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School Choice: Friend To Justice And Integration

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Government-dictated school segregation through much of American history was a gross injustice, treating people unequally under the law and crushing their rights to associate freely with others. School choice is the opposite, grounded in the right of all to freely choose their schools rather than have government decide to whom school doors will be opened or closed. Yet a column in the *New York Times* asserts that “choice is the enemy of justice.”

Columnist Erin Aubrey Kaplan is frustrated that charter schools enable people to attend institutions that are not racially integrated, violating “a social contract” that, she intimates, promises integration. She doesn’t identify where or how that contract is spelled out, but her frustration is utterly understandable: Long after legally mandated segregation ended, racial integration still seems incredibly far off.

While there is no contract promising integration, we do have a contract—the U.S. Constitution—that promises equal treatment under the law and freedom of association. It serves justice primarily by leaving it to individuals to choose how they will live, rather than empowering government—the tool by which those with the most political power make decisions for others—to decide with whom you will associate, where you will live, or what values you must prioritize.

To achieve what is in Kaplan’s contract—presumably, something akin to all schools having racial make-ups approximately reflecting the nation as a whole—those basic freedoms would have to be crushed. Government would have to dictate movement and association, and place racial integration above every other reason that people may desire any given school.

Understand that with the vast majority of students going to traditional public schools, choice is exercised not primarily through charters or voucher programs, but by people choosing homes. As Kaplan acknowledges from her own family’s schooling experience, “the effect of my father’s and my foray into those white schools was not more equality but white flight.”

In light of this, to uphold Kaplan's social contract we would not only have to kill charters and any private schooling, but tell people they cannot move at all, or if they do, that their children must be sent elsewhere—maybe very far away—for education.

This would destroy basic freedoms, but it also flies in the face of social and political reality that would almost certainly stymie any efforts to get it. As Kaplan acknowledges, coerced integration by its "nature" creates "tension and confrontation." It certainly does, because many people will not simply acquiesce to their children being forced to go to schools that they, for whatever reasons, do not want them to attend. And such efforts are counter-productive, threatening to worsen race relations by creating us-versus-them, zero-sum conflicts.

But the futility of force goes even deeper than that. Even in schools that achieve building-level, statistical integration, we often don't see real integration. For one thing, segregation frequently occurs at the classroom level. And inter-group bonding, such as the formation of interracial friendships? It does not happen nearly proportionate to student-body make-up. There is, clearly, a strong tendency of people to associate with others like themselves, probably in large part because it is simply easier to interact with people who share one's background and culture.

Given all this, no matter how badly we want to see racial integration, it cannot be forced. It must come voluntarily, with millions of individuals independently losing the sense that their identity is bounded by race. In education, choice may well be crucial to this.

Integration must first cease being an inherently divisive, zero-sum conflict to dictate school assignment, and choice does that. Second, by enabling students to access schools with clear missions and cultures, choice may hold the key to forging new identities that transcend race. At an arts-based institution, students of different races may come to see each other not primarily by race, but as artists, or at a STEM school as scientists. Magnet schools, often founded to be non-forcible ways to bring diverse children together, could have that effect, but magnets are known for their integration intention, possibly creating a stigma that one group is of lower status—it needs the "help" of going to school with the other group—making bonding contact tougher.

Charters and private school choice programs can more easily avoid such stigma because they often do not have explicit integration missions, especially based on the assumption that one group needs to be with the other to succeed. Moreover, unlike charters and magnets that are public schools, private institutions can be religious, furnishing a very powerful identity-forger that could overcome racial divides: shared religious beliefs.

Alas, broad racial integration will not happen quickly. The strong tendency to associate with others like ourselves will not suddenly disappear with school choice. But it did not disappear under legislative or judicial fiat, either. And unlike force that curbs freedom and exacerbates divisions without providing much material to forge new identities, choice furnishes the groundwork for real, sustainable integration. It is just, and much more.

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