

## What Liberalism? Which Standards? Whose Equity?

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The validity of my response to Charles Howell's essay, "Liberalism, Primary Goods, and National Educational Standards," depends on how accurately I understand his major theses and fundamental position: How does liberal theory decide on the issue of state versus national standards in education? Howell himself facilitates the task by providing this summary:

A liberal order ought in principle to tolerate variations in policy among political subdivisions. Yet there are limits to the level and kind of regional differences that can be permitted. Liberals cannot allow differences in the levels of A-type primary goods either between jurisdictions or within jurisdictions. By contrast, B-type goods must be distributed equally within the jurisdiction that provides them but need not be equalized between jurisdictions. Liberal theory provides resources to distinguish between the two types of goods, that is one reason it can usefully be applied to the debate over national educational standards and to other issues of regional autonomy.

By the "A-type primary goods" Howell means those which, at the maximum level of abstraction, enable citizens to exercise their political rights and responsibilities (such as suffrage, participation in public life, understanding of basic institutions, and self-support). Whereas by the "B-type goods" he refers to contingent "all-purpose means" for advancing the goals of various permissible comprehensive doctrines within particular political jurisdictions. We are also told that the former are to be distributed equally, regardless of the interests and abilities of the citizens of any jurisdiction, while the latter are to be made available in accordance with the interests, abilities, and occupational plans of the constituents of a given jurisdiction and the principle of "maximin."

In order to arrive at these conclusions, Howell begins by analyzing what he considers to be the principal arguments for and against the establishment of national educational standards. Those in favor adduce, on one hand, "practical" considerations such as efficiency, competitiveness, and economic development. In our author's opinion, these could be ignored for present purposes, for they can be settled without recourse to political theory. On the other hand, there are motives — such as the one based on equity — that are relevant to political theory. He imagines that when national standards are in place, the educational level of some — it would be safe to suppose — "laggard" states would be raised, and the over-all inequality in the educational levels among the states would be reduced. Conversely, those against national standards (that is, pro-state) fear an adverse imposition of the preferences of a nation-wide electorate, some sort of federal intrusion in matters that ought to be left to the autonomous judgments of the states, an opening of doors to the corruption of local values. In short, it is a conflict between equality, as espoused by the supporters of national standards, and freedom, behind which those in favor of state standards rally.

It is precisely for encountering this kind of dilemma that our author feels constrained to turn to liberalism, particularly to John Rawls, whom he considers its

leading contemporary exponent. In the course of discussion he entertains some objections regarding the so-called “legitimate aspirations of disadvantaged minorities” raised by Will Kymlicka and Charles Taylor, based on the experiences of aboriginal people and Quebeckers, respectively. In the end, nevertheless, he retakes Rawls’s position after some of its virtualities have been conveniently brought to light. Thus far is my reading of Howell’s account.

I would like to begin my comments with a reference to the parallels between the support for state educational standards on one hand, and the restrictions to commercial development by Canadian aboriginal peoples and the limits to the usage of English by Quebeckers, on the other. Recourse to such comparisons would be useful if and only if one of the terms (restrictions to commercial development by Canadian aboriginal peoples and limits to the usage of English by Quebeckers) were indeed more intuitive, easier to understand, a clearer instance of a quality or relation, or more familiar than the other (support for state educational standards). I do not take this to be the case, even in the context of simply exemplifying minority resistance to the majority on the basis of a Rawlsian “comprehensive doctrine.” To begin with, “minority” and “majority” are notions relative to “political jurisdictions” loosely construed. French-speaking *Québécois* hardly qualify as a “disadvantaged minority” within their own province — linguistically, culturally, economically, or even, perhaps, politically. Our author himself speaks of “minority-dominated political jurisdictions” in the United States which have — precisely because they represent the “local majority” — the power to try to opt out of constitutional provisions.

Beyond the mainly rhetorical matters, there are more compelling ones of a contingent, historical nature which the parallels fail to reflect. The problems alluded to in Canada cannot be correctly comprehended without a knowledge of the distinct multi-layered history that surrounds each. Although formally begun only in 1983, the debate over educational standards in the United States has already acquired quite a complicated story, through several presidential administrations and legislative hegemonies of both Republican and Democratic stripes, replicated in state and local governments, plus the intervention of civil rights proponents, teachers, and Evangelical Christian groups, among others. Howell hints at an awareness of the decisive spin that history introduces in social issues — as the crucial influence which the triumph of the Unionist North over the Confederate South in the Civil War exerts over American “regionalism,” — yet this does not deter him from forcing the analogies. In other words, due to historical as well as rhetorical reasons, resorting to parallels with the claims of Canadian aboriginal peoples and of Quebeckers in order to illustrate the position of supporters of state educational standards in the United States confuses, rather than clarifies, any intended argument.

In second place, I would like to address the appeals to “liberalism” which suffuse Howell’s essay, and on which a great part of its cogency rests. Instead of a monolithic theory, what we have is a wide range of political conceptions, the common denominator of which has yet to be incontrovertibly determined. Certainly, Howell names Rawls, the Rawls of “Political Liberalism,” and he makes use of the

latter's conceptual tools of "justice as fairness," the "original position," and "overlapping consensus." Yet he uses these tools for purposes which Rawls had never contemplated, in situations that Rawls had never explored, and sometimes, in conscious violation of limits that Rawls had established. By our author's own admission, Rawls has "little to say about the distribution of authority within a federal political system," "does not discuss conflicts between different levels of democratic government" (nor is it clear that his model can accommodate them), and on education, "focuses narrowly on the knowledge and skills citizens need to be self-supporting and to exercise political rights" (not the standards proposed). We are likewise informed that Rawls rules out dissent in "basic constitutional questions" (restrictions to property rights by aboriginal peoples and to free speech by Quebeckers) as he does the "preservation of culture as a goal of the liberal state." Furthermore, we are advised that the inclusion of education among the Rawlsian "primary goods" is a mere extrapolation, and the introduction of "federalism" (Hamilton's? Madison's? Jay's? Adams's? or Howell's?) into Rawls's theory, a hypothetical. These observations lead us to ask just what "liberalism" is here being called to fore? Rawls's or Howell's?

Third, I shall turn to the reasons cited in favor of national standards *vis a vis* those against them. None of the "practical" considerations that could purportedly be settled without recourse to political theory are, as a matter of fact, so: "Efficiency," "competitiveness," and "economic development" are all second-order notions that hinge on a first-order end that cannot but be politically determined. There is no practicable "efficiency," "competitiveness," or "economic development" in general, without reference to something substantive that defines each of them. So, whatever reason cited by either side will necessarily be "political"; that is, whatever its constituents or leaders decide to be "efficient," "competitive," favorable to "economic development," or "equitable." Moreover, "equity" and "equality" are not equivalent terms, as Howell seems to construe them. The former indicates a geometric proportion with regard to the thing being distributed; the latter, arithmetically the same quantity or share. By our author's relation, therefore, we do not know whether the objective of national standards is for all the states to have the same educational levels (equality in the quality or objective content of public education), or for all the states through "equal opportunity-to-learn" to acquire an equitable share in the good of public education proportionate to its efforts, taken in general. Numerous theoretical and practical arguments stand in the way of the first alternative: Does this mean that students of the same grade from all the states should know exactly the same thing, no more, no less? And although at first glance the second member seems to be more realizable, we would still be beset by difficulties in establishing what "equal opportunity-to-learn" means. Shall we give an absolute dollar amount to government expenditure on an individual's schooling or shall we adjust it to the local cost of living? What should the good of public education include — reading or writing what sort of texts? Speaking about which topics? Solving what class of math problems? What does an "equitable share" amount to — in accordance with a student's learning aptitude or with his efforts? How about those of his teachers'? and his interests? and socioeconomic background? How are we to

measure all these? In short, there just is not any consistently meaningful way, at least among those which our author has indicated, for equality or equity in education to be realistically pursued.

Corollary to the aforementioned set of issues is the progressive watering-down of the “standards” to be given nation-wide domain. Among the proposals are that they not be obligatory nor their compliance by the state a condition for access to funds, instead, that they be voluntary or exemplary in nature; that their scope be restricted to subjects such as reading, writing, speaking, and math; that they be pragmatically determined as the set of skills appropriate for a TV technician, for example. Which kind of “national standards” are, in the end, to dominate and remain?

To end, just a couple more comments on Howell’s use of a particular brand of liberal theory. Granted, the initial problem was between the legitimate contesting claims of “freedom” and “equality” with respect to the public good of education (and not “the good of public education” as our author would have it), nevertheless, there is nothing written into the dilemma that obliges us to turn to liberalism for solutions. The choice for liberal theory is a politically arbitrated one from among several other “comprehensive doctrines,” the particular rationalities of which would still have to be examined. Howell attributes to Rawls’s liberalism the distinction between A-type and B-type goods, although Rawls in fact does not only distinguish two, but five different classes of primary goods.<sup>1</sup> Education is not mentioned nor does it fit cleanly into any one of these categories. A consensus as to the “kind of education” that would be governed by a distribution principle proper to an A-type or a B-type good, therefore, does not go beyond the merely illusory. Contrary to what our author claims, and rather consistent with what Rawls implies, liberal theory does not provide us with any clear and distinct criterion to judge issues concerning national educational standards or regional autonomy. As a rhetorical device of representation through which — as a matter of fact — “political” arguments are made, although without reference to one’s own circumstances and interests, lest true and actual self-pleading be found out, liberal theory has once again failed. Its guise of neutrality has not been persuasive. There is something in the intuition that the public good of education has to be distributed not so much equally as equitably that merits being saved and developed. But then we would first have to give and defend an honest answer to the question, “Whose equity?”

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1. John Rawls, *Political Liberalism* (New York: Columbia University Press, 1993), 181.