

## BOOK REVIEW

**Feds in the Classroom.** Neal McCluskey, Lanham, MD, Rowman and Littlefield Publishers, 2007. Pp. 224. Pbk. £13.95, \$19.95.

In *Feds in the Classroom* Neal McCluskey takes a critical look at the evolution of federal involvement in American education from the colonial era through the implementation of Bush's brainchild, the No Child Left Behind Act. Often informative, and occasionally insightful, McCluskey's book is nevertheless shot through with an ideological animosity and rhetorical excess that diminishes its ability to advance the debate over the proper role of government in education policy.

McCluskey begins with an engaging overview of early state laws regulating education. The most memorable is the 'Old Deluder Satan Act' of Massachusetts, which required all towns with a population of at least fifty to teach their children basic literacy on the grounds that those who could read the Bible would be less likely to be misled by the Devil. By the late 19th and early 20th century, McCluskey argues, state laws mandating universal education had become a more or less concealed attempt to assimilate religious and racial minorities into mainstream American society. Although this is a reasonable interpretation of history, McCluskey hastily draws the conclusion that universal education mandates were therefore bad policy. It seems, however, that we should separate the question of what motivated some policymakers to mandate universal education, from the question of whether those policies (of compulsory education and standardised curricula) were improvements over the decentralised system of education that had existed before.

The heart of the book is McCluskey's contention that we should abolish all federal intervention in education, and transfer control back to parents and communities. McCluskey supports his position with three different claims: that federal intervention is unconstitutional, that it subverts individual rights, and that it is less effective at achieving its goals than alternative arrangements that maximise parental choice. At one point, McCluskey goes as far as to say that, 'In the colonial and early national eras', before the federal government exercised any control, 'American education worked more or less optimally' (p. 191). Rather than evaluating the plausibility of this claim, let us look more carefully at the three main arguments with which he defends it.

McCluskey deduces his view that 'the federal government may have no role in schooling' from the Ninth and Tenth Amendments to the Constitution. The Ninth Amendment, in particular, reserves any rights and powers not explicitly granted to the federal government to states and individuals. Since education is not mentioned in the Constitution, McCluskey infers that any federal role in education is unconstitutional. McCluskey may be right about this—a lot depends on whether we are

strict constructionists, and on how we interpret the ‘general welfare’ clause of the Constitution. (Article I, Section 8 states that ‘The Congress shall have Power to lay and collect Taxes, Duties, Imposts and Excises, to pay the Debts and provide for the common Defence and general Welfare of the United States’.) But important as this debate is, it is essentially about the interpretation of a document (albeit an extremely important one). What if the Constitution were amended to permit a federal role to education policy? McCluskey would presumably still oppose it, since he believes federal control infringes the moral rights of those whom it most directly affects: parents and children.

McCluskey describes prayer in public schools as a ‘civil right’ and refers to those who are forbidden by federal policy from reciting prayers in class as a ‘persecuted minority group’ (pp. 58–9). Yet it is unclear on McCluskey’s view whose civil rights are being violated. Is it the parents or their children? In most of the book McCluskey views children as belonging to their parents, and describes federal education mandates as eroding the rights of *parents* to choose how and where to educate their children. But on the issue of school prayer he seems to think the civil rights of *children* are violated. This raises several important questions: First, do children have civil rights? Second, even if children have such rights, can we sensibly ascribe genuine religious convictions to children, and hence conclude that they have a right to practice their religion freely, or are their religious ideas instead a product of parental and social indoctrination? Third, even if children have a civil right to pray to the deity of their choice, should they be encouraged (or forced) to exercise this right in public classrooms?

A key premise in McCluskey’s argument that federal education policy undermines individual rights is that many controversies over what to teach and how to teach it are permanent, and that the values that underlie these positions are incommensurable. Thus, the argument goes, ‘federalizing education only raises the scope and stakes of the conflicts to the federal level, embroiling all Americans in battles over evolution, religious expression in schools, reading and math curricula, school uniforms, multiculturalism, and the endless issues on which all, or even most, people will never agree’ (p. 140). Yet this is surely an exaggeration: elementary maths and science standards, as well as those for teaching literature and social studies, are widely agreed upon by educators and academics. Moreover, giving the federal government some power to fund schools or establish curricula does not imply that every dispute should be settled at the federal level. Nevertheless, McCluskey’s solution to these controversies is to simply ‘Let parents use the money the government school system would have spent on their children to select the schools that align with their values and educational demands. Let supply and demand go to work’ (p. 98).

This leads to McCluskey’s final argument against federal intervention in education—that parents will (on average) more effectively choose the best education for their children. This could be achieved by giving parents the ability to choose the best school for their children, rather than forcing

them to send their kids to the nearest public schools. State financed vouchers could be allocated to parents to redeem at a school of their choice. The theoretical benefits of vouchers are well known: they encourage competition for parental dollars, thereby giving schools a monetary incentive to hire highly skilled teachers, improve student performances, and minimise wasteful bureaucratic expenses. To his credit, McCluskey acknowledges that the success of vouchers crucially depends on how large they are—that is, on how much money we give to parents to choose between schools competing for their dollars. He also emphasises that in a voucher program, some taxpayers, especially childless taxpayers, will be unhappy about paying the costs of educating other people's children (pp. 182–6).

However, McCluskey fails to adequately address some of the most important concerns over any publicly funded voucher program. For example, what do we do with schools that fail? In any competitive market, there are winners and losers, and in markets for the provision of education the losers may ultimately be the children who attend failed schools, rather than those who own or manage failed schools. Perhaps safeguards can be set up to minimise these problems, but an argument must be made for how this can be done. More importantly, voucher programs raise the question of what should be taught at publicly financed schools. McCluskey's answer is simple: anything. Let demand determine supply. This is where McCluskey's argument is weakest. While there are clear benefits to increasing parental choice via vouchers, there may also be significant costs. Unless similar curricula are required of schools, we may very well end up with an increase in the social tensions McCluskey wishes to minimise. In particular, many religious schools may wish to use their publicly funded vouchers to teach scientifically discredited theories intended to bolster the faith of students rather than increase their critical thinking skills or scientific literacy.

In the end, McCluskey's book is thought provoking, but his arguments are inadequately developed, and his solutions are insufficiently nuanced. They are also couched in the bombastic language of a conservative ideologue with a deep antipathy for federal solutions to social problems. Nevertheless, McCluskey's book is worth a read, if only to sharpen our own opinions about the increasing role of the federal government in American classrooms.

*Correspondence:* Jonathan Anomaly, University of Virginia, 120 Cocke Hall, P.O. Box 400780, Philosophy Department, Charlottesville, VA 22904, USA.

E-mail: anomaly@virginia.edu

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