex field of scholarship in its own right. Instead, I group arguments for and against school choice, many made by scholars who could be termed “liberal theorists,” into different frameworks: liberty, equity, justice, pluralism and democracy. Issues of liberalism appear in each of these frameworks, not just in arguments focused on issues of liberty. For a thoughtful overview of classical, contemporary and “affiliation” liberalism in relation to education, see Walter Feinberg and Kevin McDonough, “Liberalism and the Dilemma of Public Education in Multicultural Societies,” in McDonough, K. & Feinberg, W. (Eds) (2003). *Education and Citizenship in Liberal-Democratic Societies*. Oxford: Oxford University Press.
- ²⁵ Commonly cited court cases include: *Pierce v. Society of Sisters*, *Wisconsin v. Yoder* and *Mozert v. Hawkins County Board of Education*.
- ²⁶ *Pierce*, 1925, cited in Rosenblum, N. (2003). “Separating the Siamese Twins: Pluralism and School Choice.” In A. Wolfe, *School Choice: The Moral Debate* (p.80). Princeton, NJ: Princeton University Press.
- ²⁷ *Wisconsin v. Yoder*, 406 US 205 (1972).
- ²⁸ Galston defines this concept of liberty as “a robust though rebuttable presumption in favor of individuals and groups leading their lives as they see fit, within a broad range of legitimate variation, in accordance with what gives their life meaning and value.”
- Galston, W. (2002). *Liberal Pluralism*. Cambridge: Cambridge University Press, 3.
- ²⁹ Galston, W. (1991) *Liberal Purposes: Goods, Virtues, and Diversity in the Liberal State*. Cambridge: Cambridge University Press.
- ³⁰ While supportive of Yoder on grounds of parental rights, Callan ultimately deems the decision “morally unfortunate” because of the state’s interest in the “prospective liberty” of children. In, Callan, E. (2006). Galston’s dilemmas and *Wisconsin v. Yoder*. *Theory and Research in Education* 4 (3): 263.
- ³¹ Callan, E. (2006). Galston’s dilemmas and *Wisconsin v. Yoder*. *Theory and Research in Education* 4 (3): 262.
- ³² For example, while the rights of Old Order Amish parents to withdraw their children after eight years of school were upheld (*Wisconsin v. Yoder*), the rights of fundamentalist Christians to withdraw their children from participation in a given reading program were not (*Mozert v. Hawkins County Board of Education*).
- ³³ Kemerer, Goodwin and Ruderman, for instance, argue that education ought to respond to diverse conceptions of the good—exemplified in different choice alternatives—and that the “policies that best protect diversity and provide the greatest liberty are those that subsidize all reasonable approaches to education and allow families to choose freely among them.”
- Kemerer, F. Goodwin, R.K., and Ruderman, R. (2002). “The Political Theory of School Choice,” in R. K. Goodwin & F.R. Kemerer, *School Choice Tradeoffs: Liberty, Equity & Diversity* (p. 96). Austin, TX: Univ. of Texas Press.

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- ³⁴ Jonathan, R. (1997). Right and Choices: Illusory Freedoms. *Journal of Philosophy of Education* 31 (1), 83–107.
- ³⁵ Viteritti, J. P., (2003). “Defining Equality: Politics, Markets and Public Policy.” In Wolfe, A. (ed.) (2003). *School Choice: The Moral Debate*. Princeton, NJ: Princeton University Press.
- ³⁶ It is not immediately clear, though, if this shift is due to a natural process of maturation or is instead the result of the political realities of instituting choice as a policy, which would demand an appeal to broader constituencies.
- ³⁷ Wolfe, A. (2003). “The Irony of School Choice: Liberals, Conservatives, and the New Politics of Race,” in A. Wolfe, (ed.), *School Choice: The Moral Debate* (pp. 31-51). Princeton, NJ: Princeton University Press.
- ³⁸ Hill, P.T. (ed) (2002). *Choice with Equity*. Stanford, CA: Hoover Institute Press, p. 5.
- ³⁹ Macedo, S. (2003). Equity and School Choice: How can we Bridge the Gap between Ideals and Realities? In A. Wolfe, (ed.), *School Choice: The Moral Debate* (p. 51). Princeton, NJ: Princeton University Press.
- ⁴⁰ Wolfe, A. (2003). “The Irony of School Choice: Liberals, Conservatives, and the New Politics of Race,” in A. Wolfe, (ed.), *School Choice: The Moral Debate* (p. 49). Princeton, NJ: Princeton University Press.
- ⁴¹ *Brown et al. v. Board of Education of Topeka et al.* 347 U.S. 483 (1954).
- ⁴² Enrich, P. (1995). Leaving equality behind: New directions in school finance reform. *Vanderbilt Law Review* 48:101-194
- Viteritti, J. P., (2003). “Defining Equality: Politics, Markets and Public Policy.” In A. Wolfe (ed.), *School Choice: The Moral Debate*. Princeton, NJ: Princeton University Press.
- Reich, R. (2006). “Equality and Adequacy in the State’s Provision of Education: Mapping the Conceptual Landscape”, a report prepared for *Getting Down to Facts*, Stanford University.
- ⁴³ Reich, R. (2006). “Equality and Adequacy in the State’s Provision of Education: Mapping the Conceptual Landscape”, a report prepared for *Getting Down to Facts*, Stanford University, 7.
- ⁴⁴ Minorini, P. A., & Sugarman, S. D. (1999). Educational adequacy and the courts: The promise and problems of moving to a new paradigm. In H. F. Ladd, R. Chalk, & J. S. Hansen (Eds.), *Equity and adequacy in education finance: Issues and perspectives* (pp. 175-208). Washington, DC: National Academy Press.
- Ryan, J. & Heise, M. (2002). The Political Economy of School Choice. *Yale Law Journal*, Vol. 111.
- ⁴⁵ As Rob Reich argues, “adequacy seems to press more lightly against parental liberty, for adequacy can be construed as to give wide latitude to parental liberty, so long as all children receive an adequate education.”
- Reich, R. (2006). “Equality and Adequacy in the State’s Provision of Education: Mapping the Conceptual Landscape,” a report prepared for *Getting Down to Facts*, Stanford University, 16.
- ⁴⁶ Brighouse, H. (2000). *School Choice and Social Justice*. Oxford, UK: Oxford University Press.
- ⁴⁷ Brighouse, H. (2004, November). What's Wrong with Privatising Schools? *Journal of Philosophy of Education*, 38 (4), 617.
- ⁴⁸ Brighouse’s connection between school choice and justice has been criticized from a variety of perspectives. Some theorists argue that Brighouse overstates the realities of school choice proposals, and is too optimistic about their egalitarian potential. See:
- Foster, S. (2002) School Choice and Social Justice: A Response to Harry Brighouse, *Journal of Philosophy of Education*, 36 (2) 291–308.

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- Others fault Brighouse for an over-regulation of choice principles, advocating instead for a fuller privatization of education. See
- Tooley, J. (2003). Why Harry Brighouse is nearly right about the privatisation of education. *Journal of Philosophy of Education*, 37(3): 427-47.
- ⁴⁹ Gintis, H. (1995). The Political Economy of School Choice. *Teachers College Record* 96 (3), 492-511
- Dwyer, J.G. (1998). *Religious Schools v. Children's Rights*. Ithaca: Cornell University Press.
- ⁵⁰ Knight Abowitz, K. (2007). "Fraser, Charter Schools and Justice," paper presented on a symposium session, *Charter Schools as Public Spaces*, Philosophy of Education SIG, American Educational Research Association annual meeting, April 9, 2007.
- ⁵¹ Knight Abowitz, K. (forthcoming). "Intergenerational Justice and School Choice." In W. Feinberg & Lubienski, C. (eds.), *School Choice Policies and Outcomes: Philosophical and Empirical Perspectives on Limits to Choice in Liberal Democracies*. Albany, NY: SUNY Press.
- ⁵² Some of these alternate views of justice include communitarian conceptions of justice and ideals of justice as caring.
- ⁵³ Macedo, S. (2003). "Equity and School Choice: How can we Bridge the Gap between Ideals and Realities?" In A. Wolfe (ed.), *School Choice: The Moral Debate*. Princeton, NJ: Princeton University Press.
- ⁵⁴ Macedo, S. (2003). "Liberalism and Group Identities." In K. McDonough & W. Feinberg, W. (Eds), *Education and Citizenship in Liberal-Democratic Societies*. Oxford: Oxford University Press.
- ⁵⁵ While pluralism clearly plays a central role in many understandings of school choice, Nancy Rosenblum argues that pluralism has no inherent connection with school choice. She contends that the major arguments for choice—which she separates into performance, liberty and equality—do not rely on pluralism to justify choice.
- Rosenblum, N. (2003). "Separating the Siamese Twins: Pluralism and School Choice." In A. Wolfe (ed.), *School Choice: The Moral Debate*. Princeton, NJ: Princeton University Press.
- ⁵⁶ McConnell, M.W. (2001). Educational Disestablishment: Why Democratic Values are Ill-Served by Democratic Control of Schooling. In S. Macedo & Y. Tamir (eds.), *NOMOS XLIII: Moral and Political Education*. New York: New York University Press.
- ⁵⁷ McConnell, M.W. (2001). Educational Disestablishment: Why Democratic Values are Ill-Served by Democratic Control of Schooling. In S. Macedo & Y. Tamir (eds.), *NOMOS XLIII: Moral and Political Education*. New York: New York University Press.
- ⁵⁸ Reich, R. (2007). Common Schooling and Educational Choice as a Response to Pluralism. In W. Feinberg & C. Lubienski, (eds.), *School Choice Policies and Outcomes: Philosophical and Empirical Perspectives on Limits to Choice in Liberal Democracies*. Albany, NY: SUNY Press.
- ⁵⁹ Reich cites Levinson as arguing against pluralist conceptions of schooling and McConnell as defending an overly broad version of pluralism. See:
- Reich, R. (2007). Common Schooling and Educational Choice as a Response to Pluralism. In W. Feinberg & C. Lubienski, (eds.), *School Choice Policies and Outcomes: Philosophical and Empirical Perspectives on Limits to Choice in Liberal Democracies*. Albany, NY: SUNY Press.
- Levinson, M. (1999). *The Demands of Liberal Education*. Oxford: Oxford University Press.
- McConnell, M.W. (2001). Educational Disestablishment: Why Democratic Values are Ill-Served by Democratic Control of Schooling. In S. Macedo & Y. Tamir (eds.), *NOMOS XLIII: Moral and Political Education*. New York: New York University Press.

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- ⁶⁰ Callan, E. (1997). *Creating Citizens: Political Education and Liberal Democracy*. Oxford: Clarendon Press.
- Gutmann, A. (1987). *Democratic Education*. Princeton, N.J.: Princeton University Press.
- Brighouse, H. (2000). *School Choice and Social Justice*. Oxford, UK: Oxford University Press.
- ⁶¹ All scholars do not share this focus on autonomy. In fact, certain critics argue that much of liberal theory is based on a falsely atomistic vision of the individual. See, e.g., Walzer, M. (1983): *Spheres of Justice*. New York: Basic Books.
- ⁶² McConnell, M.W. (2001). Educational Disestablishment: Why Democratic Values are Ill-Served by Democratic Control of Schooling. In S. Macedo & Y. Tamir (eds.), *NOMOS XLIII: Moral and Political Education*. New York: New York University Press.
- ⁶³ Burt, S. (2002). "The Proper Scope of Parental Authority: Why We Don't Owe Children an 'Open Future'?" In S. Macedo & I.M. Young (eds.), *NOMOS XLIV: Child, Family, and State*,. New York: New York University Press.
- Merry, M. (2005). The Ethics of Identity. *Journal of Philosophy of Education* 39 (3), 564–567.
- ⁶⁴ Levinson, M. (1999). *The Demands of Liberal Education*. Oxford: Oxford University Press.
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