Educational Equality: Luck Egalitarian, Pluralist and Complex

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The basic principle of educational equality is that each child should receive an equally good education. This sounds appealing, but is rather vague and needs substantial working out. Also, educational equality faces all the objections to equality per se, plus others specific to its subject matter. Together these have eroded confidence in the viability of equality as an educational ideal. This article argues that equality of educational opportunity is not the best way of understanding educational equality. It focuses on Brighouse and Swift's well worked out meritocratic conception and finds it irretrievably flawed; they should, instead, have pursued a radical conception they only mention. This conception is used as a starting point for developing a luck egalitarian conception, pluralistic and complex in nature. It is argued that such a conception accounts for the appeal of equality of opportunity, fits with other values in education and meets many of the objections. Thus, equality is reasserted as what morally matters most in education.

THE THREATENED IDEAL OF EDUCATIONAL EQUALITY

The basic principle of educational equality is beguilingly simple and has strong intuitive appeal; each child should receive an *equally good education* (Brighouse and Swift, 2008). Some might object that this only has appeal to those of a leftist or liberal disposition—but that would be too simple. While some parents may desire an education for their child better than everybody else's (and are able to pay for it), for many parents, the principle sounds reassuring. This is one reason why educational equality has long been a cherished educational ideal.

However, the principle does suffer from feel-good vagueness. This becomes apparent when we ask what grounds the principle, what it means and what it implies for educational policy and practice. Additionally, objections to equality *per se* also apply to educational equality. Randall Curren (2006) has pointed out that educational equality is not by nature easily reduced to some simple ideal form. Like equality itself, it is a

multidimensional ideal taking many forms. But it is also sensitive to specifically educational concerns such as the appropriate role of the state in education or the proper aims of education. The accumulated objections, lack of agreement over how educational equality is best understood, and political trends of the last few decades, have led many to challenge the viability of equality as an educational ideal.

Objections to educational equality focus particularly on the dominant conception, namely, equality of educational opportunity (EEO). They range from critiquing this particular conception to sharper objections that question whether educational equality is any sort of educational ideal at all. John White (1994), for example, believes equality ought to be 'jettisoned' in education because its desirability as an educational ideal is both misguided and poorly grounded. Others have argued that educational equality makes little sense, is incoherent (Wilson, 1991a, 1991b), that it is an illusion of largely rhetorical value (Cooper, 1980) and that it is a historical relic, one of 'Yesterday's Dreams' (Freeman-Moir and Scott, 2003), essentially irrelevant in a society where certain modes of production are dominant. Often talk of equality is sidestepped altogether by talking instead of equity. Maybe equity has a safer, financial ring to it and, perhaps, better fits with treating children as human capital in need of rational investment.

Most telling of all, objections need not involve the wholesale rejection of equality in general, just educational equality in particular. White acknowledges equality is operative at a general level. He accepts as a universal and fundamental ethical principle 'that all human beings' interests are equally worthy of consideration'(p. 174). He just doesn't think this principle is of any help when it comes to the actual practice of education. Other writers, notable for their important work on egalitarianism, argue that justice requires, not an equal, but a sufficient or adequate education (e.g. Anderson, 2007; Satz, 2007) or is satisfied when priority is given to the needs of the least advantaged (Schouten, 2012b). These writers favour sufficiency or priority, not for pragmatic or political reasons, but because they believe these principles better enunciate what really matters in education and more accurately reflect what we really care about.

Educational equality is not without its defenders however (e.g. Brighouse, 2000, 2010; Brighouse and Swift, 2008; Howe, 1993, 1997; Nash, 2004). Yesterday's dreams have not faded entirely, and equality, long a major influence on educational policy, retains a popular rhetorical power that policymakers in most liberal democracies find difficult to ignore—as evidenced by the genuine concerns many governments have about achievement gaps. But even some advocates of educational equality have doubts over its status. Kenneth Howe admits that the problems with EEO are such that it must either 'be fundamentally reinterpreted or abandoned'(1993, p. 329) and Harry Brighouse, a longstanding champion of educational equality, in a recent work makes a claim I find puzzling. He writes that, while educational equality is valuable, it is not the only value or even the most important value (2010, p. 44). He believes the values of family life and benefiting the least advantaged are more important. I do not disagree

that there are other salient moral values in education and I do not deny the moral urgency of the claims of the least well-off. My difficulty is that Brighouse ranks benefiting the least advantaged—a prioritarian principle—ahead of equality. To my mind, this is an odd thing for an egalitarian to do, as priority is a distinct and competing principle to equality. Furthermore, I take it as implicit within a principle of equality that the interests of the least advantaged will often take priority anyway, for reasons such as the greater moral urgency of their claims and diminishing marginal utility (Hirose, 2009, 2011; Nagel, 1991).

WHY EEO SHOULD BE ABANDONED

EEO conceptions typically require the removal or mitigation of barriers identified as irrelevant to someone's educational entitlement. Barriers can be legal, facts about individuals and their backgrounds, overtly economic and social, less visible barriers of culture and motivation or facts about who has the power to define what is of educational worth (Howe, 1993, 1994; Nash, 2004).

A problem with such conceptions was neatly pointed out by Bernard Williams (1962). We tend to think that the more equal opportunities are, the more equal outcomes will be. Ensuring equality of opportunity therefore seems to require an ever-increasing range of remedial and compensatory measures being applied until eventually we have equality of outcome. But EEO would seem to be redundant if we can only know we have equality of opportunity when we have equality of outcomes. While Howe (1989) is not actually opposed to EEO being conceived in terms of outcomes, there are reasons for being hesitant about this approach. Firstly, Coleman (1975) pointed out that if educational equality is a form of equality of outputs it looks hopelessly utopian. It is implausible to think that the State can equalise educational achievement given human diversity and the diverse backgrounds people come from. One might not, however, be overly concerned by this as it is more an argument against EEO in practice than in principle. A second, stronger argument, makes a distinction between equality being *outcomes-based* and it being *outcomes-sensitive* (Burbules, 1990). Unequal outcomes do not necessarily mean that opportunities were unequal, because there are intervening choices (subject to scrutiny as to background conditions) about whether to take up opportunities. On this understanding, outcomes certainly serve as an alert to possible inequalities, but do not fully constitute inequality itself. Thirdly, there is a large question as to which outcomes should strictly count as indicators of fair educational opportunities. This will partly depend on what outcomes you think are the right ones for education.

Brighouse and Swift's conception of EEO largely avoids these difficulties, so for that reason, and because I think it the best thought out conception of educational equality available, it is the one I concentrate on here. They argue for a leaner version of EEO, strongly influenced by Rawls, which they call the *meritocratic conception*. This states that 'an

individual's prospects for educational achievement may be a function of that individual's talent and effort, but they should not be influenced by his or her social class background'(2008, p. 447). I will focus here on only two things: how they ground the conception and its meritocratic nature.

They ground the conception on the idea that inequalities in the distribution of socially produced benefits—income, wealth, jobs, status, the further opportunities that possession of these allows—can only be legitimate if they are the result of fair procedures. As education plays a key role in the competition for these social goods, it is unfair if some get a worse education than others due to no fault of their own, for this would put them at a competitive disadvantage. Educational equality therefore appears to be required for competition to be fair. So the moral basis of the case they build is the idea of *fair competition* for social benefits.

Grounding a theory of distributive justice on fair procedures is a good strategy. However, it relies on there being no independent view of what constitutes a fair distribution, or having procedures likely to secure that distribution. I argue later that we do have ideas of what a fair distribution is, prior to ideas of fair competition, and competition is unlikely to yield that distribution. But leaving that aside, the reliance on the idea of fair competition, while having some intuitive appeal, also has troubling aspects. It is true we live in a society that has notably competitive features. It is not at all clear though, that this is the dominant feature or the most morally relevant feature of people's lives. Life is not obviously a competitive venture, and it is hard to say how much inequality losing a fair competition could legitimate anyway. The idea that we are in competition for socially produced goods makes it look as if these are prizes. I think we should resist this view, as *fair shares* are not often a matter of how successfully one competes. Further, it is logically flawed, and undesirable, to claim that educational equality is needed to ensure fair competition for positions that are unequally rewarded. It looks fraudulent, as it appears to assume that the reward structure is itself legitimate. One can have a fair competition and the reward structure can still be unfair, as it is set independently of the nature of the competition. Think of the argument surrounding prize money for men and women professional tennis players. There is no suggestion that there is anything unfair about the competitions, it is the prize structure itself that is unfair. And having a fair competition for unequal prizes does nothing to legitimate that prize structure.

Against the competitive view, it can be suggested that people, as members of a society, are simply entitled to a fair share of what has been socially produced. Egalitarians could then argue for some idea of equal shares based on a notion of equal citizenship. If society is more a cooperative enterprise, then the equal participants in a cooperative enterprise are entitled to an equal share of the fruits of their cooperation. It would then remain to justify why people's participation in society should be seen as equal, when it appears that people do not in fact participate equally. But I do not need to defend this thesis here. Rather, my point is that the fact of social cooperation is more basic than that of competition and so should be prominent when thinking about principles of distributive justice.[1] Compe-

tition in a society is parasitic upon there already being extensive social cooperation. Cooperation is a more apt and accurate characterisation of much of life's circumstances. The proper distribution of the products of social cooperation can also make use of fairness, but more of the idea of fair shares. Even if society is structured competitively, we need an argument for why it ought to be or why we should accept it this way and therefore why correct principles of distributive justice should be grounded on the idea of fair competition, rather than on other ways society could be.

Consider now the explicitly meritocratic nature of Brighouse and Swift's conception. The idea that talent and hard work legitimate differences in educational achievement again has strong intuitive appeal and is probably in accord with what many think. Talent and effort seem exactly the sort of things that may have moral relevance for the distribution of educational advantage. However, this appeal belongs partly to how the conception has been worded, in terms of *educational achievement*. If it said that 'an individual's prospects for a *good education* may be a function of that individual's talent and effort, but . . . not . . . social class background' then it looks much less attractive. My main purpose here is not, however, to argue about the focal variable, but the point will arise again later.

Meritocratic conceptions have a well-known weakness which Rawls confronted in his work. He wrote that there 'is no more reason to permit the distribution of income and wealth to be settled by the distribution of natural assets than by historical and social fortune' (1971, p. 74). The place of effort in a meritocratic scheme is insecure too when we notice that 'the willingness to make an effort, to try, and so to be deserving in the ordinary sense is itself dependent upon happy family and social circumstance' (ibid.). Further on Rawls argues that persons are not treated as equals if we 'weight men's share in the benefits and burdens of social cooperation according to their social fortune or their luck in the natural lottery' (p. 75). It was because of his recognition that luck, arbitrary from the moral view-point, plays a part in both the natural assets a person possesses, and their social circumstances, that he added the difference principle. This was to mitigate the disadvantage suffered by some, while still allowing for inequalities that function as incentives, motivating the talented to be more productive than they would otherwise be and thus maximise the position of the least well-off. Without the difference principle 'equality of opportunity means an equal chance to leave the less fortunate behind in the personal quest for influence and social position' (pp. 106–107).

I have quoted Rawls extensively because there are many who think Rawls' solution to the problem of the natural lottery is inconsistent with the underlying intuition and that the difference principle cannot fully mitigate the deficiencies of equality of opportunity. Kymlicka (2002) has argued that equality of opportunity which permits distributive shares to reflect talent and effort, but not things like class, race, religion or sex, is unstable, for precisely the reasons given by Rawls. The natural talents people are born with, and the social contingencies people are born into, are equally a matter of luck, and therefore equally arbitrary from a moral standpoint. If we admit that one type of these (social circumstances) ought not to affect

our life chances then, to be consistent, we have to allow that the other type (natural talents) is also impermissible as a source of inequality. It is also unclear how true it is to even speak of natural assets. Talent, when looked at closely, looks more like something as dependent for its development on a nurturing environment as anything else.

Kymlicka points out too that the difference principle is sensitive to *all* inequalities and does not therefore necessarily follow from an argument that is only about *some* inequalities i.e. those that are the result of bad luck. Some may be among the least advantaged for the altogether more salient reason that they have chosen, in some way, to be in those circumstances. Therefore the difference principle has the consequence of imposing unfair costs on some, in order to subsidise the choices of others.

Brighouse and Swift are aware of these weaknesses and, in Rawlsian fashion, add a principle of benefitting the least advantaged to their conception. But they also identify an alternative they call the *radical conception*. Unfortunately they set it aside without explaining why. Brighouse (2010) discusses the radical version in a little more detail. His argument is essentially that of Kymlicka. If it is unfair for some to get a worse education than others because of their social origins, then it is equally unfair for their educational achievement to be influenced by their natural talents. Both social circumstances and natural talents are beyond a child's control and cannot therefore be legitimate determinants of educational achievement. This argument strikes me as correct and supports the radical conception that 'an individual's prospects for educational achievement should be a function neither of that individual's level of natural talent or social class background but only of the effort she applies to education' (2010, p. 29). While Brighouse avoids committing himself explicitly to a conception, his discussion clearly favours the meritocratic.

I think the radical conception, influenced by luck egalitarianism, shows promise and Brighouse and Swift are mistaken not to pursue it further. I now turn to developing this conception in closer alignment with luck egalitarian principles.

LUCK EGALITARIAN EDUCATIONAL EQUALITY

Luck egalitarianism is underpinned by two morally pregnant ideas; that luck is not relevant to determining a person's distributive shares, but the choices a person makes are (e.g. Tan, 2008). It is unfair if a person is worse off than others due to no fault or choice of their own, due to circumstances beyond their control, due largely to bad luck. The only thing that may be relevant to the permissibility of inequality is the choices someone freely makes, choices for which they can properly be held responsible. This is because it is unfair for someone to impose the costs of their voluntary choices on another.

If we apply these ideas to educational equality, it implies that no child should be worse off, or better off, educationally solely because of good or bad luck. This suggests that the egalitarian project in education is to ensure

that we set up structures and act in ways that will neutralise, compensate for, or ameliorate the effects of luck on the distribution of education. So the quality of a child's education should not be a function of their natural talents, sex, ethnicity or social class background. However, differences in the levels of educational advantage held by different children are legitimate if those children can *properly* be held responsible for those levels. Educational inequalities may be permissible (not just) if they are the result, say, of choices about the effort made to learn or what to learn.

More succinctly, a luck egalitarian conception of educational equality states: an individual's education should not be a function of those aspects of their condition and circumstances which are for that individual a matter of luck, but only of the free choices they make about their education, for which they can properly be held responsible.

It is uncontroversial to believe luck has no moral relevance, so there is little reason to believe it can legitimate educational inequality. The disqualification of natural talent as a relevant factor may be controversial. It is sometimes observed that student achievement is bound to vary as a result of the fact of human diversity. It is then argued that this fact undermines educational equality as a sensible ideal. Winch writes: 'radical egalitarianism is not only impractical but it is also internally incoherent given the highly plausible assumption of human diversity' (1996, p. 117). The root idea is that it is neither practically possible nor desirable to make everyone the same in some respect, such as performance in a test, and this is taken as a *reductio ad absurdum* against educational equality.

This argument shows that we need to distinguish carefully between difference, a matter to be established empirically, and inequality, which depends on a theory of justice (Nash, 2004). Sometimes mere difference is inequality. This could be the case with severe impairments. Luck egalitarianism holds it is unfair to suffer disadvantage due to any unchosen lottery, natural or social, and it remains so *even* if not the result of human agency and *even* if mitigation of that disadvantage is not possible. It is true, though, that much human diversity is morally irrelevant. But this does not defeat egalitarianism.

Tan (2008) argues that luck egalitarianism is not about equalising all the chance variations that contribute to human diversity, but instead is concerned with how our social institutions deal with natural contingencies. The goal of luck egalitarianism 'is to ensure that institutions are not arranged so as to convert a natural trait (a matter of luck) into actual social advantages or disadvantages for persons' (p. 671). So hair colour, for example, is not normally a concern of luck egalitarian justice. But it could be if our social institutions and practices distributed benefits in such a way as to favour those of a certain hair colour over those of another colour.

Saying that talent or ability are irrelevant to the fair distribution of education does not mean they are irrelevant to all educational decisions however. How someone is taught does depend on facts about their ability. But to say ability is relevant to pedagogy is not in conflict with egalitarian requirements; indeed it is pertinent as it may mean that as a matter of egalitarian justice some require more resources or better teachers. The

point is rather that talent and ability are irrelevant to the *quality* of education someone receives. That the intelligent and industrious may achieve more academically is not in dispute, *contra* Cooper (1980). But that they should get a better education is. It is not obvious that the unintelligent and less industrious will derive less benefit from an equally good education and it is very dubious that their interests in education, widely understood, are less than others. Natural traits should not be the basis for the *differential distribution* of educational benefit. Regardless of talent, luck egalitarianism asserts that each person should have an education that equips them as well as possible to live their lives.

The other aspect of luck egalitarianism, choice and responsibility, long the preserve of the anti-egalitarian right, can raise the hackles of many concerned about educational justice. So I say straight off, what someone can *properly* be held responsible for is very, very constrained. If we accept Susan Hurley's (2003) idea of *thin luck* as simply the inverse correlate of responsibility, then if responsibility is impossible, all is a matter of luck and no inequality is permissible. However, this extreme is at odds with the powerful intuition that choice does have great significance (Scanlon, 1988, 1998) and if we are to be held responsible for anything, certain of our choices are a good candidate. A distinction can be drawn between the metaphysical problem of whether we are ever actually morally responsible for something, and the ethical problem of when we should hold people responsible for their actions and choices.

Luck egalitarians often consider the fairness of inequality from the perspective of agents making choices from initially equal states where each person has an equally valuable set of options. We know in education this is often not the case and so we will judge the permissibility of any inequality accordingly. However, our practices and intuitions strongly suggest that a theory of distributive justice cannot ignore the idea that it is fair to hold persons responsible for at least some of their voluntary choices and they can therefore be expected to bear the costs or enjoy the benefits of those choices.

EDUCATIONAL EQUALITY IS PLURALISTIC AND COMPLEX

Parfit (1995) argued that, although there may be some pure egalitarians who hold that equality is the single or most important value, it is most likely that egalitarians are in fact pluralists about value and must hold some more complicated view. This is so because, if equality were all that mattered, then any equal distribution would have to be judged as good as any other equal distribution. Parfit therefore believes that most egalitarians are pluralist about value and believe that both equality and wellbeing (or utility) are good in themselves.

Carter (2002) also argues for pluralistic egalitarianism. He argues that, rather than being obsessed by some strict equality in one dimension, egalitarians are actually opposed to inequality across a number of dimensions. The *equality of what* debate demonstrates this point by its inconclu-

sive nature. That is, egalitarians think there is something correct about all of the serious candidates for equalising (e.g. resources, welfare, capabilities, primary goods and access to advantage). This means we must make complex global judgements about inequality across dimensions that take into account inputs, outcomes, opportunities and anything else that might matter for wellbeing. At times trade-offs will be necessary between, say, resources and the average level of welfare. It will be necessary to weigh up different factors and it will be a matter for debate how much each factor ought to count towards some overall measure of wellbeing, and therefore contributes to judgements of inequality.

Further, Hirose (2009) argues that equality is best understood as 'a feature of an aggregative process for estimating the goodness of a state of affairs' (p. 303). By this he means equality is not some object that can be examined separate from a state of affairs, but is an intrinsic property of how we aggregate people's wellbeing. It should be seen as a good-making feature of a state of affairs i.e. egalitarians believe that states of affairs are made better by being more equal. We cannot then talk of equality separate from the listing of people's wellbeing.

Values pluralism is not an uncommon position to take. Indeed, Brighouse and Swift argue that, while educational equality is an important fundamental value, it must nevertheless be evaluated in the light of other competing, but also important, values. I think they are right. But I am making a somewhat different claim and using the term 'pluralism' in a narrower than usual sense. The arguments of Parfit, Carter and Hirose point to a particular sort of pluralism—specifically of equality and wellbeing—that it is difficult for egalitarians to reject. It is not so much that there are two independent, competing values; rather, the nature of equality is such that it can only matter in the context of a distribution of something else that matters, such as wellbeing, or some other substantive good, such as education.

These insights are apposite for educational equality. Scepticism about this ideal, claims of its incoherence, have I suggest, been partly due to a failure to appreciate these points. Egalitarians believe a fair distribution of education will be an equal one. They believe too that it is better in itself if people are better educated. This must be so because if they cared *only* about equality then they would choose indifferently between a situation where all are uneducated and one where all have degrees. Educational equality cannot therefore be considered in isolation from educational quality. This is not because equality is derivative of educational quality, but because equality is comparative and only makes sense in the context of a distribution of education across two or more people. Equality is an inseparable property of a pattern of distribution. Take some distribution of education. Holding education as a value implies a concern with maximising the aggregate or average levels of education of individuals. Holding equality as a value implies a concern with minimising the spread across those levels. Pluralist egalitarians hold both values and see them as intrinsically linked, not conflicting. Judgements about how to weigh them up are therefore unavoidable.

But the situation is even more complicated than this. It will have been noticed that the luck egalitarian conception I gave replaced Brighouse and Swift's *prospects for educational achievement* with the vaguer *education*. Brighouse and Swift make it clear that a requirement to equalise prospects for educational achievement will entail measures that directly impinge on education, such as school funding, as well as measures that go beyond the school system to the wider social factors that have such a profound influence on a child's education. In other words, the correct focal variable for equalising (the *equalisandum*) is complex and must reflect all that matters for someone's education.

I prefer the vaguer term *education* to express this because luck egalitarianism is agnostic as to the correct *equalisandum.* It is not my goal here to specify the exact educational *equalisandum.* Rather it is to argue that, whatever it is, it must be complex in nature. I think it desirable to avoid using terms like *prospects* and *achievement* because of possible misunderstandings. The use of *prospects* could be taken to presuppose an opportunity focussed conception of educational equality and achievement can be narrowly interpreted as just academic grades. My use of *education* is therefore meant as a grab-all term that includes all you think matters to the quality of someone's education, all that makes for a good education. We often think here only of academic achievement or years of schooling. But what makes an education good includes many more dimensions than these. Each dimension need not be of equal importance, and their importance may well vary with context. This makes education, as I am here using the word, a complex variable composed of a possible myriad of factors such as quality of resources, access to quality schooling at all levels, funding, ability to learn, teacher quality, qualifications, richness of curriculum, opportunities to learn a range of skills, extra-curricular opportunities, the nurturing of autonomous learning and thinking, the ability to make decisions about how one wants to live one's life, employability, etc.

What I have discussed has *some* resemblance to equality of outcomes. One reason for its unpopularity is a belief that ability is the decisive factor in learning. This in turn may help explain a preference for meritocratic conceptions. The problem with these has been that merit has turned out to be a function of factors like ethnicity, sex, class, and not ability. A luck egalitarian conception does not tempt us in this direction as it sees ability as no more reason for inequality in educational distribution than other morally arbitrary factors. However, my conception is not about equal inputs, outcomes or opportunities, but about an equally good education, and all those things are necessary aspects of that.

Many thinkers have made claims that educational equality is in some way not meaningful, open to contradictory interpretations or incoherent (e.g. Coleman, 1975; Jencks, 1988; Wilson, 1991a). My claim is that such arguments are the result of not recognising that educational equality is pluralistic and irreducibly complex. Some things are just complicated and incapable of being reduced to a point where all tensions and conflicts are removed.

ADVANTAGES OF A LUCK EGALITARIAN CONCEPTION

A better theory should account for the appeal of earlier theories. In favour of the heliocentric theory is that it explains the geocentric theory. Similarly, if a luck egalitarian conception of educational equality is an advance, it should be able to account for the appeal of EEO. It should show that what is true about EEO is a consequence of luck egalitarian principles, not an alternative to them. The luck egalitarian conception does this in two ways.

Firstly, if we look at the barriers normally identified by EEO—e.g. sex, ethnicity, class—the property they all share is that they are not things that the individual has control over; they are unchosen, a matter of luck. So luck egalitarianism provides a unifying reason why the various and diverse barriers to education that have been identified do not justify inequality.

Secondly, there is the place of choice in luck egalitarianism. Burbules (1990) noted that it has seemed to many, that it is a necessary feature of opportunities that they can be taken up or not. What separates these possibilities is often a choice, whether fully autonomous or not. The problem of uptake also figured prominently in Wilson's claim that educational equality is incoherent. He equated becoming educated with learning and as this involves uptake by the learner it cannot be guaranteed by the mere distribution of resources or removal of barriers. But having choice in an egalitarian theory neatly explains why opportunities have been a focus and why uptake is not the problem Wilson thought it was.

Choice also provides a justification for a widely supported aim of education, that of developing agency. It suggests that children be taught in such a way that their agency and sense of responsibility for their own life is developed. Choice links to the liberal values of freedom, individual liberty and autonomy. Liberty, as Gutmann (1982) pointed out, provides a good standard for thinking about what and how to teach children. It implies that education programmes and policies that promote and nurture a child's development towards an adulthood, where they must make substantive choices about their lives, and will be held responsible for those choices, are to be preferred over others. Neoliberalism uses choice in the sense of one's freedom to buy and sell in the free market. Luck egalitarianism is more concerned with the freedom to make choices about how to live one's life.

Suitable conditions for holding young children responsible for their choices will be quite constrained and may legitimate only very minor and temporary inequalities. But it is not unreasonable to expect that even very young children must sometimes bear the costs of their choices. Burbules (1990) claims that children's capacities for choice are greater than we normally grant, perhaps because we sometimes don't like their choices. But we should be very hesitant about overriding all their choices, even possibly detrimental ones, if we are genuinely concerned with nurturing autonomy. We do punish children, which entails holding them responsible for some of their choices. We do also think children should—to some small extent—be free to choose things in line with their developing tastes and preferences. In doing this we do not believe them fully responsible for their choices but rather, this is how we develop agency and teach them to deliberate on their

choices (Schouten, 2012a). It would create a moral hazard for children if we never held them responsible for the consequences of their choices (Jencks, 1988). There would then be no incentive for them to learn to take into account consequences when making decisions. The adult world would come as a very nasty shock to such children.

Now it could be objected that, while a luck egalitarian conception avoids the problems of meritocratic conceptions, it suffers from the just as serious problem that choice could be used to legitimate inequality by blaming people for their poor choices (and commending others for their superior choices). But I have indicated that the understanding of choice employed is tightly constrained in a way that militates against this tendency and the luck side of luck egalitarianism has a way of eroding our confidence in judgements of responsibility and thus acting as a corrective to any victim blaming tendencies. In general too, we believe that children cannot properly be held fully responsible for the consequences of their choices so luck egalitarianism has the pedagogical implication that we should focus more on teaching children to think about their choices, rather than worry about how to hold them responsible for their choices.

There is a more significant implication however. Because it is rarely proper to hold children fully responsible for their choices, very little inequality will be permissible and the costs of bad choices need to be severely curtailed—particularly any long-term costs. It is disproportionately harsh to require individuals to bear heavy ongoing costs for poor childhood choices (and deluded to applaud others for how clever their choices were). Schools should be structured in ways that avoid locking in the negative consequences of bad choices. The possibility should always exist of being able to reverse the poor outcomes of bad choices and education systems should be structured to respond to bad choices in a way that encourages students to make better ones. For example, if it were shown that one effect of ability grouping is to lock children into courses that make it more difficult for them to recover from poor choices, then this would count against ability grouping. Or if Jimmy doesn't study for a test and does badly in it, then we can properly hold him responsible for this. But if he winds up drifting out of school and into low-paid, unsatisfying jobs because of a poor attitude to study, it becomes harder to say that this is a consequence he should be held fully responsible for. The degree to which we think Jimmy is rightly held responsible is going to depend a lot on background facts about Jimmy. We are perhaps right to hold him more responsible for exhibiting this behaviour as a 20-year-old university student than as a 10-year-old primary pupil. It is reasonable to think that a 20-year-old should have some grasp of the likely consequences of not-taking-tests-seriously behaviour, a grasp we cannot assume for a 10-year-old. We might also think it fair to mitigate the costs for a 15-year-old Jimmy making bad study choices by having a provision, as New Zealand does, permitting anyone over 20 to attend university.

A sharp distinction thus exists between libertarian and luck egalitarian uses of the concept of choice. Libertarians tend to hold the fact of voluntary choice enough to make permissible any outcome. Luck egalitarians,

however, focus on the background conditions of choices. In order for it to be fair to hold people responsible for the outcomes of their choices, choices must not only be voluntary, but also made under favourable conditions. If not, choice lacks the force to legitimate outcomes (Scanlon, 1988, 1998). Childhood is not a favourable condition for choices of grave import and we must therefore limit the costs of choices made at this time.

It could be objected that, as choices are shaped by one's background as much as talent and abilities more generally, then how does choice help us? I think in three main ways. The first is the agency-shaping pedagogical implication. Schooling is one of the background factors that helps shape a person's ability to eventually make adult choices for which they will, sometimes, be held responsible. Secondly, luck egalitarians say inequalities are only permissible if they reflect an agent's genuine choices, and the genuineness of choices can be compromised by many background conditions, such as poverty or lack of knowledge or coercion or the age of the person. This makes it plain that *much* less inequality is permissible than is normally thought to be the case. Thirdly, the fact that background social conditions are a factor in shaping a child's choices emphasises, again, that a child's chances of getting an equally good education are undermined if social inequalities are not addressed too.

This all makes luck egalitarian educational equality extremely demanding and raises questions about implementation. I do not consider that a problem for a theory of justice. G. A. Cohen (2008) argues there is a distinction between correct principles of justice and all-things-considered best social arrangements. The latter are informed by principles of justice, but most unlikely to be identical with them. My main concern here is to articulate what I believe to be correct principles of educational justice, rather than their translation for implementation.

A final point concerns the grounding of educational equality. Justifications of educational equality typically appeal to two sorts of idea. One is that educational equality is entailed by the fundamental moral belief in the equal moral status of persons. The other sees it as a requirement of equal citizenship and that, to be legitimate, a government must give equal care and concern to the interests of each citizen (Dworkin, 2000). I think it is difficult to reconcile these ideas with sufficiency or priority principles; however, not all see these as decisive grounds. Tan (2008) has argued that luck egalitarianism should most properly be seen as supplying a motivating or grounding principle that tells us *why* distributive equality matters. It matters because people's lives matter and they matter equally. Taking this seriously means not leaving the distribution of those things, such as education, that are important to how a life goes to the vagaries of luck.[2]

THE RELEVANCE OF EDUCATIONAL EQUALITY

Bowles and Gintis (1976) argued that the meritocratic nature of EEO reproduces the stratification already existing in society and legitimates economic inequality by making it look the result of a fair and equal

education system. The influence of their work, and others, has been such that Nash (2004, p. 361) claims that critical sociology has given up on EEO as it has become a piece of ideology that 'serves principally to sustain the myth of equality in an unequal society'. Luck egalitarian educational equality is not meritocratic, but the claim could be that educational equality is irrelevant because, as long as there is social and economic inequality, the education system will perpetuate and legitimise it.

There is something to this argument. Certainly it is clear that social and economic conditions, as well as the particular home circumstances of a child, have a profound impact on educational attainment. Equally clear, the influence of a child's social circumstances on their education is so pervasive, that it is far-fetched to believe that schools and teachers alone are capable of completely overcoming the disadvantage suffered from particularly unfortunate circumstances; nor should they take much credit for the superior outcomes resulting from particularly propitious circumstances. Despite this, governments have a tendency to focus on schools alone and ignore wider social and economic circumstances when seeking to improve educational outcomes. It is therefore wise for those interested in educational equality to categorically disassociate themselves from this ploy.

But none of this means schools play no part in shaping educational outcomes and neither are social conditions the sole determinant. Nor does anything just said negate the reasons we have for valuing educational equality. Rather, it suggests that those concerned with educational equality—or just with raising levels of education—must not limit their attention to what goes on in formal educational institutions, but must engage with the wider range of influences on a child's education. Believing that each child should receive an *equally good education* logically commits us to tackling all those contingent circumstances that undermine a child's prospects in education, and they go far beyond the school gate.

However, equality and educational equality are conceptually distinct. This remains true even though in practice they are not independent, but have a mutual reinforcing influence on each other. Brighouse (2000) argues that the *claim* people should have an equally good education has no relation to how much they should be paid on leaving school. Rather, it imposes a condition on how they must be prepared to face the almost certainly unequal prospects that society will offer them. To this it can be added that the case for educational equality is also independent of prevailing economic circumstances and of any instrumental value it may have in pursuing the goal of greater social equality. Wider social inequality makes educational equality harder to achieve. But its existence neither undermines the case for educational equality, nor requires that educational equality should eliminate social inequality, although it may well work to ameliorate it.

Inequality in the distribution of social rewards places pressure on schools to provide equally valuable educations that give students a rich set of options for the future. This should not be interpreted to mean that those educations must all be academic. It is implausible that educational equality should require higher education for all and it is impossible, and undesirable, for schools to provide educations aimed only at securing certain

occupations. Educational equality is instrumentally valuable certainly, but it also stands as a value independent of the remunerative structure of a society. Differential incomes are not a matter of educational inequality itself, it is a fault in the reward structure, and therefore it is no criticism of educational equality as an ideal that it does not deliver high-status, high-paying jobs for all.

The fact that we live in a world where advantages are unequally distributed is not irrelevant to education; it is something that must play a part in people's educational decisions. But it should not dominate our perception of what educational equality requires. It is true that if you hope for a more just world this may make you think it is the structures of society that first require change. But the education system is one of those structures and so a concern with educational equality will always involve advocating for more than just educational changes. However, just principles of educational equality are not contingent on what the prevailing distribution of advantages happens to be.[3]

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NOTES

1. For Rawls, 'the idea of society as a fair system of social cooperation', was fundamental to developing a theory of justice (2001, p. 5). The problem of political justice is partly to work out what the fair terms of social cooperation between citizens, characterised as free and equal, should be.
2. The adequacy/sufficiency/priority critique is partly a meta-ethical problem. It is related, to some extent, to the distinction between ideal theory (fundamental ethical principles) and non-ideal theory. In practice we *might* settle for sufficiency or priority, but I take distributive equality to be entailed by the requirement to treat people as equals. What we may do by way of political or practical compromise says nothing about what is the case at the level of fundamental principle.
3. A version of this paper was presented at the 2013 PESGB conference in Oxford. I am grateful to members of the audience for their insightful comments and criticisms. In addition, I would like to thank the two anonymous reviewers from this journal who made some acute and very helpful comments that have found their way into this article. For reasons of space they have not all been treated as much as they deserved.

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