

Political Science 4030: Political Theory of Education

Ian MacMullen, Spring 2012

Tuesdays, 2.30 – 5pm

Seigle Hall 206

Office Hours: Mondays, 3.30 – 5pm in Seigle Hall 244

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This course explores issues of authority, legitimacy, citizenship, freedom, and equality through contemporary readings in the political theory of education. Whose interests should education policy serve, how should those interests be understood, and who should be authorized to decide in cases of conflict or disagreement? When should the state defer to parental judgments and what are the grounds for legitimately refusing to do so? How should public schools aim to equip their students for the responsibilities of citizenship in a diverse liberal democratic state? What do the concepts of equality and equality of opportunity mean in the context of education, and (how) should governments pursue these values through education policy? We shall explore these issues through contemporary works of political theory as well as through considering a number of important U.S. court cases, including those dealing with the schooling of children from minority religious and cultural groups, affirmative action in university admissions, and school desegregation plans. Prerequisite: one previous course in political theory or political philosophy.

Assignments [and percentages of final grade]

Students are expected to:

- i) complete each session's assigned readings before coming to class
- ii) contribute substantively and thoughtfully to class discussions [30%]
- iii) prepare and give two 5-min oral presentations, in each case identifying the central arguments in one of the week's readings, posing critical questions for your peers, and subsequently helping to lead the class in discussion of those questions [20%]
- iv) meet individually with the instructor for 15 minutes during week 6, 7, or 8 to discuss your in-class performance to date
- v) write two 7-page papers, each on a topic chosen from a list provided by the instructor
 - Paper 1 is due at the start of class on Mar 20 [25%]
 - Paper 2 is due at 2.30pm on May 1 [25%]

Graduate students are expected, in lieu of these two papers, to write one 15-page paper on a topic agreed between student and instructor. This paper is due at 2.30pm on May 1. Graduate students are also expected to prepare and give a 5-min oral presentation in week 14's class outlining the topic and approach chosen for the paper. The paper counts for 45% of your grade, the presentation for 5%.

Required Text

Amy Gutmann, Democratic Education

All **other readings** are available through the Olin Library's *Ares* system. Password is "education"

Topics and Readings

Week 1 (Jan 17): Introduction

Harry Brighouse, School Choice and Social Justice, ch. 1 (pp. 1-18)
Amy Gutmann, Democratic Education, Introduction (pp. 3-18)

Part I: Conflicting Interests, Goals, and Claims of Authority

Week 2 (Jan 24): Education for Autonomy

Bruce Ackerman, Social Justice in the Liberal State, ch. 5 (pp. 139-167)
Joel Feinberg, "The Child's Right to an Open Future" in William Aiken & Hugh LaFollette, Whose Child? (pp. 124-153)

Week 3 (Jan 31): Parental Choice

Michael McConnell, "Multiculturalism, Majoritarianism, and Educational Choice" in Chicago Legal Forum (1991) (pp. 123-151)
Stephen Arons, Compelling Belief: The Culture of American Schooling, Part IV (pp. 189-221)
Stephen Gilles, "The Case for Parental Educational Authority" in "A Parentalist Manifesto" in Chicago Law Review (1996) (pp. 945-972)

Week 4 (Feb 7): Civic Education & Patriotism

William Galston, "Civic Education in the Liberal State" in Nancy Rosenblum, Liberalism and the Moral Life (pp. 89-101)
Eamonn Callan, Creating Citizens, ch. 5 (pp. 100-131)
Amy Gutmann, "Cosmopolitanism and Patriotism" in Democratic Education (pp. 309-316)
Ian MacMullen, "On Status Quo Bias in Civic Education" in Journal of Politics 73 (2011) (pp. 872-886)

Week 5 (Feb 14): Democratic Education

Amy Gutmann, Democratic Education, chs. 1, 2, 4 (pp. 19-70, 95-126)

Week 6 (Feb 21): *Wisconsin v. Yoder*

Richard Arneson & Ian Shapiro, "Democratic Autonomy and Religious Freedom: A Critique of *Wisconsin v. Yoder*" in Ian Shapiro & Russell Hardin, Political Order: NOMOS 39 (1996) (pp. 365-411)
Shelley Burtt, "In Defense of *Yoder*" in Ian Shapiro & Russell Hardin, Political Order: NOMOS 39 (1996) (pp. 412-437)

Week 7 (Feb 28): Autonomy's Value Revisited

Harry Brighouse, School Choice and Social Justice, chs. 4 & 5 (pp. 65-111)
Ian MacMullen, Faith in Schools? ch. 4 (pp. 88-112)

Special Event Date and Time TBD (probably Thurs, Mar 1 or Fri, Mar 2): We will watch and discuss the controversial and provocative 2006 documentary film “Jesus Camp,” directed by Rachel Grady & Heidi Ewing and nominated for Best Documentary Feature at the Oscars.

Week 8 (Mar 6): *Mozert v. Hawkins*

Nomi Stolzenberg, excerpts from “He Drew a Circle that Shut Me Out” in Harvard Law Review 106 (1993) (pp. 582-614, 628-634)
Stephen Macedo, Diversity and Distrust, chs. 6 & 7 (pp. 149-187)
[*Paper 1 topics distributed*]

Part II: Distributive Issues

Week 9 (Mar 20): Claims of Justice and Democracy

Michael Walzer, Spheres of Justice, ch. 8 (pp. 197-226)
Amy Gutmann, Democratic Education, ch. 5 (pp. 127-171)
[*Paper 1 due at start of class*]

Week 10 (Mar 27): Equality and Equal Opportunity

Christopher Jencks, “Whom Must We Treat Equally for Educational Opportunity to be Equal?” in Ethics (1988) (pp. 518-533)
Kenneth Howe, “In Defense of Outcomes-based Conceptions of Equal Educational Opportunity” in Educational Theory (1989) (pp. 317-336)
Harry Brighouse, School Choice and Social Justice, ch. 6 (pp. 112-140)

Week 11 (Apr 3): Equal Opportunity & the Family

James Fishkin, Justice, Equal Opportunity, and the Family: pp. 19-82
Harry Brighouse & Adam Swift, “Legitimate Parental Partiality” in Philosophy and Public Affairs (2009) (pp. 43-80)

Week 12 (Apr 10): Equality vs. Adequacy

William Koski & Rob Reich, excerpt from “When Adequate Isn’t: The Retreat from Equity in Educational Law and Policy and Why It Matters” in *Emory Law Journal* (2007) (pp. 589 – 614)
Elizabeth Anderson, “Fair Opportunity in Education: A Democratic Equality Perspective” in Ethics (2007) (pp. 595-622)

Week 13 (Apr 17): Racial Desegregation & Affirmative Action

Owen Fiss, excerpt from “School Desegregation” in Marshall Cohen, Thomas Nagel, & Thomas Scanlon, Equality and Preferential Treatment (pp. 155-166)
Ronald Dworkin, “DeFunis v. Sweatt” in Cohen et. al., Equality and Preferential Treatment (pp. 63-83)
Lewis Powell, “Race as a ‘Plus’ Factor” in Russell Nieli, Racial Preference and Racial Justice (pp. 201-208)
Antonin Scalia, “The Disease as a Cure” in Nieli, Racial Preference (pp. 211-221)
Ronald Dworkin, A Matter of Principle, chs. 14 & 15 (pp. 293-315)

[Paper 2 topics distributed]

Week 14 (Apr 24): Recent Cases (and Graduate Student Paper Presentations)

Selections from:

Gratz v. Bollinger (2003)

Grutter v. Bollinger (2003)

Parents Involved in Community Schools v. Seattle School District No. 1 (2007)

[Paper 2 due in Prof. MacMullen's Seigle Hall mailbox by 2.30pm on Tuesday, May 1]

Grading Options

Students who elect to take this course under the credit/no-credit or pass/fail grading options will be graded throughout the semester in the normal fashion. At the end of the semester, students whose performance would have earned them a course grade of C+ or above will receive a pass (or credit); students who would have earned a course grade of C or below will receive a fail (or no credit).

Students who elect to audit this course do not write the papers; auditors may, but are not required to, give the oral presentations. Auditors are expected to complete all assigned readings, to participate in class discussion, and to miss no more than two class meetings.

Deadlines, Late Papers, Extensions, Incompletes

There will be a penalty of 1/3 of a letter grade for every 24 hours or part thereof that a paper is late without an extension having been granted. Such papers must be delivered in hard copy to Prof. MacMullen in his Seigle Hall mailbox; no email submissions will be accepted.

Deadline extensions will be granted only in exceptional circumstances. Requests for an extension must be emailed to Prof. MacMullen by 12 noon on the day before the deadline. Graduate students who wish to request a grade of "incomplete" in order to devote more time to their single paper must discuss their intentions with Prof. MacMullen by Apr 17.

Policies

Academic Integrity All work presented as original must, in fact, be original, and the ideas and contributions of others must always be appropriately acknowledged. As you prepare your paper, remember that you must acknowledge not only quotations but also any other use of the ideas of others, including summaries and paraphrases. Any violations of these principles of academic integrity will be referred to the College of Arts and Sciences' Academic Integrity Officer, Dean Dirk Killen. Penalties for such violations can be severe and enduring.

Attendance This class is a discussion seminar whose success depends upon your active contributions to the conversation: therefore, near-perfect attendance is expected in the absence of medical or family emergencies. Students who miss more than two classes without such extenuating circumstances can expect a precipitous decline in their participation grade. Unexcused absence from more than four classes will be grounds for failure of the course.