we avoid trying the more expensive interventions, like very small class sizes, because we are afraid that they will fail or that they will succeed, and we must then decide whether to pay for them. Let's take the problem one step at a time and find out, for example, how far we can raise outcomes in a very short period of time, like one school year. That is a period of time that matters most for the children now in school.

WILLIAM H. CLUNE is Emeritus Professor of Law at the University of Wisconsin Law School, Director of the Policy Group of the National Institute for Science Education, and a senior researcher of the Consortium for Policy Research in Education (CPRE). His past research has included school finance, school law, implementation, special education, public employee interest arbitration, school site autonomy, effects of high school graduation requirements, upgrading of the high school curriculum in math and science, and systemic educational policy. His present research includes "program adequacy" (the cost and implementation structure needed to reach high minimum levels of student achievement in low-income schools) and systemic policy in math and science education.

Choosing Equality: School Choice, the Constitution, and Civil Society Joseph P. Viteritti. Washington, DC: Brookings Institute Press, 1999. \$29.95. 352 pp.

STEPHEN D. SUGARMAN, Boalt Hall School of Law at University of California, Berkeley

For those relatively new to the school choice debate and its history—or for those seeking a thoughtful and up-to-date review of school choice developments-Joseph P. Viteritti's new book is an excellent option. Moreover, Choosing Equality: School Choice, the Constitution, and Civil Society presents a strong case for school choice schemes aimed at low income families. School choice experts may not find a great deal new, but nearly everyone is bound to discover several tasty nuggets in this well-written and nicely organized book. Viteritti brings together under one umbrella details about both charter schools and school voucher plans.

The most effective advocacy in the book is to yoke school choice to the failed promise of the two most important school reform efforts of the last half-century-the quest for racial equality as embodied in Brown v. Board of Education, and the quest for financial fairness as embodied in Serrano v. Priest. As Viteritti puts it, "Public schools, especially urban schools, have not only neglected to address the effects of race and poverty, their structure and culture have actually aggravated the condition" (p. 52).

What then of "school choice" as a remedy for existing inequalities? Early on, Viteritti makes clear where he is headed: "There is encouraging evidence to suggest that, if properly constructed by policy makers, school choice can function to upgrade the educational opportunities of children, and, in the process, that it can strengthen the health of American democracy" (p. 3).

The key phrase in that sentence is "if properly constructed by policy makers," for, as Viteritti is acutely aware, "school choice" comes in many forms—some far more promising than others for those now worst served by

our public schools.

He canvasses public school choice plans first and endorses charter schools in urban areas as "in theory" possessing the "characteristics to promote real choice" for poor parents; but in practice, with a few state exceptions, Viteritti sees the charter school movement as having been captured by "political and bureaucratic actors" who undermine its promise (p. 78).

Viteritti then turns to the prospects for furthering equality of educational opportunity through choice in the private sector. After reviewing studies of Catholic schools, publicly funded school voucher experiments in Milwaukee and Cleveland, and the privately funded school voucher schemes that now exist across the nation, he draws several conclusions. Parents are better satisfied with these programs, and their children are doing better (although the latter remains highly contested). He vigorously attacks those who claim choice will "skim" off the best pupils from the public schools to the detriment of those left behind. First, he emphasizes that if those who leave are better off, it is harsh to insist that they should remain behind for the supposed benefit of others. This point could be made even stronger by noting that in the plans Viteritti favors, those first to leave are not white children of professionals (who have already fled to suburbs or private schools), but rather children of working class and poor families. Next, Viteritti notes that pessimism about those "left behind" too quickly assumes they will passively remain and their schools will not change in response to competition.

At present, much private school choice is exercised at religious schools, and Viteritti provides an insightful history of the anti-Catholic sentiment that yielded a private system to parallel the Protestant-dominated public schools. He also sounds an important legal warning: even if the Supreme Court finds that school voucher plans do not violate the Establishment Clause of the First Amendment, many state constitutions contain potentially more significant legal roadblocks in the form of "Blaine Amendments" that were adopted in those strongly anti-Catholic days. Rather than attempting a full scale legal attack on, or around, these Blaine Amendments, Viteritti make a perhaps more helpful contribution. He shows how churches continue to serve vital roles in the lives of low income Americans, especially those in our inner cities, concluding, "If there is anything we can

be sure about religion in American society it is that communities of faith are the giant rocks on which civil society rests" (p. 208).

Eventually, Viteritti comes down in favor of precisely the sort of plan that other liberals have been promoting for some time (see John E. Coons and Stephen D. Sugarman, Making School Choice Work for All Families, Pacific Research Institute, 1999, and John E. Coons and Stephen D. Sugarman, Education by Choice: The Case For Family Control, University of California Press, 1978). Under Viteritti's approach, "State governments should implement a program of school choice for economically and educationally deprived children that includes public schools, independent schools, and religious schools" (p. 219). Charter schools would be encouraged to flourish. Participating private schools (including religious) could not discriminate in admissions and could not charge tuition beyond the amount of the voucher. (For a more in-depth look at several of the legal and policy issues raised by school choice plans, see Stephen D. Sugarman and Frank Kemerer, eds., School Choice and Social Controversy, Brookings Institution Press, 1999.)

Given the powerful political opposition even to school voucher plans that focus on the poor, one might be tempted to write off Viteritti's vision as implausible. But that judgment could be premature. At the moment, this sort of reform is at least a little bit contagious. For example, an experiment much along the lines Viteritti has described has just been proposed by the National Academy of Science's Committee on Education Finance (see *Making Money Matter*, National Academy Press, 1999).

STEPHEN D. SUGARMAN is Agnes Roddy Robb Professor of Law at the Boalt Hall School of Law at University of California, Berkeley, where he is currently the director of the Family Law Program of the Earl Warren Legal Institute. Professor Sugarman has written the following books with Boalt colleague John Coons: Private Wealth and Public Education, Education by Choice: The Case for Family Control, Scholarships for Children, and, most recently, Making School Choice Work for All Families (1999). He and Coons also argued the landmark case of Serrano v. Priest before the California Supreme Court.

When Schools Compete: A Cautionary Tale Edward B. Fiske and Helen F. Ladd. Washington, DC: Brookings Institution Press, 2000. \$18.95. 342pp.

DOROTHY SHIPPS, Teachers College, Columbia University

"Choice" and "decentralization" are two popular solutions to the problems of urban education widely promoted in recent decades. Along with "accountability" and "standards," they form the core of our contemporary reform



COPYRIGHT INFORMATION

TITLE: Choosing equality

SOURCE: Teachers College Record 103 no1 F 2001

WN: 0103200447022

The magazine publisher is the copyright holder of this article and it is reproduced with permission. Further reproduction of this article in violation of the copyright is prohibited..

Copyright 1982-2002 The H.W. Wilson Company. All rights reserved.