Education and Equality

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Introduction

Kungsholmens Västra Gymnasium was founded in 2011 and runs three high school programs; the program of social sciences (samhällsvetenskapliga programmet), the program of natural sciences (naturvetenskapliga programmet), and the program of nursing (omvårdnadsprogrammet). Before the school year of 2013/2014, the school had a small group of employees consisting of about ten people, who together, without facing too many complicated problems, could distribute the economic resources within the school. In pace with the school growing, the distribution of resources has become more problematic. With additional numbers of students, and more wills to take into concern when distributing their resources, the question about whom to prioritize and on what grounds resources should be distributed has become more complicated. Therefore a new policy on how to distribute resources is necessary.¹

The ambition with this paper is to propose a suggestion on how Kungsholmens Västra Gymnasium can form their policy on distributing resources. In Sweden, the government funds all schools. Each high school is given a fixed sum of money per student (slightly different dependent on what program a student participates in). The money can then be distributed as wished for, and how resources are best spent is up to each school. Kungsholmens Västra Gymnasium is a public school, and hence has no interest making profit.² Even though the resources need to be used as effectively as possible, and it is important that the school has a clear policy on how to best spend their resources in order to provide a high quality of education.

The foundation of this paper is set in the theory of egalitarianism. Egalitarian doctrines rest on the idea that all human beings are equal in moral status; people shall be treated as equals, and shall treat each other as equals. I focus on the theory of equality of opportunity; more specifically on the theory of democratic equality. In turn, democratic equality, as presented in this paper, works to give everyone an equal chance getting the most desirable positions in society and at the same time guarantees each student a minimum level of knowledge – a level high enough to make everyone capable to effectively participate in the democratic process. To

¹ Information given in an e-mail from Anders Fajersson, teacher and developer at Kungsholmens Västra Gymnasium 20140511
² Ibid.
justify redistribution of resources in a way that works with equal opportunity, I will use John Rawls's two principles of justice. They will work as a framework for the more precise discussion on whom to prioritize when distributing resources. I will explain this below.

When analyzing Kungsholmens Västra Gymnasium's school vision, one can already see tendencies for egalitarianism. First, the vision states that the school wants to strengthen the understanding and respect for everyone's equal moral worth. Second, it states that the school shall be an organization where everyone's competences are highlighted and valued. The four cornerstones of the school are *globalization, humanity, student influence,* and *innovative pedagogy and didactics.* These cornerstones put emphasis on the importance giving *all* students the best competence possible for future work opportunities.³

One of Kungsholmens Västra Gymnasium's goals is to educate all students to the level of passing all classes.⁴ Taking this into consideration, we have even more reason to try form a policy working to set requirements of each student to have a minimum knowledge base when graduating. Such a criteria of a minimum knowledge will create a better basis for a meritocracy, i.e. positions given to the most merited, to be fair. I believe it necessary to be able to show how a minimum level of education can be compatible with meritocracy. If creating fair educational opportunity, which meaning will be explained further down in this paper, meritocracy can be fair – why we, once again, need to make sure that all students have a minimum level of competence when graduating high school.

First, I will start by presenting John Rawls's two principles of justice. I am doing so to get a framework for how to distribute resources. After presenting it, I will consider this as a set idea, needing no further discussion, but to be considered as the way to distribute and redistribute resources. Secondly, I will present Amy Gutmann's theory on democratic equality. I will, to make clear my point of view, show how Christopher Jencks puts forward some arguments that can be seen as contra-arguments for Gutmann's theory, but how some of them at the same time works in favor for Gutmann's democratic equality. Third, I will present Elizabeth Anderson's take on democratic equality, to finally discuss why Gutmann's theory is to prefer over Anderson's.

³ Kungsholmens Västra Gymnasium, “Vision”, [http://kungsholmensvastragymnasium.stockholm.se/vision](http://kungsholmensvastragymnasium.stockholm.se/vision), 20140514

Rawls's two principles of justice

To understand the idea about redistributing resources and creating equality of opportunity, we need to see, and understand, the main principles in Rawls's theory of justice. In *Justice as Fairness* Rawls aims to provide an acceptable philosophical and moral basis for democratic institutions. By doing so, he wants to address how to understand liberty and equality. Rawls is, by formulating these principles, applied to the basic structure, aiming to develop a conception of justice. His conception of justice values the most important institutional features and could be understood as consisting of ground rules that shape society. Hence, I believe the school system needs to be built upon these principles.

Rawl's idea about a just society is built on the following principles:

i) Each person has the same indefeasible claim to a fully adequate scheme of equal basic liberties, which scheme is compatible with the same scheme of liberties for all; and

ii) Social and economic inequalities are to satisfy two conditions: first, they are to be attached to offices and positions open for all under conditions of fair equality of opportunity; and second, they are to be to the greatest benefit of the least-advantaged members of society (the difference principle).

The first principle is lexically prior to the second, which is why we need to make sure that the requirements of this principle is to be met in order to move on to try to meet the requirements of the second one (which in itself is divided into two principles, where the first one is prior to the second one). The principle of distribution needs to hold “within the setting of background institutions that secure the basic equal liberties […] as well as fair equality of opportunity.”

Since the Swedish school law meets the first principle, the second one can be justified. Here, this will mean that we can focus merely on how the distribution of resources shall be performed.

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6 Ibid. p. 5
8 Ibid. pp. 42-43
9 Ibid. p. 43
Rawls's two principles of justice are to be applied to the basic structure of society, i.e. the way on which the major social institutions (I am taking for granted that the school system being one of them) distributes fundamental rights and duties. The major social institutions must then satisfy, and be generally known to satisfy, the two principles of justice.

**Equal educational opportunity**

In this paper, I will focus on the meaning of fair educational opportunity, and how it can be reached. With equal educational opportunity I am talking about a school system where everyone, independent of social background, sexuality, gender, or the like, is given an equal chance to get merits to enhance in further education and/or get a desired job. Equal educational opportunity needs to be interpreted, why Amy Gutmann's theory on the subject becomes central in this paper. Through her theory, I will precise how Kungsholmens Västra Gymnasium should form their policy on distributing resources. I will also be able to justify the importance of equal educational opportunity and its importance for a democratic society.

**Social cooperation**

Another thing that needs to be considered to be able to understand and accept equal educational opportunity is social cooperation. Rawls presents this in his theory of justice. Fundamental to the theory of justice is that “society as a fair system of social cooperation over time from one generation to the next.”\(^{10}\) I believe Rawls's idea of social cooperation to be important for the sake of my argument on distributing resources. Not only is it important because Rawls argue it as necessary for his theory of justice, but because it seems hard to deny that the idea of social cooperation must play its role in the educational system (as well as in other social institutions). To provide a philosophical and moral basis for democratic institutions, it is important to see that citizens have implicit understanding of the ideas of the conception of political justice.

There are two fundamental parts to the central idea of social cooperation. The first one is the idea of citizens as free and equal persons. The second one is the idea of a well-ordered society regulated by a public conception of justice. Three features are central to social cooperation;  

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\(^{10}\) "Justice as Fairness : a Restatement", p. 5
first, it must be guided by public recognized rules that those within the social cooperation accept. Second, the terms of cooperation must be fair – all who follow the rules are to benefit by a “public agreed-upon standard”\(^{11}\) With other words the arrangement of cooperation must be *reasonably* accepted; one accepts and follow terms provided that everyone else accept and follow them. Third, it includes the the idea of *rational advantage*. It answers the question of what the participants seek to advance from the standpoint of their own good.\(^{12}\)

Rawls provides us with a distinction between the rational and the reasonable. The latter are explained as persons ready to propose or acknowledge proposals of principles specifying fair terms of cooperation, as well as they understand to honor the principles independent of how much they gain or lose by them.\(^{13}\) Someone may be acting in a reasonable way, but yet not be rational. Because it might be rational for a person to take advantage of hue's\(^{14}\) situation. But to do this is not reasonable in the terms of Rawls.

To summarize; since having explained that equal educational opportunity needs to be specified, I want to make clear that social cooperation needs to be taken into consideration when specifying it. If we understand social cooperation as described above, it is possible to draw a line between equal educational opportunity and Gutmann's theory on the subject.

**The spending of resources**

In Rawls's theory of justice, we find an account of citizens' fundamental interests, namely *primary goods*. Considering citizens as free and equal, rational and reasonable, some essential goods for exercising moral powers are named. These primary goods are: the basic rights and liberties, freedom of movement, free choice of a wide range of occupation, the powers of offices and positions of responsibility, income and wealth, and the bases of self-respect: the recognition by social institutions that gives citizens a sense of self-worth and the confidence to carry out their plans. Rawls claims that all citizens have fundamental interest in getting as much as possible of the primary goods, and one of the most fundamental roles of political

\(^{11}\) "Justice as Fairness : a Restatement" p. 6
\(^{12}\) Ibid.
\(^{13}\) Ibid. p. 7
\(^{14}\) Used as a gender neutral noun.
institutions is that they need to see how well citizens are doing in accordance with the equalities and inequalities of the primary goods. Since the society, in Rawls's conception of it, is defined by fairness, social institutions ought to be fair to all the society's members. Here, we can hence draw a line between the importance considering the primary goods, and the way school is to spend its resources. Rawls's two principles of justice stand in direct relation to this; if resources are distributed according to them the institution is working for fairness.15

Since having made it clear how the difference principle works, and having established that school is a social institution that needs to be fair to its members, and arguing for it to be the framework for distributing resources, a distinction of what are to be considered as resources needs to be discussed. Resources are of course the direct form of money within a school's budget. In Sweden, all schools are government funded and the schools are provided a sum for each student attending the school. Depending on what program a student is in, the sum of money given to the school (per student) varies slightly.16

I want to begin clarifying two things. First, when talking about resources I will talk about the teacher's time and attention, and utilities. This might seem a bit odd, but I will explain why; since each school is capable of distributing their resources as wished for, many things can be counted as resources. Naturally, certain amounts of resources must be spent on teachers' paychecks and other inevitable charges. When having spent as much resources necessary on this, the question arises on what to do with the resources that are left. Some schools tend to offer their students certain goods, like computers or other technical assets, for whatever reason they find it necessary. Other schools offer field trips or the like, in order to make the education more appealing. Resources are spent in a way to attract students, and to improve the education. I do not object to the idea of offering students things like this, but I will not argue for whether or not the school should or should not spend money this way. I have no reason for concentrating on what certain assets might be necessary and how much of a school's resources ought to be spent on utilities. Instead, as said above, I refer to the teacher's time and attention when talking about resources. So what is entailed in this concept? Time and attention equals more than the actual time and attention from the teacher – it also contains of extra help from special teachers, extra resources needed to compensate those who has certain problems

15 "Justice as Fairness : a Restatement" pp. 56-57
16 Information given in an e-mail from Anders Fajersson, teacher and developer at Kungsholmens Västra Gymnasium, 20140511
learning, and utilities that can improve the education level.

Second, I want to clarify why I partly focus on meritocracy. I believe that we cannot escape living in a meritocratic society. I find it hard to deny that we should want the best people available at the highest positions in society. This implies we need to have merits as a sort of proof for 'who knows what'. The problem is not so much the existence of hierarchies. The problem is on what grounds one has come to gain these merits. I argue that if we have a school system where we include all students, and work to compensate those who are worst off, we give everyone an equal chance of getting merits to reach the highest positions in society. By working for democratic equality, our merits will reflect our knowledge in a fair way, because everyone has been given an equal chance. I also argue that we through a democratic equality will teach students to understand our differences, creating an understanding of democratic values. If everyone is not taught to be a democratic citizen, the democracy fails. If some are not included in the democratic sphere, the democratic sphere is not democratic.

I argue that the resources for the students themselves are never money handed out to spend as they wish for. Rather the resources are counted as the teacher's time and attention, which is necessary for the student to be able to develop and get educated. Important to notice is that I, when talking about distributing time and attention, at the same time is arguing for creating an educational system where everyone is given equal opportunity – even if this means that some students might need more utilities than others do.

Another more complicated view on resources needs to be described. The teacher's actual time and attention, both during class hours and time for extra help and the like, is a resource more complicated to address. This requires that the amount of teachers available is enough. That, in turn, requires a system in which there is enough money and enough educated teachers available for schools to employ. The question about the problems with lack of educated teachers and their low income is another problem which I will not discuss here. It is still important to keep in mind that students need teachers to be available for consultation, help with homework and the like, during school hours. I therefore argue that teachers are one of the most important resources for the students in order to pass their classes.
So far, I have argued the resources to be the teachers time and attention, and utilities. But how should these resources be distributed? As mentioned above, resources shall be distributed such that the least advantaged are to be benefited. I therefore need to define who are to be considered the least advantaged within the school sphere.

**Who are 'the least advantaged'?**

When distributing resources according to Rawls's principles of justice, we need to consider who the least advantaged students are. In the school, I claim those who have a hard time passing classes to be the least advantaged. Those who, for whatever reason, cannot pass the most fundamental classes (this being those who usually are required to be able to continue studying at a university later in life) ought to be counted as the least advantaged. Not only does Kungsholmens Västra Gymnasium, in their vision for the school, have it as a goal to see that everyone passes, but this is also an important part in getting an educated, democratic, population. As I have said, discrimination based on gender, sex, sexual orientation, ethnic background or the like shall be prohibited.

But why are those who have a hard time passing their classes the least advantaged? In a democratic society, where most of the population gets educated at least through high school level, it is often necessary to have further education in order to get a job. The best merits come from the academia, so for those who cannot get such an education, problems occur. Not only might they have a harder time finding a job, but for those who do not graduate from high school, there is a bigger chance of having less of an understanding of the democratic process. If not being able to fully participate in the democratic process, one cannot be a part of societal change, something I argue is important for every member of society.

**Equal educational opportunity for whom?**

In this part, I aim to show why those that I have described as the least advantaged students deserve greater time and attention from teachers than those who are considered as better advantaged. Since the core of the idea of benefiting the least advantaged is to promote democratic equality, hence my goal is to convince the reader to accept the theory of democratic equality. I argue that democratic equality is the fairest theory of equal educational
opportunity.

As I have mentioned earlier, it is in my belief that students are given the best opportunities through getting time with, access to, and attention from their teachers. Since some students' learning pace is slower than others', independent of what circumstance, it might be necessary for certain students to have a broader access to the teacher's attention than others. We therefore need to ask ourselves if this can be justified, or if giving certain students more time and attention than others is morally doubtful, because it is restrictive for those who get less, and therefore deprive them from an equal educational opportunity.

When agreeing on giving students an equal educational opportunity, meaning that all children, independent of social, ethnical or economic background shall have the chance to be schooled, the question on how equal treating is to be done arises. Is it the teacher's job to compensate students who in the past have been given less opportunity? Or should the teacher give equal time and attention to everyone, regardless of their talents? In order to decide how resources shall be distributed, we need to see what theory of equality of opportunity seems most likely to fit our purpose and values. I believe the problem of who must be treated equally for educational opportunity to be equal raises an important discussion on how to distribute teachers' time and attention.

I will start by presenting Amy Gutmann's conception of democratic equality. Thereafter, I will present the conceptions of equal opportunity and how Christopher Jencks is arguing that it even with a great understanding of these conceptions might be hard to decide what conception gives the best answer to whom to prioritize when distributing resources. His theories can be seen as critique of Gutmann, and I find it opening up for an opportunity for discussion and development of Gutmann's theory. Jencks's theory may hence work as a complement to Gutmann's because it adds important elements that make it more thorough. Last, I will present Elizabeth Anderson's conception of democratic equality, which differs from Gutmann's in the way that it excludes meritocracy and relies on somewhat different principles than Gutmann's.

The core of Gutmann's theory is to defend democratic equality. Through presenting some common ideas on how equality in education can be understood, and by critiquing these ideas, Gutmann shows that the best theory on how an equal educational opportunity shall work is through a democratic equality, since it will provide each child with sufficient education and
hence form citizens who are fully participating in the democracy.

First, Gutmann explains the common conception on maximization, the idea that the state shall devote as many resources as possible to schooling. The distribution of the resources put towards schooling shall be such that it maximizes the life chances of each of all citizens, i.e., resources shall be distributed such that each student shall have the maximum chance to achieve what he can achieve.17

Gutmann continues by illustrating what she calls the problem of the moral ransom, which critiques the theory of maximization for forcing us to give up all other things we value, in order to say something is morally valuable. To use education to maximize life chances forces us to forgo other valuable goods, she argues. Even by slightly changing the principle of maximization to include only such resources to the educational system that are increasing the life chances in a non-trivial way, which at first glance might seem like a way to avoid the problem of the moral ransom, one cannot escape the problem of having to sacrifice some important things in life in order to maximize life chances through educational opportunity. One might argue that several things in society are necessary to fully maximize education, because they all contribute to the maximization itself. But as Gutmann argues, this reasoning comes with the problem of diluting the maximization concept, making it less guiding on what to choose when having several valuable goods to choose from. The idea that “a society should work to maximize the goods that it values most”18 is a misconception, since nothing (no matter what it is) is that good that it is worth maximizing.19

Second, Gutmann argues against the idea of equalization, the idea that resources shall be distributed such that the least advantaged children are raised as far as possible toward the most advantaged ones.20 Equalization is built on the moral idea that natural and environmental endowments must not matter to the extent that some are to have less than others, merely because they were born with certain abilities or opportunities. Rather, all children shall be given an equal educational opportunity through raising the life chances of those who are the least advantaged, and “the educational attainment of children should not

18 “Interpreting Equal Educational Opportunity” p. 237
19 Ibid.
20 Ibid. pp. 236-238
differ in any systematic and significant manner with their natural or environmentally
determined characteristics.”21 Since the theory of equalization promotes the state to work to
eliminate all inequalities in life, Gutmann argues that the theory creates a conflict between
equalizing educational opportunity and respecting family autonomy. The theory of
equalization, Gutmann argues, takes “equality too seriously”22 because some differences in
educational attainment are acceptable, why we shall not prevent them all. I read this as
Gutmann meaning it to be okay that some students get more time and attention, and utilities
than others do, and that we cannot think that it should be divided in such a way that everyone
gets the exact same amount of it.

Third, Gutmann brings forward the problem with meritocracy. Looking at meritocracy from a
perspective of democratic equality, Gutmann argues, will reveal the flaw in prioritizing
talented children over less talented ones. Meritocracy can be formulated to say that “education
[… ] must be distributed, as a matter of justice, in proportion to intellectual merit.”23
Meritocracy, hence, builds on the idea that resources shall be distributed such that those who
are more talented shall be provided with the most educational attention, and those with fewer
talents with the least educational attention. One may adjust meritocracy to say that it shall
only be applied after children reach the educational level adequate for citizenship, and hence
give a more 'equalizing cling' to it. But it is possible to question why one who has greater
talent deserves a better educational opportunity than one with less talent, since the talent itself
is not deserved but rather just 'given' to one at birth. If wanting to use meritocracy as a means
to reach equal educational opportunity, it must be “put in its proper, democratic place.”24
To
be democratic it needs to be formulated not as a must but rather as a possibility to distribute
resources to desert. If done this way, meritocracy can work as a part of a democracy, and only
then is it fair.25 This needs to be explained a little bit further. I want to make sure that the
reader understands that meritocracy is only fair if, and when, the school works in favor of
everyone. When we have seen that the school system is working in accordance with Rawls’s
two principles and social cooperation, and we make sure that the least advantaged are
benefitted by the distribution of resources, and the school works to give everyone an equal
chance of getting merited, meritocracy is fair. But if we were to give those who are already

21 “Interpreting Equal Educational Opportunity” p. 238
22 Ibid.
23 Ibid. p. 239
24 Ibid. p. 240
25 Ibid. p. 240
doing well more time and attention, and utilities than those who are doing worse, we increase the differences among the students, and the system is unfair.

When recognizing the mistakes in the theories of meritocracy, equalization and maximization, one can formulate two principles of democratic standards that will avoid the problems seen in those theories. The first principle Gutmann calls the *democratic authorization principle*, which states that democratic institutions shall have authority to “determine the priority of education relative to other social goods.”\(^{26}\) The second principle, the *democratic threshold principle*, specifies that inequalities in the distribution of educational goods are justifiable if and only if it will not deprive any child of hue's ability to effectively participate in the democratic process.\(^{27}\) Together, these two principles ought to work to put moral and democratic requirements on how to distribute resources in order to equalize educational opportunities. While the first principle determines the priority of social goods, the second principle is meant to make sure that the education level is prioritized enough to ensure the citizens of a minimal education level; a level that is such that the ability to participate in the democratic process is not overlooked. For Kungsholmens Västra Gymnasium, this will mean distributing resources according to the democratic threshold principle, i.e.; a standard must be set for the students to become educated enough so that they can participate in the democratic process. Once again; this works well with Kungsholmens Västra Gymnasium’s vision.

**Christopher Jencks**

What tells us democratic equality is the theory of equal opportunity? To discuss this matter, I will borrow an example proposed by Jencks. This is an example where a teacher, who believes equal educational opportunity implies her time and attention, is considering how to distribute it to generate equal opportunity. In Jencks's example, the teacher is considering five practical ways to distribute her time and attention, and how to reason when talking about equal opportunity.\(^{28}\) Given these five theories of equality of opportunity, Jencks problematizes whether or not any of these theories are reasonable to use within the educational institutions. Depending on what institution we are talking about, the answer on how to handle equal

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26 “Interpreting Equal Educational Opportunity” p. 240
27 Ibid.
opportunity may be more or less easy to answer, but the educational system seems so complex that the answer needs carefully to be considered. The teacher, Jencks argues, may refuse all of the theories, because no compelling arguments can be made to prefer either one.\textsuperscript{29} The five reasons are the following:

\textit{Democratic equality} (this is not the same kind of democratic equality I have proposed earlier in this paper): give each student an equal amount of time and attention independent on hue's background. Democratic equality, according to Jencks, gets its name from the democratic idea about treating everyone equally.\textsuperscript{30} Without any further consideration, democratic equality in Jenck's manner seems reasonable and easy to accept. To give everyone equal resources sounds fair, because it springs from the idea of everyone's equal importance. But it becomes more complicated when the teacher starts noticing how some students seem more interested than others, some seem to have a harder time learning, some an easier time learning. This will make the teacher consider if her time and attention can be distributed in a better way. If we look at this out of Gutmann's perspective, Jencks's democratic equality will only work if by giving everyone equal time and attention, the student who has the hardest time learning still is taught well enough that hue effectively can participate in the democratic process. To make such learning possible, the teacher would have to be so effective when teaching that such knowledge is guaranteed. It seems unlikely that the teacher could guarantee this, when not being able to compensate those who have harder time learning than others with more time and attention. Therefore, democratic equality in the sense of Jencks seems unfair.

\textit{The Moralistic Theory of Justice}: reward virtue and punish vice. Those students who put effort into meeting the teacher's requirements should be rewarded with extra attention. Those who fail to meet her requirements according to this idea ought to get less of the teacher's attention.\textsuperscript{31} The moralistic theory of justice is a contractualistic theory, built on the idea that benefits come through mutual effort. The theory says that virtue is defined by effort, not by achievement. Hence, it is the student’s effort that decides how virtuous hue is, so the effort decides what treatment the student deserves.

The moralistic theory of justice says nothing about the reason behind putting effort into doing

\textsuperscript{29} "Whom Must We Treat Equally for Educational Opportunity to be Equal", pp. 251-252
\textsuperscript{30} Ibid. p. 244
\textsuperscript{31} Ibid. p. 245
something, or not doing it. Neither does it require the teacher to guarantee a certain minimum level of knowledge, as Gutmann's democratic equality would. It seems unfair to say a teacher should ignore those who do not put in effort to their work, without asking how hue could try encouraging the students to make an effort. But the moralistic theory of justice does not require the teacher to try and change the students' motivation, only to give more attention to those who try harder. By applying the moralistic theory of justice, the students who lack motivation (and therefore do not pass their classes) will be left behind. At least without trying to push those students who do not try, this seems unfair.

**Strong Humane Justice**: “the society must offer all children an equal chance to meet whatever requirements it sets.”\(^{32}\) If student A is worse off than student B in some matter, according to this theory it is because A must have had fewer advantages than B. With other words has A's life, leading up to present day, caused A to have a harder time passing classes than B and B is therefore ahead of A. I argue that this theory implies that those students who need more time and attention to reach the requirement to pass the basic classes ought to be given as much time and attention necessary in order to do so.

Looking at strong humane justice out of Gutmann's perspective of democratic equality, it seems likely that one can accept it. Strong humane justice guarantees all students education to the extent of being able to meet the requirements of the society. As long as one lives in a democratic society, we cannot deny that one requirement must be that everyone is able to participate in the democratic process. Hence, we can accept that the theory of strong humane justice can be intertwined in democratic equality in the Gutmannian sense.

**Weak Humane Justice**: those who have had less advantage in the past needs to be compensated for this. Weak humane justice requires that “all students have an equal lifetime claim on educational resources.”\(^{33}\) Equal educational opportunity according to this theory requires that students be given additional resources if they are disadvantaged because of previous educational circumstances. The teacher has an obligation to provide extra help to the student who has, because being disadvantaged in other educational situations (family environments included), less knowledge than others. Weak humane justice only compensates those who have been disadvantaged in earlier educational situations, while strong humane

\(^{32}\) "Whom Must We Treat Equally for Educational Opportunity to be Equal", p. 245

\(^{33}\) Ibid.
justice compensates everyone independent on why and how they have been disadvantaged.

If we accept weak humane justice, we also accept that those who lack ability because of genetic reasons need not to be considered to be given more time and attention. Weak humane justice defines equal educational opportunity as “equal opportunity for the genetically equal”. To accept this, means that we need not to strive for everyone to be educated well enough participate in the democratic process, only those with the same genetic capacity. Perhaps one can say that other policies can be created to give those who's incapability to learn depends on genetics gets education enough to be able to participate in the democratic process, and if so, it would not be unfair that the teacher motivates hue's actions by the principle of weak humane justice. But I claim it to be problematic to exclude students on the base of genetics. Not only would it require the teacher to demand the students to prove that inequalities is independent of genetics, but it will also force the teacher to discriminate some on the base of what genes some happened to be born with. Such discrimination does not go along with the Swedish school law, nor does it seem to support the idea of democratic equality.

Utilitarianism: judges the student on the basis of hue's performance. Utilitarianism “try to maximize the average level of well-being in a society rather than just trying to ensure just treatment of individuals.” The better achieving student will get more of the teacher's time and attention, as a prize for being talented. Utilitarianism does not necessarily invoke the ideal of equal opportunity, but has implications for it. Utilitarianism requires giving everyone an equal chance of competing for getting (in this case) the teacher's time and attention, i.e. no one can be excluded on the basis of race, gender, sex, family background, or the like. Students must always be considered as equals, but their result justifies the teacher to give the one's with the best results more time and attention than those with worse result.

Depending on what grounds the teacher rewards a student's performance, the way the teacher's time and attention is allocated will be very different. The teacher could either base hue’s rewards on an incentive model, or an investment model. The former will cause the teacher to give time and attention as a reward to those who are doing well, as an incentive that those who do well will be rewarded. When applying the incentive model, time and attention

34 "Whom Must We Treat Equally for Educational Opportunity to be Equal", p. 246
35 Ibid. p. 249
will be spend on the best performing students.\textsuperscript{36} If the teacher instead relies on the investment model, time and attention will be seen as an investment good, meant to be distributed “in such a way as to maximize their long term contribution to the general welfare”\textsuperscript{37} If so, it is not obvious that the best students shall be rewarded. The teacher's time and attention might as well be best used given to the worst students.

To maximize the contribution to the general welfare seems valuable. As we have seen, Gutmann criticizes the idea of maximization because nothing is good enough worth maximizing. Even though, I suggest that the investment model of utilitarianism mentioned above can be used as a guideline on how the teacher can reason when allocating time and attention. The investment model does not seem to stand in contrast to Gutmann's democratic equality. If we ought to work for all students’ participation in democracy, the investment model can be used as a principle to see to long run consequences. If it is in our belief that an effective participation in the democracy will maximize general welfare, we may implement the investment model in the theory of democratic equality, making it more thorough and comprehensive. Since the investment model gives the teacher freedom to see whom to invest time in, there is no objection to vary whom to give extra time and attention. This means that the teacher has the opportunity to give time and attention to whoever is worst off at the moment, to be able to give all students a chance to pass their classes and become citizens who can participate in the democratic process.

So far, I have argued that we should accept Gutmann's democratic equality. Democratic equality, when containing the authorization principle and the democratic threshold principle, implementing strong humane justice and the investment model in the theory of democratic equality, has become a theory where the democratic institutions have the power over prioritizing the educational system, and where the educational system must be such that each student has the possibility to be taught so that he effectively can participate in the democratic process.

When being able to participate in the democratic process, one can push the democratic institutions to prioritize in whatever way wished for. Others might push in another direction, but the democratic process will then have to play its role of regulating by the wish of the

\textsuperscript{36} "Whom Must We Treat Equally for Educational Opportunity to be Equal”, pp. 249-250
\textsuperscript{37} Ibid. p. 250
majority. Since the goal is to make everyone capable of participating, everyone has the power to affect the outcome of prioritization. The process then becomes more including, giving everyone a chance to participate. By supporting the theory of democratic equality with strong humane justice, saying we need to compensate all students with problem learning, independent on the reason why, we work for inclusion and against discrimination. I argue this to be the most fair and reasonable view on whom to prioritize when distributing resources.

There are, of course, other conceptions of democratic equality, so why accept this one? Below, I will discuss Elizabeth Anderson's conception of democratic equality. Her ideas are well developed and she makes some important points, why I find it important to spend some time on presenting them. I argue that her theories has important objections to what I so far have presented on Gutmann's theory of democratic equality, and my aim is to show why, even when critiqued, Gutmann's democratic equality is acceptable.

Opportunities for development

Elizabeth Anderson describes democratic equality as an alternative to equal opportunity - one that is better suited to create opportunities for development than equal educational opportunity is.\(^{38}\) According to Anderson, the best way of creating a sufficient educational system is to set a standard giving each child an opportunity to “enable them to function as equal citizens in a democratic society.”\(^{39}\) So far, Anderson and Gutmann are on the same road. But Anderson fails in describing how to reach democratic equality, and is making unfair assumptions of equal educational opportunity. I will explain this further below.

The most fundamental part of Anderson's democratic equality is to secure everyone's freedom by limiting the range of goods provided collectively and “expecting individuals to take personal responsibility for the other goods in their possession.”\(^{40}\) In such equality, citizens will make claims on one another in virtue of their equality rather than their inferiority to others. To Anderson, democratic equality works to see that everyone has enough resources. Someone has enough resources when they, as equal to other citizens, have enough to secure

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39 Ibid.
the conditions of their freedom and civic status. Anderson's theory is hence a combination of egalitarian and sufficientarian thoughts. It is egalitarian in the way that it aims to create just relationships among citizens, and sufficientarian “in its conception of justice in the distribution of resources and opportunities.” For sufficientarians, the most important thing is to make sure that everyone has enough resources to live. To Anderson, democratic equality integrates principles of distribution which demands equal respect for all.

Anderson's conception of democratic equality may work together with the conception of letting everyone have an equal educational opportunity, as mentioned above, since it does not directly object any of Gutmann's ideas. But according to Anderson, equal educational opportunity has its flaws. Anderson criticizes equal opportunity because it seems to deprive some students from their chance of getting merits leading to better work opportunities. According to Anderson, there seems to be something unfair in the idea of taking resources from some rather than from others, on the mere idea that distributing resources is the main point in creating fair chances for everyone. Anderson makes a difference between giving students a fair chance and an equal one. In Anderson's meaning, equal opportunity is valid only when someone's merits are already proven. When talking about education discussing merits hence becomes problematic; talents are not yet developed and merits are not yet given. Anderson argues that equal opportunity measures some kind of inbound merits, which she says cannot be accepted from a contractualistic view (such as equal opportunity is). If depriving some students of their chance of getting (some) educational resources in favor of others, it cannot be on the grounds of inner potential. To Anderson, where one gets hue's motivation from does not matter to why one should be given a fair chance. If a student is pushed by the parents to do well, it is equal to having an inner drive to do well. The source of motivation is not important. The need for equal opportunity, in K-12 education, therefore seems unnecessary to Anderson. Since children in K-12 education have not yet developed any merits, to talk about equal opportunity is problematic, she argues. And since merits are not yet given, it seems unfair to apply the equal opportunity principle on education. Anderson argues that it would be unfair to not let parents “be allowed to pursue their conception of the good” when it comes to a child's education, but to let people buy “big cars and fancy

41 “What Is the Point of Equality?”, p. 4
42 Ibid.
43 Ibid., pp. 6-12
44 “Rethinking Equality of Opportunity: Comment on Adam Swift's How not to be a Hypocrite*” p. 5-9
45 Ibid. p. 7
If we let people do the latter, we must also let people invest in their children's education.

I argue Anderson's standpoint on inner potential and educational outcome to be problematic and unfair. Looking at strong humane justice, as I have said to be implemented in Gutmann's democratic equality, we must even out the differences between students, letting those who have a background that has caused them to fall behind to get a chance to catch up. It seems like Anderson would object to strong humane justice, considering what has been mentioned above. To her, parents must be allowed to push their children to achieve good grades et cetera, and those who are ahead of others are not to be given less attention just because they happen to have parents who are willing to invest in their child. But strong humane justice would in this case say that those who are worse off, and this could be not having parents investing in their child's education, ought to be given more attention. Of course there might be times where students who do not have parents investing in their education still getting high grades, and also the other way around. Some parents might invest a lot in their child's education, but the child still not being able to pass classes. This, I argue (along with the lines of strong humane justice), should not matter. What matters is the end result – education being for everyone, giving them an equal chance to become democratic citizens.

Anderson states that if we want to change injustices, this is better done through changing the social norms than through redistributing resources from one student to another. Anderson believes that the discussion needs to be reframed, shifting the focus from what education can do for the individual, to what the educated can do for everyone else. Through an educational system suitable for a democratic society, we will create an 'elite', i.e. those occupying the positions of responsibility and leadership in society, which has an understanding of all sectors of society. Anderson wants to create a status relation among people where we see an absence of oppressive relationships. Such a relation shall work to make citizens value each other's opinions, and to regard others as entitled to make claims – all to construct democratic equality. What needs to be done, instead of applying the principle of equal educational opportunity, is to see that the elite is consistent of members drawn from all sectors of society,

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46 “Rethinking Equality of Opportunity: Comment on Adam Swift's How not to be a Hypocrite” p. 9
48 Ibid. p. 3
49 “Rethinking Equality of Opportunity: Comment on Adam Swift's How not to be a Hypocrite”, p. 9
including the less advantaged. The educational system hence needs to be such that it provides students from all sectors of society with skills enough to succeed in higher education. But here, I cannot see why equal educational opportunity would not cause this to happen. If the school system is such that it does not discriminate anyone, and everyone is given an equal educational opportunity, where the school is aiming to educate all students to the level where they can participate in the democratic process, and the goal is to have all students pass a minimum standard of classes, then this would in itself cause students from all sectors of society to be able to reach the most desirable positions. If more students pass classes, then that would mean that more students automatically has the chance to get further education and getting jobs that are more desirable.

Anderson seems to presume that the educational system is already good enough to let everyone come to reach the 'elite' positions in society. Since she proclaims a move of focus, from how the school system should be like, to what the already well educated can do for the less advantaged, this is implying that the system on how we get our merits is not problematic at all. This is where I argue Anderson being wrong. Since the school system as it is now, contains inequalities for students to reach as good merits as possible, the people at the 'elite' positions may not be the most merited. As Anderson argues, students in class K-12 do not yet have merits and therefore cannot be counted as merited. I argue that students in classes 10-12 (which is equivalent to the Swedish Gymnasium) has already gained some merit from K-9th grade. Depending on the grades one has when graduating from 9th grade, one is able to choose between different schools and educations for grade 10-12. Since this is the case, we cannot say students in these grades are unmerited.

Even if we could say that students do not have any merits until after they have graduated high school, Anderson's claims seem hard to accept. According to Anderson, if one is to occupy a 'elite' position, they must pass the requirement of four different qualifications. The first requirement is that the 'elite' must be aware of the problems and interests of people from all sectors in society. Second, the 'elite' must have a disposition to serve those interests. This requires a third thing; the technical knowledge of how to advance these interests, and fourth; competence in interacting and understanding people of all sectors.

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50 “Fair Opportunity in Education: A Democratic Equality Perspective*”, p. 3
51 Ibid.
Anderson continues by arguing that the four requirements on the 'elite' sets pressure for the school system to work for diversity, since that will contribute to the qualification of becoming a part of the 'elite'. She also argues against segregation and stereotypes, meaning that the two prevents the 'elite' to be democratic and to work for everyone's advantage. Stereotypes, Anderson argues, “embody several cognitive biases.”52 Anderson makes a valid point in saying that stereotypes have a direct effect on people, causing discrimination against people from certain already disadvantaged groups and causes them to have less of a chance to become merited.53 Once again, I cannot see why equal educational opportunity would oppose this. As it seems, Anderson believes diversity cannot be created if we do not work for the elite to qualify for having some experience of diversity. I believe that in a school where diversity is already implemented in the system, allowing everyone to participate, we need not worry about segregation. Yes, there might be schools where only students with certain grades are accepted, but given that the system works in accordance with Gutmann, resources will be spent partly to counteract inequalities, and hence segregation. If more students are given a chance to pass classes, and those who are worst off are given more time and attention, and utilities in order to do better in school, this will indirectly cause more students from all sectors in society (even the most segregated areas) to be able to reach the ‘elite’ positions. In other words, the critique for school working against diversity and inclusion does not add up, and Gutmann’s equal educational opportunity is still the better option for equality.

Anderson's way to solve the problem of people using stereotypes as justifying certain behaviors, and segregating social groups, is simply not good enough. Anderson argues that the 'elite' must be able to communicate with people from all social groups to create an understanding for their needs. She argues that “social segregation is itself unjust, in that it creates an insular, clubby, self-serving, negligent, and ignorant elite.”54 I agree with her on this statement. But as she argues for interaction between groups, based on a school system where children can “cross municipal lines to be admitted to any public school”55 it does not seem to reach the core of the problem of the school system. If the school system would be set up such as that it gives every student a fair chance of reaching a minimum level of knowledge, as I have argued earlier in this paper, and that requirement would have been reached, there would be no need to put requirements on the 'elite'. I will explain my claim

52 “Fair Opportunity in Education: A Democratic Equality Perspective*”, p. 11
53 Ibid. p. 12
54 Ibid. p. 27
55 Ibid.
Like Gutmann argues, Anderson points out that the less advantaged shall gain something from the 'elite' occupying the prime positions in society. And even if Anderson is making some good points with her four requirements of the 'elite', she seems to be getting ahead of herself when arguing for this kind of democratic equality. Anderson's democratic equality is based on the 'elite' acting in a correct way – and like Gutmann says, we want the most merited to be in those positions of the 'elite'. But Anderson's argument fails in describing how the 'elite' is about to be educated. It seems like she is taking for granted the school system to be set up in such a way that it will create democratic equality – as long as there is diversity within the schools. Anderson hence skips the step of creating a better school system, and closes her eyes for the inequalities that exist in reaching the 'elite' positions.

**Conclusion**

In this paper, I have argued on how to distribute and redistribute resources within a school. For distribution and redistribution of resources to be fair, equal educational opportunity and democratic equality must be considered. To fully understand this, I have argued that John Rawls two principles of justice, especially focusing on the second of the principles, needs to work as a framework on the basic distribution, this meaning that resources should be distributed in such a way that the least advantaged are benefitted. The least benefitted, I have argued, are those who have a hard time passing classes (being those classes needed in order to be able to apply for university studies). I have argued that background, sex, sexual orientation, gender or the like shall not matter when considering who is the least advantaged. Instead, everyone shall be included when considering how to distribute the resources. Those who are then considered the least advantaged are to be given more of the teacher’s time and attention, and utilities, in order for them to be able to pass their classes.

The democratic equality that I have presented aims to work for educating students that are able to participate in the democratic process. In order to do so, I have argued that resources, when redistributed from ‘top to bottom’, that is from the more advantaged student to the less advantaged ones, must be distributed in a way that creates a greater opportunity for the less advantaged to pass their classes.
If students who do not pass their classes are not acknowledged and therefore left behind, we have created an unfair institution. When introducing Rawls’s theory on social cooperation, I hoped to get the reader to understand that institutions need to work in favor for everyone, in accordance with the terms of fair terms of cooperation. It is in my fullest belief that people will agree on a principle that works for everyone’s opportunity to get higher education.

I have also argued that meritocracy can be fair, if created on the right grounds. I have said democratic equality to do this. Democratic equality, as presented in this paper, does not leave certain students, who have the potential to get well educated with the right assistance and time and attention from teachers, behind. Instead, the system makes sure that everyone is given an equal chance of gaining merits. Meritocracy within a school does not imply that we give more time and attention to those who are already getting good results. Meritocracy is instead an ends, it is when students are educated that meritocracy is counted for. Even though students have some merits when starting high school, these merits are not to cause the students who are considered having better merits than others to get more time and attention and utilities than others. Instead, the system shall continue working for all students to pass their classes, being prepared to put extra resources towards the less advantaged ones.

I have argued that we should accept Gutmann’s democratic equality; containing the authorization principle and the democratic threshold principle, strong humane justice and the investment model we have a form of democratic equality that better guarantees a fair and equal educational system. Since students’ capabilities vary, it is important to see that those who are less advantaged are given an opportunity to pass their classes. It might show that they need more time with, and attention from, their teachers. Or it might show that they ought to be given special aid, or in any other way be given more resources that others are given, for them to pass their classes. No matter for what reason someone is having a harder time passing classes, if we follow Rawls’s two principles of justice, the less advantaged students are to be benefitted by the distribution of the resources.

I have also argued that by using Gutmann’s democratic equality we can guarantee a high quality of education where the less advantaged students are noticed. By raising the education level standard, the society will gain more democratic and educated citizens and at the same time be guaranteed that those who are taken as the most merited actually have gained their merits in a fair way, and that there hence is no unfairness in employing them. In a democratic
equality, giving equal educational opportunity, students are given a chance to reach their full potential, and thereby know that one who supposedly ought to reach a certain level of education and merits also have done so.

Finally, I want to point at the importance of the employment of teachers. As I mentioned early on, I believe that the availability of teachers being one of the most important things for a student to be able to pass hue’s classes, I want to underline that the employment of teachers first and foremost must be considered when distributing resources. Are there enough teachers employed to meet the requirements from students? If so, other resources can be considered to invest in.


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