

Vouchers and Family Choice

Peter Skerry

DESPITE FREQUENT obituaries, the education voucher is an idea whose time has not yet passed. When first seriously proposed in the late 1960s, vouchers were intended to provide minority families with alternatives to the failing big-city schools. Now a decade later—despite the virulent opposition of teacher unions and the abortive federally sponsored experiment at Alum Rock, California—they have broad appeal to those who have grown increasingly disillusioned with the present system of public education.

The most recent and by far the most thoughtful contribution to the continuing debate over vouchers is from John E. Coons and Stephen D. Sugarman, two Berkeley law professors who have figured prominently in the school finance reform movement. In *Education by Choice: The Case for Family Control* (University of California Press, 1978), they propose a comprehensive voucher system that would provide all families with sufficient entitlements to send their children to almost any public or private schools they might choose. Published a little over a year ago, the book has met with a chorus of praise from liberals and conservatives alike—including columnist Russell Kirk, sociologist James Coleman, and Father Andrew Greeley.

But one wonders about this wholehearted reception. The difficulty may be that the voucher idea is largely untested by concrete experience and thus tends to be a kind of social policy

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Rorschach blot onto which individuals of widely divergent perspectives project their own views. This tendency is reinforced by the thoroughness of the authors' treatment. They present such an array of competing schemes and reasoned arguments that even the persevering reader is not always sure what they are advocating. The result is that many issues the book raises have received inadequate attention.

One such issue is Coons and Sugarman's suggestion that all participating schools be required to achieve minority enrollment quotas. This proposal, though contrary to the book's central notion of increasing choice in education, has escaped criticism. Moreover, given the authors' rejection of integration by force as "a failure of political imagination" and their insistence that there is sufficient prointegration sentiment in society today to make compulsion unnecessary, it is a curious proposal for them to make. Nevertheless, they are not content with strictures against discriminatory admissions policies or with incentives to encourage integration. And while they are undoubtedly correct that minority quotas imposed *on schools* would not arouse the intense opposition caused by racial assignment *of individuals*, their readiness to impose them should concern those who have turned to vouchers in exasperation with existing affirmative action programs.

Similarly, proponents who argue that vouchers will increase parental control of education have ignored Coons and Sugarman's emphasis on children's rights. As the authors point out, theirs is a *family* choice plan grounded on the view that educational decisions should not be made by parents alone. Setting themselves apart from what they call "parents' rights enthusiasts," they argue that all children should be consulted by their parents on such critical matters. Specifically, they advocate "the staged redistribution of legal authority, recognizing rights consistent with the developmental patterns of the normal child." Thus:

at age twelve the child could enjoy a veto over the family's choice; at fourteen he could have choice, hence the initiative, but subject to parental veto; and at fifteen or sixteen he could be free to choose among all options recognized by the society as meeting his minimal needs.

It is, of course, difficult to quarrel with the proposition that parents should consider their

children's wishes when selecting schools for them. But Coons and Sugarman offer no evidence why parents could not be trusted to do so under a voucher plan. Nor do they explain why the inevitable disagreements between parents and children could not be resolved without resort to legal remedies. The only apparent justification for replacing the informal bargaining on which all families rely with formalized rights for children is the authors' suspicion of parental authority. Indeed, their suspicion is so great that at one point they propose the establishment of an "educational inspectorate" to oversee decisions made under their family choice plan. The inspectorate might intervene when there was "evidence of either substantially below-minimum achievement by the child, or choices plainly inappropriate to his needs, or both." The authors do not elaborate, but presumably the child's achievement levels and needs would be determined by government.

In short, Coons and Sugarman's interest in the family is essentially pragmatic: they advocate family choice primarily as a means of decentralizing educational decision-making away from legislators and bureaucrats. That is, of course, a worthy objective. But the authors seem to lack any principled commitment to the family as an institution, as well as any awareness of the possible consequences of their legalistic proposals. Surely a state that can routinely enforce children's rights against their parents will do so and, in so doing, will aggrandize itself. Indeed, policies such as the authors advocate threaten to reduce the family to an appendage of the welfare state, valued only for its efficiency in realizing welfare objectives.

Another aspect of vouchers that has received little or no attention is their impact on the relationship between school and community. As Coons and Sugarman straightforwardly explain, the logic of their particular plan (which would permit attendance at any school, with transportation provided by the state) tends toward the demise of the local school district. In its place would emerge a myriad of formally autonomous schools, each with its own charter and educational mission. Parents would deal directly with schools attended by their children and, if displeased with a particular school, would move their child to another. If enough parents were displeased, the school would be forced to change or go out of busi-

ness. In this way, as the authors note approvingly, a simple market mechanism would replace the political process by which schools are now governed.

At first glance this seems reasonable enough. But how would a family participating in this voucher plan influence a school short of removing its child, and would the threat of that action by any individual family have much effect? The answer is that dissatisfied parents would have to join together to get what they wanted. But if families with children attending a given school were dispersed over a wide geographic area, meetings would be hard, if not impossible, to arrange and common interests difficult to perceive and define.

There is nothing, of course, in the Coons-Sugarman proposal that would prevent parents from sending their children to neighborhood schools, and presumably most parents would do just that (as they did in the Alum Rock experiment). Nevertheless, a voucher plan—especially one providing transportation—would encourage many parents to send their children to more distant schools. To the extent that vouchers attenuated the link between community and school, would this be a positive development? Would the displacement of geographic community by "community of choice" be another step toward a society of atomized, individual interests? Perhaps the weakening of the local school district is a price worth the benefits of vouchers. But if so, this is a trade-off few voucher proponents have bothered to consider.

In recent years interventions at the local level by state and federal courts and agencies have resulted in much discontent with public education. A careful reading of *Education by Choice* suggests that vouchers could result in increased intrusion on parental prerogatives—while at the same time weakening the community base that now facilitates, however imperfectly, parental influence on the schools. Despite these serious problems, education vouchers remain an attractive alternative to the present system. Racial quotas and children's rights are, after all, not intrinsic to the voucher idea. Nevertheless, Coons and Sugarman's painstaking analysis—apparently in spite of itself—should warn those interested in vouchers that the educational market they anticipate could be heavily burdened with regulations as objectionable as those they now face. ■