

# Unequal chances: Race, class and schooling

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## Abstract

This article compares a demanding conception of educational adequacy with the Rawlsian idea of fair equality of opportunity. It defends fair equality of opportunity against criticisms, but argues that it needs to be explicitly anchored in a theory of equal citizenship.

## Keywords

adequacy, equal citizenship, fair equality of educational opportunity, stunted ambition

## I

Here are some sobering facts about the differences in the life chances of black and white Americans:

- 1 Educational attainment: Black students are almost twice as likely as white students to drop out of high school (Aud et al., 2011); while 28% of Americans over 25 have at least a four-year college degree, the rate for black Americans is 17% (US Census 2009); black children enter first grade with lower scores than their white counterparts; and the gap widens with each additional year of schooling (Freyer and Levitt, 2004).
- 2 Poverty: In 2010, 27.4% of blacks and 26.6% of Hispanics were poor, compared with 9.9% of non-Hispanic whites. Approximately one third of black children are poor compared with 10% of white children (National Poverty Center, 2010). The median wealth of white families in 2009 was 20 times that of black families (Kochhar et al., 2011).
- 3 Incarceration: Inmates in American prisons are disproportionately black and brown. Black men are imprisoned at 6.5 times the rate of white men. Of all black male high school dropouts born in the late 1960s, 60% have been imprisoned

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before their fortieth year. At the end of the 1990s more black men were under the jurisdiction of the corrections system than were enrolled in colleges or universities (Ziedenberg and Schiraldi, 2002).

As these statistics attest, in the United States blacks differ from whites in terms of their education, income and wealth, and rates of imprisonment. Arguably, all of these differences in life prospects raise considerations of justice, but in this article I will focus on differences in educational opportunities and outcomes. Nonetheless, I highlight this wide range of disparities because I think they are relevant to understanding the reasons behind educational disparities: social and economic disadvantages predictably and systematically lower achievement. Children who lack medical and dental care, who have asthma, who grow up amidst environmental hazards, whose parents are frequently unemployed or underemployed and experience great stress, who live in unsafe neighborhoods isolated from adult role models with professional careers, who are hungry or undernourished, and who are read to little if at all by their parents, are much less likely to do well in a school than children who do not face these challenges (Rothstein, 2004). If this is correct, then it is a mistake to think we can fix the problem of educational disparities by focusing on education alone.

The disparities in the educational resources for, and educational attainments of, rich and poor children, disparities that also occur between black and white children, seem to many people to be obviously problematic. Why should children face very different life prospects simply because of their social class or skin color? One rubric often used to capture what is troubling about such disparities in children's lives is equality of opportunity: all children should have the same chances for success. Equality of opportunity is a value widely affirmed by Americans and nowhere does this value seem more supported than in the context of education: indeed, it has been referred to as education's 'holy grail' (Heise, 2001: 1135).

Americans, of course, disagree about the meaning of equality of opportunity. Indeed, given its many meanings, some commentators have thought it might be better to actually abandon this framework, despite its popularity. Christopher Jencks, for example, suggested that the term means so many different things to different people that perhaps it could not mean anything at all (Jencks, 1988).<sup>1</sup> And in their book *Leveling the Playing Field* (2004) Robert Fullinwider and Judith Lichtenberg decline to frame their argument in terms of equal opportunity because of the interminable controversies about its meaning. Instead, their focus is on enhancing the educational opportunities for the least well off, which they take as the especially pressing concern.

The fate of our society's worst-off members *is* a pressing concern. Nonetheless, I think giving up on the equality of opportunity framework is a mistake if it means losing focus on the fact that *inequality* is at stake in our responses to the troubling statistics with which I began this article. I don't mean that inequality is the only consideration at issue in those statistics: it is morally problematic that many people are poor, uneducated, unhealthy, unjustly imprisoned, regardless of the situation of others. There are many grounds on which a person can object to these conditions (Scanlon, 1996). But I believe that we should be troubled by the *differences* in life prospects in each of the examples I began with. These differences seem unfair; they carry the aroma of caste privilege,

insofar as unequal starting places and unequal outcomes systematically attach to different social groups (in this case to blacks and whites and to rich and poor).

I also suspect that many find the statistics about unequal educational attainment between black and white Americans troubling even though blacks in the United States are better educated than millions of other people around the globe. Imagine that black children receive an education that fits them for menial jobs with decent wages in the economy while white children have an education that equips them for the entire range of social positions: now ask yourself if this is acceptable. To capture what I believe would be widespread discomfort with this example, we need to attend to the way that schooling and educational attainment is *distributed* across black and white children and rich and poor children in the United States; we need to attend to comparative measures.

The unjustness of the *unequal* distribution of schooling was, of course, the central contention of *Brown v. Board of Education*. In *Brown*, the Supreme Court did not focus its pronouncement on the *inadequacy* of the schooling of black Americans although it certainly took note of this. Its familiar and central policy conclusion was the following:

Today, education is perhaps the most important function of state and local governments . . . In these days, it is doubtful that any child may reasonably be expected to succeed in life if he is denied the opportunity of an education. Such an opportunity, where the state has undertaken to provide it, is a right which must be made available to all on equal terms.

This, of course, just pushes us back to the question of how to understand the idea of equal terms: what does it mean to provide all children with equality of opportunity for education? And we may still want to know why, exactly, inequality in opportunity is important in this context.

In an earlier article, I argued that the most plausible interpretation of an *adequate education* has comparative and egalitarian dimensions, and additionally has some advantages over familiar interpretations of equality of opportunity applied to education. I won't rehearse my earlier arguments here (Satz, 2007). Instead, in this article, I want to sharpen my idea of an *adequate education for citizenship* by comparing it with the closely related Rawlsian idea of fair equality of opportunity. In what follows, I will explain Rawls' idea, (briefly) examine three important objections to it, and try to answer them. Although I believe that some of these objections can be answered, some issues remain – in part because there remains some lack of clarity in interpreting the scope of the Rawlsian idea of fair equality of opportunity.

## 2

Rawlsian fair equality of opportunity emerges as a response to the inadequacies in an interpretation of equality of opportunity that Rawls refers to as 'careers open to talent'. According to careers open to talent, preferences must not be given to candidates on the basis of factors that are irrelevant to the qualifications needed for the position to which they are applying. It rules out discrimination on the basis of race, gender and social class as well as on grounds such as nepotism.<sup>2</sup>

The problem that Rawls and others (Williams, 1962) have noted with this kind of equality of opportunity is that, while it applies to selection against a given group of candidates, it does not address the question of the background circumstances which determine who gets to be a candidate in the first place. If some children are too poor or disadvantaged to even acquire the skills needed to become candidates, then this form of equality of opportunity will be of no use to them; it abandons those in a highly unequal society to what are essentially ‘fixed and frozen’ roles.

Rawls develops and defends a more encompassing understanding of equality of opportunity that he calls ‘fair equality of opportunity’:

Those who are at the same level of talent and ability, and have the same willingness to use them, should have the same prospects of success regardless of their initial place in the social system, that is, irrespective of the income class into which they are born. In all sectors of society there should be roughly equal prospects of culture and achievement for everyone similarly motivated and endowed. (Rawls, 1999: 63)

A few points are worth underscoring about Rawlsian fair equality of opportunity. First, it is important to understand that Rawls does not intend this as a stand-alone principle of justice. It is embedded within his overall theory of justice. In particular, it is *subordinate* to his first principle, which guarantees equal basic liberties to all, where this is taken to contain a provision that the political liberties are distributed in such a way that those who are similarly talented and motivated have the same chance to influence the political process and run for office. Fair equality of opportunity is also *super-ordinate* to Rawls’ difference principle, which states that inequalities in primary goods (such as income and wealth) are to be arranged so that they are to the benefit of the least well off. The difference principle is needed to make the equal basic liberties substantively available to all.

Second, fair equality of opportunity is narrowly defined with respect to income class. Equality of opportunity as stated above is only violated when two children who are similarly talented and motivated face unequal life prospects because of the income class into which they were born. But there are other sources of social inequality besides income that shape life chances: race, ethnicity, gender, and family characteristics (Fishkin, 1984; Miller, 2010). I believe that Rawls could and would expand his account to include social factors like race and, at least to some extent, gender, but that expanding the list of factors to include the family creates more difficulties for his approach. Indeed, he struggles with the issue of how to treat the influence of the family on the development of a child’s talent and motivation. I’ll return to this issue in Section 3 below.

Third, Rawls’ formulation importantly refers to equality of prospects for ‘culture and achievement’. Much of the literature on equality of opportunity focuses on prospects for employment, and Rawls at times singles out ‘public offices and social positions’ in the social structure that generate income, wealth and power as the resource we want distributed by fair equality of opportunity.<sup>3</sup> I think narrowing ‘culture and achievement’ in this way is a mistake for reasons that I will articulate when I discuss the idea of an education adequate for citizenship in Section 4.

### 3

Fair equality of opportunity is central to Rawls' idea of a democratic society. In such a society, individuals are not slotted into fixed roles at birth, and there are no natural inferiors or superiors, no bowing and scraping of subordinates before the higher born. Social origin, at least in terms of income and wealth, has no place in determining one's opportunities for advantageous social positions in a democratic society. The people share benefits and jointly rule – not just those born with silver spoons.

The idea of fair equality of opportunity is thus tied closely to the idea of being treated as an equal: it is incompatible with discrimination based on the arbitrary factor of one's class origin. It serves as a manifestation of the regard and respect all members of the society are entitled to. It is a marker of the fact that rich and poor stand as equals in the society: no one is simply abandoned by society to the accidents of their birth. Moreover, this principle serves as a limit on the extent of socially generated inequalities: such inequalities cannot be of such an extent that they undermine the ability of individuals to effectively compete for social advantages.<sup>4</sup>

Despite its egalitarian pedigree, a group of egalitarian thinkers have recently taken swing against the idea of fair equality of opportunity as articulated by Rawls.<sup>5</sup> This critique has largely proceeded on three grounds:

- 1 Fair equality of opportunity cannot deal with the problem of stunted ambition.
- 2 Fair equality of opportunity can conflict with a person's culture and with her family relationships, concerns that are much more important to making her life go well than having equal opportunities.
- 3 Fair equality of opportunity offers virtually nothing to those who lack talent.

Let me take up each of these criticisms in turn.

1. The problem of stunted ambition, briefly put, is the problem that the level of motivation a person has is highly endogenous to her social circumstances. It is practically impossible to say how much of a child's motivation is chosen by her and how much is influenced by her family, her peers, and other factors. Rawls himself writes that 'the internal life and culture of the family influence, perhaps as much as anything else, a child's motivation and his capacity to gain from education . . .' (Rawls, 1999: 265). This problem thus returns us to the question of the place of factors such as family environment in our understanding of equality of opportunity.

Since the principle of fair equality of opportunity only applies to the case of people who are similarly motivated and talented, it seems to provide little leverage for a case where a person already has low ambition because of her social background. Richard Arneson (1999) raises this as a central objection to Rawlsian fair equality of opportunity. He claims that Rawls' fair equality of opportunity principle would provide no grounds for criticizing the stereotyping and socialization practices that serve to reproduce gender inequality:

[Imagine] all individuals are socialized to accept an ideology which teaches that it is inappropriate, unladylike, for women to aspire to many types of positions of advantage, which are de facto reserved for men, since only men come to aspire to them. Any man and woman

with the same native talent and ambition will have the same prospects for success in the society we are imagining, but the rub is that individual's ambitions are influenced unfairly by socialization. (Arneson, 1999: 78)

Indeed, the example of gender arguably shows that the problems with Rawls' principle go even deeper than motivation. Talent as well as motivation is endogenous to social circumstances. The development of talent is affected by many factors including early cognitive and emotional inputs, parental time, how hard a child tries, path dependence, role models, genetics, physical environment, and socialization. There is no pre-given level of inborn, native talent that can form the baseline for applying the principle of fair equality of opportunity; at best, we can try to appeal to the idea of a child's 'potential', but even here we face hard problems in determining what this is, independent of social and environmental factors (Satz, 2007).

Rawls grapples with the issues raised by stunted ambition. At one point in *Theory of Justice* he states that, '... if there are variations among families in the same sector in how they shape the child's aspirations, then while fair equality of opportunity may obtain between sectors, equal chances between individuals will not' (Rawls, 1999: 265). This remark suggests that stunted ambitions due to non-class factors such as differences in gender socialization are not part of the purview of his opportunity principle since fair equality of opportunity 'obtains'. But if we simply bracket the influence of culture and socialization, fair equality of opportunity looks like a weak principle – certainly with respect to gender, but also with respect to race and ethnicity where, as we shall see, stereotypes and stigma can often play an important role in shaping motivation and talent development.

At another point in the same text, Rawls seems to admit that the existence of unequal chances due to socialization *is* a limitation on fair equality of opportunity: 'the principle of fair equality of opportunity can only be imperfectly carried out, at least as long as the institution of the family exists' (Rawls, 1999: 64). But if we include *all* of the effects of socialization on motivation as relevant, then fair equality of opportunity looks like an extremely strong principle that would require intrusive interventions into family and community life. In that event, the principle comes close to advocating equality of outcome.

It is of no use in resolving the question of how to deal with stunted ambition to appeal to the role of individual choice in justifying differences in motivation and effort. In applying the principle of equality of opportunity to encompass the issue of who becomes a qualified applicant for positions, we must deal with children. While adults may choose what sacrifices to make with respect to pursuit of careers, in the case of children's socialization it is clear that children have limited ability to shape their own socialization.

I do not believe that Rawls gives us a worked out answer to the question of how to deal with the problem of stunted ambition. At the same time, I do think that Rawlsian theory offers us some guidance as to how to approach this problem. As I noted above, fair equality of opportunity is embedded in a theory of justice for a democratic society, a society that does not allot people into different social positions on the basis of their race, ethnicity, class, sexual orientation or gender. A democratic society stands in sharp opposition to a social order based on caste, where roles and responsibilities are distributed

according to one's ascriptive identity at birth. It is hard to imagine how an education system would be able to instantiate such a society without engaging in teaching that also combated the stereotypes, stigma, and lack of due regard that produce significant differentiation of ambitions between female and male, rich and poor, and black and white children. Stigma and stereotyping limit and shape social possibilities and make these limits appear natural or rational. When a group is the recipient of stigmatizing attitudes, individuals in that group often internalize those demeaning attitudes or at least adapt to them and level down their own expectations. Where stigma and stereotyping have a hold, a robust educational effort at 'counter-stigmatization' is necessary to enable individuals to realize their capacities for self-respect and self-determination. In the presence of stigmatization and stereotyping, it is not enough to appeal to formally equal chances for those similarly talented and able (Loury, 2002).

The important Rawlsian liberties of free choice of occupation and political participation would also seem to require the abolition of many forms of gender and racial stereotyping and stigmatization. To the extent that the social meaning of race and gender leads blacks and women to participate less in the political process, and to have effectively open to them a far narrower range of employment possibilities than are open to others, then justice requires removing those obstacles.

To be sure, it is true that even in a just society without the pervasive stigmatization of blacks and other groups there will be a variety of lives, and the lives people choose will inevitably be influenced by their social and cultural backgrounds. (Of course, sometimes the influence is in terms of reaction formation, where children seek to sharply counter their backgrounds – e.g. a child of a religious upbringing becomes an atheist, etc.) The response to this fact is surely not that all such influences are problematic. Our cultural and social backgrounds help make us who we are. Fair equality of opportunity cannot reasonably be aimed at every difference in outcome between individuals, even with respect to those differences in life prospects that are socially influenced. Rather, it makes sense to conceive of fair equality of opportunity as a critical tool that is aimed at identifiable injustices in the ways that people are treated. So we need some criteria for identifying which socialization influences are problematic from the standpoint of justice. Here is my suggestion: socialization influences are problematic when (a) they are predicated on, or support, ideas of the unequal worth of persons; or (b) they confine people to choices within less than decent sets of options; or (c) they fail to equip people with the ability to 'cope with the preferences [our] upbringing leaves us with' (Rawls, 1996: 185); or (d) they make some subservient to others on the basis of those influences. The real question has to be whether, given socialization, each person has a reasonable chance at a decent life in which they can relate to others on terms of equality.

2. The importance of the family and the relationships between family members give rise to a second objection to Rawlsian fair equality of opportunity. Harry Brighouse argues that for some children to have equality of opportunity for careers and positions in the workforce, they must alienate themselves from their families and local cultures (Brighouse, 2007). To many, such alienation has costs: '... the mainstream (as it is represented) is essentially White, this means you must give up many particulars of

being Black – styles of speech and appearance, value priorities, preferences – at least in a mainstream setting. This is asking a lot' (Steele, 1992).

Brighouse correctly points out that careers and the income and wealth that attach to them are only one feature of a person's life. Pursuit of careers may require trade-offs with other valuable aspects of a life: connection to community, identity, authenticity, and family relationships. Furthermore, the integration of long-segregated groups carries psychological costs. These costs are not trivial. Brighouse argues that when we are assessing such trade-offs and costs, the value of equality of opportunity itself 'is not fundamentally important' (Brighouse, 2007: 157). What is important is the overall quality of lives people lead and how overall quality of life is distributed among different individuals. He argues that whether those lives were secured through fair equality of opportunity or other mechanisms is not – nor should be – primary to our assessment.<sup>6</sup>

It is undoubtedly true that integration into mainstream society imposes costs on those whose culture and values lie at the periphery of that society. But it is important also to keep in mind that achieving social justice will not be cost free to the elite mainstream either. Many white middle-class kids will also have to change if we are to achieve fair equality of opportunity. Race segregated patterns of affiliation will have to be dismantled; there will need to be cognitive changes in how members of non-majority groups are viewed; the capacity to deal cooperatively and empathetically with heterogeneous others will have to be developed; and so on. While what Orlando Patterson has called the ordeal of integration undoubtedly has costs to those who have been historically excluded, it has costs on others as well. Much as we would like, we cannot make those costs go away: the question is whether the benefits are worthwhile.

In evaluating Brighouse's criticism of equality of opportunity, it is important to recognize that the achievement of fair equality of opportunity does not justify the demand for assimilation in the context of our current job market. Indeed, fair equality of opportunity does not by itself justify any set of social arrangements: those arrangements have to be justified on other grounds. That is, the fact that the employment structure or political structure may fulfill the conditions for equality of opportunity does not by itself serve to justify them. Equality of opportunity does not justify arbitrary prohibitions on ethnocentric affiliations, or justify careers predicated on the elimination of group differences or on a demeaning cultural conformity. While habits of hard work, collaborative skills, and honesty are desirable attributes in the workplace, clubby, insular patterns of behavior that track those of current elites are not. Equality of opportunity cannot justify unequal or disparaging relationships between people; it does not justify exclusionary norms of dress, speech and hairstyle. Nor does it justify the current configuration of careers – e.g. predicated on a caregiver at home – or the rewards that attach to them.

Consider, for example, that some of the skills that some employers value in terms of filling positions may be problematic. Employers sometimes value traits such as having a high marginal utility of income or having very competitive attitudes to fellow employees. But such traits can also be condemned on many grounds; other dispositions – such as the ability to work effectively in groups, and empathy – might well be socially preferred. The fact that everyone has the equal opportunity to acquire the former competitive traits does not justify them. Similarly, if everyone had equal opportunity to be a tyrant, that would not make despotism acceptable.

This point is crucial. We cannot avoid grappling with the question of *which opportunities matter* – which institutions, lives and social practices do we have reason to value? In the context of debates about schooling, policy makers often focus on the available measures of test scores and employment outcomes. This is understandable because such measures are tractable but these measures narrow the outcomes that individuals and societies have reason to care about.<sup>7</sup>

If the background social structure is itself problematic in various ways then this structure must be the direct object of our attention. Moreover, employment – particularly when viewed through the lens of income and wealth – is only one important but limited index of how a person's life is going.

To be clear, while I agree that the current costs and benefits that attach to pursuing certain careers may not serve to make the pursuit of those careers rational for everyone, I disagree that this tells against the value and importance of equality of opportunity. Equality of opportunity is a value that governs the distribution of certain goods that the state provides; it does not tell us precisely which goods the state should provide, the size of the rewards that should attach to these goods, or what these goods should be like qualitatively. It does not tell us which goods (and the opportunities to acquire them) matter – we need an independent argument for that. Below I will argue that we need to think about equality of opportunity as governing far more than the distribution of prestigious careers, and we need to attend to the too-high stakes that attach in our current world to having access to such careers.<sup>8</sup>

3. Fair equality of opportunity is meant to ensure that social origins play no role in the distribution of social positions. However, it does allow talent to play a role in the allotment of such positions. If two people compete for a job and one is more talented than the other with respect to the skills that the job requires, then fair equality of opportunity rewards the job to the more skilled person. It might seem then to offer little to the person who turns out to have low skills – at least low with respect to the kinds of skills a market economy values.

Nonetheless, in Rawls' formulation it is a weighty value: it asserts that maximizing the well-being of the least advantaged can be compromised for the sake of distributing a particular good – opportunities for positions – equally among those with similar talents and motivations. Rawls prioritizes this value even though some unfair competitions, all things considered, might make the least advantaged better off than they would be under fair competitions. If we consider the perspective of the low-skilled person – a person who may wind up with low talent through no fault of her own – then the priority that Rawls accords his fair equality of opportunity principle over his difference principle might appear to be unattractive. Critics argue that fairness considerations do not seem very weighty when compared with other goods, especially in the non-ideal world in which we live. The thrust of this third criticism of Rawls defends the benefits of certain inequalities because they benefit the worst off – even when the provision of those benefits violates fair equality of opportunity.

There are two forms that this criticism has taken. The first questions the priority of fair equality of opportunity over improving the lives of the worst off *under non-ideal conditions*. Consider the following example, adapted from one given by Brighouse and Swift (2006). Suppose that a university decides to auction off a place of entry for which

wealthy parents whose children meet certain qualifications can bid. The university will then use the fees collected to offer scholarships to 100 additional needy and qualified students it would not have been able to admit otherwise. This arguably constitutes a violation of fair equality of opportunity: money, and not talent and motivation, is determining access to a university position.<sup>9</sup> But, under the circumstances, since the lives and opportunities of 100 extra students will be improved and no student will be denied entrance because of the additional admission of one wealthy parent's child, there is a case, at least in theory, for this kind of policy. Unfair competitions may sometimes benefit the unfairly treated, at least when compared with the status quo baseline.

The second form this objection has taken is to dispute the prioritizing of fair equality even under ideal conditions. On this view, when fair equality comes into conflict with whatever is necessary to improve the lives of the worst off, improving those lives should have priority. Fair equality of opportunity gives too much weight to the norm of merit, holding that those who are naturally more talented and develop their talents should enjoy greater prospects for positions of advantage. Proponents of this line of argument doubt that fair equality of opportunity has much value at all – at most perhaps we might want a formal opportunity principle to preclude discrimination based on race or gender (Arneson, 1999).

These objections raise serious issues. It is plausible to think that, in non-ideal circumstances, there are indeed considerations concerning the lives of the worst off that can trump the value of fair equality of opportunity. Perhaps the above example is one of these. Similarly, it is plausible to doubt the strict *lexical priority* that Rawls assigned his fair equality of opportunity principle in *Theory of Justice* (Rawls, 1996: 228ff). But I do not think we should assimilate fair equality of opportunity to the Rawlsian difference principle which maximizes certain resources of the least well off: fair equality of opportunity is independently important. It is central to the idea of a democratic society of equals. Indeed, it is difficult to see why people would insist upon equal basic liberties (Rawls' first principle) as a marker of their equal status, *even at the price of fewer other primary goods*, and not insist on a more general and explicit protection of their equal status by a prohibition on arbitrary discriminatory treatment.

The argument for fair equality of opportunity has many affinities with the argument for Rawls' equal basic liberty principle. The importance of the fair equality of opportunity principle goes far beyond the idea that merit should determine who gets access to employment opportunities. Because it is related to the idea that the state owes all of its members the resources for full inclusion in society, its violation strikes close to the core of a person's sense of self-respect.

Fair equality of opportunity does not aim at equality of outcome. Nor does it aim to redress naturally generated inequalities. Indeed, I have also argued that the principle does not condemn all socially generated inequalities: some of these inequalities are not sources of disadvantage; some of these socially generated differences make us who we are.

Further, I believe that there is a case for the state itself sometimes providing unequal opportunities to its citizens. On the one hand, there are benefits the state must provide to all of its citizens, but on the other hand, there are benefits it may provide that go beyond what it is obligated to provide to all. For example, suppose that there is a level of advanced

mathematical training which is not something that the state could be reasonably said to owe to all its citizens. Suppose, moreover, that investing in this training for some would have important social benefits. Then, supposing other background conditions are in place, I think there is an argument for permitting this kind of state investment so long as it does not run afoul of anti-discrimination norms. Similarly, if very privileged parents want to invest extra resources in their children's education, no society will have the resources to enable all children to keep up with them. We should object to a conception of equality of opportunity that would level down what the children of the privileged can achieve or would mandate an equally expensive education for all simply on the grounds that there is a socially generated inequality at issue. Instead, what is needed is a way of ensuring that the gap between the least advantaged and the most advantaged is not so great that it undermines the conditions for equal citizenship. There are a number of ways to do that: ensure that the educational gap between the least advantaged and the middle range is not too great – everyone must have a reasonably high proportion of what others have; unbundle the high-stakes rewards from educational success – education should not be the sole root to healthcare, a decent standard of living, meaningful work, and flexible hours. All must have an adequate education for full citizenship (Anderson, 2007; Pogge, 1989; Satz, 2007).

#### 4

I would like to bring these disparate thoughts together in the context of education, race and class.

Rawlsian fair equality of opportunity is an important principle, but I have argued that to realize its promise as an anti-discrimination principle for a democratic society it needs to be broadened beyond income class to accommodate the disadvantages that currently attach to race and gender.

Relatedly, I have claimed that the opportunities that are to be secured by this principle should not be narrowed to employment, especially when that is viewed primarily in terms of income and wealth. Opportunities for 'culture and achievement' have a potentially much larger domain than careers. We should not simply apply our opportunity principle, whatever it is, to the current structure of employment: we need to ask which opportunities matter and why.

It is here that I think that the idea of equal citizenship helps guide the scope of fair equality of opportunity. It enables us to broaden the purview of our opportunity principle beyond income class without encompassing all socialization differences between people and it directs us to think about the opportunities that matter if people are to relate as equals, besides employment and career.

T.H. Marshall (1950) usefully identified three aspects of equality implicit in the status of citizenship: political equality, civil equality, and social equality. Political equality involves the equal right 'to participate in the exercise of political power, as a member of a body invested with political authority, or as an elector of the members of such a body'. Civil equality involves an equality of 'rights necessary for individual freedom – liberty of the person, freedom of speech, thought and faith, the right to property and to conclude valid contracts, and the right to justice'. Social equality encompasses the right to 'a

modicum of economic welfare and security' and the right to 'share to the full in the social heritage and to live the life of a civilized being according to the standards prevailing in the society' (Marshall, 1950: 10–11).

If we measure equality of opportunity in terms of the 'opportunity to participate fully in the political, civic and economic life of the community' – to stand as a citizen in a society of equals – then we will need to attend to other measures besides access to careers: not everyone will want or be able to opt for a college education or a high-flying career.

Education has long been recognized as a 'foundation of good citizenship', a necessary condition for full membership in the political community. As the Supreme Court wrote in its 1954 *Brown* decision, education is required for the 'performance of our basic public responsibilities' and its absence effectively shuts out individuals from participation in society (*Brown v. Board of Education*, 1954).

In broad outlines, the state owes to its citizens an education that:

- (a) gives them a threshold of knowledge and competence for public responsibilities such as voting, serving on a jury and the meaningful exercise of civil liberties such as freedom of speech;
- (b) gives them sufficient knowledge for productive work and independence;
- (c) develops their capacities for empathy, self-respect, imagination and reciprocity.

It is important to note that the list is about achievements, not opportunities. Indeed, when thinking of children, opportunity is not the relevant metric: we want children to learn to read, not to have the fair opportunity to learn to read. But these achievements need to be evaluated bearing in mind what others have.

An education adequate for equal citizenship includes but goes beyond the cultivation of a narrow list of individual skills. A democratic society is more than a collection of independent individuals, but includes the ways that people cooperate and relate to one another in employment, in politics and in making social decisions, in their neighborhoods and within public spaces. This means that the standards for an adequate education are importantly relational. What is required to serve on a jury or to participate effectively in political life depends on what others know. This is why, although strict equality of educational opportunity is not required for equal citizenship, the lives of the advantaged and disadvantaged can not grow too distant from one another.

Moreover, while some aspects of civic competence (e.g. numeracy, literacy, the knowledge of history) can be achieved by individuals alone or in varying contexts, other competencies (e.g. mutual understanding, mutual respect, and tolerance) are group achievements (Anderson, 2007). Do today's students really have the skills for respect, cooperation with others, and independence? And are they likely to develop some of these skills in settings where students are divided by class and race?

Desegregation and finance reform have often been policy goals of those seeking to advance equity but these goals have largely been pursued separately (sometimes by necessity): from the point of view of education's relationship to equal citizenship, these goals should be brought together in the pursuit of equal educational opportunity.<sup>10</sup> Why? Let us see how the two points I made above support the conclusion that a focus on

inequalities in school funding alone is not sufficient. The first point was the need to enlarge fair equality of opportunity beyond income class and the second point was to broaden the domain of fair equality of opportunity beyond employment.

First, with respect to challenging the stunting of ambition that goes hand in hand with racism and sexism: integration is an important factor in changing our conceptions of ourselves and others. The mechanisms of social mobility and intergenerational status transmission are crucially sensitive to patterns of contact. As Jonathan Kozol, who has spent a lifetime trying to redress educational funding inequalities has noted in the context of the divisions between rich and poor: ‘. . . money is not the only issue that determines inequality. A more important factor, I am convinced, is the makeup of the student enrollment, who is sitting next to you in class. When virtually every child in the class is poor, a mood of desperation develops, a sense of hopelessness . . . When poor kids share the class with rich children and upper middle class kids, who grow up with infinite dreams, those dreams become contagious and every child benefits’ (quoted in Kahlenberg, 2001: 37). A body of empirical research also shows that the absence of contact is a critical factor in the persistence of racial stereotypes and racial stigma. Integration is clearly not a panacea but there is now ample evidence that tangible resources alone do not entirely offset the complex consequences of racial and socio-economic isolation.

Second, while I have argued that many differences in the distribution of resources provided by the state are objectionable, I have left open the possibility that some such differences can be justified. Some differences in school funding are justified because they go beyond what the state is obligated to provide (e.g. special advanced mathematics classes for high-school students) if they provide a social benefit. And some differences in what private parties (e.g. parents) provide may also be justified if and as long as they do not undermine the social conditions for students to relate as equals. Admittedly, the idea of an education adequate for equal citizenship is a harder idea to operationalize than strict equality, but it is not impossible. How much inequality in educational resources is acceptable depends in part on the background features of the society which helps shape the rewards that attach to educational and employment success. In American society, access to well-paid employment is closely linked to public benefits that other societies see as pre-requisites of citizenship: healthcare, childcare, parental leave provisions, and relief of poverty. This makes it harder to argue that educational inequalities do not strike at the core of citizenship.<sup>11</sup> This is also true when schools are already de facto segregated by race and class. Where social benefits are decoupled from career success, an equal-citizenship view targets inequality at salient and injurious lines of social division that lead to *disadvantage*. This means, effectively, that everyone should have the preparation for college: no one should be relegated to inferior social positions on account of social factors.

## 5

I have argued for the following claims:

- (a) Rawlsian fair equality of opportunity is an important principle that has value apart from a concern with the prospects of the least well off.

- (b) Rawlsian fair equality of opportunity is ambiguous as to scope, and can oscillate between a principle that is too strong or too weak.
- (c) In education, we should ensure that all children have the achievements necessary for equal citizenship. These achievements provide opportunities that encompass but go beyond opportunities for employment. They also encompass opportunities for political, civic and social participation. Rawlsian fair equality of opportunity is best understood in these terms.
- (d) Equal citizenship does not require substantively equal educational opportunities among all individuals but it does require that inequality in these opportunities be bounded.
- (e) In evaluating opportunity principles, we need to decide what we want opportunities for.

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### Notes

1. Jencks also argues that all plausible interpretations of equality of opportunity have problematic implications.
2. More specifically it rules out such discrimination when these characteristics are irrelevant for the positions.
3. Rawls does, however, write that 'resources for education are not to be allotted solely or necessarily mainly according to their return as estimated in productive trained abilities, but also according to their worth in enriching the personal and social life of citizens' (Rawls, 1999: 92).
4. The principle, however, treats natural inequalities differently.
5. These criticisms overlap with, but also diverge from, an older line of egalitarian criticism. According to the older criticism, equality of opportunity was itself a mere form of consolation for the exceptional individuals who evaded the fate of the majority of their class.
6. Brighthouse notes a political cost to abandoning equality of opportunity: given the idea's popularity, it marginalizes theorists from practical policy demands.
7. A similar point might be made about a focus on resources as a measure of school quality: *it* is intuitively appealing and doesn't depend on a one-size-fits-all view of education. It is tractable (although measure needs cost adjustment for inputs costs vary in different locations) but it overlooks the point that not all resources are the same (money might buy textbooks of very different quality) and most crucially schools vary in their ability to convert resources to outcomes.
8. I have in mind the extent that access to health care, to safe neighborhoods, to good schools, to time with one's children, and so on, depend on having access to certain kinds of jobs.
9. Since private universities should have some discretion in admissions –for example, they should be able to choose students on the basis of geographical diversity – more needs to be said about how equality of opportunity applies in this context. Thanks to Randall Curren for pressing this point.

10. Recently, there have been signs of a willingness of courts to tie integration and financial resources together: *Sheff v. O'Neill* (an equal education is ‘free from substantial racial and ethnic isolation’) and *Horton v. Meskill* (redistributed funding to poorest schools). In both cases courts drew out the relationship between desegregation and funding in achieving equal educational opportunity.
11. Admittedly, engagement in work shapes identity and self-esteem, and provides people with what are often their most robust avenues for cooperative activity. This is why it is a central part of an opportunity principle. But it should not be the whole. Also important are the opportunities for meaningful political engagement, for taking care of the elderly and the young, for promoting the arts, and for building civic institutions.

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### Biographical note

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