

Why are Progressives so Hostile to School Choice Policies?

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Most middle-class Americans, if they have children, and intellectuals almost without exception, make decisions about which schools their children will attend. Choice is massively present in American education, and those who exercise it (most parents including those with children in public schools--and most public school teachers who are parents) would not willingly give it up. A report by the National Center for Education Statistics found that, in 1993, of families with incomes over \$50,000, 72 percent sent their children to private schools, public schools of choice (such as magnet schools), and schools which they had selected through residence decisions (Choy, 1997).

But, like many of the goods which we value, school choice is unevenly distributed, reflecting income, influence, and sophistication of various groups in society. For that reason, it should be no surprise that support for school choice, as reflected in many surveys, is strongest among those who have the least opportunity to exercise it, and for whom the stakes are highest. Urban and minority respondents with school-aged children provide the strongest support for parent choice of schools, including private schools with a religious identity.

It should come as no surprise that the leadership of teacher unions are opposed to public policies that would allow low-income parents to make decisions about the education of their children. The monopoly system which prevails at present in American public education simplifies greatly their work and extends their influence as well as their revenues.

But why are most intellectuals and education theorists so hostile to allowing ordinary parents to choose which school their children will attend? This is not a new question. A dozen years ago, puzzled by the distaste on the part of intellectuals toward the urban school choice programs for which I was responsible as the Massachusetts state official charged with desegregation and urban education, I wrote an historical account of what I called the "common school agenda" in France, the Netherlands, and the United States during the nineteenth century. My book, *The Myth of the Common School* (Glenn, 1998), shows that the emerging state role in schooling was not the result of concerns about literacy or numeracy, much less (contrary to neo-Marxist claims) to serve the interests of industry, but rather resulted from the intention to shape the political loyalties of the rising generation. Parents and churches--competing sources of meaning and loyalties--were seen as the primary barrier to achieving this goal. Catholic schooling, in particular, was considered profoundly anti-democratic, retrograde and (in the United States) un-American.

Examining the Choice of Religious Schools

It seems that we can see something like the same phenomenon at work today in the deep aversion of many intellectuals to the idea that parents can be trusted to choose schools for their children that will not unfit those children for life in a free country. This

belief has seldom been expressed so clearly, at least at book-length, as in James G. Dwyer's recent book *Religious Schools v. Children's Rights* (1998). Dwyer makes two arguments, which converge in a series of recommendations. The first argument is that most, if not all, religious schools are harmful to children. The second is that parents have no fundamental right to make decisions for their children.

Religious liberty, Dwyer (1998) insists, does not include the right of parents to have their children educated in a way consistent with their own convictions, but the right of children not to have such an education. The freedom of children is violated when, for example, their teachers impose upon them "moral exhortations" which "effectively prevent many children from freely expressing themselves physically, exploring their sexuality, or even giving affection to others" (p.159). Even if the children themselves express a preference for a religious school, Dwyer argues, the State would be justified in concluding that their long-range religious liberty would be better served by a temporary violation of their short-term religious liberty to attend such a school.

Among the dangers from which the State should protect children is that of growing up as Fundamentalists. "Knowing that these children will incur the scorn of mainstream America if they grow up to be like their parents, why do we not act to prevent that, for their sake, rather than expect mainstream America to develop a respect for people who argue dogmatically for reactionary policies based upon religious premises we do not share!" (Dwyer, 1998, p. 173). Yet lest this seem harsh, Dwyer calls for affirmative action programs for "graduates of conservative religious schools who seek to rise above...the disabilities their schooling inflicted on them" (p. 174)!

Now, of course, this line of argument is profoundly anti-liberal and indeed (dare we say it?) un-American. The State is not to set up any sort of orthodoxy, even a secular one, and to seek to impose it through mandatory schooling. Dwyer's argument that the State or the courts should intervene in the higher interest of young people who mistakenly harbor religious convictions is strikingly parallel to the rationalizations employed by the anti-religion educators under communist regimes, described in my book *Educational Freedom in Eastern Europe* (Glenn, 1995). The US Supreme Court has rejected such compulsory socialization again and again.

Dwyer's (1998) argument would thus be refutable even if he were right about the effects of religious schooling. In fact, he is wrong. There is plenty of research on the effects of Catholic schools, and a growing literature on the effects of Evangelical and Fundamentalist schools. These studies do not support his contention that students are harmed academically, socially, and psychologically. To the contrary, graduates of Catholic and Evangelical schools are, if anything, more tolerant and academically ahead of graduates of comparable public schools.

The most careful study of a Fundamentalist school, by Jewish sociologist Alan Peshkin (1986), found that its students were "significantly less alienated" than those at the local public high school. Bethany Bible Academy, as Peshkin called the school, "socializes its participants to deviate from many of society's norms, while remaining, by some lights, exemplary Americans" (p. 189). Peshkin found that 93 percent of the Bethany students compared with 80 percent of the public high school students responded that they would

approve of a black family moving next door; 93 percent of the Bethany and 95 percent of the public school students agreed that "people who don't believe in God should have the same right to freedom of speech as anyone else" (p. 274). Eighty-three and 84 percent respectively disagreed with the statement that "only people who believe in God can be good Americans" (Peshkin 1986, pp. 332-34).

It is not that Professor Dwyer is unaware of such studies; indeed, he cites Peshkin's book repeatedly. But the evidence of positive outcomes at religious schools does not fit into his argument that these schools harm children in all sorts of ways, producing not only intolerance but also "diminished self-esteem, extreme anxiety, and pronounced and sometimes life-long anger and resentment" (Dwyer, 1998, p. 15). Girls who attend Catholic school "find themselves unable as adults to act on desires, to take control of their sexual/reproductive lives, or to leave abusive marriages" (p. 23). [Dwyer does not pause to ask why, if this is true, the use of contraceptives and support for abortion are as high among Catholics as among the general population.]

In discussing religious schools and what they teach, Dwyer is on ground which he has not mastered. He is more sure-footed in making his case that the prevailing legal doctrine giving parents (except in cases of manifest abuse or neglect) the right to make a variety of decisions about the best interests of their children is wrong. Space does not permit following his argument--and why it is wrong--in detail, but its bottom line is that, for the interests of children to prevail, the selfish motivations of parents must not be allowed to prevail. Children are better served, Dwyer argues, if professionals, acting in the name of Society, make those decisions.

Protecting the religious freedom of children, he concludes, requires setting aside that of their parents, to the extent that their exercise of freedom affects or influences their children. Religious schools may be permitted as an alternative, but only if they conform themselves to public schools through abandoning such "harmful practices" as "compelling religious expression and practice, teaching secular subjects from a religious perspective...and making children's sense of security and self-worth depend on being "saved" or meeting unreasonable, divinely ordained standards of conduct" (p. 179).

So much for educational freedom, and religious freedom. The secular worldview stands in judgment upon, and condemns, religious minority beliefs, and forbids parents from having these beliefs taught to their children. So much for a free society.

Liberal Paternalism

As economist Thomas Sowell wrote in *A Conflict of Visions* (1998), this determination to make decisions for other people in their presumed best interest has long been a characteristic of policy theorists, who assume "a vast chasm between the existing intellectual and moral capabilities of the common man and those of the intellectual elite" (p.136). Conservative policy advocate Abigail Thernstrom, criticizing the choice-based desegregation that I directed in Massachusetts, charged that poor parents were too ignorant, drugged-out, or indifferent to be trusted to make such decisions. Critics of choice on the Left would not state it so bluntly, but their warnings that parents will be misled into choosing witchcraft or Nazi schools reveal a similar disrespect for the common sense and caring of parents.

Those who oppose public policies that would allow poor parents to choose which schools their children will attend, claim these policies would undermine the common public school and thus divide American society. They do not apply their argument consistently. After all, if the unity of our society requires that children from different backgrounds attend school together, why should we allow the affluent to enroll their children in private schools or escape to the suburbs? Why not forbid private schools and mandate metropolitan school desegregation? We have not heard such proposals from the defenders of the public school monopoly, nor are we likely to. After all, big-city public school teachers are twice as likely as the general public to put their own children in private schools, and have resisted residency laws requiring them to live within the school districts which employ them. Few--perhaps none--of their allies in Congress and the White House send their own children to the District of Columbia public schools.

There are significant negative effects from the present non-system of parent choice of schools. Individual choices tend to increase racial and class segregation, and the funding and taxation inequities between cities and suburbs. The question for Progressives, then, is not whether to have choice, but how to ensure that choice has equitable and socially-beneficial effects? I have devoted most of my attention to this question in recent years; it is a rather lonely position to defend because most of those I would expect to be my allies are committed to maintaining the government monopoly on public education at all costs.

The Progressive Case for Choice

To remedy these inequities in the effects of partial choice, Progressives should support educational vouchers. Two convincing reasons support school vouchers; they go by the names of "Freedom" and "Justice". Progressives should be involved closely with determining the way in which voucher programs are designed and implemented for another compelling reason. We are rightly not convinced that it is appropriate to simply "let the market rip" with no regard for the consequences, nor that government should wash its hands of its responsibility to ensure that justice be done, in education, for those most vulnerable to unfair treatment, most likely to lack advocates in their interest, most in need of extra support.

Public funding for schools not operated by government is emerging in the United States, as it appeared decades ago in other Western democracies: in Canada, Australia and Britain, in France, the Low Countries, Germany, Spain and Denmark, and as it has emerged over the past decade in Sweden and in the countries of the former Soviet bloc. Indeed, public funding for schools not operated by government--we call them "charter schools"--is the hottest education reform of the Nineties, supported by Democrats and Republicans alike. The single omission in the US, apparently, is schools which reflect the religious convictions and choices of parents. Now parents in Cleveland and in Milwaukee receive public funds to send their children to such schools as well. Can anyone doubt that more cities and states will follow?

The question for Progressives, I suggest, is whether they will join in the discussions through which these programs are shaped, or persist in a state of denial while others make all the running. They might pause to reflect that none of the countries in Western

Europe, where the Left are in political control, has proposed to abolish the present arrangements for parent choice of religious schools; it is reported in *The New York Times* of October 20, 1998 that the first ex-communist premier of Italy is expected to be more generous to Catholic schools than have been any of his Christian-Democrat predecessors.

Church and State

But isn't this a question of "Church and State"? No, that is a fundamental misconception originating in the Fifties. The historical record is clear: opposition to public funding for religious schools--and even to their existence, as with the Ku Klux Klan's campaigns for the "little red schoolhouse" in the 1920s--was based on anti-immigrant sentiment. The Protestant majority felt profoundly threatened by millions of Catholic and Jewish immigrants. The desire to prevent children from following their parents' un-American ways motivated legislation in the 1850s to block public funding to non-government schools. These debates--which never mentioned the First Amendment--echoed political struggles in Europe, especially France, where for some decades schools controlled by the Catholic Church, were used as pawns in the fight against the Liberal government. However, in the United States, it is not the Catholic Church that is creating the demand for religious schools (the Catholic "market share" dropped dramatically in recent decades) but millions of parents, many of whom are Evangelical Protestants, African-American Protestants, Muslims, or Jews. Thousands of new schools have been established since the 1970s, and the great majority of these have a religious character.

Isn't it "unconstitutional" to provide public funds for the education of children in religious schools? Curiously, while the First Amendment privileges the free exercise of religion as especially worthy of protection, the effect of Supreme Court decisions over the past forty years has been to treat religion as the only forbidden motivation for school choice. Parents may choose among publicly-funded schools because of ambition for their children, or pedagogical theory, or fear of minority children, but they have not been able to choose because of religious conviction. This reverses the legal situation in other Western democracies, which privilege and support school choice based upon religious convictions over other motivations. Such policies recognize that religion encapsulates for many parents, a range of hopes, moral convictions, and loyalties that they consider essential to transmit to their children.

Signs of flexibility from the courts are more positive now than they have been in many years. The *Rosenberger* case (*Rosenberger v. Rector & Visitors of the University of Virginia*, 1995), requiring that government act on the basis of "content neutrality" between religious and non-religious activities, the *Agostini* case (*Agostini v. Felton*, 1997), finding that secular educational goals can be met within religious schools, and other recent decisions create strong prospects that the door will continue to open. Public funds are already going to religious day-care programs and adolescent programs, as well as to colleges, without First Amendment barriers, and the Charitable Choice provision of the federal welfare law has created a whole new ball-game.

Right of choice

There are two principled reasons why Progressives should support and work for a well-designed and equitable voucher system. The first, I said, is Freedom. Parents have a

fundamental right, in a free society, to decide which values their children will be taught in school. A string of international covenants have recognized this right beginning with the U. N. Declaration on Human Rights (1948), which states that "parents have a prior right to choose the kind of education that shall be given to their children" (article 26, 3). Similarly, the 1966 International Covenant on Economic, Social and Cultural Rights guarantees "the liberty of parents...to choose for their children schools, other than those established by public authorities, which conform to such minimum educational standards as may be laid down or approved by the State and to ensure the religious and moral education of their children in conformity with their own convictions" (article 13, 3). It is on the basis of this fundamental human right, and not of any theory about "markets," that virtually all the other Western democracies provide public funding to non-government schools that meet public standards and that are selected freely by parents.

Nor is this anchored only in the abstractions of human rights, but also in a series of Supreme Court decisions, notably in *Pierce v. Society of Sisters* (1925), where the Court famously declared that "the fundamental theory of liberty upon which all governments in this Union repose excludes any general power of the state to standardize its children by forcing them to accept instruction from public teachers only." But, as Progressives have argued vigorously in the case of abortion, a right which you cannot afford to exercise is no right at all!

Choosing justice

As noted above, there are significant negative effects from the present non-system of parent choice of schools, under which individual choices tend to increase racial and class divisions, and inequities between cities and suburbs. If Freedom demands that we allow parent choice, then Justice demands that we support and promote it, especially for low-income families and those otherwise condemned to send their children--under mandatory attendance laws--to schools which they are convinced are doing or will do them harm. The learning gap in the US based upon social class and race is larger than the gap in comparable societies. That is, the achievement gap between high-scoring and low-scoring schools in the United States is substantially larger than that in Australia, the Netherlands, France or other countries with a large immigrant student population in their schools.

This is not the place to rehearse the evidence, available from a number of countries, that schools based upon a religious viewpoint tend to be especially effective serving at-risk pupils. James Coleman (1987) and, more recently, Anthony Bryk (1993) of the University of Chicago found that the achievement growth benefits of Catholic school attendance are especially strong for students who are in one way or another disadvantaged: lower socioeconomic status, black, or Hispanic. The dropout rates from Catholic schools are strikingly lower than those from public schools or other private schools. This reduced dropout rate holds both for those without signs of problems as sophomores and for those at risk of dropping out as sophomores. Contrary to the conventional wisdom that Catholic schools simply do not admit or quickly expel potential trouble-makers, the studies have found that they rely much more heavily upon socialization to maintain order and motivation. Bryk and his colleagues found that "the achievement of students in Catholic high schools was less dependent on family background and personal

circumstances than was true in the public sector" and "the achievement advantage of white over minority students...increases in public high schools during the last two years of schooling, whereas the minority gap actually decreases in Catholic schools" (p. 247).

In a society driven by educational credentials, events during the years of formal schooling have a dramatic life-long impact. If religious schools can offer an education that might make all the difference to a poor child or youth, it is unjust to deny their families the opportunity to choose such schools, because we--who are able to do so much for our own children (including deciding where we will live)--see these schools not as benevolent but as a threat to democracy. They are, instead, a threat to an undemocratic monopoly system of vested interests.

Nothing could be more futile than to debate--as so many do--about whether an abstraction called "school choice" is a good or a bad thing. The question for Progressives, then, is not whether to have choice, but how to ensure that choice has equitable and socially-beneficial effects?

Conclusion

I will not go into details here about making choice function equitably--that is the primary task before us, and one about which we already have ample clues from the successes and failures of programs around the country. Nothing that I have said suggests that we should abandon public education in the slightest respect. In the first place, public education does not have to be provided in schools owned and operated by local government, as the charter school movement amply demonstrates. Public education is education which is available to all without cost and which is publicly accountable for fairness and for quality, whether provided by government or not. I wish, indeed, that all of our government-operated public schools met that standard of accountability!

In the second place, the existing public schools should be set free to function with greater autonomy and focus, freed from the smothering bureaucracy which crushes the education out of them. I was in charge of urban education and civil rights for Massachusetts for 21 years, through all three Dukakis terms, and finally grew convinced that lasting improvements could be achieved only through fundamental structural changes. That's why I became an early supporter of charter schools, and eventually of vouchers. All public schools should be as autonomous as charter schools and should be eligible for vouchers. To the extent that they are as good as their advocates claim, they will suffer neither enrollment nor financial losses. When we abolished individual school attendance zones in Boston and a dozen other Massachusetts cities, public schools were suddenly forced to demonstrate to parents that they could serve their children effectively. Some closed, many improved. But the improvements were more limited than they should have been, because the schools were still tangled in the compulsion of any bureaucratic system to require that all of its parts behave precisely the same.

Abraham Lincoln pointed out that a nation could not survive half slave and half free. The truth applies to a nation's educational system as well. I am not for vouchers as a way for some lucky children to escape from a bankrupt public education system, but as a way to transform that system, to abolish its choking monopolies and reshape it in

ways consistent with a free society.

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