Children in Egalitarian Society

by

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(Under the direction of Alexander Kaufman)

Abstract

Egalitarian and justice theorists are frequently occupied with developing mechanisms and institutions to bring about equality in a society of citizens. However, discussions of children as future citizens rarely appear in the more prominent literature. This paper represents an effort to contribute to the small yet important area of political theory that recognizes the challenges posed by children as incomplete members of society. In particular, my goal is to determine whether egalitarianism can be applied or modified to apply to children as future citizens.

Index words: Children, Democracy, Dewey, Dworkin, Education, Egalitarianism, Equality, Family, Gutmann, Justice, Rawls

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B.A., California State University, San Bernardino, 2005

A Thesis Submitted to the Graduate Faculty
of The University of Georgia in Partial Fulfillment
of the
Requirements for the Degree

Master of Arts

Athens, Georgia

2010

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Dedication

To Ashley, whose life revolves around children, their doings, and their becomings.

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Chapter 1

Introduction

For the past half century, political theorists have given us much to contemplate with regard to egalitarianism, including its various forms and how it ought to apply to the members of a society; yet there is very little information in the existing literature that tells us how egalitarianism affects, or ought to affect, the children within a society. The common assumption that justifies this oversight is the idea that the benefits connected with equality are intertwined with one's status as a citizen of his community. Moreover, because full citizenship is traditionally conferred upon adults, political theorists unerringly have accepted this practice as is, without probing more deeply into the questions regarding children as "future citizens."[1] While some of the answers to these questions may appear to be self-evident (*e.g.*, Why do we not allow infants to vote in presidential elections?), others are not so (*e.g.*, At what age is a person entitled freely to pursue his life plan?).

The aim of this paper is to help bring these issues to the light so that we might learn more about the nature of children as future citizens and, in doing so, perhaps learn more about the nature of equality as a form of egalitarianism. It should be noted that my focus is not directed toward "complete lives egalitarianism" which argues for equality from a diachronic perspective. For instance, Dennis McKerlie's exposition of complete lives egalitarianism is intended to reveal the difficulties inherent in attempting to equalize people's lives diachronically: because human existence is finite, a sum total of the good and bad fortunes of a person's life must be taken into account in order to determine its value in comparison to the lives of others. But a sum total cannot be determined until a life has been completed, that is,

[1] John Rawls, *Political Liberalism*, (New York, NY: Columbia University Press, 2005), 466-472.

come to an end.[2] The challenge for complete lives egalitarians, then, is to show how resources (or welfare) ought to be distributed at any given temporal stage, while a person is still living, without knowing the sum total value of his life. However, I am more interested in exploring the rules and limitations we place on children, as such, and whether those restrictions are compatible—or compatible enough—with the aims of egalitarianism.

Chapter Two presents an overview of two important kinds of egalitarianism, including a discussion as to how each form might pertain to or affect children. In Chapter Three I discuss the importance of education in general and why democratic education in particular is conducive to egalitarian communities. In Chapter Four I will explore the idea of children as future citizens by attempting to identify a nonarbitrary line of division between childhood and adulthood, and whether children are entitled to the same rights as adults. I will also discuss the family and formal education as societal institutions. Finally, I will conclude my comments in Chapter Five with a brief summarization and suggestions for future research. Taken together, these commentaries are intended to add to the existing literature on egalitarianism by emphasizing children as an important and fundamental component of society, with the idea in mind that how we raise our youngest members affects not only their individual life prospects but the life prospects of adult citizens as well.

[2]See, *e.g.*, Dennis McKerlie, "Equality Between Age-Groups," *Philosophy and Public Affairs*, no. 3 (Summer 1992), 275-295.

Chapter 2

Egalitarianism

Egalitarianism is not a single-view concept. In short, it is a philosophic argument that advocates the equality of members of a society. But equality of what? That question has been asked numerous times, and of the equally numerous responses returned, I will focus on two of the more prominent: (1) equality of resources and (2) equality of welfare. Given the variety of interpretations it is useful to review the basic propositions of each. As will be shown, it is apparent that each interpretation has its own distinct approach not only to achieving equality but also to defining what it means to be equal.

Further, bearing in mind the contemporary adherence to traditional definitions of citizenship, I will make an effort to derive information from the various theories as to how each might affect the children in a society. In doing so, I will limit my definition of "children" to exclude newborns, infants, and other young children who have not yet acquired the means by which to express their desires beyond mere babbling. The reason for this is simple: a significant part of egalitarianism requires an understanding of a person's wants and goals, either immediate or long-term. While there is no denying that an infant whines and fusses to indicate his hunger, I will follow Aristotle's proposition that two of mankind's singular traits are speech and reason; which are in contradistinction to the more primordial modes of behavior demonstrated by other animals, such as voice and instinct. For my purposes it will suffice to say that a child is one who can express his thoughts through speech that is more or less articulate.

2.1 Equality of Resources

Ronald Dworkin has defined equality of resources as "a matter of equality in whatever resources are owned privately by individuals."[1] These resources can include such things as wealth, food, and other exchangeable goods. However, being in possession of resources implies that the possessor at some point had to acquire them. Equality of resources therefore requires some form of economic market that serves as a system through which members of a society can trade for goods that best satisfy their desires given the reality of existing resources at that time. In other words, an Arrowinian person whose preference for expensive tastes inclines him toward, say, plovers' eggs and pre-phylloxera clarets,[2] is not—indeed, in many circumstances, simply *cannot* be—entitled to those exotic resources to the extent that they are not available, or within the means of society to acquire or produce. "The contingent facts," says Dworkin, "of raw material and the distribution of tastes are not grounds on which someone might challenge a distribution as unequal."[3] Rather, under an equality-of-resources system the main concern is that, of the resources available, every effort should be made to ensure that each member of society does not, in the first place, envy the bundle of goods held by his neighbor, and, secondly, possesses a bundle of goods sufficient for the pursuit of his life plan.

In addition, it seems a person must be relatively sound in mind and body, in order to make able use of his material goods. As such, individual powers are also considered to be a facet of a person's total resources; therefore, the question then arises as to whether intensely persistent desires constitute a type of handicap and if so whether such an emotional burden falls within the realm of physical handicaps, like paraplegia, that makes a person eligible for compensation. Dworkin's reply is that people with burdensome cravings are in fact "suitable

[1]Ronald Dworkin, *Sovereign Virtue: The Theory and Practice of Equality* (Cambridge, MA: Harvard University Press, 2000), 65.

[2]Kenneth J. Arrow, "Some Ordinalist-Utilitarian Notes on Rawls's Theory of Justice," *The Journal of Philosophy*, no. 9 (May 1973), 254.

[3]Dworkin, 69

for the regime proposed for handicaps generally."[4] That regime is the one in which, in the abstract, insurance against all types of handicaps is available to individuals. So, for example, if a person discovers that his cravings for sex severely interfere with his ability to utilize his personal resources effectively, he can in theory opt to insure himself against the detriments of his desires. For Dworkin, however, it is important to distinguish between the different kinds of fortunes we encounter in life, so that we can reasonably separate responsible individuals from irresponsible ones. For instance, a person who becomes a paraplegic as a result of being struck by the vehicle of an inebriated driver is said to have suffered from a stroke of "brute luck." In other words, his condition is beyond his control. So-called "option luck," on the other hand, refers to a person's situation that was brought about through his own volition, such as the daredevil who finds himself hospitalized after attempting a risky stunt on his motorbike. In short, under the Dworkinian model, a person who knowingly and willingly gambles is held responsible for any disadvantages that befall him in the wake of a personal tragedy.

It is important to note that judgments regarding both the trading of resources and risk assessment hinge on a person's making his decision at the outset of the experiment (or, in the case of the latter, prior to the advent of a catastrophe); for the primary demand imposed by equality of resources, says Dworkin, is that a person's equality derives from the available resources he allocates to himself in view of his life plan, and that once the auction ceases, the resulting distribution of goods is considered equal by virtue of the fact that neither he nor any one of his neighbors wishes to adjust his portion:

> That point is satisfied by an initial auction, but since people are different it is neither necessary nor desirable that resources should remain equal thereafter, and quite impossible that all envy should be eliminated by political distribution. If one person, by dint of superior effort or talent, uses his equal share to create more than another, he is entitled to profit thereby, because his gain is not made at the expense of someone else who does less with his share.[5]

[4] *Ibid.*, 82
[5] *Ibid.*, 86

Thus, once the available resources have been voluntarily exchanged among a society's members (or once a catastrophic event has occurred), citizens are from that point on held to be responsible for the fruits of their actions or inactions.

So far, however, equality of resources has described a political and economic system in which the key inhabitants appear quite plainly to be adult citizens.[6] But what of children? Clearly children will not have access to the same playing field as adults in the society described by Dworkin. And although the traditional limitations we impose upon them according to our intuitions may be fair and legitimate, a respect for the truth obliges us to articulate our reasons more explicitly. But before confronting these issues it is necessary to review a second conception of equality.

2.2 Equality of Welfare

Unlike equality of resources, which seeks primarily to equip each citizen with a bundle of goods he believes to be sufficient for himself in comparison to the goods held by others, welfare egalitarianism is more concerned with ensuring that members of society are relatively equal in their levels of pleasure or happiness or some other form of satisfaction that comes about as a result of the fulfillment of their individual preferences. Of course, preference fulfillment as the basis of equality presents two serious challenges. The first is the problem of expensive tastes—earlier I cited Arrow's extravagant connoisseur as such an example. Dworkin attempts to circumnavigate this issue by making resources the focal point of equality. In doing so, he assigns responsibility for personal welfare to the individual rather than to a societal or political institution. Individual preferences are assumed to be the result

[6] *Ibid.* See Dworkin's sections IV and V in his chapter on equality of resources (pp. 83-92 and pp. 92-99, respectively), *e.g.*, Adrian is a successful tomato farmer, while Claude struggles hopelessly in the same occupation; Bruce is an avid tennis player bent on acquiring a personal court; Deborah faces the prospect of being an unhappy movie star; and Ernest is simply in the market for a job. While we might imagine farming, tennis, acting, and job searching to be activities capable of being carried out by children, it seems apparent that these characters are adults functioning as citizens in a society.

of personally cultivated habits or desires; therefore, society has no obligation to compensate people with expensive tastes to the extent that such preferences can be voluntarily modified.

Secondly, related to the problem of expensive tastes is that of finding a metric by which to distinguish states of welfare worth equalizing from those that are not. Dworkin identifies two types of so-called apolitical approaches: (1) impersonal preferences and (2) equality of personal success. Impersonal preferences are those hopes and desires held by a person that do not necessarily elevate the individual in any sort of practical way, except that their fulfillment makes the wisher happy. But is there a point at which a person's impersonal preferences are so grandiose that the impossibility of realizing them requires an overly burdensome compensation scheme? Take, for example, Dworkin's person Charles, whose happiness is contingent on life being discovered on the planet Mars. If space exploration reveals that life on Mars simply does not exist, to what extent is Charles entitled to compensation for his expected unhappiness? This extraordinary preference highlights the difficulty in attempting to define the parameters of a society committed to establishing equality on the basis of impersonal preferences. That Charles's hopes are outlandish does not mean that we cannot fathom someone actually having them. Moreover, if a society existed in which such unfulfilled desires were compensated, it is not hard to imagine unscrupulous persons exploiting the system for personal gain and eventually bringing it to ruin.

A more practical and restricted form of welfare egalitarianism, Dworkin argues, is equality of personal success, which limits people's claims to equality on the basis of more immediate resources—namely, resources "at their disposal," like health and individual capacity.[7] Without pointing directly toward personal responsibility, Dworkin's conception of equality as personal success depends in part on a person's need to evaluate his surrounding environment and available resources in the light of his choices for determining a life plan; however, because equality of personal success possesses no mechanism by which to address the problem of envy, the trial-and-error process of establishing a final distribution of resources to the satisfaction

[7]Dworkin, 29.

of every citizen potentially has no end, for there is no limit to the number or intensity of valuations a person can ascribe to any particular thing.

In his theory of equal opportunity for welfare, Richard Arneson suggests a solution to the problem of value pluralism.[8] Unlike ordinary welfare egalitarianism, in which varying valuations of preferences complicate any attempt to establish a standardized system of compensation, equal *opportunity* for welfare promises just that: to wit, that every person is entitled to "an array of options that is equivalent to every other person's in terms of the prospects for preference satisfaction it offers."[9] This array of options constitutes what Arneson calls a person's *decision tree*, which represents the sum-total of every possible complete life-history for any particular individual, with each possible life plan ranked according to the amount of welfare a person can expect to derive when he chooses one plan over another. In this sense, Arneson attempts to balance personal freedom with available resources by holding people accountable for their decision to select one decision tree over another. For example, suppose that Mary is aware of her numerous options, possible life-histories, and the relative welfare afforded to each choice she makes given the resources that are available in society, at any point time, in comparison to every other citizen's decision tree, at that same point in time. Mary is interested in anesthesiology and learning how to play the violoncello professionally but she is constrained by her personal resources (*i.e.*, both professions require an extraordinary amount of time and effort to perfect) and has thus reached a "decision point" whereat she must choose one of the two career paths. Suppose that Mary decides to study and train as an anesthesiologist. She is successful as a student and later becomes a wealthy practitioner in her field; however, years later she experiences feelings of regret for not taking the opportunity to indulge her artistic desires by becoming a professional violoncellist in her local philharmonic. Under equal opportunity for welfare Mary is not entitled to compensation for her deficient levels of happiness because she knew in advance the various gains and

[8] Richard J. Arneson, "Equality and Equal Opportunity for Welfare," *Philosophical Studies*, no. 1 (May 1989), 77-93.

[9] *Ibid.*, 85

sacrifices of different types of welfare connected with her life-plan options. The only way in which someone like Mary could have her decision tree modified with respect to every other person's decision tree is if her "negotiating abilities" were unacceptably defective. Such an inequality, says Arneson, would permit Mary to have access to "nonequivalent" options as a means of compensation for her handicap. Further, in a certain sense we can perceive a type of kinship between Dworkin's insurance-based luck egalitarianism mentioned in the previous section and Arneson's theory of equal opportunity for welfare, for Arenson's theoretical decision tree is a means by which to prognosticate to every person the effects and consequences of every possible life plan available to him. Thus, in its own way Arneson's theory reduces many of the uncertainties that otherwise harass individuals on the pathway through life, and in doing so "provides [the] link between brute and option luck" advocated by Dworkin.[10]

The preceding theories reveal the inherent challenges in trying to identify equality and establish a societal system capable of ensuring it. Assuming, however, that one is fortunate enough to design and implement an egalitarian society, it seems the next crucial step ought to be a plan for preserving it. After all, as Aristotle once commented, a city is like a river: just as a flow of water continually replenishes itself, so too are dying generations continually replaced by younger ones.[11] But in order to maintain the particular character of a society, we must have some means by which effectively to do so. Thus, in the following chapter I will briefly discuss the importance of education and explore a concept of democratic education as envisioned by John Dewey.

[10]Dworkin, 74.

[11]Carnes Lord, *Aristotle: The Politics*, (Chicago, IL: The University of Chicago Press, 1984), 1276a.

Chapter 3

Education

The political and social importance of children has been observed by scholars throughout the course of history. Indeed the very fiber of empires and nations has depended on the transgenerational mores and traditions that are passed along from parent to child, so that the expiration of one age of citizens does not mean the end of the society itself. Thus it is the malleability of youth in particular that has made children *qua* children the focal point of political thinkers in terms of how best to continue the already established norms of society. In crafting the Guardian class of *The Republic*, Plato advised that rulers exploit children's impressionability by having them emulate those figures who best exhibited the qualities of courage and patriotism.[1] Writing on the nature of man Aristotle warned that children, being inclined toward insatiability, will pursue their most immediate desires to the detriment of their moral reason.[2] During the Middle Ages St. Thomas Aquinas argued that the habits we develop during childhood acquire the "force of nature" and become implanted within the mind "as something known naturally and self-evidently."[3] And nearly half a millennium later, John Locke commented that even "the little and almost insensible impressions on our tender infancies have very important and lasting consequences," and as a result nearly the whole character of any adult person is the consequence of some form of education.[4]

[1] Allan Bloom, *The Republic of Plato*, (New York, NY: Basic Books, 1991), 395c.

[2] Joe Sachs, *Nichomachean Ethics*, (Newburyport, MA: Focus Publishing, 2002), 1119b.

[3] Anton C. Pegis, *Summa Contra Gentiles, Book One: God*, (Garden City, NY: Hanover House, 1955), 81.

[4] Ruth W. Grant and Nathan Tarcow, eds., *John Locke: Some Thoughts Concerning Education and Of the Conduct of the Understanding*, (Indianapolis, IN: Hackett Publishing Company, Inc., 1996), 10.

The spirit of these comments remains strong and we see it revived in the writings of the American scholar John Dewey, for whom formal education represents the linchpin conjoining democracy to social progress. Dewey's work is pertinent to a discussion of egalitarianism because it is not uncommon for democratic principles to form a significant part of the political foundation of egalitarian societies. A prominent example, which I discuss below, is John Rawls's choice of the democratic equality interpretation of the second principle of justice, which incorporates his "strongly egalitarian" conception of the difference principle as a means for bettering the condition of society's least advantaged members.[5] Moreover, it is the importance of maintaining those political foundations that ought to make the education of the young an indispensable consideration for political statesmen and theorists alike, for children are the "future sole representatives" of their society.[6]

3.1 The Purpose of Education

In one sense, we can see that education is important to the human species because our lives are more complex than those of plants or insects or beasts. While the most basic impulses and sustenance are adequate for the lower forms of life, most human beings yearn for the comforts and luxuries that can accompany only a relatively well ordered society. But to have a society that is well ordered depends on its older members being able and willing to impress upon the minds of their children the principles of living that perpetuate that society. "It is not sufficient to nourish them," Montesquieu once observed, "we must also direct them: they can already live; but they cannot govern themselves."[7] Similarly, Dewey noted that, "What nutrition and reproduction are to physiological life, education is to social life."[8] Speaking in

[5]Rawls, 57, 65.

[6]John Dewey, *Democracy and Education: An Introduction to the Philosophy of Education*, (New York, NY: The Free Press, 1944), 3.

[7]Baron de Montesquieu, *The Spirit of Laws*, (Amherst, NY: Prometheus Books, 2002), vol. 2, p. 2.

[8]Dewey, 9.

broader terms, education is the "social continuity of life" itself and the key to maintaining a group's "permanent social interests."[9]

Education, however, can occur in multiple ways. We see it in its simplest form when a child touches a hot kettle, burns his hand, and subsequently develops a cautionary attitude toward steaming pots. But this obviously is learning at its most rudimentary level and is insufficient for preparing children to acquire the customs of, say, citizens in an egalitarian society. We must recognize that the child's environment in which he plays, learns, and matures will influence his habits during his most impressionable years. To accomplish that requires a type of education specifically designed to attain the ends we desire. Thus, says Dewey, "Whether we permit chance environments to do the work, or whether we design environments for the purpose makes a great difference."[10]

3.2 The Democratic Appeal

Before exploring a concept of democratic education, I want to discuss Rawls's democratic equality interpretation of the second principle of justice. It is significant that Rawls selects a democratic interpretation and not one that is despotic or oligarchic. It is significant because there is an attribute inherent to democracy that tends toward equality, which is the chief focus of egalitarianism. The second principle of Rawls's theory of justice says that if inequalities are to exist in a society they must be arranged in a way that meets the following two conditions. First, existing inequalities are allowable only to the extent that they are to everybody's advantage. Second, political offices and other positions of power must be accessible to all.[11]

However, because these requirements are independent of each other, there are four different interpretations that can be derived from them: natural liberty, liberal equality, natural aristocracy, and democratic equality. But only democratic equality can establish a framework

[9] *Ibid.*, 2, 9.
[10] *Ibid.*, 19
[11] Rawls, 53.

conducive to a just society. Rawls argues that systems of natural liberty and natural aristocracy are unjustly biased toward persons who have profited from life's "natural lottery." Both systems "arbitrarily" favor the more fortunate and the more naturally talented. Natural liberty operates roughly in accordance with the Pareto theory of optimality, which opposes any systemic improvement of a person's situation if such an improvement is likely to make another person worse off. A scheme of wealth redistribution, for example, would violate the system of natural equality. Further, positions and ownership of goods are allocated to those with the ability to acquire by legal means whatever is within their reach. In a similar way, natural aristocracy preserves social stratification by allowing the well-talented and better endowed to monopolize positions of authority, so long as their ascension is to the benefit of those who are less well off. The concept of liberal equality, on the other hand, attempts "to mitigate the influence of social contingencies and natural fortune on distributive shares" by establishing a principle of fair equality of opportunity with regard to open positions. Nevertheless, Rawls judges this system to be inadequate on the basis that it allows the distribution of wealth to be determined by natural talent.[12] Thus citizens, though free to compete with each other equally, find their pursuits narrowed by the class divisions created by the uneven allocation of material wealth.

The best solution, as Rawls sees it, is a concept of democratic equality, which combines fair equality of opportunity with a concern for the least advantaged via the difference principle. In his words: "The intuitive idea is that the social order is not to establish and secure the more attractive prospects of those better off unless doing so is to the advantage of those less fortunate." Otherwise, whenever possible an "equal distribution is to be preferred."[13] Indeed, it is the tendency toward equality that gives Rawls's theory of justice its egalitarian sense. He is, however, quick to note that the difference principle is not identical to any general principle of redress; rather, it is intended simply to better the condition of persons whose "undeserved inequalities" might unfairly constrain their life prospects. For example,

[12] *Ibid.*, 64
[13] *Ibid.*, 65

"the difference principle would allocate resources in education, say, so as to improve the long-term expectation of the least favored."[14] In this way, citizens of all stations would have an equal opportunity to reap the fruits of education and in doing so benefit from their participation in a democratic society.

But is there something we can learn from Dewey's democratic conception of education not addressed by Rawls? E. T. Weber argues emphatically that there is:

> The notion of education *as* democratic captures a central feature of Dewey's approach to education. In contrast to Rawls, who went from an idealized conception of a just society down to what might be acceptable educational procedures, Dewey began with work in psychology and intelligence, and led up to his theory of education, from which individuals participate in the social construction and reconstruction of justice and other ends.[15]

In other words, he believes that Rawls's approach to democratic education is at best "only derivatively valuable."[16] While there may be some truth to Weber's criticism, in fairness to Rawls, his exposition of a theory of justice does not pretend to follow the day to day functions of just institutions at the ground level. In fact, he reiterates on many occasions that the principles of justice operate in the background of society, adhering for the most part to the rules of procedural justice. Still, Weber's spiritedness seems somewhat appropriate. After all, as human beings even philosophers must eventually descend from the abstract and confront the difficulties of practical application. It is in this way that Dewey enables us to study more closely the requirements and attributes of education. Whether a concept of democratic education will illuminate our inquiry into the link between children and egalitarianism will be discussed in Chapter Four.

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[14] *Ibid.*, 86-87.

[15] Eric Thomas Weber, "Dewey and Rawls on Education," *Human Studies* 31, no. 4 (2008): 378. Emphasis in original.

[16] *Ibid.*, 363

3.3 Democratic Education

For Dewey, discovering the appropriate form of education is in part a question of measurement. In particular, the quality of any given type of education depends on the social environment in which it exists; therefore, to the extent that we can judge one society to be better than another, we have a sense of the potential for its educational institutions. Prior to investigating a preferred form of education, Dewey warns against the allure of two extremes: on the one hand, conceiving of an ideal society, and on the other, perpetuating the status quo for its own sake. The first extreme is objectionable, he says, because it encumbers our efforts to realize a practicable framework; the second, because it risks insulating "undesirable traits."[17] The solution, then, is to find the traits common to all societies, including subgroups and other associations, which Dewey identifies as (1) common interests and (2) interaction with other groups. And though the manifestation of these traits varies from group to group, they are nonetheless evident in all associations. To demonstrate, Dewey asks readers to consider a group of thieves. They are united almost solely by their desire to profit by criminal actions and thus their interaction with other groups—both other subgroups and the society as a whole—suffers from the nature of their enterprise. Consequently, any educative apparatus that exists in such an organization will be at best "partial and distorted."[18] Moreover, a partial and distorted educative process serves to foment divisions within and across the whole of society, which in turn results in a stratified community in which some members are unfairly less advantaged than others.

Like Rawls, Dewey finds his solution in a conception that is democratic. "A democracy," says Dewey, "is more than a form of government; it is primarily a mode of associated living, of conjoint communicated experience."[19] As such, to avoid having a partial and distorted educative process requires us to enlarge and amplify the two traits common to all social

[17] Dewey, 83.
[18] *Ibid.*
[19] *Ibid.*, 87

groups. A system of "social endosmosis," that is, one in which "interests are mutually interpenetrating," helps to ensure that class barriers are gradually weakened and fosters the free exchange of a "variety of shared interests." Likewise, by supporting social interaction between groups we encourage them to dispose of coolly self-interested and isolationist lifestyles that otherwise contribute to harmful societal divisions.[20] Further, an increase in interconnectedness means that citizens come to have a greater understanding of the impact their actions have on the other members of society. Thus a "reciprocity of interest" takes root that is cultivated by the members of society who now "[perceive] the full import of their activity."[21] However, as we saw earlier, the continuation of any society rests on its being able to preserve and pass along the principles that define it; therefore, the continuation of a democratic community dedicated to equality rests on the ability of its educational institutions to supply younger generations with the habits essential to it. But does the drive to indoctrinate children with society's values trespass on their rights as members in an egalitarian society by unfairly controlling too much of their lives?

[20] *Ibid.*, 83-86.
[21] *Ibid.*, 87

Chapter 4

Social Membership

Before exploring the justness of education, I want to consider how children ought to be perceived in society. Are they to be considered full members of society? And if so, are they entitled to pursue their life plans to the same degree as adults? Throughout all egalitarian literature we find ourselves concerned with obtaining equality among a society's members. This was illustrated in the foregoing description of the two predominant modes of egalitarianism, including Arneson's modified version of equality of opportunity for welfare. We are concerned with equality because, we are told, it is a condition intricately connected with justice, which in turn "is the first virtue of social institutions."[1] Surely, then, insofar as children are members of the human race, they are also members of any society in which they find themselves. Legal restrictions may limit their participation in certain activities, like voting and holding elected office, to arbitrary ages, but they nonetheless exist and function within the social milieu.

Moreover, we plainly do not revoke a person's social membership on account of his level or degree of participation. For example, suppose that John is injured while working in a warehouse and suffers a concussion as a result of a large box falling onto his head. Suppose further that the severity of the concussion renders him unconscious and he is hospitalized for a full month. It is an arguably callous position to claim that John in his comatose state is no longer a member of society and therefore unprotected by the basic demands of justice owed to others. Indeed, if social membership was contingent solely on the activity of a person at

[1] Rawls, 3.

any given time, we might be forced to take the peculiar position that an individual repeatedly forfeits and regains his status on the basis of his unique circadian rhythm.[2]

In a similar way, we cannot say that children have no part in weaving the fabric of society simply because we choose to limit their participation in it. It seems, as such, that there is more to social membership than the mere existence of activity (though activity certainly is a *part* of it). To be a member of society includes, among other things, a person's humanness, namely, those traits and qualities that make us human beings and not something else altogether.

4.1 What Are Children Owed?

One of the key challenges facing egalitarians is determining exactly which individuals are entitled to compensation, or some other corrective mechanism, if it turns out that they are less well off than others. Thus, because the demands of any indemnification scheme necessarily place some degree of burden on the sources of abundance, theorists are rightly concerned about ensuring that those sources are not recklessly depleted or unfairly overburdened. But in order to make such a judgment, we must have in mind a concept of responsibility that enables us to determine whether certain actions or behaviors that result in a person's disadvantaging himself require society to compensate him for the resulting inequality he suffers. As we saw earlier, Dworkin advocates a system in which resource allocation is determined at the outset, after which citizens are held responsible only for disadvantages that arise as a negative consequence of brute luck. Meanwhile, Arneson puts forth a view that, in theory, every person would have access to a decision tree that offers the same potential welfare to

[2]Though see Aristotle's *Nicomachean Ethics* Book I, chapter 8, wherein he makes a distinction between the active maintenance of a virtuous condition and the possession of the same thing in a dormant state. The happiness derived from virtue, however, differs from mere social membership in that it is a condition requiring deliberate action; whereas the latter is achievable for the most part by being a living human being within the environs of some type of societal system. In other words, we can point to a man resting on a bench in the town square and say with confidence, "He is a member of society." But we cannot so easily say that he is a man of virtue without knowing a great deal more about him.

everyone else, with the caveat that, once the initial conditions have been equalized, individuals bear responsibility for the decisions they make thereafter. As a result, there is also an inherent tension between individual liberty, on the one hand, and ensuring equality for all of society's members, on the other.

In egalitarian literature, one of the most frequent manifestations of individual liberty is that of a person's freedom to pursue his life plan. Whether the goal of one's life plan is the acquisition of knowledge, producing oil paintings, or satisfying bodily pleasures, any scheme of equality must determine how to distribute resources, welfare, or some other dimension so as to equalize the condition of a society's members, either at some initial stage or diachronically. Yet both the initial-stage and diachronic supporters pass over the question of childhood, perhaps because it is simpler to work out theories of equality with the standard *rational adult* stereotype. But if our concern centers on individual life plans as the locus around which the various dimensions of equalizable things revolve, then it is worth our effort to try and determine at what point in life people ought to be free to pursue them. For instance, we might ask, Why do we not allow infants to vote in presidential elections? But the answer here may be self-evident in the sense that infants, as far as we know, are incapable of understanding the terms and ideas associated with such an event. As such, we might say that a human being is entitled to the exercise of those rights of which he is aware. We need not worry whether an injustice has been committed when we deny infants the freedom to vote inasmuch as they have no conception of the electoral process. Nor, we might add, do they even have the *desire* to conceive of it. But at some point during childhood human beings become political creatures. They gradually become more aware of themselves and their relation to others, either in their families or through contact with neighbors, friends, and classmates. And they develop more sophisticated and complex desires, many of which likely rival those held by ostensible "adults."

One of the characteristics we ascribe to people is the desire to pursue a life plan, what John Rawls describes as a "system of aims."[3] Perhaps naturally we assume that these life plans belong to adults and not to children, because we suppose that only adults possess the attributes necessary to develop a set of goals that constitutes for them a plan to encompass a lifetime. However, it is apparent that a great many adults do not meticulously set long-term plans for themselves, or at least not each to the same degree as another. A 22-year-old college student, for instance, might organize her finances and arrange her lifestyle in order to prepare for the demands of medical school, which in turn is intended to satisfy her long-term goal of becoming a traveling surgeon in foreign countries. Meanwhile, a single 34-year-old dockhand might work toward earning his paycheck for little other reason than that it helps to fund his drinking and gambling at the local tavern. Such types of people, we say, live paycheck to paycheck or live simply for the weekend. The potential long-term achievements otherwise available to them are ignored for a series of more immediate short-term goals, with little thought to the twilight years of their lives.

Is this way of living irrational? Rawls says that that it is not, "provided that one is prepared to accept the consequences" resulting from the choices he has made.[4] Therefore, the decision "to have no plan at all, to let things come as they may, is still theoretically a plan that may or may not be rational."[5] Children—young ones in particular—do seem to fall into the group of persons for whom the more immediate sources of gratification are the most salient. They prefer play to work, sweets to healthy meals, and generally anything else that is titillating and entertaining, as opposed to things that might require the effort of habituation or the postponement of pleasure for some goal that, although beneficial, remains distant and uncertain. Nevertheless, it is possible, Rawls says, that "the rationality of a person's choice does not depend upon how much he knows, but only upon how well he reasons from whatever information he has, however incomplete."[6] Of course while a prudent reservation may prevent

[3]Rawls, 351.
[4]*Ibid.*, 367
[5]*Ibid.*, 363.
[6]*Ibid.*, 349.

us from granting *carte blanche* to all children merely on account of this observation, it does call on us to consider whether children are entitled, as adults are, to pursue the a set of life goals relatively freely.

Chapter 5

Authority and Education

Thus we are compelled to examine more closely the nature of a person's life plan; for it seems questionable to claim that children are somehow always more distracted than adults by the fantasies of *panem et circenses*. Moreover, it is not clear that a life plan must necessarily be a complete blueprint for attaining some sort of final, culminating goal. Indeed, a life plan may be far less comprehensive. For example, Hank may discover that his prevailing interest in life is the support of charitable organizations. His goal may also be interpreted as being fairly generalized—that is, his preferences are for the most part satisfied as long as he finds himself more or less involved in charitable work. But it is by no means certain that charity constitutes the whole of his life plan. Suppose that Hank also enjoys collecting rare stamps and hosting barbeque dinners at his home for his friends. Are these actions—and, more importantly, the impulses that motivate them—exclusively adultlike in their nature? That does not seem to be the case. Nor does the formulation of a generalized life plan, or even a preoccupation with short-term achievements in lieu of one, seem to be something that is peculiar to children.

It then becomes less apparent that, in terms of equality, the traditional line separating childhood from adulthood ought to remain unchallenged. Surely the mechanisms established within the various forms of egalitarianism can be applied just as fairly to children as they are to adults, even if some modifications are required. Under a Dworkinian system, children would be entitled to resources of their own toward the fulfillment of their life plans. If instead we accept Arneson's theory, there seems to be no reason not to imagine that children, like

adults, can have knowledge of their decision trees in their entirety. Whether childhood inexperience, however, would constitute for Arneson a defect in a person's negotiating abilities is something to consider. If so, then children presumably have access to nonequivalent decision trees; if not, then as adults we are stuck with the consequences of the choices we made when we were children.

Still there remains that nagging concern that children ought not to be left wholly to their own devices. It is in part why we justify the family as well as schools, because we understand that young children in particular may engage in actions that are harmful to themselves and others. Moreover, these are actions that they possibly would have avoided had they known the consequences in advance. As such, the rules and guidance provided in institutions like the family and schools are viewed as measures by which children learn to tame their impulses by gradually supplanting them with habits conducive to prolonged deliberation in the service of a more mature life plan. In the following section, I will make a few brief comments about the importance of the family and schools in a democratic society committed to egalitarian justice.

5.1 The Family as an Institution

In the United States, the institution most often exerting the earliest influence on children's education is the family. Indeed, it may be only natural for parents to assert control over a child's life, especially during the years of infancy, in which a child is wholly incapable of defending and caring for himself. As the child grows, however, he becomes aware of himself as an individual in relation to others, acquires a wider range of desires, and is willing and able to make judgments about the things he knows or thinks he knows. The family, then, being private and intimate, produces an environment in which growing children are very likely to acquire the habits, beliefs, and temperaments of their parents. But what if those habits, beliefs, and temperaments are antithetical to the requirements of egalitarianism? Is it wise from the viewpoint of the state not to intrude into the educative processes established

by a child's parents? It would seem that egalitarian justice is either the paramount concern of society or it is not—that is, it is either coequal to some other principle or simply not the most important. Can the varied interests of the family coexist with the interests of the egalitarian state?

It is that question that Véronique Munoz-Dardé explores when she asks, "Is the family to be abolished then?"[1] Munoz-Dardé argues that the family produces inequalities which do not benefit the least advantaged but that instead contribute to the existence of persons who are less well off and who cannot be held responsible for their circumstances. So while a common belief is that the family is valuable because its abolition would constitute a great injustice, it is nonetheless "mystifying that the family should be maintained for citizens to develop a sense of justice, at the cost of diminished justice."[2] If, however, we agree to abolish the family, we are left with the challenge of finding an institutional substitute dedicated to a more equable process of early childhood education. For Munoz-Dardé one possible alternative is the establishment of a well-run state orphanage staffed by public caretakers. These caretakers would differ from parents because they would "be explicitly bound by a principle of impartiality."[3] As such, children would acquire habits that preserve what Amy Gutmann calls "moral capital," namely, the values that attend to the public, democratic morals developed over the course of history.[4] In other words, the goal of instituting a state-run orphanage system would be to eliminate as much as possible the prejudices and general inequities cultivated in various familial relationships throughout society.

Still, despite these supposed benefits, Munoz-Dardé ultimately, though perhaps unenthusiastically, rejects the well-run state orphanage. She fears that the administrative and bureaucratic nature of such an institution would produce pernicious results, including the

[1] Véronique Munoz-Dardé, "Is the Family to Be Abolished Then?" *Proceedings of the Aristotelian Society* 99, (1999): 37.

[2] *Ibid.*, 42.

[3] *Ibid.*, 45.

[4] Amy Gutmann, *Democratic Education*, (Princeton, NJ: Princeton University Press, 1999), 32.

devaluing of children as persons and an unacceptable loss of individuality.[5] Indeed, Aristotle expresses a similar concern in his description of the city of one thousand sons, in which all children are held in common by the public. Human beings simply appear naturally to care most for those things that are closely connected to them: "For apart from other things, they slight [what is held in common] on the grounds that someone else is taking thought for them."[6] Moreover, as Andrew Mason observes, even if a state orphanage directed its processes toward avoiding these outcomes, "the problem of matching particular carers to particular children" might very well be impossible to solve.[7] Instead, it may be best simply to allow for the continuation of the family, provided it

> does not threaten the very value its persistence is deemed to protect, namely the enabling of each person to develop her individuality and to make her own decisions about how to conduct her life.[8]

This arrangement certainly would be compatible with any scheme of egalitarianism that offers citizens compensation for disadvantages stemming from circumstances beyond their control. And, as Munoz-Dardé notes, it empowers children with greater freedom to pursue their life plans in accordance with the dictates of their consciences.

5.2 Justifying Public Education

Earlier I asked whether education can legitimately contravene the rights of children as members in an egalitarian society by unfairly controlling their lives. Amy Gutmann answers yes:

> [G]ood habits and principles are easier to instill in children than in adults, and governments are more justified in limiting the liberty of children than of adults for the sake of education.[9]

[5]Munoz-Dardé, 48.

[6]Lord, 1261b1-1262a1.

[7]Andrew Mason, "Equality of Opportunity and Social Differences," *The Philosophical Quarterly* 54, no. 216 (2004): 370.

[8]Munoz-Dardé, 50.

[9]Amy Gutmann, *Democratic Education*, (Princeton, NJ: Princeton University Press, 1999), 50.

That governments are justified in constraining the freedom of children to determine their early life plans stems from Gutmann's principal concern, which is the preservation of the democratic state. If the liberty requirements of egalitarianism are best secured by a democratic society, then it would be self-defeating to allow the members of that society to use "democratic processes to destroy democracy."[10] The question then becomes, How much state intervention is enough?

Like Munoz-Dardé, Gutmann expresses reservations about allowing families to have sole or even a majority of control over their children's education. She doubts that pluralism, that is, the thriving existence of a variety of cultures and subcultures, can truly survive in a society whose system of education is controlled largely by parents and private families. In the absence of a robust public respect for cultural diversity, children will not acquire a fuller "understanding of differing ways of life."[11] And without that understanding, subsequent generations may gradually erase the moral capital accumulated, often at the cost of seismic and torturous events, over the centuries.

Gutmann, however, is not persuaded that an extreme shift in the opposite direction is any more beneficial, though she does believe that it can offer some helpful advice. She does not imagine a state-run orphanage but instead critiques the Platonic notion of a class-based family state in which children are publicly raised to acquire the dispositions necessary to preserve the good of the society. Thus, insofar as the state's paramount concern is order through a conception of justice, the Platonic family state is nearly ideal. "[W]e find in Plato," says Gutmann, "the most cogent defense of the view that state authority over education is necessary for establishing a harmony between individual virtue and social justice."[12] But to maximize the harmony between individual behavior and the expectations of the state requires an authoritarian implementation of government. All members of society must be compelled to bow to the virtues established by the state. Gutmann, however, objects to

[10] *Ibid.*, 14.
[11] *Ibid.*, 33
[12] *Ibid.*, 23.

this approach on the grounds that such dictatorial authority unjustly ignores individual persons' conceptions of the good, which vary across generations, regions, and different family arrangements. Can we then conceive of an institutional framework that maximizes children's freedom to pursue their early life plans without having to worry about our society coming to ruin? If egalitarianism across age groups is a worthy goal, then it seems we ought to do our best to include children in the processes we espouse, even if it results in their making decisions that do not coincide with our expectations of them.

For Gutmann, the solution is similar to the democratic theory of education promoted by John Dewey. She believes that the cultivation of character in children, regardless of their wishes, is an inevitable fact.[13] The goal is to devise a system of education in which the demands of the state, families, and individuals all are satisfied as much as possible without unjustly attenuating the liberty of any member of society. However, any solution we devise to mitigate the tension between compulsory education and a child's liberty to live relatively freely must mean the incorporation of a kind of benevolent paternalism, which is a concept that allows authority figures to interfere in the preferences or actions of one or more classes of persons for their own good. Almost automatically we tend to admit paternalism in the case of children, because, as Robert Goodin writes:

> The reason it is so easy to justify paternalism vis-à-vis children is that they are so clearly unreliable, in so many ways, when it comes [to] judging their own interests.[14]

If egalitarianism is in fact the most worthy political framework for a society, then paternalism finds its purpose in ensuring that future generations have the opportunity to reap the benefits of justice as equality. In the absence of coercive measures, such as compulsory education, it is likely that children, while acting freely, may make unfortunate decisions that ultimately hamper or even destroy their future opportunities for a life well lived. Ronald

[13] *Ibid.*, 41.

[14] Robert E. Goodin, "Democracy, Preferences and Paternalism," *Policy Sciences* 26, no. 3 (1993): 233.

Dworkin refers to this form of coercion as "critical paternalism," which states that a person can be compelled to behave in a way contrary to his preferences, so long as the coerced behavior secures a good that objectively betters his condition.[15] To be sure, compulsory education appears to fall under this category, inasmuch as children often complain about their being forced to attend classes. But parents and other authority figures override these objections by claiming that children, when they complain, simply do not understand the necessity of a good education. Are we therefore able to construct a framework that accommodates paternalism while at the same time maximizing the liberty requirements of egalitarianism as they apply to children?

Gutmann's democratic state of education seeks to do just that by implementing two principles that in their own way help to promote an egalitarian society from the bottom up. The first is the principle of nonrepression, which secures and fosters an environment of rational deliberation for members of all ages: "Adults must therefore be prevented from using their present deliberative freedom to undermine the future deliberative freedom of children."[16] The second principle is nondiscrimination, which is "the distributional complement to nonrepression."[17] In other words, the promise of intellectual freedom must be extended to all groups and subgroups within a society; members cannot be excluded from the process on account of sex, race, or some other accidental human feature. Thus, under the grand auspice of democratic pluralism, the democratic state of education incorporates the inescapable act of instruction into an educative system that caters to the needs of the state while at the same time respecting the diversity of opinion in families and among children.

[15]Dworkin, 216-217.
[16]*Ibid.*, 45.
[17]*Ibid.*

Chapter 6

Summary and Conclusion

As future citizens, children are vital to the preservation of a society's norms and habits. But we would be remiss to pretend that the ruling generation's desire to transmit its values to its youth stems from a purely altruistic motive. As time inevitably progresses, children grow to become active and consequential participants in a society and its politics, and their activities necessarily affect the generation of parents and adults who once had power over them. Thus, for citizens in an egalitarian society there is a reasonable desire to see the benefits of egalitarianism not expire during their lifetime. Formal education, and especially public education, serves the function of instilling within children the dispositions and habits required to be good wards of the egalitarian state. So in a very real sense, the Platonic absolutism criticized by Gutmann plays a significant, though perhaps subtler, role in the foundation of democratic education. That is, even democratic pluralism must adopt an unbending policy that prioritizes its own doctrine at the expense of subordinating or suppressing others that are incompatible with it.

However, it may still be possible to allow children to participate in egalitarian society, at least to a certain extent, so long as two conditions are met. First, their childhood lives must be influenced by an education that emphasizes the social justice values inherent to egalitarianism. Whether this responsibility falls primarily to parents, the state, or is shared between the two is an issue that requires greater exploration than I can devote at this time. The important point is that a system of guided instruction must accompany children throughout the course of their childhood. Meanwhile, the spirit of individuality can be secured by the second condition, which is ensuring that children have the opportunity to pursue their life

plans, whether short- or long-term, much in the same way as adults do. However, given that children often lack more experienced levels of hind- and foresight ability, they may fit into a category of persons that is eligible for compensatory assistance, depending on the form of egalitarianism in their society. Indeed, we might even be able to extend or modify Rawls's difference principle to include not just relationships between citizens but also between adults (full citizens) and children (partial citizens). If we can agree that children constitute a disadvantaged class of social members vis-á-vis adults, then perhaps we can support a policy that requires parents and other guardians to make the sacrifices necessary to enable children, while they are children, to pursue their life plans. In this way, a system of reciprocity is fostered. By prudently maximizing children's liberties, adults free themselves of the burdens of an otherwise rigid hypocrisy, in which there is one rule for the empowered adults and another for the disadvantaged children. Likewise, children will grow up largely respecting the tenets of egalitarianism not only because those principles were promoted in an educational institution but also because they were fairly modeled by those in positions of power.

Of course, if adopted, the precise implementation of this scheme requires some fine tuning. And even then, it will never be flawless. The liquidity of age forces the policymakers of any society ultimately to settle on arbitrary cut-points of social participation. In America, for instance, why is 16 years of age the appropriate threshold for earning the privilege to drive an automobile independently? Why not 17 or 15? Some states allow 14-year-old children to enter into marriage. Why that particular age and not, say, 13 or 15? And so on. Simply put, there may never be a completely satisfactory answer to these questions. Egalitarian theorists, however, should not continue to ignore the importance of children as future citizens. Some policies may always be arbitrary, but by expanding the sphere of egalitarianism to include children in the ways described above, we might succeed in realizing an even fuller egalitarian society whose generational members support its institutions not just because they are told to do it but because they desire to do it.

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