

# Parental Partiality and the Educational Arms Race

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## Introduction

Parents are typically thought to have the right to make decisions about how their children are educated. These rights have some obvious limits – few would agree that parents have a right to decide that their child will get absolutely *no* education, for example. But most agree that parents have a right to support their child's education in ways that express some partiality towards their child over other children. This might include taking efforts to put their child at a competitive advantage against their peers (for example, by purchasing a private education, or supplementary private tuition). Still, partiality of this sort is also thought to be limited, at least by political philosophers. This is because it can conflict with other moral values, perhaps most notably certain requirements of educational justice. For example, educational justice plausibly includes some requirement to distribute educational opportunities roughly equally, or at least equally enough to guard against things like nepotism and the endurance of oppressive hierarchies of social class<sup>8</sup>. If parents are permitted to exercise partiality without some limit, these requirements of justice will be violated by some considerable degree. So, some sort of trade-off is needed between pursuing justice and permitting parental partiality.

This paper is part of a collection that aims to say something about the measurement of educational performance. My own contribution will be that many of these measurement policies add a certain complication to the conflict between parental partiality and educational justice that I've just described. I suspect that this complication matters in practice, but I will mainly aim to just sketch it from a theoretical perspective. I will attempt to do this by arguing that reasons to be troubled about excessive measurement of student performance turn out to be instructive with respect to understanding why we should restrict the exercise of parental partiality. My aim is not to actually *solve* the conflict between parental partiality and educational justice. That is to say, I will not be offering any precise claims as to what the most defensible balance is between promoting something like fair equality of opportunity, and permitting a degree of parental partiality. I will instead argue for the claim that the conflict is not so absolute. That is to say, sometimes the more fundamental moral values that justify parental partiality in the first place, might actually support policies that limit it, given some claims about the effects of measuring students' performance. This suggests that the moral reasons to limit parental partiality are not simply those that emerge out of a straightforward conflict with egalitarian goals.

## Measurement of academic performance

Let me offer a few remarks about how I understand the measurement of academic performance, or at least which aspects of it are relevant here. Many developed nations are increasingly implementing educational policies that emphasise broadly quantitative means of assessing students' performance. This is principally done through increased use of testing. (To save words, I will use terms like 'educational testing' and 'measurement of performance' largely interchangeably, even though testing is merely one way of measuring.)

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<sup>8</sup> Some authors take fair equality of opportunity to be the more fundamental requirement of educational justice, whereas others focus more on the elimination of oppressive relations between groups. Compare (e.g.) Brighouse & Swift (2009a) with Anderson (2007) and Satz (2007).

It is often said that the educational testing of children is becoming (or is threatening to become) excessive, that the recent trend towards more formal measurement of student performance has gone further than it should. This claim can be read as having moral content. That is to say, a concern that educational testing might be excessive might not simply reduce to a concern that such testing might be inefficient, inaccurate, or counter-productive with respect to the aims of identifying and/or stimulating changes in performance. A concern about excessive testing may be, instead, articulated with reference to what moral requirements might constrain the way education is managed and delivered, apart from any requirement to deliver it in ways that encourage or identify strong performance, as testing might be thought to do. This paper will focus on this second, more moral understanding of excessive measurement.

To be clearer, a moral requirement limiting educational testing can be helpfully treated as a certain sort of proportionality requirement. Such a requirement recognises that the burdens imposed by testing are undesirable and in need of moral justification. Like other proportionality requirements, this one says that testing becomes excessive when the benefits it brings are out of proportion to the burdens it imposes. The philosophical project is not to make any numerically precise claim as to exactly what ratio of burdens and benefits can be permitted. Rather, the search is for more precision as to exactly what sorts of benefits and burdens should go into a proportionality calculation, and what any other interesting features of that calculation might be. Progress of this sort can still provide clues as to how demanding a proportionality requirement might turn out to be<sup>9</sup>.

This is a philosophical paper about a complex contemporary phenomenon on which there is enormous empirical literature. Given this, let me say a few further things about how we might expect a philosophical contribution to be helpful. First, it should go without saying that education is a thoroughly moralised, that is to say normative or evaluative topic. This is already evident in the existing literature on educational theory, including the concern to address the conflict between justice and parental partiality that I mentioned at the outset. But there is a separate, quite general point that can be made about the role of moral and political philosophy in addressing questions about measurement.

To make any sort of claim about the disproportionateness of educational testing involves presupposing that the benefits and burdens of testing are measurable things. Importantly, there is a distinction between what it means to measure the size of something, and what it means to measure its badness. It may be true that increases in badness occur only typically because of some increase in size. But it is incorrect to conclude that a measure of size and a measure of badness are the same thing. Some philosophers have argued, for example, that we need to distinguish between size and badness when measuring economic inequality and perhaps develop separate theories for how to measure each one<sup>10</sup>. It is possible that measurement of size is also dependent, conceptually, on measurement of badness. This has been claimed about measuring poverty; when people claim that poverty has got larger, what they may really mean, or be interested in, is that it has got *worse*<sup>11</sup>. There might ultimately be no sense in which poverty can get larger or smaller without getting more or less worse. It is also possible that we should think of the badness of inequality in terms of whether some proportionality requirement has been satisfied. For example, there is a long tradition in political philosophy of justifying inequality in terms of its being necessary to benefit the least advantaged<sup>12</sup>. Although an over-simplification of how this sort of thinking is supposed to work, one might see such justifications as involving a weighing of the supposed badness of inequality against whatever benefits might counter its badness.

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<sup>9</sup> These claims fit with what is said about the study of proportionality requirements in other moral domains, such as just war theory. See Hurka (2005).

<sup>10</sup> For a helpful exchange, see Rabinowicz (2002) and Temkin (2003).

<sup>11</sup> See Broome (1989).

<sup>12</sup> Most famously, Rawls's difference principle, and the style of justification of inequality that it instantiates. Whether this sort of defence of inequality is really one that satisfies a requirement of justice has been contested, most notably by Cohen (2008).

I think that moral questions about educational testing are structurally similar, in this way, to questions about inequality and poverty. That is to say, I think we need to be careful, when asking how to measure academic performance, as to whether we are trying to measure the size of the burdens that this sort of assessment imposes, or trying to measure the extent to which imposing such burdens is a bad thing. It is perfectly possible, of course, to measure the amount of educational testing and not be making any moral or evaluative claim. If testing costs a lot of money to implement, but brings only small academic improvements, then the amount of testing being used might be disproportionate in a non-moral sense. But when it is claimed that educational testing is excessive, or that it is being used to early or too often, then I think the claim being made is ultimately one that reflects a measure of badness, rather than size construed in any non-evaluative sense.

In what follows, I will aim to draw on philosophical accounts of the proper goal of education, particularly in the K-12 range. I shall also draw on recent work in the social sciences that has done much to illuminate the nature of positional competition. Combined, these approaches allow some conclusions to be drawn about how to understand the moral limits on measuring children's academic performance. In particular, what is crucial to the analysis below is not just the fact (which is already well-documented) that the measurement of performance can impose psychological and even physical burdens on students. Of considerable importance is an understanding of how these burdens are conferred, and how they might be allowed to spread around, within a competitive context. This, I shall argue, reveals some conflict between some of the consequences of unregulated parental partiality, and some of the values that might account for the importance of parents' rights of partiality in the first place.

### **Education's dual function**

Education has many goals. For the purposes of this paper, I find it helpful to divide its goals into two broad categories. I'll do this by speaking of two sorts of *functions* that educational institutions aim to realise. First, educational institutions must execute what we might call a filtering or 'screening' function. Society relies on its educational institutions to identify which students are suitable candidates to occupy certain important roles later in life, and to provide a framework through which access to these positions can be awarded. This means that education must involve some sort of competitive process, whose outcomes are determined through some sort of measurement of respective students' performance. Educational screening is evident in our reliance on things like grades and exam performance as criteria for gaining access to subsequent, more elite levels of screening (for example, when using screening as part of university admissions)<sup>13</sup>.

A second goal of education consists in what we might call a 'nurturing' function. In addition to the goal of identifying which students should gain access to which sorts of social positions later on, education should also be concerned to benefit students in ways that are separate from, and to some extent provide relief from, educational competition. Following Harry Brighouse, an important part of a child's education should be devoted to equipping that child with the ability to flourish, both while they are a child and also subsequently, in their adult life<sup>14</sup>. The idea of 'flourishing' here is open to interpretation. According to Brighouse, education's role in promoting it should include developing a child's capacity for autonomy, so that they can be prepared for the independence required in (successful) adult life. To some extent, this will involve ensuring that a child is trained in the development of certain literacy and numeracy skills, and thus may somewhat coincide with what's needed to realise the screening function. But Brighouse adds that flourishing is also promoted by exposing a child to a wide range of goods from which they might derive happiness later in life, even if this exposure were to play no role in screening. For example, giving children opportunities to consume things like literature and music, learn languages, and be introduced to certain sports might all be motivated largely by the contribution these exposures

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<sup>13</sup> The term 'screening' was coined by Fred Hirsch in his landmark economic study of positional goods. Screening as it might occur in educational contexts served as one of his core examples (1976: 45-51).

<sup>14</sup> The account I'm relying on here is laid out in Brighouse (2006: Ch.3).

might make to the child's adult happiness, rather than because society needs to identify who is best at these things.

Now, I admit that this division between screening and nurturing is clearly a simplification. This is to acknowledge, at least, that it might obscure important aspects of the goals of education that cut across the screening and nurturing functions as I have described them. For example, it is sometimes claimed that education should aim to train young people so that they can relate to each other as civic equals later in life<sup>15</sup>. This might require that educational institutions should aim at integrating students from diverse socio-economic groups. The prospects for this are threatened when school intake is restricted to children from a certain religious groups, or when local property values are so high that very privileged children are educated together, away from their less privileged peers. Now, the requirement here might be regarded as concerned with the screening process: Socio-economic segregation hinders the selection of students well suited to positions of power and responsibility whose holders are expected to serve a range of socio-economic groups. But one might also think that segregation is inimical to education's capacity to nurture: The presence of religious schools may restrict the extent to which religious and non-religious children are able to mix with each other. This may reduce their ability to develop an understanding of each other's respective cultures, and this lack of understanding may hinder their prospective autonomy as adults.<sup>16</sup>

The reason I find it nevertheless helpful to divide the goals of education into screening and nurturing is that it allows a distinction to be drawn between the space in which measurement of performance must operate (screening) and a space from which it must be largely absent (nurturing). From a moral point of view, the regulation of performance measurement (at least in the K-12 range) needs to strike a balance between these two rather different and potentially conflicting goals. This begins to give us a schematic account of what might be meant by 'excessive' measurement. As I will explain below, one way for measurement to become excessive is for it to allow the pursuit of screening to undermine, crowd-out, or otherwise damage the pursuit of educational nurturing. This sort of complexity is crucial to understanding how the relevant sort of proportionality calculation is supposed to work.

### **The goods of the family as a constraint on educational policy**

The moral evaluation of educational policy does not consist solely in weighing the pursuits of screening and educational nurturing against each other. This is merely one important part of that evaluation. The pursuit of either function also needs to accommodate at least one constraint that is external to this sort of weighing. It is possible to design educational policies that disrupt or distort what's good about families and the relationships between parents and children. This is something that can also count towards the disproportionateness of such policies. And, in principal, it can happen even when educational policies preserve the right balance between the nurturing and screening functions of educational institutions.

Harry Brighouse and Adam Swift provide a nice statement of the general form of this constraint:

Familial relationship goods are, we think, great goods. Measures adopted in pursuit of equality of opportunity, or even full distributive justice, would be deeply problematic if they jeopardized their realization...the value of the family gives us strong reason to protect activities essential for creating and sustaining the loving, intimate relationship that is essential for meeting children's interests and is also valuable for the parent, but not for the protection of other things that parents do to, or with, and for their children.<sup>17</sup>

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<sup>15</sup> See Guttman (1987), also Anderson (2004) and Satz (2004).

<sup>16</sup> Brighouse and Swift (2013: 210-211).

<sup>17</sup> *ibid* (205).

Brighouse and Swift make these remarks as part of a discussion of parents' rights to shape their child's education. Brighouse and Swift acknowledge that these rights might sometimes come into conflict with policies that aim to distribute educational opportunities more fairly, or in ways that promote better integration across different socio-economic groups. Sometimes, they say, we should resolve such conflicts in allowing parents to exercise their rights. But this leaves things open as to exactly what rights parents have, and how strong these rights are. This depends on what the relation is between parental freedoms and the sort of values that we think are at stake when we consider the potential for conflicts between family life and other policy goals<sup>18</sup>.

All of this gives us a sense of how parental partiality enters into the theoretical picture. Brighouse and Swift's position is that parental rights are limited in ways guided by considerations about what's necessary to maintain the sort of family relationship goods that they mention. In particular, they conclude that what some parents do when pursuing competitive advantage for their children exceeds what's really needed to maintain valuable loving relationships with those children. Reading bedtime stories to one's children might confer competitive advantage by improving the child's linguistic abilities (among other things), but ought to be protected because it is an important family activity that shouldn't be sacrificed as part of an unwavering pursuit of equal opportunity. It is true that some children may end up disadvantaged because they don't get bedtime stories, but that's not good enough reason to stop other parents from providing stories to their own children. The same cannot be said, however, for sending one's child to an elite private school. Pursuing competitive advantage for one's child in this second way does not help sustain a loving relationship in the way that reading bedtimes stories does. In fact, it is in most cases not really a relationship-maintaining activity at all. So, it is easier to justify restricting parents' freedom to purchase elite education in the name of greater equality of opportunity than restricting activities like reading bedtime stories.

I agree wholeheartedly with Brighouse and Swift's general position on the limits of parental rights<sup>19</sup>. That is to say, I believe that parental partiality exists as a constraint on educational policy, which can sometimes be overridden by policies that pursue some political value, such as fairness or equality, even if some parents protest. What I want to do with Brighouse and Swift's position is extend their reasoning somewhat. In particular, the moral constrain against allowing educational policy to undermine valuable familial relationships has application to the question of how we measure student performance. In other words, the need to protect family life turns out, I thin, to acts as a constraint on the amount of educational testing that government policy can permissibly impose on children. This constraint exists alongside the need to evaluate educational testing in terms of whether it is compatible with maintaining a defensible balance between education's screening function and its nurturing function.

To summarise the last two sections, then: Education has many goals, and the measurement of performance is a necessary part of the pursuit of one of these goals (screening). The question that confronts us is when the measurement of performance becomes such that it distorts the proper balance of these goals. Another question is whether the measurement of performance violates the constraints imposed on educational policy by the distinct goal of protecting family life. Addressing both of these questions, and the relation between them, will give us an understanding of the moral limits that are to be imposed on measuring academic performance. This will fill out both the idea of what it means for educational testing to be disproportionate (morally speaking) and how we might modify the view taken on parental partiality by authors like Brighouse and Swift.

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<sup>18</sup> It is important to quickly forestall a potential misunderstanding that can emerge when we start talking about the importance of the family. It should be stressed here that in talking about the values associated with family relationships we are not presuming what people often have in mind when referring to 'family values'. That is to say, acknowledging that familial relationships provide us with important goods is not to acknowledge that there is anything whatsoever objectionable about families in which the parents are unmarried, or of the same sex, or that the family must be arranged in any other ways implied by more conservative talk of 'family values'.

<sup>19</sup> The theoretical foundations of their position are defended more fully in Brighouse & Swift (2009b).

### **The burdens of testing and the educational arms race**

So much for philosophical accounts of what education is for, and how the distribution of its resources must be constrained. In showing how these philosophical views can provide guidance, there are two features of educational testing to which I want to draw attention. The first of these is the impact that testing can have on a child's well-being and on their educational experience. The second is the impact that educational testing has on the way in which participation in educational screening is structured, particularly given the existence of markets that sell various forms of educational services. The first of these topics is one studied largely by educational psychologists. The second topic receives attention largely from economists and sociologists, although not always with a special focus on education in particular.

Now, both of these topics are the subject of substantial amounts of empirical study, with inevitable disagreement as to how to interpret the data. Philosophers typically lack the expertise necessary for making a sophisticated or reliable contribution to these disagreements. This limitation, however, may not be especially important when the task is about understanding moral requirements rather than (say) causal structure. Merely stating what moral requirements might limit government policy on measuring educational performance can be attempted on a fairly minimal and general understanding of how educational testing works in practice, while still taking some guidance from it. At any rate, I believe that what I will say here about the morality of educational testing could be acceptable to anyone working in the various empirically-oriented disciplines that aim to provide larger causal accounts of these processes. In stating the conditions under which educational testing becomes excessive from a moral point of view, I do of course leave it open as to exactly where and when these conditions have or will obtain in practice. Nevertheless, it will be easier to defend the claims I want to put forward having given a brief summary of what the empirical realities are with respect to the burdens of testing and the structure of educational competition.

It has been known for some time that educational testing can be a difficult and burdensome experience. This has given rise to an extensive study of what psychologists call 'test anxiety'<sup>20</sup>. Quite rightly, most of the study of test anxiety is not aimed at articulating exactly what is morally troubling about it. Most psychologists are concerned to develop reliable accounts of what the determinants of test anxiety are, and to make proposals about how to address it. To some extent, this work doesn't even need to be morally motivated. After all, test anxiety often impairs test performance, meaning that educational testing is made less reliable because of it. So, there is reason to understand the way in which test anxiety occurs, and how it might be reduced, even if we didn't think that there was anything morally troubling about child anxiety. Of course, however, most people agree that reducing test anxiety could also be desirable, from a moral point of view.

Testing children will always make many children anxious to some degree. This is partly why we should think of the morality of burdening children in terms of its being proportionate: Causing anxiety in children can be justified so long as it secures the right sort of benefits. But test anxiety is not the only consideration that should feature in the negative side of a proportionality calculation. Much depends on further analysis of the way in which testing is a competitive process (a form of screening, as described above). Such analysis will fill out our understanding of the proportionality requirement, and will also permit some suggestions to be made about the moral significance of test anxiety.

There are important structural aspects of educational competition that have been revealed, as I have said, largely in an oblique way by social scientists interested in studying patterns in competitive structures across a variety of contexts<sup>21</sup>. The first point to understand is that education is a paradigm example of what economists and philosophers call a positional good. This is to say that the benefits conferred by education, in large part, take

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<sup>20</sup> Here I have been helped by the survey provided by Zeidner (1998).

<sup>21</sup> The work of this section draws mainly from the accounts provided in Frank & Cook (1995), Schor (1998), and Frank (2011).

the form of relative advantage. What it means to say that a child is well-educated is to say that they are better educated than their peers. To perform well academically is to perform better than others. Now, not all positional goods are alike, and education is importantly different from other positional goods, in ways I will later mention.

Education, like other positional goods, is becoming increasingly bought and sold through private markets. The growth in markets that supply positional consumption are now the subject of much study in the social sciences<sup>22</sup>. What these markets are doing is offering consumers greater opportunity to compete with each other for relative advantage, by creating opportunities to make purchases that promise some chance of increased relative advantage.

Positional goods generate what game-theorists have called ‘arms races’. Roughly speaking, arms races occur when people compete for positional goods in ways where it is always rational for them to invest further resources in increasing their competitive efforts. This is because respective persons’ attempts to increase relative advantage simply cancel each other out. So, it is rational for the participants in an arms race to continue to make attempts to increase their positional advantage over each other, just because failure to do so will mean ‘falling behind’. Thus participants tend to keep increasing their investment of resources and continually cancelling each other out at higher absolute levels of investment. Arms races only end when some external factor changes what it is rational for participants to do, or when all but one participants become exhausted and drop out of the race (exhaustion can be quite profound, as in the case of the ‘real’ arms race and the demise of the Soviet Union.) When markets in positional consumption coincide with arms races, this can make for a problematic explosion in what might have otherwise remained a considerably more benign competitive process. This is because markets in positional goods provide arms race participants with potentially limitless opportunity to keep raising their investment of resources in competing harder and harder with each other. Markets in positional goods thus allow arms races to become profoundly wasteful, even though no individual participant need be acting irrationally.

Social scientists have confirmed markets of this sort in a variety of contexts. They include things like markets in expensive designer suits for job interviews, and the huge salaries now paid to professional athletes. In both cases, huge payments get made by participants (job candidates or sports teams) who are simply trying not to be outdone by each other. Because education is a positional good (like suits and top athletes), arms races are possible with respect to educational competition, too. And they can also suck up enormous resources once markets start supplying educational resources. Indeed, the growth for the market in private tutors is one of the fastest growing service markets to be found in developed countries. Much of this can be attributed to the growth in educational testing, if only because test preparation services accounts for much of what markets in education tend to supply.

I now want to make two claims as to exactly what makes educational testing excessive when an arms race is present. The first claim concerns the way in which arms race participation upsets education’s dual function that I described earlier. Educational testing can lead to a bias towards screening in the way that education gets delivered, at the expense of nurturing. Because of the logical structure of arms races, this is something that can occur even if policies that expand testing do not aim at it. The second objection concerns the way in which arms races both proliferates and intensifies the burdens imposed by educational testing. This claim is supported largely by some observations about how education is different in some important ways from other positional goods. Articulating this objection will be done in the next section. It allows more to be said about test anxiety and also about the way in which educational policy can damage family life.

Both of these objections specify ways in which educational testing can easily become excessive, from a moral point of view, but go beyond what is said merely by understanding this excess as a disproportionate balance of the benefits and burdens that testing might cause.

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<sup>22</sup> See for example Frank (2011), which supplies the examples mentioned below. Frank’s book is part of a series of writings that have some intellectual roots in Hirsch (1977).

As I have said, educational testing fulfils part of education's screening function. This is to say that it provides a means of identifying which children ought to be awarded the highest qualifications and admitted to important social roles. It is part of the meaning of good educational qualifications that requires only a limited number of children to receive them. This is really just to repeat the observation that education is a positional good. Schools are increasingly being assessed according to what sort of qualifications their children achieve. The more testing occurs, and the more school performance is judged according to test results, the more pressure there is on schools and children to devote their efforts to preparing for screening. This is how the educational arms race becomes more profound within educational institutions, before market activity is even considered. Crudely put, more testing means more pressure on schools to reduce the resources invested in providing a nurturing function. And, similarly, more testing means more pressure on students to take less advantage of nurturing opportunities in order to prepare better for tests. The point here, then, is that educational testing becomes excessive not just through generating anxiety, but also through the ease with which it creates pressure to sacrifice the nurturing function. Nurturing may be so easily crowded out by an increase in screening that testing might, for this reason alone, need to be kept within quite serious limits.

The problems with testing become more serious when we consider the role played by markets. The fact that educational qualifications are allocated by screening makes education unlike many other positional goods. Many positional goods are allocated through 'auctioning', i.e. making them more expensive until only a sufficiently small number of people can afford the scarce supply of relative advantage. As an allocation mechanism, auctioning occurs more or less on its own in many of the examples of positional goods discussed by social scientists. Markets in designer suits and professional athletes involve little or no screening: Pay enough money, and you get the best suit or the best athletes. The general point to make about cases where the allocation mechanism involves pure auctioning is that the burdens of positional competition are solely financial. When screening is present, this is not the case. What is most interesting about education, here, is it is a positional good where relative advantage is allocated through screening, but where markets supply assistance with screening in ways that allow auctioning to exist alongside it. This creates much greater potential for burdensome waste.

The educational arms race burdens both parents and children. Parents incur the burden of investing financial resources in purchasing opportunities for their children to prepare for screening, and children then have to shoulder the burden of undertaking this preparation. Since educational policies on testing typically do not include substantial market regulation in their scope, they have no way of stopping the waste generated by educational arms races that they propagate. What is especially troubling about all this is the way in which extra time spent preparing for screening means less time for children to spend with their parents and other family members. This indicates a way in which the regulation of positional competition might ultimately draw support from the constraint against allowing educational policies to intrude on family goods. Setting this further point aside for now, the general point here is just that when a positional good is subject to an allocation mechanism where auctioning and screening can interact in certain ways, then the burdens that result from allowing this arms race to get going can be especially large and proliferate, unlike cases where auctioning or screening act alone. So, it's very easy for the burdens of educational arms race participation to become disproportionate, even setting aside any considerations about burdening children in particular. Since educational testing generates arms race situations, the ease with which it can become disproportionate is something that warrants precaution in selecting policies that allow more educational screening to take place, and which make many other decisions (such as the assessment of school performance) depend on the outcomes of screening.

To conclude this section, then, a large part of understanding the moral limits to measuring academic performance includes an understanding of the structure of the educational arms race. The educational arms race has a structure that warrants an extra demandingness of any proportionality requirement on the burdens of testing. This makes such testing morally harder to justify. And arms races create pressure to replace non-positional consumption with efforts to increase positional consumption. Such pressure wouldn't be as widespread were it not for the increase in educational testing that triggers arms race situations. The loss of education's nurturing role also makes educational testing morally harder to justify. These are really my main points.

### **What the educational arms race tells us about the protection of familial goods**

I would like to finish up with some further comments on what the educational arms race tells us about how the values of family life constrain the permissible implementation of some educational policies. I will begin by saying something about how the educational arms race is plausibly related to psychologists' concerns about the nature of the burdens imposed on children. Then I'll conclude with some thoughts about how to understand the constraint relating to familial goods.

The relation between auctioning and screening threatens to compound the problem of test anxiety. It is well-known that a child's perception of their parents is among the major determinants of test anxiety. Much of this has to do with the way in which parents might criticise or praise different levels of academic performance. Children are naturally made anxious by the prospect of parental criticism. But children will also become anxious if they know that their exam performance is something that their parents have made great sacrifices in order to help prepare them for. The cost of private tuition can lead parents to work long hours, and cut back on important purchases they might otherwise make, such as family holidays. This can only place more pressure on children whose performance is something they inevitably see as evidence of whether they have rendered their parents' efforts worthwhile or pointless.

None of this is any good for family life. If parents are investing large resources in funding their child's participation in the educational arms race, then they will typically lack time to spend with their children, and lack the ability to fund other valuable activities unrelated to positional competition. The rise in markets in private tuition services is something that sees children spend more weekends, evenings, and holiday times preparing for exams when they might be engaged in activities that promote their flourishing and their family's flourishing. (In fact, the point here isn't just about the value of familial relationships, but really about any non-positional goods that get crowded out by investment in positional competition.) What this means, in general, is that the constraint that protects family life isn't just one whose form upholds parental freedom in cases where exercising this freedom is important. One of the theoretical lessons of arms races is that they should lead us to revise what might otherwise be plausible claims about the moral value of freedom, even if we are not abandoning the more fundamental values that can motivate a concern to protect freedom.

Like all collective action problems, attempts to solve arms races tend to involve coercively restricting people's freedom in ways that improve coordination. But it is generally plausible to say that resisting such coercive solutions by appealing to the value of freedom is rather harder to justify than it is when opposing coercion that isn't used to solve collective action problems. This because, although collective action problems involve people rationally exercising their freedom *given* the actions of other individuals, it is usually rational for such individuals to agree to be coerced into not carrying out such actions, so long as they are given the assurance that all such persons are so coerced. The general point is that it is hard to defend the value of freedom when its existence is what leads to the sub-optimal outcomes characteristic of collective action problems. As Robert Frank writes, for example, there's something strange about objecting to nuclear arms control treaties on grounds that they restrict countries' freedom to decide how many bombs to build<sup>23</sup>. Like states who invest huge resources in developing nuclear arsenals, many parents purchase educational resources because they are fearful that other parents are doing the same for their children, and they don't want to fail as parents by letting their child fall behind. It would be better to remove this fear, rather than leave parents free to act on it. Generalising, there's a serious philosophical question about whether the restriction of freedom to act on some sort of fear is really freedom at all, or freedom of the sort worth protecting. Far better to remove the source of the fear in the first place, even though this might be something that is done through coercion and, thus, technically counts as restricting freedom.

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<sup>23</sup> (2011: 66).

All of this has ramifications for how we should think about the relation between justice in educational policy, and the moral importance of parental partiality. I have said, above, that I agree with the stance taken by Brighouse and Swift on the limits of parents' rights to shape their children's education. But I think that the foundations for this stance overlook the point just made about what may often motivate parents' desires to exercise these freedoms. Brighouse and Swift conceive of the relation between families and justice in terms of their disposition to conflict with each other. For example, activities conducive to sustaining a valuable family relationship, like reading bedtime stories, can make it the case that some children come to have a competitive advantage over their peers when it comes to educational screening that tests the abilities that story-reading can help develop. Brighouse and Swift have, as I have said, a good answer as to when parents can be permitted to confer competitive advantage, at the expense of justice, and when they can't.

This leaves something out. The educational arms race should lead us to acknowledge how the relationship between familial relationship goods and educational justice is not wholly one of conflict. The problem with parents seeking to confer competitive advantage is not just that this disrupts educational justice. Rather, the motive on which parents act is itself traceable to the injustice of unregulated positional competition, something which has occurred due to an increasing use of screening policies such as educational testing. Indeed, parents who try to purchase extra educational resources for their children are not so much trying to get ahead as to avoid falling behind. Unfortunately, Brighouse and Swift occasionally describe the activity of parents as if positional advantage is something that can be purchased automatically and that no sacrifice is involved. This presupposes that the allocation mechanism for education is simply that of auctioning. But it isn't: Purchasing educational resources for one's child often subjects them to greater burdens because education is not like a designer suit that one can put on and benefit automatically. When parents pursue positional advantage for their children, often they know that they are burdening their children and reducing opportunities for other valuable activities for them. Thus, unconstrained parental choice is often a symptom of educational injustice, and not a cause. In sum, the moral foundations of parents' right to exercise partiality is grounded in the role that such partiality might have in promoting both a parent's and a child's interest in forming a valuable relationship<sup>24</sup>. The educational arms race has a tendency to distort the exercise of partiality into something that can actually undermine this foundation.

To conclude: Philosophers working on education routinely stress the importance of recognising that education is a positional good. They also stress the importance of coming to a proper understanding of the limits of parental partiality, given the need to pursue other values such as educational justice. This paper has attempted to connect these goals with the study of what moral limits there might be on measuring academic performance. Here, the complexities of education's status as a positional good turn out to be quite revealing. There are reasons to believe that the burdens of educational testing become disproportionate very easily, and that they further reinforce the need to think carefully about how our educational policies can hold back the flourishing of children, and their families.

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<sup>24</sup> The importance of parent's interest tends to be theoretically downplayed. On this point, see the insightful discussion in Brighouse & Swift (2006).

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