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Is Political Control Over Charter Schools Wise?

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In a recent essay, Andy Smarick proposed democratically controlled charter authorizers:

If a city has a large charter sector, state government could create a new authorizer with an elected board (or require existing authorizers to move to elected boards). That democratically controlled authorizer would then have a performance contract with each of the city's public schools, including those operated by the district.

Smarick's "middle path" approach is an interesting idea that's worth consideration, but education reformers should have serious reservations about it. In particular, it's not clear what the problem is that this approach is trying solve or why this approach wouldn't lead to the same problems that political control over traditional district schools has caused.

Smarick's case rests on the claim that "communities" are "demanding more democratic control." But are they? Which communities? Or, more precisely, which voices in those communities? After all, it's exceedingly rare that everyone in a given community speaks with one voice. And what are these voices saying? Smarick name-checks a few cities but cites no evidence that would answer any of these questions. He merely asserts that "authority that is both *loca* land *democratic* has also been in demand." Okay, sure, maybe. But it's still not clear why ed reformers should accede to these (anonymous) demands.

Smarick continues:

A community's voters want to have a say over what types of schools exist, what constitutes "good schools," who runs them, how an area's culture and traditions are passed on, and much more. Decisions are more reflective of the public's will when these issues are litigated through the democratic process. Additionally, we can have faith that the discussion is transparent, that people feel agency, and that the results—even if imperfect—will be durable and respected.

Are any of these claims necessarily true?

- Is it true that democratic control is necessary for communities to pass on their culture and traditions? Aren't most mediating institutions — churches, private schools, non-profits, sports leagues, museums, farmer's markets, small businesses, professional organizations, etc. — decidedly *not* subject to political control? And to the extent that some of these organizations

employ some measure of democratic decision-making, isn't it only the *members* of those organizations (and not the community at large) that have the right to vote?

- Is there such a thing as “the public will”? At best, this means merely the will of the *majority*, which often comes at the expense of the will of the minority (or several types of minorities). Moreover, as Terry Moe and others have detailed, political control often means control by well-organized special interests like teachers unions. In any case, political control entails citizens fighting against each other to have their preferences reflected rather than each being able to have their preferences met in a market. To the extent that a “public will” exists, it is multi-faceted, hence a system of *decentralized* choices better reflects the public will than a centralized system.
- Is it true that there is more transparency when institutions are subject to political control? Forget Clinton's emails — elected school boards regularly lack transparency.
- Do people feel more agency in political systems? Perhaps the majority does, but do the minorities? Wouldn't those minorities prefer options that weren't subject to majority control?
- Is it true that political decisions are “more respected and durable”? 2016 is an odd year to be making that argument.

On Twitter, Smarick claimed that a democratically controlled charter board's “incentives [and] ability to interfere [with] schools drop dramatically when board authorizes but does not operate schools.” Possibly. But as Jay Greene pointed out yesterday, traditional school boards don't “operate” the district schools either, yet there is plenty of room for mischief. After all, Smarick himself argued that these boards should decide what “types” of schools exist and what constitutes a “good” school. That's an awful lot of control.

As Smarick himself recognizes, elected boards shift power away from families to “the community” (i.e., whichever group can seize political control). As he explained:

Today's decentralized systems of choice empower families and enable a wide array of options, but they inhibit the community's ability to shape the contours of the local school system.

It seems that Smarick — who is generally quite conservative — is embracing the progressives' preference for political control over mediating institutions that Yuval Levin has so insightfully described:

Progressives in America have always viewed those mediating institutions that stand between the individual and the government with suspicion, seeing them as instruments of division, prejudice, and selfishness or as power centers lacking in democratic legitimacy. They have sought to empower the government to rationalize the life of our society by clearing away those vestiges of backwardness and putting in their place public programs and policies motivated by a single, cohesive understanding of the public interest. This clearing away has in some cases consisted of crowding out the mediating institutions by taking over some of their key functions through direct government action. In other cases, it has involved turning elements of civil society and the private economy into arms of government policy — by requiring compliance with policy goals

that are foreign to many civil-society institutions or consolidating key sectors of the economy and offering protection to large corporations willing to act as public utilities or to advance policymakers' priorities.

I hope that Smarick will reconsider his support for empowering the government at the expense of school autonomy and families' preferences. Perhaps the angel on his right shoulder will whisper Yuval Levin's counsel into his ear:

Conservatives have always resisted such gross rationalization of society, however, and insisted that local knowledge channeled by evolved social institutions — from families and civic and fraternal groups to traditional religious establishments, charitable enterprises, private companies, and complex markets — will make for better material outcomes and a better common life. The life of a society consists of more than moving resources around, and what happens in that vital space between the individual and the government is at least as much a matter of character formation as of material provision and wealth creation.

As I noted above, I do believe that Smarick's proposal merits serious consideration. Although I don't think he has made a strong case for a democratically controlled charter board, I do think he's onto something when he says that there is strong demand for democracy, at least in some quarters. That said, I think the more viable "middle path" is down a different road. There are numerous mediating institutions in society that engage in democratic decision-making, *but only members have a vote*. Instead of giving a vote to everyone in the community — wolves and sheep alike — perhaps charter schools could give a vote to parents of students who are enrolled there. This way, parents who want democratic agency can enroll their children in democratically run charters, while other parents can choose schools that have different missions, and in no case will outside special interests be able to seize control.

I'm sure there are other arrangements that could also achieve the balance that Smarick seeks. But please: don't give power to the wolves!

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