

THE FIGHT FOR SUPREMACY:  
PUBLIC SCHOOLS AS OUR CULTURAL BATTLEGROUND

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A general State education is a mere contrivance  
for molding people to be exactly like one another;  
and as the mold in which it casts them is that which pleases  
the dominant power in the government,  
whether this be a monarch, an aristocracy,  
or a majority of the existing generation;  
in proportion as it is efficient and successful,  
it establishes a despotism over the mind,  
leading by a natural tendency to one over the body.

John Stuart Mill, 1859

## Introduction

June of 2002 saw the US judiciary impact education in two major ways. The US Supreme Court gave its long-awaited ruling on the Cleveland voucher program (*Zelman v. Simmons-Harris*), and the 9<sup>th</sup> US Circuit Court of Appeals declared the Pledge of Allegiance to be unconstitutional (*Newdow v. US Congress*). Now, lobbyists, politicians, activists, educators, average citizens, and Americans from every walk of life are waiting to see how the curriculum in US schools will change. While these two court decisions have garnered tremendous publicity, debates are made everyday on a myriad of curricular issues all across the nation. Public education has become a battleground for competing ideologies.

People from divergent aspects of society are fighting to control what other peoples' children are learning. From public education's humble beginnings, American educators have been concerned with affecting society. Jeffersonian and Jacksonian educators battled in the early days. The Pledge of Allegiance was adopted out of a concern for how millions of immigrant children would affect our society. As America becomes more diverse in every way, altercations between rival ideologues will likely continue.

## Divergent Convictions

In order to effectively mold society, one must control the information children and adolescents are given. It is a nation's adolescents who hold the most enthusiasm, potential, idealism, and danger -- all at once. It was young people who led the American counter-revolution of the 1960s and the Chinese demonstrations in Tiananmen Square in 1989. Adolf Hitler understood the power of youth when he invested heavily in his Hitler Youth program. By

indoctrinating German children into Nazi propaganda, Hitler hoped to ensure the future of his social campaign. Today, the public school offers the easiest, most unfettered access to impressionable minds. In modern American society, there are legions of groups vying for control over school curriculum.

Underlying all the disputes over curriculum is the fundamental difficulty in defining what education is supposed to accomplish. Do schools exist to prepare a workforce, ensure the continuance of democracy, develop happy, well-adjusted citizens, or keep the young out of the workforce? At various times, schools have been used for each of those tasks, and many more. Because there are so many potential purposes for schools, it is difficult to decide what belongs in the curriculum. Any decisions made for the curriculum will please some groups, and alienate others.

The two previously mentioned recent court rulings came after years of lobbying by various groups. The voucher movement began with the economic theorist Milton Friedman. Friedman even established the non-profit Friedman Foundation to advance vouchers. Meanwhile, teacher unions have fought vehemently against them. The ruling against the Pledge of Allegiance was cast in a case brought by one parent who objected to the phrase “under God.” The phrase was introduced to schools, in the 1950s, through the lobbying of the Knights of Columbus, a Catholic fraternal organization which sought to influence curriculum. The charge against religious influences in schools first gained ground with Madalyn Murray O’Hair’s 1963 suit against school prayer. Since O’Hair’s American Atheists began their efforts, other groups like Americans United for Separation of Church and State have joined the campaign.

Religious influences in schools have been extremely divisive since the 1960s. Those

groups advocating a stricter separation of church and state regularly compete with more conservative religious groups, like the Family Research Council. Court cases have been fought over issues such as school Bible clubs, moments of silence, and student-led prayer at commencement speeches.

After the September 11<sup>th</sup> terrorist attacks, a California school district was criticized for its program in teaching about Islam. According to reports, students dressed up as Muslims, adopted Muslim names, and held a simulated jihad. The Catholic League protested, saying that Christianity could never be taught in such a way, and accused the school board of teaching historical inaccuracies about Islam and Catholicism.<sup>1</sup> Of course, some groups supported the school board's efforts to increase 'tolerance,' while others ridiculed the curriculum as 'political correctness' run amok.

The curriculum of America's public schools is debated and contested by a plethora of organizations. Parental rights groups have debated vouchers with teacher unions. Advocates for including HIV awareness into the curriculum vie for time against those advocating multi-cultural awareness. Creationists want to be included in science curriculum. Advocates of teaching Emotional Intelligence are met with advocates of teaching to the Multiple Intelligences. Meanwhile, there are those advocating a return to the liberal arts, and those wanting to teach the trades. Politicians want standardized testing, while teachers want independence. Businesses want schools to create future workers, and some businesses even want to create curriculum which will lead to future customers. Wells Fargo has created programs to teach elementary

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<sup>1</sup> Catholic League, "Muslims Go California Dreamin'" [article on-line] (accessed July 2, 2002); available from [http://www.catholicleague.org/catalyst/2002\\_catalyst/302.htm#MUSLIMS%20GO%20CALIFORNIA%20DREAMIN'](http://www.catholicleague.org/catalyst/2002_catalyst/302.htm#MUSLIMS%20GO%20CALIFORNIA%20DREAMIN'); Internet.

school students about the world of finance.<sup>2</sup> The Establishment clause has been an issue in the curricular debate over evolution versus Creationism. There is a vocal population which seeks to introduce Creationism, or intelligent design, into public school curriculum. The opponents of Creationism state that teaching any sort of divine construct of the universe violates the separation of church and state. The debate has been waged since the infamous Scopes Monkey Trial and has garnered more recent attention in the debacle over the Kansas Board of Education attempt to remove evolution from being required in science curriculum. Americans United for Separation of Church and State, along with other groups, quickly castigated the Board's decision. The Gay, Lesbian, and Straight Education Network (GLSEN) is an organization devoted to introducing gay awareness issues into public school curriculum. The GLSEN Web site has a section of downloadable curriculum dealing with topics such as gay marriage, gay history, gays serving in the military, and anti-gay discrimination.<sup>3</sup>

The National Rifle Association (NRA) has created the Eddie Eagle program to teach students about gun safety, while the Society for Public Health Education (SOPHE) has created curriculum to teach gun control. According to the NRA, Eddie Eagle teaches children to not touch guns they find, and to report the gun to an adult. On the other hand, SOPHE has programs designed to encourage the abolition of firearms.<sup>4</sup> Various groups compete with each other for

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<sup>2</sup> Minnesota Planning, "Bank Spearheads Financial Literacy Program for Students" [article on-line] (accessed July 2, 2002); available from <http://www.mnplan.state.mn.us/issues/scan.htm?Id=1610>; Internet.

<sup>3</sup> GLSEN, "Resource Center Curriculum" [information on-line] (accessed July 3, 2002); available from <http://www.glsen.org/templates/resources/index.html?section=16>; Internet.

<sup>4</sup> SOPHE, "The Role of Health Education in Preventing Firearm Injury" [article on-line] (accessed July 2, 2002); available from <http://www.sophe.org/about/resolutions/gunres.html>; Internet.

the opportunity to affect how children view firearms. The Brady Campaign to Prevent Gun Violence calls Eddie Eagle “Joe Camel with feathers,” stating that the NRA’s gun safety program is merely a rouse for making guns seem “adult” and therefore desirable.<sup>5</sup>

The sparring over public schools gained more national attention recently with another Supreme Court case, Board of Education of Pottawatomie County v. Earls. Lindsey Earls sued her high school because the school required drug testing of all students in competitive extracurricular activities. The Board of Education claimed it had a need to discourage drug use among students. Earls claimed the rule violated her Constitutional rights. The Court ruled in favor of the school. However, a number of newspaper editorials have decried the ruling as another step toward rendering the 4<sup>th</sup> Amendment as meaningless. In loco parentis was rejected for colleges decades ago. The legal doctrine still continues though in primary and secondary schools. The argument revolves around how much control schools should have, and how much control parents should relinquish to schools. How many decisions does the school leadership get to make in place of the parents?

### Why Pubic Education Fails

A study conducted by the state of Florida found that 41% of Florida’s high school graduates who enrolled in a Florida state college immediately after high school needed remediation in the basic subjects.<sup>6</sup> This startling statistic does not even consider the high percentage of high school

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<sup>5</sup> Brady Campaign to Prevent Gun Violence, “Kids and Guns in America” [article on-line] (accessed July 2, 2002); available from <http://128.121.250.41/facts/issuebriefs/kidsandguns.asp>; Internet.

<sup>6</sup> Academic Excellence Council, “Postsecondary Remediation Fact Sheet” [article on-line] (accessed July 2, 2002); available from <http://www.myflorida.com/myflorida/education/learn/aplusplan/Fact%20Sheets/postreme.html>; Internet.

graduates who chose not to attend college. The results of each year's study are reported to the high schools with specific information about each school's graduates. The high schools are then required to use the information to improve instruction. However, there are no punitive actions against schools whose graduates fail to meet basic standards for college study. Again, despite ample evidence of curricular failure, the government monopoly on education has little incentive to improve.

The British philosopher John Stuart Mill wrote in "On Liberty" that a government education has the single purpose of subjecting the political minority to the oppression of the majority. Because government education is controlled by political power, education becomes just another tool of those in power. In modern America, however, there is no definite political majority. Instead, American politics is an ever-shifting tide, with power changing from election to election, and even opinion poll to opinion poll. Consequently, education is a constant battlefield, where any curricular win or loss is a major event for the parties involved.

At the same time these various political entities are ferociously fighting for control, no one side is able to claim complete satisfaction with the current state of schools. Instead, all parties are constantly at various levels of dissatisfaction, always looking for the next opportunity to gain ground. Every educational action becomes a significant event, which either helps or hurts one's cause.

The point that every educational action creates winners and losers can be dramatically demonstrated through the story of Jamie Escalante, the high school math teacher portrayed in the movie, *Stand and Deliver*. Escalante was a tremendously successful and popular teacher who was able to develop an Advanced Placement calculus program in a poor, inner-city school. In



fact, Escalante's classes were so popular, he soon had more students in his classes than the local teacher union would allow. Rather than accepting that Escalante was able to teach large classes and still achieve phenomenal pass-rates on the AP exams, the union fought Escalante. Unions have said for years that large classes (those with over 30 students) are one of the causes of failing schools. Allowing Escalante to successfully teach more than 50 students per class would be a tremendous defeat for the union. So, the union harassed Escalante until he resigned his teaching position.<sup>7</sup>

Though the NEA was able to defeat Jamie Escalante, the union recently suffered a major defeat at the hands of the Supreme Court. The Court's ruling on Cleveland's program came after years of NEA attacks on educational choice. The NEA has vigorously opposed vouchers, claiming that vouchers clearly violate the Establishment clause. When the Supreme Court disagreed with the union, the NEA released a press statement stating that though "vouchers may be legal in some circumstances," the NEA will continue to oppose vouchers through legislative lobbying.<sup>8</sup>

It is the lack of choice, experimentation, and 'product evolution' that keeps American education from being successful. As our federal and state governments spend millions of dollars trying to prosecute Microsoft for arguable antitrust violations, those same governments maintain a monopoly on education. Our nation has created antitrust laws because monopolies stifle innovation, increase product costs, and reduce product quality. Those same fatal flaws have

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<sup>7</sup> Jesness, Jerry. "Stand and Deliver Revisited" [article on-line] (accessed July 2, 2002); available from <http://reason.com/0207/fe.jj.stand.shtml>; Internet.

<sup>8</sup> National Education Association, "Statement of Bob Chase, President of the National Education Association on the US Supreme Court Decision on Private School Tuition Vouchers" [article on-line] (accessed July 2, 2002); available from <http://www.nea.org/nr/nr020627.html>; Internet.

occurred in education as a result of government monopoly. While business practices have changed extraordinarily in the last century, the public schools have seen little change.

By essentially guaranteeing schools a certain level of funding, and a certain number of students, regardless of the school's success, the monopoly ends all incentive to reinvent education. It is the constant threat of competition that forces business leaders to continually search for better ways to do things. Unfortunately, educational leaders are rewarded for maintaining the status quo. In fact, some government programs actually reward failing schools by providing extra funding for those whose students cannot meet basic requirements.

Public education also fails to allow for the wide variance in educational theory and pedagogy. Curriculum is set at a bureaucratic level, and assigned to all students. Parental influence in education is limited to deciding in which district to live or to paying for private school.

Parents may believe that their child needs extra time to learn mathematics, while needing less time to learn Shakespeare. However, the traditional Carnegie unit, which so many schools abide by, does not respect difference in student ability. Instead, the individual student is required to be left behind in Algebra and fall asleep in English. School choice would allow parents to find a school curriculum which better suits the learner's needs.

### How to Save Education

Educational reform must take place in two key areas. Choice must become a reality in education. The government monopoly must be ended. Second, the federal government must be expelled from the field of education. Only when these two requirements are met, will educators begin to receive the approval they have sought so long.

Educational reform can only begin by allowing parents to exercise choice in the education of their children. Only when each family has the ability to choose the best education for their children, will satisfaction begin to be realized. Educators debate whether all students who 'try' should be given passing grades, or whether strict academic standards should be met. Educators cannot agree whether the seven hours in a school day should be evenly divided among each classes, or whether certain classes should receive extra time allowances. In fact, there is a seemingly endless list of variables that even professional educators cannot agree on. Yet, students and their families have little choice when forced into a zoned school. Can there be any wonder why so many school customers are disenfranchised?

In America, parents have more choice in selecting medical care for their children than educational curriculum. Unless there is imminent danger of death, parents are able to choose which medical care, or if any medical care, will be received by their children. If parents have the right to make such an important decision, it seems obvious that parents can also make educational choices for their children. However, for many years, parents were forced to either submit their children to government schooling, or to personally pay for approved private schools. After years of struggle, the right for homeschooling was won. Now, the next battle is occurring with vouchers and charter schools. Just as middle-class Americans have grown accustomed to being able to pick their doctor through their insurance provide, Americans will soon demand the ability to pick the school and curriculum they are comfortable with. The family physician was once among the most trusted members of the community. Today, many families routinely question their physician's decisions. Pharmaceutical companies have even started marketing prescription drugs directly to consumers. Americans have become thoroughly involved in the

health care. Likewise, Americans will come to be more actively involved in the pedagogic and curricular decisions for their children.

## Conclusion

Any system of education which is administered and regulated through political power will become a tool through which the dominant political ideology controls others. Public education in a democratic nation subjects the political minorities to the authority of the politically powerful.

Election campaigns for public offices have become renowned for ‘dirty tricks’, pandering, false promises, and corruption because those seeking election must gratify enough groups of constituents to win an election. Public school curriculum, as a government product, is exposed to the same forces as elections. In fact, a candidate’s plan for public school curriculum is usually a condition for receiving votes. Successful candidates for top political offices must be sure to promise the majority whatever it is they want at that moment.

As long as educational curricula are controlled by politicians, and political influences, a large faction of the populace will be disenfranchised. The only solution is to take the government out of the role of curricular decision-maker. Only when parents have the authority to choose the education they want for their children will a meaningful level of satisfaction be realized.

When school choice becomes a reality, contentious issues like standardized testing will disappear from political debate. No longer will educators have to juggle parents, community, advocacy groups, and politicians. Instead, educators at a particular school will be able to focus solely on producing an education that satisfies the families of enrolled students.

The tide of public opinion is changing in America. A growing proportion of parents are removing their children from government schools. While the use of vouchers is still small, parental satisfaction among voucher users is high. This trend will continue. Happy parents will spread the gospel of free-choice. American public education is about to change forever.

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