

## *Schooling and Democracy*

Myths and Arguments  
(an introduction)

*How do we talk about education  
as a right and  
as part of democracy?*

It wasn't always so...

### Goals for this lecture

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- Put educational rights in a broader political and historical context
- Explain educational rights as a political issue
- Briefly explain how state and federal constitutions are different in their approach to education
- Explain the link between legal structures and political debates
- Introduce three explanations of political change

### The development of educational rights

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- Schools preceded school systems
- National “plans” in late 18<sup>th</sup> century
- Fluidity of 19<sup>th</sup> century school organization and politics
- Common-school arguments
- Overlapping justifications for free schooling

### Before the 19<sup>th</sup> century: Schools, not systems

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- Rural schools: one-room, short sessions, irregular materials and expectations
- Cities: many private schoolmasters, some church-related schools, and a few pauper or charity schools

### Before the 19<sup>th</sup> century: Revolutionary rhetoric

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- Utopian, at odds with localism
- Examples
  - Thomas Jefferson, proposal “to diffuse knowledge more generally”
  - Benjamin Rush, education for Christianity
  - Noah Webster, a common language: “a national language is a band of national union”

### 19<sup>th</sup> century experimentation: Variety of forms and justifications

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- One-room schoolhouses
- Monitorial schools
- Academies
- High schools
- Incipient bureaucracy

### Common-school reformers: Link of schools to social ills

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- Now, surely, nothing but Universal Education can counter-work this tendency to the domination of capital and the servility of labor. If one class possesses all the wealth and the education, while the residue of society is ignorant and poor, it matters not by what name the relation between them may be called; the latter, in fact and in truth, will be the servile dependents and subjects of the former. But if education be equably diffused, it will draw property after it, by the strongest of all attractions; for such a thing never did happen, and never can happen, as that an intelligent and practical body of men should be permanently poor. Property and labor, in different classes, are essentially antagonistic; but property and labor, in the same class, are essentially fraternal. (Horace Mann, 12<sup>th</sup> school report, 1848)
- European contrast: 1848 revolutions and publication of The Communist Manifesto.

### Common-school reformers: Better at changing structure than instruction

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- Structure:
  - Free schooling
  - Increase school-session length
  - Normal schools
  - Boards of education
  - High schools
  - Graded schools
- Instruction:
  - Object method
  - Reading (whole-word)
  - The attack on corporal punishment

### Tuition-free schooling and education as social citizenship

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- Mixed status of tuition in early 19<sup>th</sup> c.
  - Charity schools, private masters, and *rates*
  - State subsidies for schools (NY, early 19<sup>th</sup> c)
- Free schooling: first in cities, then in states:  
NYC: 1832, Buffalo: 1838; Rochester, 1848; NY state: 1867)
- Different arguments
  - Reduce stigma of attendance
  - Education as a right

### Education as a right: Workingmen's parties

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- Local parties (different 19<sup>th</sup> c context)
  - Advocacy of free schools shifted debate:  
"Give us our rights, and we shall not need your charity."  
(*Mechanics' Free Press*, 1828, quoted in Carl Kaestle, *Pillars of the Republic* (1983), 138)
- All should "come forward and use his utmost exertions to procure a system of education, where the children of the rich and the poor shall receive a national education, calculated to make republicans and banish aristocrats." *Mechanics' Free Press*, 1829, quoted in Kaestle (1983), 138.

### Education and "social citizenship"

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- In many other industrialized countries
  - Citizenship is a broad concept, including the welfare state
  - Universal primary education developed later than in the U.S., ...
- In the U.S., ...
  - Broadening the franchise has been associated with education
  - Nineteenth century North
  - Twentieth Century South
  - Education is not talked about as part of a welfare state but maybe it still is

## “Rights” rhetoric

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- Powerful lever for change
  - *Brown v. Board of Education* (1954)
  - Title IX (1972)
  - Special-education laws (1973, '75)
  - *Lau v. Nichols* (1974)
  - Vouchers (e.g., in Florida)
  - Adequate-funding lawsuits (e.g., New York)
- Law ≠ educational politics
- Why?

## Conflicts over democracy and education

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- 19th century common-school reform debates
  - Is it democratic to have centralized control over schools? (Youtube videos [one](#) and [two](#))
  - Does public schooling require public control?
- 21st century reform debates
  - Can a state public-education system include private schools? (In Florida, no, according to the courts.)
  - Can public funding go to religious institutions?
  - What type of education does democracy require?

## The Dark Side of the Course

(did anyone warn you about the puns?)

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- Exclusionary rhetoric: “the other side is un-American!” (goes beyond a fair political fight)
    - Tying schools to democracy and rights makes any “rights” issue charged
    - A tradition of exclusionary rhetoric
  - Warning signs of exclusionary rhetoric:
    - A narrow reading of educational history as a single trend-line
      - Great triumph / steady improvement
      - Horrible catastrophe / decline
    - An inability to explain other perspectives fairly

## *Political Structures and Schools*

To follow...

## *Political Structures and Schools*

A short primer

## Constitutional structures: Federal

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- Federal constitution: nothing explicit, but application of constitutional principles to education
- “Police powers” and the 10th amendment
- 14th amendment and *Brown v. Board of Education* (1954)
- *Rodriguez v. San Antonio* (1973) and the limits of protected classes
- The power of the federal purse (e.g., No Child Left Behind Act, *Lau v. Nichols*)

### Constitutional structures: States

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- State constitutions bind each state separately
- As with the federal constitution and federal courts, state courts have ultimate interpretation of state constitutions
- States thus are bound by both their own constitutions and the federal constitution
- General features
  - Substantive requirements for education (unlike the feds!)
  - Some assurance of education at K-12 level
  - Some language about efficiency, effectiveness, or quality

### The fabric of educational politics

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- Law and politics: warp and weft
  - Constitutions, laws, and court opinions provide a structure that responds to political pressures
  - Political debates use the legal structure for rhetoric, as a type of moral authority

### Fabric of educational politics, cont'd

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- Major theoretical question: what determines outcomes? Some ideas:
  - Pluralist model (interest-group coalitions and access)
  - Conflict model (schools as arena for conflict)
  - Organizational model (school systems can act on their own behalf)