

**The Social Contract Revisited**

# Equality and Responsibility in Education Policy

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## Executive Summary

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- In his speeches, President Barack Obama sketches the grounds of a new social contract which is motivated by the following assumption: the state needs the support of its citizen in order to provide them with the most extensive set of services and goods. A good society thus relies on actions performed by responsible citizens, who act in ways that alleviate burdens from the shoulders of the state.
- This new social contract is central to policymaking in the field of education. It is commonly assumed that responsibility for a child's education is shared by both parents and the state. When parents fail to fulfill their duties and responsibilities, the state has an obligation to step in and support the child. No child should pay the price of his own irresponsibility or of his parent's negligence.
- State intervention is, however, a fall-back position. The desirable social pattern is that of parents taking responsibility for their children. In Obama's new social contract, the family in general and parental love and care in particular are a basic social building block. The demand that parents will act responsibly is bound to increase social inequality and reproduce social, economic, and educational gaps.
- Responsible actions, unlike responsible intentions, reflect not only the intentions of agents but also their freedom and capabilities. Such freedoms and capabilities are unevenly distributed as they are dependent on the agent's human capital and financial means.
- Equality and parental responsibility pull in opposite directions. The first step of accommodating both is to offer parents guidance and support in their attempt to act responsibly. A wide range of services, including distributing information, helping parents to identify their children's needs, and teaching parents how to help their children in school, must be granted to 'parents at risk' in order to allow them to become responsible parents. Helping parents to fulfill their responsibilities is not a paternalistic move curtailing their autonomy but a way to provide them with the capabilities necessary for responsible actions.
- The new social contract aims to establish a society in which individuals can live meaningful lives. While the state enjoys the outcome of citizens' responsible acts it has a duty to create the necessary conditions for such actions, and in so doing to close social and economic gaps between families and individuals alike.

# Equality and Responsibility in Education Policy

## *Introduction*

In the democratic tradition the social contract between citizens and the state is grounded in two constitutive moves: a delegation of authority from the individual to the state and an acknowledgment by the state of the limits of its authority, marked by the rights of its individual members. Since neither the authority of the state nor the rights of citizens are grounded in the notion of responsibility, it is left at the margins of the exchange.

With the growing economic crisis, several basic presuppositions have been shattered, among them the assumption that the free market can, or should, replace the state, and that the state can replace prudent behaviour on the part of its citizens. It is in the context of these events that Barack Obama's words, in his inaugural speech, should be understood. What is required of us now is a new era of responsibility, says Obama, 'recognition on the part of every American that we have duties to ourselves, our nation, and the world'.

Obama's speech suggests that the basic contract between the state and its citizens needs to be expanded in order to include not only an effort by the state to protect the rights of its citizens and provide them with as wide a set of basic goods as it can, but also an understanding from its citizens that, whilst the state is obliged to act in ways that improve their well-being, this does not exempt them from taking responsibility over their own lives.

The partnership between responsible citizens and the state, despite the unequal balance of power, demands that each party do the utmost to alleviate the burdens placed on the other. This somewhat naïve description is grounded in the assumption that when a sense of responsibility motivates one to do the right thing, the general cost of the goods and benefits the state must supply will be reduced, as some goods will be produced in alternative ways, or become utterly

redundant. Thus, the state can redirect its resources and invest more in closing social and economic gaps, thus advancing equality and social justice.

One could claim that acting responsibly is one aspect of political obligation. Indeed, there seems to be a continuum between the notion of political obligation and responsibility, yet there is an important difference between the two. Obligations are actions that are prescribed for us by the law of nature, by contracts and agreements as well as by the legal system, and are therefore actions we are obliged to perform regardless of our own judgement. It is not up to us to decide whether to act in accordance with the law, just as it is not up to us to decide whether to respect the sanctity of human life or the freedom and rights of our fellow citizens. Responsibility, on the other hand, refers to desirable actions grounded in our free will, in an autonomous decision to act in ways we see as valuable. The actions in question may be of lesser moral value than moral obligations but are no less essential for the formation of a good society. And as they are not enforceable they draw on the good will of people. Making such actions a part of a social contract is a way of making them an essential part of our social life, and consequently as common and widespread as can be.

One would intuitively assume that acting responsibly will not only help to alleviate the burden of welfare from the state, but will also allow for a more efficient, just, and equitable redistribution of educational resources. Yet, as I will go on to argue, a closer examination reveals that this unavoidably undermines social equality. So we may be facing a sore choice between a society that celebrates intimacy and a society that celebrates equality.

## *Children and responsibility*

There are numerous ways in which the term 'responsibility' can be applied to this debate.

In the stricter sense, responsibility is related to three main concepts: freedom of action, rationality, and moral intentions. In the softer sense, responsibility applies to some connections between actions and consequences related to an agent's actions, regardless of his moral capabilities or rational judgement. Hence, telling your six-year-old son to act more responsibly does not imply that he can bear moral or legal responsibility for his actions, but that he should be aware that his actions have consequences.

In the context of the present discussion, how should the notion of responsibility be interpreted? Remember that other moral, social, and political notions tied to a social contract are a reflection of actions taken as a result of a conscious, willing decision to become part of a political community. We can therefore assume that in this context responsibility should be interpreted in similar ways – as a free action that reflects one's preferences and commitments. It is in this, stricter sense of the word, that I use the term responsibility here. One immediate conclusion is that children are excluded from this discourse as they are yet to develop the rational faculties and mental abilities necessary to make moral judgements and autonomous decisions.<sup>1</sup>

If children are free of responsibility in general they are particularly free of bearing responsibility for their own education. No one should expect a child to act responsibly as a precondition for gaining the right to be educated. Nor should one ground the distribution of educational resources in the behaviour of children. Education is meant to develop in a child the moral and judgemental faculties necessary in order to act in responsible ways and bear responsibility in her maturity. Responsibility, then, is to be seen as an outcome rather than as a precondition to

education. Even those who argue that children ought to behave responsibly in order to justify educational investments believe that those children who are victims of parental or social neglect demand special treatment and should be compensated, by the state, for damages they have endured. This is where the notion of equality re-enters our discussion: equality suggests that one of the main purposes of education is to free children from constraints imposed on them by their unfortunate background. No child is to pay the price of his parent's negligence. In Rawlsian terms, one should not allow morally arbitrary traits and circumstances affect a child's life chances.

We have then a triumverate: the parents, the state, and the child. Both the parents and the state have an obligation to care for the child. Both share a responsibility to enable her to enjoy her right to be educated. The child, who is not mature enough to evaluate the importance of this right, cannot waive it, and it is the state and the parents who are responsible for its implementation. The right to be educated then is an obligatory right, and one of a set of rights that ought to be respected irrespective of a child's will. A child's claim that she does not want to go to school or to be vaccinated carries no moral weight. This highlights the fact that the balance we are seeking is between responsible adults (mainly parents) and the state rather than between these adults and their children.

### *The responsibility of parents*

The new social contract offered by President Obama demands that citizens in general, and parents in particular, do not passively await the help of the state. They must act and contribute to those social tasks that are fundamental to their own well-being as well as to the well-being of their children.

Sending a child to school (the most minimal form of responsibility that allows a child to benefit from services granted to him by the state) is not enough; instead parents must play a more active role in the education of their children.

What are we asking parents to do? In calling upon parents to follow their children's advancement in school, to check their homework and spend time

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1. Obviously there are differences between newborn children and adolescents. However, for the purpose of the present discussion I will put all minors in one category. In real life one probably could, and should, demand that sixteen-year-olds will bear more responsibility than six-year-olds.

with them, Obama tries to make individuals aware of the fact that they must support their children in order to expand and improve their life prospects:

*Parents, if you don't parent we cannot improve our schools. You have got to parent...turn off the television, turn off video games, government cannot do everything. Parents need to curb the amount of time kids spend playing video games.*

If we take Obama's call on parents as an example of what is required by the new social contract then we will be calling on parents to act in three related, but independent ways:

1. be present in their children's life;
2. care for their children's well-being;
3. translate their care into action in order to enhance the well-being of children: protect their lives, teach them how to take care of their health, support their schooling, read to them, etc.

One may wonder if the first two points constitute an important part of the new social contract. Does it matter why a person behaves in a responsible way? Why would society care if the reason that I educate my daughters is because I love them; because I want them to be well-educated so that they will be able to support me in my old age; because I feel loyal to my fellow citizens and do not want to betray their confidence; because I do not want to be embarrassed by my neighbours or friends; or because the state inspects my actions?

I have suggested earlier that the discourse of responsibility adds to the social contract a new layer of desirable acts that are not prescribed but are the consequences of free choice. The benefits derived from such actions lie not only in their direct consequences but also in them being an expression of something the agent cares about.

One could think of three kinds of responsible agents. The first wishes that society, at large, will be a better place to live in and therefore chooses to be *uninterested responsible* agents. Such agents

perform actions they assume will have the highest social value irrespective of who benefits from them. On the other side of the spectrum lies the second kind of responsible agent: *self-interested responsible* agents, namely those who act responsibly in all matters regarding their own self-interest assuming that this will enhance their well-being.

The call upon parents to act responsibly does not fall within either of these categories: parents are *caring responsible* agents, as their actions are motivated by their role as well as by their love and care for their children. One may wonder why such interested responsible actions would be preferred to uninterested responsible actions. Why not demand that parents, like all other individuals, will attempt to maximize the social value of their responsible acts? The answer cannot lie in the sphere of either efficiency or justice but in the importance of care. If a central aspect of our humanity is our ability to create human bonding, then caring responsible actions reinforce such bonds and stabilize them.

The emphasis on parenting and the family bond tells us something about the social structure one has in mind. In giving the family a central social role one defines society as relying on a set of intermediate social institutions. According to this view the family in general and parental love and care in particular are a major building block no society can do without. They allow individuals to experience love and care in their intimate circles, feelings they learn to harbour and express not only with their nearest of kin but also in wider society.

The social implications of the collapse of the institution of the family cannot be overestimated. Social evidence shows that more and more children are growing without parental care, even if they do have parents. Parents of all social classes enact their parental responsibilities with less thoroughness than they should, relying on nannies and private tutors; on the community, the church, or the state; or simply leaving their children with no protection at all. Whether it is the modern emphasis on careers that keep parents away from home for many hours

a day, the authority crisis that is characteristic of the twenty-first century, or the dominance of television, the internet, and video games in the lives of children, parents spend less time with their children, do not pay enough attention to their emotional or educational needs, and do not invest in their well-being in ways that can improve their life prospects. Hence, Obama's call on parents to 'start parenting' is a timely one.<sup>2</sup> It sees responsibility not only as a way to help the state fulfill its duties but as a way to strengthen family ties and commitments. Love and intimacy then are taken to be no less socially valuable than efficiency and equality.

The new social contract leaves room for the three kinds of responsible agents. It applauds uninterested responsible agents: those who will dedicate their time and efforts to make the most worthwhile and efficient contribution to society as a whole. It encourages citizens to take responsibility over their own lives and urges parents, children, and friends to take responsibility over those they care about.

### *On care and responsibility*

Turning our attentions to cases in which agents choose to act responsibly motivated by their feelings and attachments rather than by considerations of disinterested efficiency or self-interest, we discover that questions regarding social equality, or rather inequality, soon emerge. Responsibility, we have argued, is not merely a matter of intentions and motivations but of actions. And yet, the ability to act depends on a variety of educational, social, and economic capabilities that are unevenly distributed.

The discussion thus shifts from motivations to capabilities. As Amartya Sen rightly argues, the central question of a discourse on social justice is not what a person wishes to do or to be but what a person is able to do and to be.

The capability to achieve functionings (i.e., all the alternative combinations of functionings a person can choose to have), Sen argues, constitutes, 'the person's freedom – the real opportunities – to have well-being.'<sup>3</sup> A person who has no capabilities will be unable to act responsibly regardless of his will. From the point of view of our moral judgement, the incapable responsible person is as virtuous as the capable one, but from the point of view of those he cares about his incapability has grave results.

If we examine Sen's conclusions in light of class differences, we will have to admit that capabilities, including human capital and other tools necessary to act responsibly in the field of education (as well as in other fields) are unevenly distributed. They are far more accessible to members of the middle classes than to members of the lower classes. Hence, even if responsibility is equally distributed among classes, the distribution of capabilities will allow the 'better off' many more opportunities to act responsibly than the 'worst off'. Consequently, the social outcome of self-interested and caring responsible actions will be the deepening of class differences and social inequality. In Rawls' terms, by introducing the notion of responsibility we violate the difference principle as we allow for inequality that favours the 'haves' over the 'haves not'.

Acquiring literacy skills is a good example of an uneven distribution of capabilities. As the UNESCO report of literacy tells us, 'pupils from more privileged socio-economic backgrounds (in terms of parents' education, occupation status or household wealth) and those with access to books consistently perform better than those from poorer backgrounds or with limited access to reading materials.'<sup>4</sup>

Every literate parent can read to his/her children, but the more educated a parent is, the more likely she is to read to her children in ways that will

2. This renewed political interest in the family is enhanced by the present economic crisis that demonstrates the economic importance of families with two breadwinners. In the midst of a crisis the family as a social institution that can provide an immediate support group will become more important than ever.

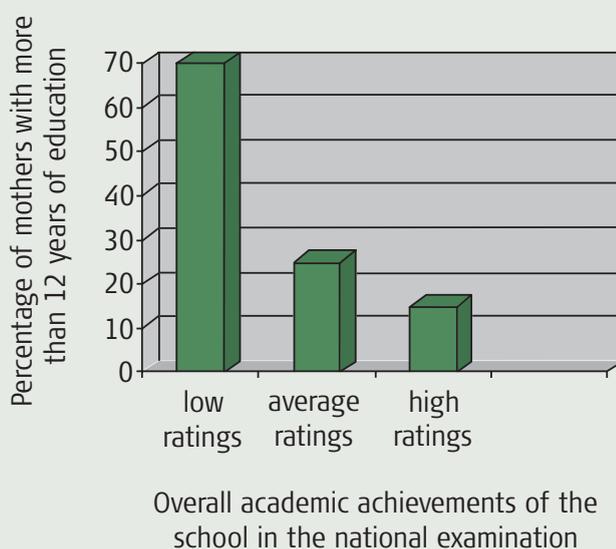
3. Sen, A. (1993) 'Capability and Well-Being'. In: M. Nussbaum and A. Sen (eds.) *The Quality of Life*, p. 33. New York: Oxford University Press.

4. UNESCO (2007) *Education for All by 2015: Will we make it?* Oxford: Oxford University Press, p. 67.

benefit them. Similarly, more educated parents will converse with their children in ways that will develop their cognitive skills in much more efficient ways than uneducated parents. Educated and professional parents will be able to help their children with their homework much more efficiently than uneducated non-professional parents who will, as Obama suggests, have to seek some help.

Research proves that the correlation between parents' education in general and mothers' education in particular and the cognitive skills of her children is extremely high. One such study, conducted in Colorado, collected data on the educational achievements of mothers and their children. The data was sorted by neighbourhoods and compared with School Accountability Reports. The results show a very consistent correlation between the percentages of mothers who have less than a twelfth grade education and the overall academic achievements of the schools. In other words, the higher the percentages of non-educated mothers, the higher the chances are that the school will be performing below national standards (Figure 1). This very strong correlation suggests that educational capabilities are transmitted from generation to generation and that mothers have the strongest influence on their child's

**Figure 1**  
**Relationship between mothers' education and academic achievements of their children**



ability to succeed in school. This is not because less-educated mothers willingly invest less in their children; rather it is due to the fact that low human capital affects the quality of their investment. With the lack of efficiency comes parental frustrations, the breakdown of authority, and a diminishing self-image.

One cannot avoid the conclusion that the parent-child relationship perpetuates inequality rather than reduces it. The central place granted to the concept of responsibility in the new social contract thus fits well with conservative values that serve to preserve the present class structure rather than transform it.

If we intend to make responsibility a transforming value rather than a conservative one we can, at least theoretically, call upon parents to act as uninterested responsible agents and help the neediest children as well as their own children. If I can read to my children why cannot I read to my neighbour's children? If, as Rawls suggested, we do not have the right to enjoy the fruits of our own natural talents, then by extension we certainly cannot claim to have an exclusive right to our parent's talents, which should be equally distributed among all children.

Some collectivist theories of education follow this line of argument and suggest that in order to allow each child to enjoy equal opportunities one should detach children from their own families and place them under the supervision of the collective. This was the idea behind the educational system of the Kibbutz movement that took children away from their parents to a 'children's home' where they were educated together by the most gifted members of the community. This indeed was an egalitarian system that gave many children from deprived neighbourhoods and broken homes the ability to enjoy a wide range of opportunities they could not have otherwise enjoyed. Yet it had an emotional price that parents and children were unwilling to pay. It destroyed the intimacy and partiality characteristic of family life and created social alienation, anger,

and bitterness. The failure of the experience of collective education demonstrates the strength of the traditional family and the desire, even in revolutionary moments, to allow space for intimate relationships. Individuals long for justice, but they also want to live meaningful lives, and to allow love and care to be a significant part of such lives.

Obviously the new social contract offered by Obama and others is much less radical in its nature than that entertained by the founding fathers of the Kibbutz. Indeed, it is grounded in a somewhat conservative view of a stratified society that sees the family as a central building block of the new social order. A social contract that grants the institution of the family and the responsibilities that follow from it a central place must lead to greater social, economic, and educational inequality, as the inequality of family life will necessarily cross the boundaries of the private and invade the public sphere.

We can summarize the discussion by drawing three conclusions:

1. The basis of the new social contract is the acknowledgement that the state cannot 'do it on its own'. The contract thus calls for a more effective distribution of labour between the state and its citizens so that a richer and more meaningful set of services and goods could be granted to all members of society. The call upon parents to take more responsibility over the lives of their children is therefore an expression of the more general call for a new kind of social partnership.
2. A social contract that grants the institution of the family and the responsibilities that follow from it a central place must lead to greater social, economic, and educational inequality, as the inequality of family life will necessarily cross the boundaries of the private and invade the public sphere.
3. A social contract that places equality as the main social target must marginalize the role of intermediate associations and the

responsibilities that follow from them. It must view the state as responsible for ensuring that every child will enjoy equal opportunities in order that they may overcome impediments grounded in their background and upbringing. Whether the state should isolate children from their families to ensure equal opportunities, or intervene only in extreme cases where parents fail in their responsibility to their children, is a question of social and political ideology. Yet all egalitarians share the view that the state must act to undermine social and educational inequalities, and limit the influence of all partial social institutions, including the family.

As these conclusions demonstrate, equality and parental responsibility, two worthy values, pull in opposing directions. We must not, however, ignore either of these values but seek ways to accommodate both. The first step is to offer parents support in their attempt to act responsibly. This would include providing a wide range of services, such as distributing information, helping parents to identify their children's needs, teaching parents how to help their children in school, and so forth. This emphasis on helping parents in their attempt to fulfill their responsibilities should not be seen as a paternalistic move which curtails individual autonomy, but as a way to provide parents with new capabilities that will allow them to act freely with fewer constraints and greater chances to succeed. As Ben-Porath rightly argues, in opening up new opportunities for its citizens, the state allows for a better implementation of 'both freedom and equality... thus strengthen[ing] the legitimacy of a democratic state'.<sup>5</sup>

The above discussion illuminates the fact that the new social contract is far more complicated than it may initially seem: while adding responsibility to its matrix in order to allow individuals to lead a more meaningful life, it acknowledges the fact that responsibility demands capabilities and these

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5. Ben-Porath, S. (forthcoming) *Tough Choices* Princeton: Princeton University Press.

are dependent on a set of variables that are unequally distributed.<sup>6</sup>

So we have completed a circular move that started with delegating responsibilities to parents in order to alleviate some of the burdens from the shoulders of the state and concluded with the state being invited back in to support parents to act in responsible ways that will help the state to pursue its goals. Did we gain anything in the process? I suggest we did. The state may find that demands for its intervention and investment in the sphere of education, as well as in other spheres, are higher than ever. Yet the proposed allocation of state resources allows citizens to make their lives more meaningful, both by experiencing the benefits of membership in

intermediary associations characterized by intimacy, privacy, love, and care, and by expanding their freedom to act in accordance with their preferences as the state opens for them a new range of capabilities (or functionings in Sen's term).

The new social contract thus allows citizens to be more active as moral and political agents. It creates a society that is richer in the experiences and the degree of freedom it allows its citizens to enjoy. One may conclude then that Obama's calls for a new social contract may not lead to the radical change people may have expected. And yet, it offers a social vision that is both just and human. For these reasons it must be welcomed with a considerable degree of hope and optimism.

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6. In their new book (forthcoming, Oxford University Press) Wolffand and deSahlit develop the notion of 'genuine opportunity for secure functionings' that expresses well the need to support the actual ability of individuals to act responsibly, if responsibility and equality are to be seen, both, as valuable social goals.



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