Mark Twain once confided that he received public schooling as a child but never let it interfere with his education. Millions today are not so fortunate; for their education is being interfered with. The full extent of the problem came to light in 1983 in four major national studies. (The four reports were as follows: *A Nation at Risk: The Imperative for Educational Reform*, by the National Commission on Excellence in Education; *Action for Excellence: A Comprehensive Plan to Improve Our Nation’s Schools*, by the National Task Force on Education for Economic Growth of the Education Commission of the States; the New York based Twentieth Century Fund’s study, chaired by Robert Wood, a former U.S. secretary of Housing and Urban Development; and a report directed by Theodore R. Sizer, former Harvard University Education School dean and headmaster of Andover Academy.) The most scathing condemnation was delivered by the National Commission on Excellence in Education. Concluding that the public schools were in a serious state of decline and were indeed a threat to the nation’s social, political, and economic well-being, the commission revealed, among other things, that about 13 percent of all seventeen-year-olds and 40 percent of minority youth were functionally illiterate.

The 1983 studies caused a flurry of activity within the educational establishment, and several official promises of reform were promptly announced. Subsequently, however, not much has improved. In his 1988 *Report to the President and the American People* entitled "American Education: Making It Work," Secretary of Education William Bennett concluded that "gains in student learning are slight and the average level of student skill and knowledge remains unacceptably low." In its 1985 report, *The Condition of Education*, the National Center for Educational Statistics (NCES) also concedes that not much improvement has been made:
The school systems throughout the nation face the formidable challenges of improving students' performance and coping with the changing social and economic environment. Current student performance may be insufficient to meet the increases in graduation requirements, relatively stable enrolments, substantial increases in teacher salaries, and the continued willingness of the public to support its schools... Recent educational reforms have been instituted in response to some of these problems. The impact of these changes does not yet appear in national data.

The same source admits that the academic performance record of students, as measured by standardized tests, shows that they still cannot perform many ordinary tasks. Only a small portion of seventeen-year-olds perform at the highest proficiency levels. With respect to reading, few students even in the 11th grade can defend their judgments and interpretations about what they read. Similar deficiencies show up in mathematics and science, where performance has been low for more than ten years and has improved very little. In 1986, mathematics proficiency of seventeen-year-olds was no higher than in 1973. Tests in the same year showed that 49 percent of seventeen-year-old students were unable to perform moderately complex procedures.

The first international study of educational progress published its initial results in 1989. Thirteen-year-olds from the United States and five other countries (Canada, Ireland, Korea, the United Kingdom, and Spain) were assessed in a standardized fashion in mathematics proficiency. Students in the United States were in the lowest scoring group. (International Assessment of Educational Progress, A World of Differences, an International Assessment of Mathematics and Science.)

It is interesting to recall that in 1983 the National Commission on Excellence in Education wanted computer science instruction to be required of all high-school students as part of its recommended "Five New Basics." In a 1985-86 assessment of computer competence, students in each of grades 3, 7, and 11 generally averaged less than 50 percent correct on the test items.
The most quoted general measure of educational ability is the Scholastic Aptitude Test (SAT). After two decades of steady decline in SAT results there was some slight recovery in 1982, but scores have remained stable since 1985. In 1988 average scores were significantly lower than they were in 1963.

The absence of striking productivity improvements in public schooling has not prevented significant rises in teacher rewards. The average annual salary of teachers in elementary and secondary schools increased between 1983 and 1988 by 35.5 percent in current dollars and 12.14 percent in constant dollars. Another benefit that appears to have been enjoyed by teachers in most years since 1959 is a steady reduction in the pupil/teacher ratio. In 1959-60 this ratio was 26:1. By 1987-88 it had fallen to 17.6:1.

During the heated discussion over the published criticisms of 1983, one predictable suggestion came from the educational establishment: a major part of the problem, it insisted, derived from underfunding. Of all the pieces of advice offered, this seems subsequently to have been the most diligently adopted. Expenditures per pupil in current dollars grew by 43 percent from $2,955 in 1983 to $4,211 in 1988. (In constant dollars the increase has been approximately 22 percent.)

The haste to increase expenditures per student is in contrast to the recent findings of research on schooling factors that influence student performance. After surveying 65 studies on the influence of expenditures per pupil, Professor Erie A. Hanushek of the University of Rochester reported in the Journal of Economic Literature that 49 showed no statistical significance and that of the 16 that showed significance, 3 indicated a negative relationship. Of 112 studies on the influence of changing teacher/pupil ratios only 23 were statistically significant, 9 in the positive direction and 14 in the negative direction.

Average taxpayers and parents can surely be excused for feeling considerable frustration and confusion in the face of the failure of the public school reform movement and the apparent lack of knowledge and leadership concerning where to go next. Observers may be excused also for coming to the conclusion that the public school lobby’s contribution to the debate is increasingly self-defensive. Its attempt to
perpetuate an argued potential or an endless dream of the “one best system” (as distinct from reality) is increasingly suspect. The same skeptical observers believe that it is time to awaken from "false consciousness" and to reassess the original arguments for the public system.

A return to first principles immediately raises the issue of paternalism. One must acknowledge straightaway an important distinction between the freedom of adults and the freedom of children. Since children are too young to make long-term educational decisions for themselves, granting freedom to them is not feasible. Here we have a case of inevitable paternalism, and the question is which is the best kind to invoke: paternalism within the family or paternalism by the state? The choice between the two is not as easy as it looks at first sight. The situation has been well expressed by F.A. Hayek in *The Constitution of Liberty* (1960):

> Though it is generally in the best interests of children that their bodily and mental welfare be left in the care of their parents or guardians, this does not mean that parents should have unrestricted liberty to treat their children as they like. The other members of the community have a genuine stake in the welfare of the children. The case for requiring parents or guardians to provide for those under their care a certain minimum of education is clearly very strong.

John Stuart Mill’s view is equally pertinent. The following is a quotation from his *Principles of Political Economy* (1848):

> In this case [education] the foundation of the laissez-faire principal breaks down entirely. The person most interested is not the best judge of the matter, nor a competent judge at all. Insane persons are everywhere regarded as proper objects of the care of the state. In the case of children and young persons, it is common to say, that though they cannot judge for themselves, they have their parents making it no longer a question whether the government should interfere with individuals in the direction of their conduct
and interests, but whether it should leave absolutely in their power the conduct and interests of somebody else.

Mill, I believe, was mistaken in assuming that the common argument that parents and relatives can judge for their children was a claim for absolute control. What most people appear to have in mind is a fiduciary power to be removed in cases where abuse can be shown. Education legislation can in fact be viewed as part of a comprehensive system of child abuse laws. Besides education, this system includes welfare payments to families with dependent children, stringent rules about divorce when young children are involved, and minimum ages of marriage. Child abuse laws, of course, are also designed to monitor, control, and discipline delinquent parents who give their children inadequate food, clothing, and shelter.

In reflecting on this protective legal framework for children, an interesting paradox soon emerges: only in the case of education does the state go so far as to provide the service free of charge to all parents, rich or poor, delinquent or not. Indeed, if child abuse laws were symmetric we would see laws for the compulsory and free feeding and clothing of children. I shall argue that while the usual child abuse legislation related to the feeding and clothing of children is consistent with freedom, including the freedom of the children being protected, legislated state education in its present form places freedom in jeopardy. The main reason, it will be argued, centers on the removal of the price mechanism.

To return to John Stuart Mill’s point that in the case of education the laissez-faire principal breaks down because 1) children cannot choose for themselves wisely and 2) they are, in any case, without the means to do so. By the same token, the laissez-faire principal breaks down also in the case of feeding, clothing, and sheltering children, because here too there are the same impediments to responsible choice by dependent minors. Yet while the laissez-faire principal, in John Stuart Mill’s sense, breaks down in all these instances, it is interesting that states normally allow families to purchase food and clothing at positive prices and from stores that are in competition with each other in laissez-faire retail markets. Where some families are regarded as too poor to make adequate purchases the policy response
has been to buttress their incomes in some way. It appears to be recognized, in other words, that the ability in a free market to change one's food store when it threatens to become, or has become, inefficient is an effective instrument whereby parents can protect their children from inferior goods and services in a prompt and effective manner. If this is so, then one should expect that the same arguments for protection would lead, not to a "free" school system where it is normally difficult to change one's "supplier," but in the direction of fee-paying where it is easier to do so. Those families who cannot currently afford to pay the fees can, as Milton Friedman recommended, be supplied with education vouchers covering the tuition levels demanded in a competitive school system.

John Stuart Mill the libertarian seemed to have grasped the spirit of this argument up to a point. As much as he wanted the protection of children, he did not in the end prescribe compulsory state schooling, or even compulsory private schooling, but only compulsory education. Mill held that the state should be interested not merely in the number of years of schooling but in the results of education, whatever their sources. Accordingly, he contended that a public examination system was all that was necessary. If a young person failed to achieve a certain standard then extra education would be prescribed at the parents' expense. Another sanction Mill entertained was that of making the right to vote conditional on some minimum degree of education. The distinction between schooling and education was the same as that made later by Mark Twain.

The public examinations Mill had in mind were concerned primarily with the communication of knowledge. But many will insist that this is not the only function of education. There is also a need for the inculcation of values. Yet dependence on state schools to attend to this need involves probably the most important danger to freedom. As Hayek observes, "the very magnitude of the power over mens' minds that a highly centralized and government dominated system of education places in the hands of the authorities ought to make one hesitate before accepting it too readily." Hayek's sentiments echo those of Mill, who wrote in On Liberty:
A general state education is a mere contrivance for moulding people to be exactly like one another: and the mould in which it casts them is that which pleases the predominant power in the government, whether this be a monarch, a priesthood, an aristocracy, or the majority of the existing generation; in proportion as it is efficient and successful, it establishes a despotism over the mind, leading by natural tendency to one over the body.

Despite the warnings of Mill and Hayek, modern social scientists persist in what they believe to be the "social purposes" function of education, a function that many of them consider to be the exclusive province of government. Economists like to speak in terms of the "public" (or "external"), as distinct from the "private," benefits of education. An example of the latter is the increased income flowing from the type of education (such as literacy training) that creates "human capital." Such income is private to the family and is accordingly "internalized" by it. Examples of the argued social purposes or "public benefits" of education include 1) the inculcation of common values that are needed to make democracy viable, 2) the desirability of a common educational experience, and 3) equality of access to education.

With regard to the inculcation of common values, not much is said about how to recognize them. And still less is said about why the state should have the right to impose them on all pupils. But even if there was agreement about what values were common, the question would remain whether the public school system is, or could be, efficient in this enterprise. Even those who are sympathetic with the objective have their doubts about implementation. They complain, for instance, that contemporary public high schools are like "shopping malls," containing a hodgepodge of course offerings with little central coherence in their total program. And because, in practice, the public schools resist attempts at homogenisation, a student in one school district might well receive an entirely different set of "common values" than his counterpart in another school district close by.

With respect to the alleged need to provide a "common experience," the assumption seems to be that children in each public school are drawn from a fully representative population. Public schools, however, do not contain a typical
cross-section of people. The main reason is the existence of residential stratification according to income. The mere fact, too, that religious and private education is allowed and exists under the U.S. Constitution precludes the full representation of the population in public schools even in the absence of residential stratification.

Concerning the objectives of equity and equal access, it is arguable indeed that public provision is counterproductive. The system produces heterogeneous qualities of education, with the worst offerings appearing in large-city ghetto schools in which low-income families find themselves trapped. Many of the middle class and the rich obtain a better deal for several reasons. Because public schools want to try and maximize the number of their students, but face a fixed amount of resources to do it, and since wealthy parents are more likely to move their children to private schools if there is a reduction in the quality of public schools, this situation will most likely require making the public schools in wealthy areas of a higher quality. In any case, the superior degree of mobility that middle-class parents enjoy enables them to search out and secure the superior services within the educational system.

For all of these reasons, not everybody will agree with the conclusion of some that education vouchers could bring greater benefits to wealthier families than to low-income families. Milton and Rose Friedman insist on the opposite view, that their voucher system would promote equity just as much as efficiency. Their reasoning appears in the following quotation from their book *Free to Choose* (1980):

> Are the supermarkets available to different economic groups anything like so divergent in quality as the schools? Vouchers would improve the quality of the public schooling available to the rich hardly at all; to the middle class, moderately, to the lower-income class, enormously.

A recent Gallup poll indicated that nearly half of those who are now sending their children to public schools would choose private schools if the latter were made tuition-free. Those parents who selected the private schools over the public schools were then asked to explain their choice. The reason offered most often was that private schools have the "highest standard of education." Better "discipline" came
next, followed by "individual attention smaller class size," "better curriculum," and "better quality of teachers."

The concern about discipline is longstanding. In my opening paragraph, I referred to public schools interfering with people’s education. The most conspicuous example of this is the failure of many public schools to maintain order in the classroom. In assessing the incidence of student disruptive behavior in 1987, 19 percent of the public school teachers surveyed by the U.S. Department of Education reported that there was "much more" of it in their school than five years before; another 25 percent indicated that there was "somewhat more" now. Almost one-third of the teachers surveyed stated they had seriously considered leaving teaching because of student misbehaviour.

In the context of such a poor record on discipline, the argument that the need for social indoctrination justifies a public school system looks particularly weak. Clearly, if education is being disrupted by unruly behavior there can be no successful instruction in "common values" or anything else. And when disruptive behavior is coupled with violence, theft, and drug abuse, it is legitimate to question the kind of "common values" that are being inculcated.

In a report to the Congress in 1977, the National Institute of Education revealed that about 2.4 million secondary school students (11 percent) had something stolen from them in a typical month. About 1.3 percent of the students reported being attacked in a month. The most arresting finding was that young teenagers in cities ran a greater risk of violence in school than outside of school.

The same report concluded that the single most important difference between safe schools and violent schools was found to be a strong, dedicated principal who served as a role model for both students and teachers and who instituted a firm, fair, and consistent system of discipline. The trouble is that neither the National Institute of Education nor governments appear to be able to guarantee that each public school will have the dedicated type of principal just described. Principals who fall short of these qualities are difficult to dislodge because of the usual terms of union-negotiated contracts of employment. Here indeed is another example of the way in
which the structure of the public school system can interfere with children's education. The NIE report revealed that 4 percent of students stayed home from school because they were afraid, and that around 600,000 secondary students reported they were afraid most of the time. Twenty-two percent of all secondary students reported avoiding some restrooms at school because of fear, and 20 percent said they were afraid of being hurt or bothered at school at least sometimes.

The NIE study found that academic competition inside schools reduced the risk of violence. "The data suggests that violent students are more likely to be those that have given up on school, do not care about grades, find the courses irrelevant, and feel nothing they do makes any difference." This finding is relevant to the public/private debate. In the “progressive” atmosphere of modern school teaching, grading has often become de-emphasised because of the preference for “cooperation” over competition. In contrast, private schools have, on average, defended the traditional structure of education where competition and grading are essential features.

The NIE also found that larger schools experience more violence and vandalism than smaller ones. Since, on average, private schools in the U.S. have smaller enrolments than public schools, we should find the former less crime prone. Also, there is a greater chance with a market system of schooling that the issues of disruptive behavior and violence will be resolved through the greater exercise of parental choice of schools. Where competition between schools is reasonably effective, a school that cannot maintain discipline will lose its students to one that can, and go bankrupt if it can't improve.

In a system in which it is difficult to dislodge ineffective schools and principals, it is predictable that independent opinion surveys would not show a high degree of public confidence. The most recent poll shows correspondingly that in 1988 only 23 percent of the public rated the nation's public schools A or B. And this has changed little since 1983, the year of the report by the National Commission on Excellence in Education.
It is likewise predictable that when teachers are asked their opinions of the major causes of student difficulties in the schools they will, in self-defence, resort primarily to deficiencies in non-school influences. The Metropolitan Life Survey of the American Teacher (1987) reported accordingly that teachers placed at the top of their list 1) children left on their own after school (51 percent) and 2) poverty in the students' homes (47 percent). It is interesting, nevertheless, that a significant percentage of the teachers surveyed pointed to defects in their schools. Thus 47 percent of the teachers found that automatic promotion to the next grade was a major problem. Another 43 percent blamed teachers who were not adapting to individual student needs." One-third of the teachers pointed to "a boring curriculum."

Out of six proposed strategies to solve school problems, the four that were school-initiated, such as "having the school notify the parents immediately about any problem involving their child," were favoured by parents more than teachers. Parents are obviously seeking ways of protecting and helping their children while getting better service for their (tax) money. More market discipline and greater choice would obviously provide them with much more of the information they evidently crave. Such increased freedom would undoubtedly result in parents moving out of "problem-area" schools in search of alternatives.

Sociologists James S. Coleman and Thomas Hoffer's Public and Private High Schools (1987) presents statistical findings that show that Catholic high schools bring about greater growth for the average student in both verbal and mathematical skills than do public schools. Other private schools bring about greater growth in verbal skills than do public schools, though a growth differential does not appear in mathematics. These results were obtained after family background and academic program were statistically controlled for. The achievement growth benefits of Catholic schools, but not of other private schools, were especially strong for students who were in one way or another disadvantaged: poor, black, or Hispanic.

Coleman and Hoffer focus on the proposition that the Catholic schools compensate better than other private schools for what they call they the depressive
effects of functional or structural deficiencies among many families. This proposition is strongly supported by the finding that the dropout rates at Catholic schools are strikingly lower than those at public schools or other private schools.

While economists focus on education's role in creating human capital, Coleman and Hoffer emphasize the importance of what they call "social capital." Social capital exists in the relations between people. The social capital of the family is the relationships between children and parents and other close relatives. Coleman and Hoffer describe structural deficiency in the family as the physical absence of family members, seen especially in the single-parent family. Even the nuclear family can be deficient when grandparents, aunts, and uncles do not live close by. Functional deficiency is the absence of strong relationships between children and parents despite their physical proximity.

The Catholic school environment compensates for such family deficiencies, Coleman and Hoffer suggest, and in so doing has the beneficial effect on education that shows up in their statistics. The religious community, they argue, is one of the few remaining strong bases of functional community in modern society that includes both adults and children. (By contrast, neighbourhoods have undergone a steady decline.)

Nevertheless Coleman and Hoffer conclude that their evidence "does not point unequivocally to widespread benefits of policies that would increase freedom of choice in education, such as vouchers that could be used in any public or private school." Their hesitancy is due to the fear that nondenominational private schools are usually not based on a "functional community with intergenerational closure." The possibility must be entertained that "the very individualism that is embodied in the choice of a private school may destroy some of the remaining social capital that can still be found in residential neighbourhoods, and impose costs upon the student whose family makes such a choice."

From my perspective there would be virtue in destroying the social relations of some neighbourhood public schools, especially those riddled by disruptive behavior linked with violence and drug abuse. The problem with many public school
communities is that they exist, not by "natural" choice of individual families, but by the coercion of a public school system that assigns students to schools within administratively decreed zones. There is no evidence to show that, given a real choice, parents would not choose to send their children to a nearby school. A free market, indeed, could ultimately result in schooling that is typically within the child's immediate neighbourhood. But the difference would be that schooling would be continually contestable by other potential suppliers. It is the absence of this "safety valve" from the present system that prolongs the public school problems that Coleman and Hoffer find objectionable.

Finally, it is largely because government is replacing the family as the provider of basic welfare services that we find functional deficiencies in families and the consequent loss of social capital that Coleman and Hoffer complain of.

Restoring parents’ freedom in making choices about their children's education, to match the decision-making power parents hold in other spheres such as the feeding and clothing of their children (within the protective limits of child abuse laws), would do much for the strengthening of ties between adults and children that is the essence of creating "social capital." No doubt some mistakes would be made in the early stages, but given more practice, it is difficult to believe that expanded choice would not lead to improvement in education, especially for low-income and minority groups.

Such sentiments were expressed long ago by Adam Smith's 19th-century disciple Sir Robert Lowe, who told the 1868 School Enquiry Commission in Britain, "I myself see nothing for it but to make the parents of the children the ministers of education, and to do everything you can to give them the best information as to what is good education, and where their children can be well taught, and to leave it to work itself out." The precise reasons for this judgement were expressed by Lowe later in the same year:

Parents have one great superiority over the Government or the administrators.... Their faults are mainly the corrigible faults of ignorance, not of apathy and prejudice. They have and feel the greatest interest in doing that
which is for the real benefit of their children. They are the representatives of
the present, the living and acting energy of a nation, which has ever owed its
sure and onward progress rather to individual efforts than to public control
and direction. They have the wish to arrive at a true conclusion, the data are
before them, they must be the judges in the last resort, why should we shrink
from making them judges at once?