Equity and Adequacy in Education

A critical reflection on the ideal of equal educational opportunity

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Abstract

In this thesis, I critically scrutinize the celebrated ideal of equal educational opportunity in academic literature and policymaking. The discussion is placed against the backdrop of a long-standing debate over whether educational justice requires that all children receive an equal education (equity) or a sufficient education (adequacy). Firstly, I survey the debate and define the different egalitarian approaches. This sets the stage for this thesis. I raise two objections against the ideal of equal educational opportunity, which is a specific form of educational equity. The first is that educational justice cannot consistently be pursued in terms of 'opportunity' – either morally or practically. The second objection is that pursuing educational justice in terms of equity overlooks, and potentially aggravates, the concern that contemporary societies segregate by educational background. My arguments also underscore the following position: realizing adequate education for all children would be a better primary focus than equal educational opportunity.

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1. Introduction

Should educational policy be aimed at *equity* or *adequacy*? This question has dominated a long-standing unsettled philosophical debate in the literature on educational policy and litigation. Equity and adequacy are both ideals of justice in the philosophy of education. Equity-based educational policy necessarily considers the *relative* standing of citizens and prescribes what is needed for all to have an equal education. Adequacy-based educational policy focuses on the *absolute* standing of citizens and prescribes a benchmark for what all should minimally receive in their education. The aim of equity is equality; the aim of adequacy is sufficiency.

In the literature on educational policy and litigation, 'policy' is often fleshed out in terms of resource distributions in education (i.e. school finance).[1] Yet, we can think of educational policy in broader terms, such as the tracking structure that a country has in place, the content of core curriculum courses, or the selection procedures for scarce and prized positions. This thesis will use the term 'educational policy' in its broadest sense and ask what value(s) should inform its design. Furthermore, I will specifically be thinking about educational policy in primary and secondary education. The decision for this demarcation derives from my intuition that individuals should be assigned more responsibility for their (educational) choices as they grow older and that therefore the demands of educational justice may differ in postsecondary education.

The ideal of equality of educational opportunity is intuitively appealing and has gained a lot of traction in politics. When one is concerned about the multifaceted social inequalities that continue to exist even in very wealthy nations – a concern I think all should share – then the idea of equalizing everyone's starting position is intuitively very popular.[2] Nevertheless, in this thesis, I set out to critically scrutinize the ideal of equal educational opportunity in society's pursuit of educational justice. I generally take issue with the widely celebrated ideal of equal educational opportunity for two reasons. The first is that the ideal tends to be loosely thrown around without much introspection on why it matters or what it requires. When we do engage in those reflections (chapter 3), I argue that the ideal loses part of its intuitive appeal. The

[1] Furthermore, the main scholars involved in this debate are almost exclusively focused on the United States. Although the arguments pursued in this thesis are not intended to be country-specific, I mainly focus on the Netherlands whenever I make reference to actual educational policy.

[2] In the Netherlands, for example, the Central Planning Bureau has repeatedly shown that those with more education face much better job-, health-, and housing prospects ("Kloof Zichtbaarder", 2022).

second issue I see is that focusing on the degree to which children face an equal educational opportunity misses out on a major egalitarian issue in contemporary societies: that citizens with different educational backgrounds fail to live together as equals (chapter 4). My worry is that stressing the importance of equal educational opportunity reinforces the image of educational institutions as an arena in which some educational paths are better than others.

It would be a redundant pursuit to take a hard stance on either side of this debate (e.g., '*A concern with equity has no place in the design of educational policy'*). This would be redundant because by now the debate has evolved to a mutual understanding that some form of pluralism is probably most desirable – taking into account both equity and adequacy. Adequacy-advocates concede that the consideration of relative standing matters to some extent in educational justice (Satz, 2007) and equity-advocates concede that the consideration of securing an educational minimum matters to some extent in educational justice (Brighouse & Swift, 2009).

Instead, my arguments should be read as favoring adequacy-based educational policy when recommendations conflict with equity-based educational policy. Although policy recommendations based on the aims of equity and adequacy will often point in the same direction, there are instances where they conflict. Imagine deciding between either a policy that brings all children above some specified adequacy benchmark or a policy that, more so, contributes to overall equity while leaving some below the adequacy benchmark (I discuss this hypothetical conflict at more length in section 2.8). Another commonly raised area of conflict is to what extent parents should be allowed to funnel private financial means into their child's education. Adequacy-advocates are certainly more allowing than equity-advocates on this matter.

The two arguments I pursue are the following:

1. Educational justice cannot consistently be pursued on the avenue of opportunity; either morally or practically.
2. Pursuing educational justice on the aim of equity overlooks, and potentially aggravates, the relational concern about segregation by education in contemporary societies.

By 'aim' I mean the way in which educational justice should be pursued (e.g., Should every child have an *equal* education or should every child have an *adequate* education?). By 'avenue'

I mean the way in which either equity or adequacy is brought about (e.g., Should every child have an adequate *opportunity* in their education or an adequate *outcome* in their education?).

This thesis is structured as follows. Chapter 2 maps the landscape of the equity *vs* adequacy debate. The first object here is to arrive at conceptual clarity, which allows for a clearer analysis of the two sides of the debate throughout this thesis. The ideal of equal educational opportunity has been argued to be popular exactly because it is so ambiguous and therefore compatible with many different intuitions about justice (Jencks, 1998). The second object of chapter 2 is to survey the strongest argument on both sides of the debate. Equity-advocates stress the positional value of education and therefore claim that a theory of educational justice must take children's relative standing into account. Adequacy-advocates firstly object that pursuing educational equity violates the liberty of parents and children to pursue their definition of the good life. Furthermore, they add that educational institutions should ultimately accommodate the value of relational equality, for which educational equity is not required.

Chapter 3 is focused on the avenue of educational justice. Here I critically scrutinize what it means to pursue educational justice on the avenue of opportunity. Concerning *equal* educational opportunity, I argue that the moral commitments underlying this ideal inevitably lead us to the ideal of equal educational outcome – an ideal I reject in chapter 2. Concerning *adequate* educational opportunity, I argue that this is an unworkable avenue for educational justice as we cannot make concrete what an adequate opportunity means or when it obtains. Together, these arguments attempt to explain that educational policymakers should be more focused on children's educational outcomes than their opportunities.

Chapter 4 is focused on the aim of educational justice. I first underscore a relational concern about contemporary segregation by education and the role educational policy plays in this concern. In relation to this concern, I pursue two objections against the ideal of equal educational opportunity. The weak version of my argument reads as 'a policy focus on educational equity is not enough, because it does not address the relational inequality along educational credentials'. The strong version of my argument reads as 'a policy focus on educational equity partly conflicts with relational egalitarian thought, as it sharpens the dividing line between those who do and do not succeed'. In addition, I argue that a focus on educational adequacy can accommodate this relational concern. Overall, my argument is more

focused on a criticism of equity than a celebration of adequacy, mainly because equity and adequacy are not the only possible aims of educational policy (see section 2.2).

Chapter 5 concludes the thesis and surveys some policy implications. Overall, my thesis can be read as a critical reflection on the dominant discourse of *equal educational opportunity* in educational policy and an appeal for this ideal to be properly constrained.

Finally, I want to note two things about my way of writing. Firstly, the policy examples which I provide throughout my thesis are mainly derived from the Dutch policy context (see also footnote 1). The reason for this is simply that I am most familiar with the specifics of the Dutch educational policy context. Nevertheless, my examples are often meant to illustrate rather than to ground my arguments, due to which I believe that the applicability of my insights is not limited to the Netherlands.

Secondly, I want to foreshadow how my thesis moves from abstract philosophical notions to concrete implications for policy design and discourse. In chapter 2, I define different approaches to educational justice in abstract terms. Chapter 3 is also still rather philosophical as it argues that certain approaches defined in chapter 2 form an undesirable conceptual basis for educational policy. My argument in chapter 4 is way more applied, as here I move into concrete policy implications and the bearing of my argument on policy discourse.

2. Equity *vs* Adequacy

This chapter outlines the equity *vs* adequacy debate in the literature on educational policy and litigation. The main question at hand, shortly, is whether educational policy should be aimed at *equity* in education or *adequate* education to promote educational justice.[3] The chapter has two aims. The first aim is to explore the concepts of 'equity' and 'adequacy' as to arrive at a definition to work from throughout the thesis. The second aim is to lay out how both sides of the debate are generally defended. The debate has come to somewhat of a standstill, I argue, because both sides rely on a different fundamental egalitarian value – values that are often more assumed than defended.

In relation to equity-based educational policy I mainly concentrate on contributions by Adam Swift, Harry Brighouse, Rob Reich, and William Koski. In relation to adequacy-based educational policy I mainly concentrate on the argumentative work of Debra Satz and Elizabeth Anderson.[4] This does not mean, of course, that insightful contributions by other scholars will be ignored.

The chapter is structured as follows. Section 2.1 lays out the basic landscape of the debate. Sections 2.2 justifies my focus on equity and adequacy. Sections 2.3 - 2.5 are devoted to the construction of a workable definition for the three approaches to educational justice discussed throughout this thesis. Sections 2.6 and 2.7 reconstruct the strongest argument on each side of the debate and identify the egalitarian value from which these arguments derive. Section 2.8 describes some policy issues on which equity and adequacy may conflict. Section 2.9 concludes the chapter.

2.1 Two dichotomies: equity *vs* adequacy and opportunity *vs* outcome

This section outlines the general landscape of the debate. Equity and adequacy are both ideals of justice in the philosophy of education. The fundamental difference between the two is that

[3] Some readers may wonder why I do not consider prioritarianism as a third alternative aim for educational justice (e.g., see Mason, 2006; Brighouse & Swift, 2006). In section 2.2 I discuss why the scope of this thesis is limited to equity and adequacy.

[4] The order in which I list these authors is intentionally alphabetical and does not indicate a ranking of relevance.

equity-based educational policy necessarily considers the *relative* standing of citizens, whereas adequacy-based educational policy focuses on the *absolute* standing of citizens (Reich, 2013). The aim of equity is equality; the aim of adequacy is sufficiency.

Due to this fundamental difference, some authors have typified the debate as equality *vs* sufficiency (e.g. Reich, 2013; Brighouse & Swift, 2009; Callan, 2016). Yet, such terminology is misleading. This portrays adequacy-based educational policy as being detached from any consideration of equality, whereas the main defenders of adequacy-based educational policy have actually built their argument on the ideal of equal citizenship (Anderson, 2007; Satz, 2007). As Anderson (2004) describes it elsewhere, her conception of justice "is egalitarian in its conception of just relationships among citizens, but sufficientarian in its conception of justice in the distribution of resources and opportunities" (p. 106). Both positions in the equity *vs* adequacy debate have some value of equality at their core.

A further qualification of the contrast between equity and adequacy is that adequacy-based educational policy is not completely void of a comparative element. To judge what qualifies as sufficient education for all, one inevitably needs to consider how much education one needs to participate in society – socially and economically. This, in turn, will depend on the level and kind of education that other people in society obtain. For that reason, adequacy benchmarks will differ geographically and historically. This makes adequacy-based educational policy contain a comparative element as well. Yet, what follows from such comparative considerations is still an *absolute* level of educational sufficiency, above which the *relative* standing of citizens is not of concern. Even the more nuanced claim that a concern with adequacy does put a limit on the degree of justifiable inequality above the adequacy threshold allows for some degree of inequity.

We might, for instance, say that a child enjoyed an adequate education when, among other things, they can appear in public without feeling ashamed of their educational background. Satz (2007) argues that such an adequacy benchmark would also limit permissible inequity because severe inequalities in the development of capabilities undermine the right to appear in public without shame for those with the least capabilities (pp. 638-639). This limit, however defined, still leaves more room for inequity than equity-based educational policy.

This is the equity *vs* adequacy debate in a nutshell. This is a debate over the proper *aim* of educational policy. The underlying argumentative conflict, in brief, is the following. Equity-advocates stress the positional value of education and therefore claim that a theory of educational justice must be concerned with children's relative standing (i.e., Does child X have enough education to fairly compete with other children?). Adequacy-advocates stress the importance of relational equality and therefore claim that a theory of educational justice must be concerned with children's absolute standing (i.e., Does child X have enough education to appear as an equal in civil society?). These are the main positive arguments on both sides of the debate.

Alternatively, we can formulate the crux of the debate in a negative sense. Equity-advocates posit that guaranteeing some minimal absolute education is not enough, as it leaves open the possibility that some children are much better off. Contrarily, adequacy-advocates posit that pursuing educational equality is doing too much, as it unjustly ties children and parents who desire *more than average* educational development to the educational ambitions of the median child. I spell out the argumentative dispute in more depth in sections 2.6 and 2.7.

Throughout this debate runs another dichotomy about the proper *avenue* of either equity or adequacy. Here the question is whether we should be concerned with educational *opportunity* or educational *outcome* (e.g. should every child have the opportunity to partake in tertiary education or should every child graduate from tertiary education?)[5]. Together with the equity *vs* adequacy debate, these two dichotomies present us with a matrix of different approaches to egalitarian justice in educational policy (Table 1). The table also portrays how the main scholars in this debate are divided over these approaches.

[5] In relation to equity, Reich (2013) identifies "inputs" as a third avenue. However, since educational inputs are often a means towards some ideal of justice, I will not consider this third avenue separately.

Table 1. *Four approaches to egalitarian justice in educational policy*

	Equity	**Adequacy**
Opportunity	Equal educational opportunity (Brighouse, Koski, Reich, Swift)	Adequate educational opportunity (Anderson)
Outcome	Equal educational outcome	Adequate educational outcome (Satz)

These four approaches to justice in educational policy can broadly be defined as follows:

1. *Equal educational opportunity:* Educational policy that aims to level the playing field by offering everyone an equal opportunity in their educational career.
2. *Equal educational outcome:* Educational policy that aims to level the playing field by offering everyone an equal outcome in their educational career.
3. *Adequate educational opportunity:* Educational policy that aims to guarantee that everyone has enough educational opportunity up to a certain point – the adequacy benchmark.
4. *Adequate educational outcome:* Educational policy that aims to guarantee that everyone's educational outcome is good enough up to a certain point – the adequacy benchmark.

These definitions still leave a lot of room for interpretation and will be worked out further in this chapter.

The first thing to note is that the second approach, *equal educational outcome*, will not be discussed any further in this thesis. This version is being left out as, to my knowledge, there exists no defense of it in the literature. Equity-advocates generally agree that opportunity, rather than outcome, is the correct focal point of educational equity. Intuitively this makes sense, as an equal educational *outcome* would be an unrealistic and undesirable pursuit (e.g. imagine the demand that either everyone or no one obtains a PhD or that all children should

leave primary school with equal cognitive capacity). As Koski and Reich (2007) put it: "no one – not even the most hardcore egalitarian – insists that outcomes ought to be equal" (p. 616).[6]

Another relevant consideration is how to think about the concepts of 'equity' and 'equality'. Educational policy that pursues equal educational opportunity is in the literature sometimes referred to as "equality-based" educational policy and sometimes as "equity-based". It is worthwhile to consider the conceptual difference and relation between 'equality' and 'equity', as the concepts have often been confused or used interchangeably by policymakers and scholars (Espinoza, 2007). The ideal of equality ultimately relies on the conviction that all are equal and should be treated equally accordingly. Equality is sometimes referred to as horizontal equity, the so-called 'one scholar, one dollar' principle (Wise & Verstegen, 2000). This principle requires that every child receives equal educational inputs. The ideal of equity, on the other hand, requires consideration of individual needs and circumstances when deciding how all should be treated (i.e. not necessarily equally) to create a level playing field. Equity is sometimes referred to as vertical equity. Vertical equity requires that every child faces equal educational opportunities or outcomes; which in turn will most often require unequal educational inputs.

With this distinction in mind, it is clear that advocates of equal educational opportunity are after equity-based educational policy. If we treated all children the same, we know quite well that educational opportunities would in fact be very unequal. Equal opportunity is pursued as a means towards equity, which often requires unequal treatment. Therefore, as opposed to some of the theorists involved in the debate, I characterize the debate as an 'equity *vs* adequacy' dispute. The thing that equity-advocates generally argue for is the pursual of equal educational opportunity.[7]

The last thing to note in relation to Table 1 is that I do not claim that equity and adequacy are mutually exclusive – despite my usage of the word 'dichotomies'. In fact, most theorists on

[6] *Equality of outcome* may realistically be demanded in relation to the mastery of specific skills or knowledge (Shields et al., 2017). For example, governments often have guidelines on the minimum required level in math and language after a certain stage of education (e.g. Rijksoverheid, n.d.). But in practice, such demands lie closer to the aim of adequacy (e.g. sufficient math skill) than equity (e.g. equal math skill).

[7] The phrases 'equity-based educational policy' and 'equal educational opportunity' are sometimes thrown around like synonyms in my writing, already for the fact that I cite authors who use different terminology. Whenever I use any of these phrases, I am referring to the same side of the debate: equity-based educational policy that pursues equal educational opportunity.

both sides of the 'equity *vs* adequacy' debate have underscored the value that the opposite side of the debate provides. Equity-advocates concede that eliminating absolute deprivations in education (i.e. adequacy) is important (Brighouse & Swift, 2009; Koski & Reich, 2007). Adequacy-advocates concede that the relative standing of children in education should not be completely ignored (Satz, 2007; Anderson, 2007). Thus, equity and adequacy are not normatively incompatible.

Furthermore, equity and adequacy will often point in similar directions in policy application, especially when the realization of adequate and equal education is far from our current reality (Anderson, 2012). That is, under significant educational inequalities and deprivation of the worst-off students, many egalitarian educational policies will often bring us closer to ideals of both equity and adequacy. For example, consider the heavily debated policy of tracking in secondary education. Early tracking – i.e. assigning children to different levels of education from a young age – has been shown to correlate with more educational inequality (Van de Werfhorst & Mijs, 2010). This is partly the case because family background has more influence on a child's educational choices and success at a young age and partly because tracking aggravates inequalities as higher tracks receive better education (Bol & Van de Werfhorst, 2013). On this account, equity-based educational policy would recommend later tracking. Later tracking also contributes to adequate education for the worst-off, as children who perform less can benefit from positive peer effects in heterogeneous classes (Van de Werfhorst & Mijs, 2010). The upshot of my point here is that educational policies which contribute to overall equity will often also positively impact the absolute educational opportunity or outcome of the children with the worst opportunity or outcome.

As the distinction in the equality *vs* adequacy debate is thus not so sharp in theory nor practice, others have already promoted these two values as rather complementary. That is, instead of delineating whether equity *or* adequacy should prevail in the pursuit of educational justice, scholars and policymakers should balance these two values depending on the interests at stake in specific cases (Weishart, 2014).

I am largely sympathetic to a pluralist approach to educational justice (i.e. underscoring both the importance of equity and adequacy). Nevertheless, I take up an endeavor to critically scrutinize one side of the debate, namely, equity through equal educational opportunity.

Despite a wide-shared sympathy for the compatibility of equity and adequacy, the continuation of this longstanding debate can be explained by disagreement over the prioritization of either equity or adequacy (Shields et al., 2017). Brighous and Swift (2009) for instance write "We believe fairness kicks in earlier, or has more weight, than Anderson and Satz seem to think" (p. 123). Although policy recommendations may often align, disagreement pertains over how a government should decide when the values of equity and adequacy conflict.[8] Alternatively, one can interpret my thesis as arguing that adequacy should be higher on the priority list in the pursuit of educational justice.[9]

To set the stage for our analysis, the next three sections develop a definition of equal educational opportunity, adequate educational opportunity, and adequate educational outcome. Here, the distinction that Lazenby (2016) explicates between 'concepts' and 'conceptions' is helpful. 'Concept' refers to a notion; 'conception' refers to an interpretation of that notion. In this chapter, for instance, I identify 'an agent, or groups of agents' as a core element of both the *concepts* equity and adequacy. This concept is stable. Any theorist defending either of these concepts will have to offer an interpretation (*conception*) of this element. These conceptions vary. Thereby, as much as possible, I attempt to offer an analysis of equity- and adequacy-based educational policy that relies on the concepts of equity and adequacy, and not any specific conception of the two. I do so to engage with the *theories* of equity and adequacy, and not just the *theorists* that figure most prominently in the debate.[10]

2.2 A justification of my focus on equity and adequacy

At this stage, the reader may wonder why my focus lies specifically on equity and adequacy and whether this is the right focus. In footnote 3, for instance, I already mentioned prioritarianism as an alternative approach to educational justice (i.e., giving priority to the worse-off children in the design of educational policy). Then why am I diving into this debate between advocates of equity-based and adequacy-based educational policy, instead of surveying more approaches to educational justice and analyzing to what extent all these

[8] I give an example of such a conflict in section 2.8.
[9] For example, the Dutch Inspectorate of Education (2022) recently identified two main problems in the Dutch educational system: unequal opportunity and the lack of basic skills among a notable number of children. The former is an equity concern, the latter an adequacy concern. If successful, my thesis implies that the latter should have priority in the design of educational policy.
[10] For a good discussion of the difference between theory- and theorist-focused critiques, see Lippert-Rasmussen,

approaches satisfy some values that society underscores (e.g., equality, sufficiency, efficiency, liberty)?

The first thing to note is that my starting point is a critical analysis of the ideal of equal educational opportunity. An ideal that enjoys much praise and attention in current educational policymaking. Instead of merely criticizing this ideal, I attempt to offer a more fruitful analysis by also including a constructive part in my argumentative endeavor. That is, by also arguing in what ways another ideal of educational justice fares better in light of my objections against equal educational opportunity.

Then, I have chosen to pursue this analysis in contrast to the ideal of educational adequacy. My main reason for doing so is that the equity *vs* adequacy debate is a well-established and unresolved dispute in the philosophical literature on educational policy. By structuring my constructive part around the ideal of adequacy I thereby tie my discussion into the existing literary landscape.

At the same, however, I should stress that I do not claim equity and adequacy to be the only approaches to educational justice worthwhile policymakers' consideration. When, for instance, in section 4.3 I argue for the potential of adequacy in light of a concern I raise against equity-based educational policy, the reader could credibly contend that prioritarianism has similar potential. To this, I respond that a comparison of adequacy-based and priority-based educational policy would indeed be a fruitful pursuit but a pursuit I do not take on in this thesis.

2.3 A definition of equal educational opportunity

What do we mean when we talk about equal educational opportunity? Some scholars have argued that the ideal of equal opportunity is so attractive exactly because the concept is compatible with many different interpretations of justice (Jencks, 1988). This section aims to provide a general understanding of how to think about equal educational opportunity. This section is rather extensive, but it fortunately sets the stage to define adequate educational opportunity and outcome more briefly in sections 2.4 and 2.5.

Building on work by Peter Westen (1985), we can start by defining 'opportunity' as consisting of three elements, namely, (1) the agent, or group of agents, whom the opportunity concerns,

(2) the goal, or set of goals, at which the opportunity aims, and (3) "the relationship that connects the agent of an opportunity, say, *X*, to the goal of the opportunity, say *Y*" (p. 839). When one speaks of opportunity, all three elements should be properly defined. Take the example of *Max should have the opportunity to pursue higher education.* Here, and I believe in most cases, explicating (1) and (2) is no burdensome task. In this case, our agent is Max and his opportunity is directed at pursuing higher education. We could further specify (2) by arguing whether 'pursual' requires enrollment or graduation. I do not claim that this is an uncontroversial question, but it is a clear question, nevertheless. The most elusive element is (3). Here we have to define what constitutes a proper relationship between Max and the opportunity at hand.

One possible interpretation of (3) is to say that Max has an opportunity to pursue higher education whenever this is an option he can seize if he ever so pleases (Thomas, 1977, p. 388). This is a demanding interpretation of the proper relationship between Max and his opportunity. In some cases, this interpretation is very intuitive. We can say *Max has an opportunity to raise his arm.* Most people, I think, would derive from this that Max *can* raise his arm if he decides to do so. But for other, more interesting, instances of opportunity, this interpretation is *too* demanding. For Max to have an opportunity to pursue higher education, he does not necessarily have to be able to actualize this opportunity in his lifetime. After all, there are certain legitimate obstacles one has to overcome in education so that enrollment in or graduation from higher education can never be guaranteed. I believe that even the most extreme egalitarians would not hold that everyone should always be able to enroll in or graduate from higher education if they so desire, regardless of their performance or choices in their prior education.

The reader may wonder whether the afore claimed legitimacy of certain obstacles also holds for primary and secondary education. After all, as mentioned in chapter 1, this thesis concerns itself specifically with primary and secondary education precisely because I presumed that children should be assigned less responsibility for their educational career when they are younger. Then let us consider the following examples. *Max has an opportunity to acquire great presentation skills throughout his primary education* and *Max has an opportunity to pursue the VWO-track throughout his secondary education*[11] Although I consistently presume that a child should be assigned less responsibility for their skill development in primary education and

[11] This is the most theoretical track in Dutch secondary schools and provides eligibility for university education.

track in secondary education than for their track in tertiary education (due to a difference in maturity), I still think we demand too much when interpreting the above as Max being able to become a great presenter or enroll in the VWO-track whenever he so desires. Regardless of how much responsibility we assign to Max throughout his primary and secondary education, it is reasonable that the actualization of some opportunities cannot be guaranteed at any point throughout his education.

In a way, this is also what sets the avenue of equal *opportunity* apart from equal *outcome.* When we demand that children have an equal opportunity to enroll in the VWO-track, we can still allow for the possibility that eventually not all children are eligible to do so. When we, contrarily, demand that all children can enroll in the VWO-track (an equal outcome), we cannot allow for the possibility that eventually not all children are eligible to do so. For the same reason, I want to refrain from relying on direct approaches to opportunity, which simply consider people's opportunity sets (Ferreira & Peragine, 2016). Such approaches leave no room for the, I contend, natural outcome that not all children develop equally throughout their education.

At the same time, we should not define (3) merely as the possible actualization of an opportunity – be it theoretically possible or possible in a different world. This interpretation, in contrast, demands *too little*. The theoretical horizon of possibility is infinite. If Max were to live in a society that excludes men from pursuing higher education, it is still possible for him to pursue higher education if either (i) the political and legal context in his country changes or (ii) he transitions to the female sex. Although it is still possible for Max to realize his goal in this sense, we do not want to claim that Max has an opportunity to do so.

To strike a middle ground between these two, Westen (1985) has proposed a helpful understanding of opportunity. Under his understanding, Max has an opportunity to pursue higher education if some particular obstacles we have in mind are absent. Here, Westen essentially introduces another element of opportunity: (4) a specified obstacle, or a set of obstacles. Call these *illegitimate obstacles,* in the normative sense that these obstacles should not exist in the relationship between the agent *X* and the opportunity to achieve goal *Y*. Let's say we further specify (2) as the goal of graduating from higher education. A plausible legitimate obstacle to this goal is for Max to pass all his courses. A plausible illegitimate

obstacle to this goal is Max's sex. This brings us to the following definition of opportunity, for which I owe much to Westen (1985):

> *Opportunity* = An agent, or group of agents, *X*, is said to have an opportunity to achieve goal(s), *Y*, iff *X* can choose to realize *Y* in the absence of any illegitimate obstacle(s), *Z*.

Importantly, an obstacle, under this definition, need not inevitably exclude the attainment of a certain (set of) goals. "It may be the obstacle of being excluded from a competitive race altogether, or the obstacle of being admitted to the competition but having to run further than other runners" (Westen, 1985, p. 841).

Now we can move on to the concept of 'equality'. According to Westen (1985), 'equality' is already presupposed by 'opportunity', if properly defined. Namely, when we move to define the group of agents *X* to which the opportunity in question should accrue without any illegitimate obstacle(s) *Z*, it immediately follows that these agents should be equal in terms of enjoying that opportunity.

Is 'equality' really derivative from 'opportunity' in the way Westen (1985) proposes? Can we not think of a situation in which two individuals effectively face the same opportunity (i.e. absence of illegitimate obstacles) but where one individual faces a *better* opportunity (i.e. unequal opportunity)? Think of *Max and Ilse should have the opportunity to graduate from higher education*, where we define parents' socio-economic status as the only illegitimate obstacle. So defined, this normative statement is satisfied if the socio-economic status of both their parents does not influence their chance of graduating from higher education. Does this automatically mean that Max and Ilse have an *equal* opportunity to graduate from higher education? We could imagine that Max has more inborn talent of the kind that serves one well within higher education, thereby improving his chances of graduating from higher education relative to Ilse. From this we can conclude one of two things: either we claim that Max and Ilse do not face equal opportunity which forces us to include 'inborn talent' in our definition of illegitimate obstacles, or we claim that Max and Ilse do face equal opportunity *in the relevant sense*. By 'relevant' I mean the absence of any illegitimate obstacles. Whatever road we take, this line of reasoning leads us to the following general definition of equal opportunity:

> *Equal opportunity* = Two or more agents, *X*, are said to have an equal opportunity to

> achieve goal(s), *Y*, iff X can choose to realize *Y* in the absence of any illegitimate obstacle(s), *Z*.

So far it seems that we can, indeed, think of the concept 'equality' as a derivative of 'opportunity', when the concept of opportunity inherently specified the group of agents that enjoy a certain opportunity. Before settling on this definition, I consider two further considerations to deepen the concept. My rejection of both considerations is meant to strengthen our faith in the definition provided above.

The first consideration is that Westen's proposed interpretation may obscure an important element of equal opportunity: that individuals who face the same opportunity may nevertheless face an unequal degree of some obstacle *Z*.[12] Westen's definition of equal opportunity is somewhat black and white. Two individuals can only be regarded as facing equal opportunity when neither of them faces illegitimate obstacles *Z*. To illustrate this point, let us consider Miller's (2013) work on the concept.

Miller (2013) distinguishes a *weak* and *strong* version of equal opportunity. Weak equal opportunity demands identical opportunity sets although the costs associated with realizing those sets may be different. Strong equal opportunity also demands identical costs. What Miller calls 'costs', is essentially what Westen labeled 'illegitimate obstacles *Z'*. Miller, therefore, introduces a sense of degree in obstacles *Z* and proposes, under the weak version, that individuals may still be regarded as facing equal opportunity although the degree of obstacles *Z* that they face is not the same. Miller's example is the comparison of a child from a rich and a *very* rich family. Although for the first child finances form more of an obstacle, we perhaps do not want to claim that these children face an unequal opportunity in the relevant sense:

> "We are not, I think, concerned by the fact that the children of moderately rich families face slightly greater financial costs in attending a university than the children of very rich families; if we call this an inequality of opportunity, then the idea loses the force that it has when we apply it to the case of children from poor families" (Miller, 2013, p. 120).

[12] Lazenby (2016) has offered two different reasons why Westen's perception of the concept of equality as derivative from the concept of opportunity is undesirable. I will not discuss these here, as I find them to have less force than the points I do discuss.

If we subscribe to Miller's weak version, part of our definition - *in the absence of any illegitimate obstacle(s), Z* – may be too strong. The weak version hints at some differentiation within the group of agent(s) *X* with respect to the illegitimacy of certain obstacles (e.g. financial costs form an illegitimate obstacle only for children from poor families).

But should we endorse Miller's weak version? Or at least, as Miller proposes, side with the weak version in contexts such as the rich/very-rich case?[13] I do not think we should. Why not bite the bullet and ask why we should not always care about equal opportunity in this strong sense? When equal opportunity is the goal, is the child from the rich family not still facing an injustice, despite being better off than most? Miller appears to slip in some special consideration for the worst off. When educational policy is indeed informed by equal opportunity, the goal is equality. Not sufficiency. Not a priority for the worst off. Miller's proposed weak version would lead us to ask why he is concerned with *equal* opportunity in the first place when he goes on and disregards the inequality faced by those facing above-average opportunity?[14] Since the aim of this thesis is to evaluate the appeal of equity-based educational policy, I want to refrain from a definition that relies on values other than equality. When a policymaker raises the concern that parents' income currently influences a child's opportunity, I assume that he is not only concerned with the inequality faced by the worst off. Therefore, I reject this first consideration to deepen the concept of equal opportunity and follow Miller's strong notion of equal opportunity.

The second consideration is that it may be desirable to pursue some all-things-considered specification of obstacles *Z.* Imagine we compare a child from a rich immigrant family and a child from a working-class native family. All-things-considered, these children can face equal opportunity even if their parents' income and ethnicity form illegitimate obstacles to their educational opportunity. Should we incorporate this possibility into our definition of equal opportunity? Again, I think not. Consider again the policymaker who observes that parents' income influences a child's opportunity. Before designing a policy to compensate low-income children, should this policymaker first figure out whether each child from a low-income family is still (equally) well off all-things-considered? Apart from being a demanding task in practice,

[13] Although Miller (2013) is not very clear about the main characteristic(s) of 'such' contexts, he seems to be concerned with contexts in which we intuitively are not concerned about an unequal degree of obstacles *Z.*
[14] This is not an argument against Miller's (2013) overall project, as he is explicitly pluralist when he claims that equal opportunity is not the only thing that matters (p. 141). But for the sake of comparing equity and adequacy, I want to refrain from letting pluralism enter the picture at this stage.

this most importantly deviates from the reason why we care about equal opportunity in the first place. We do not pursue equal opportunity just for the sake of equal opportunity, but because we think that certain factors should not influence the opportunity of agents *X*. Therefore, the more natural response is to neutralize both illegitimate obstacles to approximate equal opportunity. I therefore also reject this second consideration to deepen the concept of equal opportunity.

Lastly, I should say something about equal *educational* opportunity. First of all, Lazenby (2016) recommends distinguishing between equal opportunity *through* and *for* education. The *through* view is instrumental, in the sense that we view equal educational opportunity as a means towards a larger distributive ideal (e.g., to ensure fair competition in the labor market). The *for* view is intrinsic, in the sense that we want equal opportunity in education for its own sake (e.g., to do justice to all children). Both these views have merit. For present purposes, however, it will be best to remember the *through* view when we analyze equity-based educational policy. Foremost because the most prominent argument endorsed in favor of equity (the positionality of education) takes an instrumental view on education. Furthermore, some scholars on the equity side of the debate have even conceded that adequacy-based educational policy is defensible when it concerns the intrinsic value, but not the instrumental value, of education (Reich, 2013, pp. 54-61). The crux of the equity *vs* adequacy debate is thus situated around the instrumental value of education – equal opportunity *through* education. This brings us to the following workable definition of equal educational opportunity:

> *Equal educational opportunity* = Two or more agents, *X*, are said to have an equal educational opportunity to achieve goal(s), *Y*, iff X can choose to realize *Y* through their education in the absence of any illegitimate obstacle(s), *Z*.

Finally, we can think of different interpretations of the relevant agents, goals and illegitimate obstacles in the context of education (the 'conceptions' that Lazenby distinguishes from 'concepts'). The relevant agents may be "all school-age children", "all children in K-12 education", or "any citizen who partakes in formal education". There is certainly also a debate on the correct specification of the goals *Y* in education – i.e. the "equal opportunity to what?"

question.[15] A debate that is further complicated by the acknowledgement of plural society, i.e. that different individuals want to pursue different goals (Campbell, 1973). Finally, we can think of several obstacles *Z* that may or may not be deemed illegitimate.[16] I do not engage in these debates because the two arguments advanced in this thesis do not depend on any particular conception of equal educational opportunity. We have now arrived at a good enough understanding of equal educational opportunity to continue our endeavor.

Finally, let me consider how this definition relates to the work by scholars in the equity *vs* adequacy debate who defend this approach to educational justice (Table 1). On the one hand, these scholars do not go to great length to specify elements *X, Y,* and *Z.* This will become clear in section 2.6. When Koski and Reich (2007), for instance, spell out different specifications of the ideal of equal educational opportunity, they explicitly state they are not concerned with defending one in specific, but more so that equity should enter the equation in some way (pp. 606-609). For this reason, the conceptual work I have engaged in so far may seem redundant. On the other hand, the fact that the ideal of equal educational opportunity is often left underspecified is exactly one of the objections I will raise in chapter 3. Therefore, my conceptual work on the ideal of equal educational opportunity will be relevant mainly in my discussion in chapter 3.

2.4 A definition of adequate educational opportunity

This section provides a general understanding of how to think about adequate educational opportunity. For the sake of comparison, I attempt to structure the definition in a way similar to the definition of equal educational opportunity. Let us start by repeating the definition of opportunity we derived in the previous section.

> *Opportunity* = An agent, or group of agents, *X*, is said to have an opportunity to achieve goal(s), *Y*, iff *X* can choose to realize *Y* in the absence of any illegitimate obstacle(s), *Z.*

[15] Examples include equal educational opportunity to compete in postsecondary education and the labor market (Reich & Koski, 2006), equal educational opportunity for citizenship (Levinson, 2012), and equal educational opportunity for flourishing (Gomberg, 2008).
[16] E.g., what parental efforts are allowed to make a difference? (How) do we draw a line between reading bedtime stories, helping with homework and paying for private tutoring? (Brighouse & Swift, 2008, p. 447).

Then what does *adequate* opportunity look like? I propose two adjustments. Firstly, we can think of 'adequate' as diminishing the demand of 'opportunity'. Instead of 'opportunity', we care about 'good enough of an opportunity'. What does this do to our definition? Imagine again the child from a rich immigrant family and the child from a working-class native family. Say we want both these children to have an adequate opportunity to graduate from secondary education. This implies that we would not care if one of them faces a better opportunity to graduate, as long as both face an opportunity good enough. This also implies that we are not concerned with any particular *illegitimate obstacles Z.* One pursues equal opportunity because certain factors should not influence the opportunity of agents *X*. One pursues adequate opportunity because all agents *X* should minimally have this opportunity, regardless of the obstacles they may or may not face.

Secondly, in contrast to equality, the concept of adequacy does not speak for itself. When you and I work on a project and both of us earn ten euros, you can probably tell me whether we received *equal* compensation. But if I were to ask you whether we received *adequate* compensation, you would need more information. Adequacy begs the question '*adequate for what?*' and is thereby always linked to the attainment of some minimal condition. With this in mind, consider the following definition:

> *Adequate opportunity* = An agent, or group of agents, *X*, is said to have an adequate opportunity to achieve goal(s), *Y*, iff both (i) *X* can choose to realize *Y* with reasonable effort and (ii) the realization of *Y* brings about minimal condition(s), *W*.

In the definition above, I slipped in the ambiguous term 'with reasonable effort'. I did so to prevent the definition from demanding too much. Consider the adjusted example of *Max should have an adequate opportunity to pursue higher education.* With such a statement we most certainly do not demand that Max can choose to pursue higher education at all times under all circumstances. There are certain legitimate obstacles one has to overcome in education so that enrollment in or graduation from higher education can never be guaranteed. Again, this is what sets the ideal of adequate educational *opportunity* apart from the ideal of adequate educational *outcome.*

Furthermore, our definition specifies a causal link between goal(s) *Y* and minimal condition(s) *W*. This is to accommodate the point I made before about the '*adequate for what?*' question.

You and I have an *equal* opportunity to earn a certain income (goal *Y*) iff none of us faces illegitimate obstacles *Z* in securing this income. You and I have an *adequate* opportunity to earn a certain income (goal *Y*) iff both of us can secure this income with reasonable effort and this income brings about some adequacy benchmark (minimal condition *W*). This minimal condition can be specified in many ways, but the specification is irrelevant for our conceptual purposes here.[17]

The reader may wonder why I do not simply take the actualization of minimal condition(s) *W* as goal(s) *Y* (i.e. the goal *is* the adequacy benchmark, not the means towards this benchmark). I do so because adequacy-advocates may agree on minimal condition(s) *W* but disagree on what is needed to satisfy this benchmark (goal(s) *Y*). As will become clear later in this chapter, adequacy is often defended in light of the minimal condition of relational equality and what goal(s) are a precondition for relation equality is debatable.

There are numerous ways of specifying *Y* but going into those conceptions is again beyond our purpose.[18] Similar to our definition of equal educational opportunity, this brings us to the following:

> *Adequate educational opportunity* = An agent, or group of agents, *X*, is said to have an adequate educational opportunity to achieve goal(s), *Y*, iff both (i) *X* can choose to realize *Y* through their education with reasonable effort and (ii) the realization of *Y* brings about minimal condition(s), *W*.

This definition suffices for our purposes.

Finally, I should again say something about how this definition relates to scholars in the equity *vs* adequacy debate. As indicated in Table 1, Anderson pursues the ideal of adequate educational opportunity. Anderson (2004) specifies *X* as all citizens, *Y* as pursuing higher education, and *W* as an integrated and relationally equal society (p. 108). I come back to this specification in chapter 4. There, I argue that the concept of adequate educational opportunity is attractive from a relational egalitarian perspective, but that Anderson's specification is not.

[17] For example, the New Jersey Supreme Court once specified *W* as being equipped to fulfill one's role as a citizen and competitor in the labor market (Wise, 1983).
[18] For example, Anderson (2007) specifies *Y* as pursuing higher education.

2.5 A definition of adequate educational outcome

Outcome is a more straightforward concept than opportunity. Whereas opportunity describes a relationship between agent(s) *X* and goal(s) *Y*, outcome describes the achievement of goal(s) *Y* by agent(s) *X*. Due to our conceptual labor so far and this more straightforward notion of outcome, we can move through our definition significantly more quickly. We can define outcome in the following way:

> *Outcome* = An agent, or group of agents, *X*, is said to have an outcome constituted of goal(s), *Y*, iff *X* achieves *Y*.

In the previous section, I claimed that adequacy begs the question '*adequate for what?*' and is therefore always defined in relation to the attainment of some minimal condition(s). This brings us to the following definition of adequate outcome:

> *Adequate outcome* = An agent, or group of agents, *X*, is said to have an adequate outcome constituted of goal(s), *Y*, iff both (i) X achieves *Y* and (ii) the realization of *Y* brings about minimal condition(s), *W*.

Note that, in contrast to adequate opportunity, the concept of adequate outcome does not consider a dimension of reasonable effort or individual responsibility. Advocates of adequate outcome demand that a minimal condition is achieved regardless of the effort exerted by an agent. This is, again, what sets the avenue of *outcome* apart from *opportunity.*

Finally, I suggest thinking of adequate educational outcome as follows:

> *Adequate educational outcome* = An agent, or group of agents, *X*, is said to have an adequate educational outcome constituted of goal(s), *Y*, iff both (i) X achieves *Y* through their education and (ii) the realization of *Y* brings about minimal condition(s), *W*.

We have arrived at a conceptual approach to educational justice that demands certain minimal outcomes in one's education. As a policy example we can point at national guidelines on the

minimally required levels in certain subjects after a certain stage of education (e.g., Rijksoverheid, n.d.). For now, we have arrived at a workable definition of the concept.

To conclude, let us consider how Satz specifies the elements in this definition (see Table 1). Satz (2007) specifies *X* as all citizens, *Y* as the development of skills needed for college, and *W* as an integrated and relationally equal society (pp. 625; 638). Note how similar Satz's specifications are to those of Anderson (previous section). Indeed, the main disagreement between these two authors is whether policymakers should focus on the avenue of outcome or opportunity. The definition of adequate educational outcome I have provided here will mainly be relevant in my defense of adequacy-based educational policy in chapter 4.

2.6 In defense of equity-based educational policy

In this and the next section, I discuss the main argumentative dispute between advocates of equity and adequacy in education. Whenever I talk about (educational) equity, I am referring to equal educational *opportunity*. Whenever I talk about (educational) adequacy, I am referring to both adequate education *opportunity* and *outcome*. In other words, I summarize the argumentative dispute over the proper aim of educational justice, without differentiating between the two avenues (Table 1).

In this section, I consider the *positionality* argument in defense of equity-based educational policy, for it is the most common and forceful argument raised in favor of equity over adequacy (Shields, 2020).[19] We can derive a skeleton of the argument's skeleton from work by Reich and Koski (2006; 2007):

P1 Individuals can obtain positional private advantages via their education.

P2 The state has an obligation to establish procedures of fair competition around positional private advantages.[20]

P3 Adequacy-based educational policy allows unfair competition to some extent.

[19] Satz and Anderson also seem to identify this as the most compelling argument in favor of equity over adequacy. Either because they explicitly state so (Satz, 2007, p. 642) or because they give primary attention to this argument (Anderson, 2007, p. 597).

[20] The upshot of Koski and Reich's argumentation is that it does not presuppose a specific conception of equal educational opportunity; what is considered 'fair competition' depends on such a conception.

C Therefore, states should pursue equity-based educational policy.

The positionality argument simultaneously captures the positive argument in favor of equity and the negative argument against adequacy. Let us evaluate these premises one by one.

First, Reich and Koski (2006) point to the private advantages that one can obtain via their education. To ground this claim, the authors cite empirical research on the (increasing) economic returns to postsecondary education and high-skilled labor (Lemieux, 2006; Juhn 1993). So, the private advantage that Reich and Koski are concerned with essentially comes down to securing a high future income. This advantage of course trickles down into many facets of life. Reich and Koski (2006) mention the freedom to enjoy leisure and pursue one's interests. Other benefits we can think of include better health conditions, more job satisfaction, improved prospects for one's children, and higher perceived likeability and value by fellow citizens (Vila, 2000; Kuppens et al., 2018).

Furthermore, the authors stress the positionality of education when we consider the private advantages it generates. The instrumental value of an educational degree to obtain these advantages eventually depends on the relative standing of one's education to that of other individuals in society. Reich and Koski (2006) explain the relative value of education in terms of competition for (post)college admissions and well-paying jobs. When individuals compete for spots in (post)secondary education or high-paying jobs, what matters are their credentials *compared* to other graduates. To the extent that the private advantages discussed in the previous paragraph are secured via those desired and scarce spots in education or on the labor market, the positionality claim is credible.

The value of education is certainly not only positional. Nor are all private advantages associated with education dependent on one's relative educational achievement. Brighouse and Swift (2006) capture this well: "The educated person has a world of culture, complexity, and enjoyment opened to her, engaging in which is valuable in ways that are not competitive" (p. 482). Nevertheless, what matters for Reich and Koski's first premise is that at least part of the private advantages obtainable via education is positional. The first premise is granted.

The second premise of the positional argument outlines a specific obligation for a state, namely, to pursue procedures of fair competition around positional goods. Reich and Koski defend this premise by relying on the justifiability of pursuing equal educational opportunities:

> "The state's interest in the private returns to education rests in the fact that education is a positional good conjoined with the argument that the state justly attempts to secure or provide *equality of opportunity,* a contested ideal to be sure but also one that, we would note, is central not merely to most visions of social justice but also to the ideal of social mobility" (Reich & Koski, 2006, p. 24, original emphasis).

Later in the paper, the authors cite work by Scanlon (2003) and Rawls' (1999) on social contract theory to ground their adherence to equality of opportunity. But the authors concede: "We cannot provide here a brief in favor of equality of opportunity. Instead, we assume that its pursuit is defensible" (Reich & Koski, 2006, p. 31). Let me attempt to provide and examine that brief.

Thus, the defense of equality of educational opportunity has its roots in social contract theory, and specifically in a Rawlsian account of contractarianism.[21] This argumentative framework is also deployed by other equity-advocates (Brighouse & Swift, 2008, p. 455) and simultaneously used by adequacy-advocates when they go to critique the ideal of educational equity (Satz, 2007, p. 639; Anderson, 2004, p. 105). Thus, we are well-advised to review this moral framework.

In proposing the contractarian framework, Rawls (1999) thinks of society as a group of individuals who work together for mutual advantage, under the acknowledgement that all would be worse off were they left solely to their own devices. At the same time "there is a conflict of interests since men are not indifferent as to how the greater benefits produced by their collaboration are distributed" (Rawls, 1999, p. 109). To settle such conflicts, society must (hypothetically) agree on certain principles of justice. Although Rawls' starting point is collaboration for mutual advantage, his proposed mode of reason is not just individual utility maximization (i.e., Hobbesian contractarianism). Rawls is also concerned with

[21] I should point out that Scanlon and Rawls differ in their take on social contract theory – a difference that Koski and Reich (2006) arguably miss out on when briefly surveying Scanlon's contractualism and Rawls' contractarianism as objections to inequality of opportunity without discussing their differences (Cf. Ashford & Mulgan, 2018, §2). Here, I will simply focus on Rawls' social contract theory as no element unique to Scanlon's contractualism is of relevance to the equity *vs* adequacy debate.

'reasonableness', which prescribes that one's claims must be justifiable to others (i.e., Kantian contractarianism). Overall, Rawls seems to recommend a middle ground. When individuals (hypothetically) come together to deliberate on matters of justice, they pursue their self-interest while respecting the moral constraint of reasonableness (Wong, 2017).

The hypothetical agreement takes place in a thought experiment, in which all members of society are unaware of the particular circumstances of their society and the position they will obtain in this society. All individuals are aware of, what Rawls (1999) calls, "the general facts about society" (p. 119) – these include general knowledge of political organization, economic theory, and human psychology. This, in brief, constitutes Rawls' famous *original position*, which is to guarantee that agreed upon principles of justice cannot be biased towards the particular social positions that people find themselves in.[22] In that sense, Rawls advances the original position as the proper point of departure because arbitrary features should not play a role in the distribution of benefits. In other words, if we can think of principles that everyone in the original positions would, rationally, agree to, they must be just.

How then, does the state's obligation to pursue equal educational opportunity (P2) derive from this moral framework? Unaware of their position in society, individuals are unable to secure advantages specifically for themselves in the original position. Therefore, Rawls (1999) claims, "the sensible thing is to acknowledge as the first step a principle of justice requiring an equal distribution" (p. 130) – including an equal distribution of opportunity. Unaware of the social position they will end up in, individuals will prefer this social position not to influence their opportunities in life. It seems to be this line of moral reasoning from which equity-advocates derive the necessity of equal educational opportunity.

Although the logical starting point for Rawls is equality, the story does not end here. Imagine that from a point of equality, society can agree to introduce a level of inequality that makes everyone better off.[23] From the perspective of any individual, this would be a reasonable decision as it improves their prospects. This kind of reasoning leads Rawls to a condition under

[22] This is admittedly a very brief summary of Rawls' complex thought experiment, but a summary that suffices for our purposes. For a more extensive summary of all the constraints and conditions, see Rawls, 1999, pp. 126-127.

[23] The idea that larger inequality can lead to larger overall prosperity is quite well-established in economic thought (Mankiw, 2018, p. 418). At the same time, however, this widely accepted trade-off between equality and prosperity is empirically being questioned (OECD, 2014).

which society may deviate from an equal distribution (of opportunity): "Taking equality as the basis of comparison, those who have gained more must do so on terms that are justifiable to those who have gained the least" (p. 131).[24] Thus, under a Rawlsian framework, inequality of educational opportunity appears defensible as long as the worst off benefit from this inequality.

My goal here is not to evaluate Rawls' moral framework. Instead, I will attempt to clarify that strict equality of educational opportunity does not necessarily follow from a contractarian framework. Although it is plausible that all parties to a social contract are opposed to unequal educational opportunity, it is less obvious that educational policy should therefore pursue strict equality of educational opportunity. In other words, there is a lot of room between unfairly "excluding groups from competing for positions" (Reich & Koski, 2006, p. 32) and pursuing strict equality of educational opportunity.

There are two reasons why a contractarian framework may lead us to care about unequal educational opportunities without demanding strict equality of educational opportunities. The first is that inequalities may come to benefit the worst off. Imagine, for instance, that the children of economists face a better educational opportunity to flourish in this subject. This is an instance of unequal educational opportunity to the extent that goal(s) *Y* include educational achievement and illegitimate obstacle(s) *Z* include the educational background of a child's parents. Should we necessarily object to this inequality from a contractarian perspective? The answer is no as long as the inequality comes to the benefit of all. It seems like a reasonable assumption that society benefits from the fact that, due to arbitrary circumstances, some children perform especially well in certain subjects (e.g., society benefits from having excellent economists who work to optimize the working of our welfare system). Furthermore, we know that we cannot get all children to the level of the best performers. Thus, from a contractarian perspective, we may accept that some children, due to arbitrary reasons, perform better (i.e. accept unequal educational opportunity) for its associated societal benefits.

[24] The reader may notice a tendency towards risk-aversion in Rawls' line of reasoning. Demanding equality in the original position, and demanding that any inequality benefits the worst off, certainly implies that individuals are supposed to 'take a bet'. Rawls deems this reasonable due to the severe uncertainty and irrevocable and far-reaching nature of the decisions made in the original position. Whether such maximin reasoning is indeed the most rational decision rule for individuals in the original position is a heavily debated question (Harsanyi, 1975). Yet, for our purposes, it suffices to accept Rawls' claim as a plausible decision rule.

Reich and Koski (2006) respond to this first point. To do so, they cite Rawls' (1999) argument that overall efficiency cannot come to justify all inequalities. In the passage that they cite, Rawls claims that citizens may still object to, overall efficient, social arrangements when these arrangements exclude them from competing and the possibility of self-realization. The point that Rawls (and Reich and Koski) seems to make in this passage is that we should be warry off a society that excludes some citizens from participation and offers them (economic) compensation in return. Although I can see how strict exclusion fails to respect the self-realization of citizens, Reich and Koski (2006) move on to equate 'exclusion' with 'inequality of opportunity' (p. 32). But being excluded from competition is different from facing unequal opportunity in a competition – and Rawls seems concerned with the former. It still seems credible that some degree of unequal educational opportunity can be justified on the grounds that they come to the benefit of all – most notably the worst off.

The second reason why a contractarian framework need not make us demand strict equal educational opportunity is that other values may be at stake. One such other value often stressed in relation to educational policy is parental liberty (Brighouse & Swift, 2008; Anderson, 2004). To the extent that we value parents' freedom to share their passion and interests with their children, we may accept that the economist helps and motivates her child to do well in subjects like math and economics. In comparison to a child who does not receive this help or external motivation, this child faces an unequal educational opportunity. Society may come to accept such inequality for the sake of values other than fair competition.

So far, I have considered some pushback on the second premise of the positionality argument, because this is exactly where advocates of equity-based educational policy are at odds with advocates of adequacy-based educational policy. Adequacy advocates generally do not set out to downplay the importance of fairness, but instead hold that fairness does not require strict equality of educational opportunity. Anderson (2007), for instance, objects that pursuing equal educational opportunity unfairly ties children's educational opportunity to that of the average educational ambitions in society. If parents happen to value education highly, it may be objectionable to restrict their investments in education just because other parents do not share this educational ambition. This is not to ignore the fact that some parents simply *cannot* invest more, but to emphasize that financial constraints are not all that matters (i.e., in a society with perfectly equal income, parents would probably still invest differently in education).

Finally, Reich and Koski (2006) move to the third premise by stating that "adequacy cannot fulfill any possible interpretation of equality of opportunity as applied to education" (p. 33). It is generally true that the ideal of educational adequacy cannot accommodate equal educational opportunity in the way Reich and Koski propose. As I discussed in 2.1, a concern with adequacy may well *limit* the extent to which inequity is allowed, but it inherently does not take conflict with all degrees of inequity. Therefore, the third premise is granted, even by advocates of adequacy-based educational policy.

In sum, this section outlined the positional argument in favor of equity-based educational policy. I have delineated how this positional argument ultimately derives from the value of fair competition and how this value, in turn, is defended from a contractarian framework. The argument I have pursued is that the value of fair competition does not necessitate the pursual of strict equal educational opportunity. That is, we can follow Reich and Koski (2006) in underscoring the importance of fair competition and still question whether every child should face strictly equal educational opportunity.

2.7 In defense of adequacy-based educational policy

In light of the criticisms against equal educational opportunity raised in the previous section, other scholars have suggested demanding something else in the pursuit of educational justice – namely, that every child receives an adequate education. In this section I consider the *relational* argument in defense of adequacy-based educational policy, advanced by Anderson and Satz. Anderson more so promotes the ideal of adequate educational *opportunity*, whereas Satz is more focused on adequate educational *outcome.* This difference is irrelevant to the argument discussed in this section.

The *relational* argument starts from the value of relational equality. Anderson (2007) talks about democratic equality, Satz (2007) about equal citizenship. What it means concretely to relate as equals is somewhat left undertheorized by relational egalitarians (Wolff, 2015, pp. 214-215). Before working out the *relational* argument, it is therefore worth considering Lippert-Rasmussen's (2018) exposition on the meaning of relational equality.

Firstly, Lippert-Rasmussen notes that relational equality can be broken down into *treating* and *regarding* each other as equals. Treating is behavioral, regarding is attitudinal. For this thesis,

it is not necessary to keep these two strictly apart. When Anderson (1999) and Satz (2007) talk about the importance of relational equality, both the behavioral and attitudinal elements seem implied. Secondly, Lippert-Rasmussen observes that a relation of equality is always defined in relation to some other dimension. Consider three examples. You and I can treat each other as equals in terms of *epistemic standing*, which means we do not marginalize each other's opinions out of presumed inferior knowledge. Alternatively, you and I can also treat each other as equals in terms of *social standing*, which means we do not presume that one of us is more worthy of the other's respect or admiration. The most common dimension of relational equality, according to Lippert-Rasmussen, is *moral standing.* Treating a person as a moral equal is again an arguably vague concept in itself, but we can think of it as an a priori disposition to treat people and their interests as deserving of equal worth (Lippert-Rasmussen, 2018, pp. 63-64). For our purposes, it is unnecessary to settle on one such dimension, as all arguably have some merit in thinking about a relationally equal society. Nevertheless, for the relational concern I raise in chapter 4, especially relational equality in terms of social and moral standing will be relevant.

The *relational* argument in favor of adequacy as the appropriate aim for educational justice can be constructed as follows:

P1	Relational equality requires that citizens;
	1.1 possess capabilities necessary to function as an equal.
	1.2 perceive of each other as moral equals.
P2	The state has an obligation to pursue relational equality.
P3	Relational equality does not require strict equality of educational opportunity.
C	The state should pursue adequacy-based educational policy, where the adequacy benchmark is defined in light of P1.1 and P1.2.

The first premise describes the requirements for relational equality. The first premise is rather conceptual than argumentative, but it is worth our while considering how both Anderson and Satz give substance to those requirements. Anderson's democratic equality requires two sets of things. Firstly, that citizens have the opportunity to develop the capabilities needed to function as an equal in a democratic society, such as awareness of one's political rights

(Anderson, 1999).[25] Secondly, beyond individual capabilities, democratic equality also requires a democratic culture – a culture in which individuals from all walks of life are integrated and mutually solidary (Anderson, 2004). Such as culture demands the absence of disrespect and ranking (Lippert-Rasmussen, 2018, pp. 36-38). No disrespect means the absence of disrespectful attitudes, such as presuming people to be inferior in worth (Anderson, 1999, p. 289). No ranking means the absence of some social ranking according "according to intrinsic worth" (Anderson, 1999, p. 312). This requirement precludes social hierarchies along ascriptive characteristics, in which some groups enjoy more power to give substance to their own life (e.g., 'glass ceilings' for women in the labor market).

Similarly, Satz's equal citizenship aims to ensure full and equal membership in society. Satz (2007) defines citizenship as "the political, civic and economic conditions that are needed to make on a full member of one's society" (p. 636). Although her initial explication of what this requires is more focused on individual rights than interpersonal relationships, she goes on to stress the importance of fostering social relations of equality in education to ensure things like "mutual understanding, mutual respect, tolerance" (p. 637). So, in Satz's writing, we find a similar requirement of both certain capabilities and a culture of equality.

The second premise of the relational argument describes an obligation for the state. Why should a state pursue relational equality? Anderson and Satz posit relational equality as a fundamental egalitarian value to ensure that everyone can participate in civil society. As Anderson (2007) claims, "the proper egalitarian aim is to ensure, to the extent feasible, that everyone has sufficient human capital to function as an equal in civil society" (p. 618). Similarly, Satz (2008) describes adequacy as being concerned with "good citizenship … a necessary condition for full membership in the political community" (p. 432). Just like the value of fair competition, the value of relational equality does not appear very controversial. As Reich and Koski (2006) for instance concede:

> "When the purposes of education are understood to be public – related to preparation of able citizens and to sustain the flourishing of democratic life – the adequacy ideal defended by Anderson and Satz has undeniable attractions" (p. 20)

[25] For an overview of all capacities deemed necessary for democratic equality, see Anderson, 1999, pp. 317-318.

To the extent that we perceive education as a place where we cultivate capabilities and attitudes necessary for relational equality, it makes sense to deny the need for equity-based educational policy (the third premise). For you and to relate as equals in civil society, it is not strictly necessary that we faced equal educational opportunity. When everyone is reflective on the privileges that some enjoy throughout their education and thereby humble for the social positions that they consequently obtain, it may well be possible for everyone to relate as equals in the way that Anderson and Satz envision. For example, consider a group of people that knowingly enter a lottery with unequal odds. Whatever the outcome of the lottery, participants may still relate as equals despite the inequity in the lottery. To this extent, the third premise is granted.

However, in the equity *vs* adequacy debate, the third premise has limited force in driving adequacy home. Despite acknowledging the value of relational equality, advocates of equity-based policy would be quick to add that this is not the only value that matters.[26] By positing that strict equality of educational opportunity is not needed, equity- and adequacy-advocates eventually find themselves in a dispute over the degree of unequal educational opportunity that a state can justly accept.

In sum, it appears the equity *vs* adequacy debate is at a standstill because both sides emphasize an egalitarian value that is acknowledged by their opponents. The mere acknowledgement of both these values – fair competition and relational equality – leaves us with little insight on how to balance the aims of equity and adequacy in the design of educational policy. Perhaps that is why the earlier discussed plurality of aims has by now been so widely accepted.

What I set out to do in the remainder of this thesis is offer two arguments why the ideal of equal educational opportunity should be constrained. That is, why a state is justified to allow for more unequal educational opportunity than equity-advocates generally propose.

[26] See, for instance, Reich and Koski, 2006, p. 21.

2.8 Examples of conflict

Now that we have developed a definition of the different approaches to educational justice and summarized the main argumentative dispute in the equity *vs* adequacy debate, let me finally sketch some policy issues on which the dispute bears relevance.

One major dispute revolves around the role of private (financial) means in children's education.[27] This is a concern also high on the political agenda of Dutch policymakers (Dutch Education Council, 2021). Equity-advocates claim that the role of private means should be maximally constrained, as it violates the state's responsibility to establish procedures of fair competition. Private means, according to Reich and Koski (2006), make educational institutions a "vehicle for reinforcing and compounding the positional advantages gained from education" (Reich & Koski, 2006, p. 10). Channeling extra financial means into a child's education puts that at an unfair positional advantage.

Adequacy-advocates, on the other hand, find less conflict with the role of private means in a child's education. Anderson (2004) argues that there is no obvious reason why the child with a greater inner drive should be favored over the child who needs more external encouragement (e.g., private tutoring). That is, why can the former child benefit from her inner drive and the latter child not from external resources? Furthermore, Anderson stresses the value of parental liberty in this matter. "Parents and children who value education much more than the median voter would not be allowed to pursue their conception of the good, through the expenditure of external recourse" (Anderson, 2004, p. 104). Anderson rejects such a constraint, whereas equity-advocates reject the positional advantage that such liberty aggravates. The criticisms I provide in this thesis against the ideal of equal educational opportunity can be read as reasons why a state should allow for the role of private means more so than equity-advocates propose. With this, I mean the following. Because my objections to the ideal of equal educational opportunity lead me to conclude that the prime focus of educational policymakers should not lie with educational equity, I am more so persuaded that other values can justify a degree of inequity (values such as parental liberty).

As a second example of conflicting ideals, consider the following hypothetical case. Currently, the Dutch government is providing primary and secondary schools with an additional fund to

[27] We can think of this in terms of private tutoring, but also in terms of private schools in general.

get rid of learning deficits caused by the covid-19 crisis.[28] This is a broad task and schools enjoy quite some freedom in determining how to spend this extra fund. Now imagine that the board of a secondary school is to decide between two policies. Call the first policy the *adequacy policy*.

This policy directs the extra fund at the children whose educational outcome (or by approximation their educational opportunity) has fallen below the school's adequacy-benchmark after the covid-19 crisis. Take, for instance, the empirical insight that on average 14 percent of secondary school students in the Netherlands currently do not perform at the minimally required level for language (Inspectorate of Education, 2022, p. 23). Call these 'The Inadequate'. We can imagine that the school board spends the additional fund on The Inadequate and further assume that as a result these children are brought to the adequacy benchmark (or to the adequate opportunity to achieve this benchmark).[29] Note that, overall, this policy would also create more equity because there are most certainly students among The Inadequate who are facing illegitimate obstacles in their educational prospects.

Call the second policy the *equity policy.* This policy directs the extra fund at the children whose educational outcome (or by approximation their opportunity) has been most constrained by illegitimate obstacles as a consequence of the covid-19 crisis. We know, for example, that the learning progress of children from parents with a lower level of education and income was undermined the most (Haelermans et al., 2021). We can imagine that the school board, therefore, spends the additional fund on the group of children with the lowest socio-economic status. Let's for simplicity say the lowest 14 percent, to have a similar per-student budget across the two policies. Call these 'The Unequal'. As a consequence, not all of The Inadequate are brought up to the adequacy level. Although empirical knowledge tells us that group membership of The Inadequate and The Unequal will likely overlap, there will as likely be some students among The Inadequate who do not qualify for the extra funding when directed at The Unequal. So, the equity policy realizes *less* adequacy. At the same time, the equity policy realizes *more* equity. The Unequal faced unequal educational opportunity on the

[28] For more information, see https://www.nponderwijs.nl/po-en-vo/documenten/publicaties/2022/04/22/informatietool-bedragen-per-school

[29] To give an illustration, we think of this fund being spent on high-dosage tutoring for these children (De Ree et al., 2021).

dimension of socioeconomic status – an inequity that is mitigated. Not necessarily all of The Inadequate faced unequal educational opportunity, so it would less efficiently address inequity.

I will not argue in favor of one of these two policies here – I return to this example in chapter 5. For now, my point is that to arrive at a decision, or even perhaps a compromise, the board will have to balance the ideal of equity against that of adequacy. And to make up such a balance, the board will need some reason *why* a prime focus on equity is more attractive than focus on adequacy or vice versa.

2.9 Conclusion

In this chapter, I have done two things. My first purpose was to shed clarity on the conceptual understanding of the different approaches to educational justice in the equity *vs* adequacy debate. The definitions developed in this chapter help to structure my argumentative endeavor in the coming two chapters. More specifically so, the definition of equal educational opportunity has the most relevance for my discussion in chapter 3. The definitions of educational adequacy (in terms of opportunity and outcome) are more relevant for chapter 4.

The second purpose of this chapter was to summarize the strongest argument on both sides of the debate and identify the egalitarian values from which they derive. Here I suggested that theorists in the debate sometimes communicate at cross purposes by reintegrating these values rather than providing a compelling account of why either approach should have more weight in the design of educational policy. This leads us to a shared consensus that the ideals of equity and adequacy are, on its own, both not everything there is to educational justice (Satz, 2007).

In the next two chapters of this thesis, I pursue two arguments to show why the weight of a concern with equity, in the form of equal educational opportunity, should be constrained. Or, alternatively, why the weight of a concern with adequacy should be larger.

3. On the Avenue of Educational Justice: Problems with Opportunity

This chapter illuminates the ambiguity that the avenue of *educational opportunity* brings with it. Firstly (section 3.1), I aim to emphasize the need for clarity when one advances the ideal of *equal* educational opportunity. In the previous chapter, I developed a definition of equal educational opportunity that exists of three elements: agent(s) *X*, goal(s) *Y*, and illegitimate obstacle(s) *Z*. In this chapter I discuss the importance of and difficulty in specifying illegitimate obstacle(s) *Z* whenever a scholar or policymaker pursues equity-based educational policy. I argue that the moral compass of those advancing equal educational opportunity lead us to demand equal educational outcome – which is a demand few would defend. Secondly (section 3.2), I argue that the advocate of *adequate* educational opportunity faces a pragmatic issue when turning his ideal into concrete educational policy. With these two claims, I attempt to strengthen our confidence that opportunity may not be the avenue on which we want to pursue educational justice. As the overall goal of my thesis is to critically scrutinize the ideal of equal educational opportunity, section 3.1 bares more importance than my discussion of adequate educational opportunity in section 3.2. Nevertheless, the chapter as a whole directs us towards the avenue of outcome in the pursual of educational justice.

3.1 Equal educational opportunity begs equal educational outcome

There exists a complex tension in the way we like to think about equal educational opportunity, which revolves around the task of defining illegitimate obstacles *Z*. This is essentially a tension between two main approaches to equality of educational opportunity: *meritocratic* equality of educational opportunity and, what I call, *genuine* equality of opportunity. This section lays out this tension. My goal is not to merely raise a realist objection (i.e., full equal educational opportunity is unfulfillable) or point out that equal educational opportunity knows many interpretations.[30] My goal is to show that the advocate of equal educational opportunity walks a difficult path. Following through on his moral commitment may require him to eventually endorse equal educational outcomes, an approach to educational justice rejected for reasons mentioned in the previous chapter. The main upshot of this section is that advocates of equal

[30] For a good discussion on the latter, see Jencks, 1988

educational opportunity, in academic writing and policymaking, have insufficiently confronted this complexity.

3.1.1 Meritocratic equality of educational opportunity

The ideal of meritocratic equality of educational opportunity is a form of *formal* equality of educational opportunity. Formal equality of (educational) opportunity is often thought of as equality before the law or the absence of discrimination on ascriptive characteristics (Shields et al., 2017). We might say that children enjoy formal equality of educational opportunity when ascriptive characteristics such as their sex, race, class, and religion do not influence one's chances in education. In other words, these are the illegitimate obstacles *Z*.

The ideal of meritocratic equality of educational opportunity takes the other route by defining the only two *legitimate* obstacles *Z* in one's education: one's talent and effort (i.e. merit).[31] The most notable implication is that the meritocratic ideal puts a positive obligation on educational policymakers, namely, to approximate a merit-based distribution of educational opportunity (rather than the negative obligation of avoiding discrimination).

The meritocratic version of equality of educational opportunity is intuitively appealing. Consider the following statement by Adam Swift (2003):

> "Someone's chances of getting into a good university, or getting into a university at all, shouldn't depend on whether her parents are able and willing to send her to private school. It should depend on how intelligent she is, and how much effort she's prepared to make when applying her intelligence" (p. 24).[32]

I imagine we would hear this intuition a lot when walking down the street and asking people who, for example, should get into selective schools.[33] The best students. This intuitive appeal can also explain why it is common to find the ideal of meritocratic equality of educational opportunity expressed in political discourse (Brighouse & Swift, 2008). One such example is an initiative by the Dutch Ministry of Education to promote equal opportunities in education,

[31] In what follows, I will sometimes use this term in the following form: "*Person Y has merit for X*". By this, I mean that person *Y* has talent for and exerts effort towards activity *X*.
[32] In the same book, Swift (2003) distances himself from meritocratic equality of educational opportunity as the proper recipe for educational justice (p. 121).
[33] There have been some attempts to empirically ground this claim. For example, see Miller, 2012.

the *Gelijke Kansen Alliantie* (GKA). The initiative's mission statement starts with: "Children with the *same talent* have a right to equal opportunity" (GKA, n.d., translation, own emphasis). Another example is a report by the Organization for Economic Cooperation and Development (OECD) on equity in education, in which equity is understood as a situation in which an "individual can improve their socio-economic situation on a basis of merit" (p. 26).

Interestingly, to my knowledge, there exists no unqualified defense of meritocratic equality of educational opportunity in the literature. Several authors highlight arguments in favor of the meritocratic conception or respond to several objections to the ideal, but no scholar appears to advance the ideal as the sole proper avenue for educational justice. As Brighouse and Swift (2009) put it: "that view [meritocratic equality of educational opportunity] is not something that egalitarians are likely to regard as expressing all that justice requires – even in strictly egalitarian terms" (p. 118). According to them, adhering to the meritocratic principle may sometimes be an efficient or politically strategic decision, even though equality between individuals with identical merit is not all there is to egalitarianism. My discussion that follows underscores this point. Let us now consider the main arguments proposed in defense of the principle.

These defenses can roughly be categorized as either consequentialist or deontological.[34] A consequentialist defense maintains that a meritocratic allocation of benefits is desirable because it brings about a desirable extrinsic societal aim. A deontological defense maintains that a meritocratic allocation of benefits is desirable because it constitutes moral justice, regardless of its consequences.

The consequentialist argument in favor of meritocratic equality of educational opportunity is that it contributes to efficiency. This argument relies on the assumptions that (1) certain positions in society require certain types of merit and that (2) people differ in their capacity to acquire certain types of merit (Daniels, 1978). The argument of efficiency is strongly tied to the idea of productivity – having the best people for the job. 'Productivity' is admittedly a very ambiguous measure, especially when we start comparing different social positions for which exists no uniform productivity scale (e.g., a plumber, a dentist, a teacher, etc.). But we can

[34] This categorization is inspired by a somewhat different distinction that Sen (1999) draws between rewarding merit for the sake of 'incentives' or 'action propriety' (p. 8).

nevertheless settle on intuitive interpretations of productivity in different professions and wonder whether a merit-based allocation is indeed the best way to go. If the two aforementioned assumptions can be sustained, and I think they can, they form an efficiency argument in favor of meritocratic equality of opportunity in two ways. Firstly, a merit-based allocation of these positions makes it so that we can have the best plumber to fix our toilet and the best dentist to fix our teeth (Sandel, 2020, p. 33). Secondly, a merit-based allocation can incentivize the kind of activities society deems desirable (Sen, 1999). Namely, by rewarding talent development and effort in essential professions, society can steer individuals towards those professions.

Although the efficiency argument may well succeed when we think about the proper allocation of jobs, it arguably loses some of its force when applied to educational opportunities. After all, education is the place where merit is cultivated, not just measured. In the literature, this point is often captured by saying that merit is endogenous to education (Satz, 2007). Education is meant to help individuals develop the type of merit needed to become a good plumber or dentist. Applied to education, the efficiency rationale would take a stance too deterministic about children's potential. Consider two children, Karim and Myrthe, at some moment in their primary school years, call this time *t*. At time *t*, the teacher observes that Karim has more merit for theoretical subjects and Myrthe has more merit for practical subjects. If this teacher were an efficient meritocrat, she would allocate opportunities to acquire theoretical and practical skills proportionally to Karim and Myrthe's merit at moment *t*.[35] Such an allocation has a clear effect on their merit in time *t +1*; Karim and Myrthe disproportionally develop even more merit in their best subjects at time *t*, a process that accumulates over time in a system of meritocratic equality of educational opportunity.

I contest the efficiency of the allocative process described above. The crucial point is that time *t* at which we start allocating educational opportunity based on merit is arbitrary from the point of efficiency. One possibility is to take time *t* at the moment a child enters primary school. At this age, children will differ in their merit for different subjects. This difference may be caused by differences in their genetic constitution (Bowles & Gintis, 2002) or differences in their

[35] In practice, one can observe this strategy in many schools in the form of advanced classes for 'excellent' students, where 'excellence' is most often, if not exclusively, equated with merit for theoretical subjects.

environment while growing up (Lareau, 2011) – most plausibly a combination of the two.[36] The efficiency argument would have to sustain the claim that those children with the most merit at time *t* are the best candidates to fill the social positions associated with that merit. The drastic claim is that the potentially best dentists have to be identified already at time *t.* The more nuanced claim is that children's potential has to be identified already at time *t.* Even the more nuanced claim is questionable and in need of empirical backing. It is intuitively not compelling that the children who had the cards stacked in their favor during pre-schooling years will be the most productive in the social positions associated with their merit at time *t.*

Anyone who shares my hesitation will agree that the starting time *t* of a merit-based allocation of educational opportunity should not be fixed at the moment a child starts primary school. What then is the stage of schooling from which a meritocratic allocation of educational opportunity becomes efficient? I will not attempt to provide an answer to this question but think that the burden of proof to identify such a point is on any scholar who defends meritocratic equality of opportunity on grounds of efficiency. My claim is that an efficiency argument in favor of meritocratic equality of educational opportunity is hard to sustain, especially during the early ages of schooling (remember that my focus lies with primary and secondary education), because merit is endogenous to the allocation of educational opportunity.

Therefore, specifically in the context of education, I contend that the meritocratic ideal must be defended on deontological grounds instead. The deontological defense of meritocratic equality of educational opportunity revolves around fairness. Instead of having educational opportunity be shaped by race or class, we are offered merit as a fair basis for the distribution of educational opportunity. Firstly, we should ask ourselves why we find it unfair when educational opportunity is shaped by features such as race or class? Why does the correlation between children's educational achievement and family background generally unsettle us?[37] The reason for concern is two-fold: children cannot be held responsible for their family background and features for which a person is not responsible should not diminish their life prospects. These two commitments are often conflated under the concept of 'arbitrariness'.

[36] For a good discussion on the role of nature and nurture in the transmission of family advantage, see Miller, 2013, pp. 127-134.
[37] For a good discussion of this correlation in the United States and Europe, see Esping-Andersen, 2004.

This is a very intuitive approach to fairness which is widely shared by theories of social justice (e.g., Roemer, 1988; Dworkin, 1981).

The problem with this moral defense is that it begs the question of why a merit-based distribution *is* fair? Even those authors that have offered a qualified defense of the meritocratic ideal acknowledge that this reasoning may indeed lead towards a more radical version of equal opportunity that takes account of the arbitrary distribution of merit (Daniels, 1978; Brighouse & Swift, 2008). A merit-based distribution of educational opportunity is, at least partly, as arbitrary a distribution of opportunity. This observation is certainly not innovative in the literature on educational equity – which makes the prevalence of meritocratic policy rationales such as the ones by the GKA and the OECD even more fascinating.

To properly engage with this criticism, it is helpful to think of two possible interpretations of merit in the meritocratic ideal, spelled out by Anderson (2004). The first is to take inborn merit as the basis for distribution. This would come down to a person's inborn talent and predisposition to work hard. An immediate objection would be that a distribution based on inborn faculties is morally as arbitrary as a distribution based on, for instance, family wealth. We are arguably as responsible for our parents' wealth as we are for our inborn talent and predisposition to make an effort.

Yet, this line of reasoning has been rejected by scholars who claim that we cannot reasonably think about justice for an individual without taking the inborn capacities of that individual as a given. That is, if I demand educational justice for Max, I cannot question Max's genetic constitution as not being legitimately his. For whom am I otherwise demanding educational justice in the first place? As Miller (2013) puts it:

> "The idea is to draw a line between the person and her circumstances, and say that equal opportunity obtains when the circumstances are the same for everyone along relevant dimensions. But the person here has to be understood as already laden with tastes, character, capacities and so forth" (p. 136).

Do we bite this bullet? Can we judge Max and Ingrid to face equal educational opportunity although Max faces much better educational opportunity due to his inborn talent? If we do so, we arguably also lose normative ground to for instance compensate those with inborn

handicaps – a very unpopular stance among egalitarians.[38] Miller (2013) himself, for instance, mentions the case of handicaps in his discussion of justice and boundaries:

> "We think that having special needs is a valid reason for receiving treatment that others do not receive, to compensate for the disability" (p. 149)

The reader may wonder how Miller (2013) defends such a conviction alongside his proposed distinction between circumstances and the person. To do so, Miller separates two senses of arbitrariness. In the first sense, a feature is morally arbitrary when a person is not responsible for having it. This assimilates the definition of arbitrariness I provided earlier. In the second sense, a feature is morally arbitrary when a person should not be treated differently based on that feature. A handicap, according to Miller, is arbitrary in the first sense (a person *is* not responsible for their handicap), but non-arbitrary in the normative sense (a person *should* be treated differently because of their handicap, namely in compensation). Miller seems to suggest that inborn talent is different – namely that a person *should not* be treated differently for their lack of inborn talent. But why we should treat handicaps and a lack of inborn talent differently on this account remains unclear and seem inconsistent. We want to treat handicapped people differently *because* we think people should not face worse prospects due to this arbitrary (in the first sense) feature. It thus remains unclear why a handicap is, and a lack of inborn talent is not, an illegitimate obstacle *Z*. Can we not perceive a lack of inborn talent as a handicap? This is just to show that Miller's (2013) distinction between the person and circumstances easily violates our intuitions. The way Miller approaches handicaps shows that his distinction also violates his own intuitions.

Another attempt to separate the person and disability comes from Brian Barry (1988). He suggests differentiating between features that *make* the person, such as dexterity, and features that *limit* the person, such as physical impairments (p. 233). Yet, such a distinction relies on an a priori judgment of what is to count as a disability, as something that, as Barry calls it, "befalls us" (p. 233). A lack of inborn talent may as well be thought to befall a person.

[38] The reader may object that one can simultaneously claim that (1) the handicapped face equal opportunity and (2) should be compensated for different reasons.

A final strategy would be to scrutinize a person's genetic constitution while maintaining that person to be an autonomous being deserving of justice. Perhaps we can imagine justice for the person 'before' they are assigned their genetics. Here, we could imagine that equal opportunity obtains because genetics are randomly distributed among unconceived children so that all face an equal opportunity to possess favorable genetics (Fishkin, 1983, p. 57). Yet, although in a different way, this step also leaves the ideal of equality, in any sense, completely empty. We could justify all inequalities in society for the reason that everyone had an equal opportunity pre-conception.

The upshot of my discussion of the first basis of the meritocratic ideal – inborn merit – is that the definition of arbitrariness quickly turns complex. Any advocate of educational policy based on this ideal would have to figure out how to credibly maintain some distinction between the person and her arbitrary circumstances. I do not see how this theoretical burden can successfully be satisfied. Therefore, I reject a moral justification of the meritocratic ideal that has inborn merit at its core.

Furthermore, even if against my conviction one could successfully maintain such a distinction, this application of the meritocratic ideal will hardly be at the fundament of educational policy in practice. There seems practically no way in which an educational institution can allocate educational opportunity based on inborn merit. The earliest measurement of merit that schools can arguably work with is the moment children enter school.

This brings us to Anderson's (2004) second interpretation of merit in the meritocratic ideal: developed merit at the time of distribution. Merit is of course not a static concept. Our genetic makeup does not fully determine how much we will eventually know about algebra or how good we eventually will be at tennis. Nor how much effort we will exert in acquiring those skills. This largely depends on the extent to which individuals develop their merit. This second interpretation of merit does not ask what a person's inborn talent for or predisposition to exert effort towards a certain skill is, but instead asks what a person's merit for that skill is at the time of distribution. This is for instance what an educational system does when we make children take national tests to accordingly distribute spots in educational tracks or rely on GPAs to allocate scarce educational positions.

From a moral perspective, this interpretation of merit is even more problematic than the first. Even if one can consistently establish some distinction between the person and her circumstances and thereby safeguard inborn talent as a just basis of distribution – of which I shared my doubts – we know that part of developed merit is determined by a person's arbitrary circumstances. Some parents invest more in cultivating talent and skills in their children (Lareau, 2011) and family background shapes an individual's educational choices (Voigt, 2007). To the extent that one's merit is dependent on such factors, a distribution of opportunity based on developed merit is morally arbitrary.

A response to my argumentative undertaking against meritocratic equality of opportunity is that it only shows that the ideal cannot stand on its own, not that is it flawed. Brighouse and Swift (2009) have provided such an argument. They argue that the meritocratic principle expresses the conviction that it is unfair if equally talented and motivated children receive different educational inputs.[39] The principle "precludes us from allowing people's chances of achieving offices and positions to depend on their class of origin while permitting (but not requiring) those chances to depend on their talents and efforts" (Brighouse & Swift, 2009, p. 119). However, they continue, this does not mean that there may be other unfair educational inequalities that the meritocratic principle does not comment on. Although the authors remain ambiguous about what those other unfair inequalities are exactly, they make this argument in direct response to the observation that developed merit is an arbitrary element along which to distribute educational opportunity.

The most particular element in their argumentation is that the meritocratic principle permits, *but does not require,* a merit-based allocation of educational opportunity. I find this reconstruction of the principle unconvincing. The meritocratic principle specifies illegitimate obstacles *Z* in such a way as to include everything other than merit. If one goes on to 'supplement' this principle by other considerations of unfairness, such as the arbitrary distribution of developed merit – which in my reading are those other unfair inequalities Brighouse and Swift are after – we seem to move away from the meritocratic principle rather than merely adding another value. Something like genuine equality of educational opportunity indeed covers all the concerns of meritocratic equality of educational opportunity. But when

[39] As I mentioned in my introduction, the literature often focuses on educational inputs. Remember my suggestion that we can think of educational policy in broader terms, such as selection procedures or tracking structures that may favor certain groups.

deciding whether the meritocratic principle should inform educational policy, we quite naturally scrutinize this principle in contrast, and not in addition, to other (more or less extensive) forms of educational equality. Brighouse and Swift seem to suggest that the meritocratic principle says nothing more than 'Max's educational opportunity should not depend on his class or race' and still allows for the additional claim that 'Max's educational opportunity should neither depend on his developed merit'. But on such an interpretation one is no longer defending the meritocratic principle.

Let me summarize my conceptual endeavor in this subsection. I started from the suspicion that meritocratic equality of educational opportunity does not do enough, as it leaves the role of an arguably arbitrary distribution of merit. I have considered a defense of inborn merit as the basis of distribution, where a distinction is drawn between the person and her circumstance. Here I pointed to the obstacle that there are some features of the person, such as inborn disability, that we intuitively want to compensate persons for. Whether or not the defense of inborn merit can be successfully maintained, in reality, inborn merit is unlikely to be the pure basis of a distribution of educational opportunity because schools will always rely on an 'in-the-moment' measurement of merit (i.e. developed merit). This brings us to the second interpretation of merit – developed merit – which is even harder to defend than the first. If we morally care about equal opportunity because arbitrary features should not play a role in a person's prospects, a distribution of opportunity based on developed merit should concern us equally as a child's merit development is at least partly, and arguably strongly, dependent on their arbitrary background circumstances. In sum, I have tried to argue that meritocratic equality of educational opportunity does not do enough. Or put differently, that the ideal cannot consistently explain why it does not do more. Now I explore where this leads the advocate of equal educational opportunity.

3.1.2 Genuine equality of educational opportunity

Some authors have used the terms 'meritocracy' and 'equal opportunity' interchangeably, like they are synonyms for the same ideal of justice (e.g. Sahlberg & Cobbold, 2021, pp. 451-452). But meritocratic equality of educational opportunity is just one possible interpretation of the ideal in education. Another well-known version of the ideal is Rawls' (1999) principle of *democratic equality*. Rawls' work is of interest to us for two reasons. Firstly, because he explicitly defended democratic equality as doing more than the meritocratic conception, and,

secondly, because many advocates of equity-based educational policy fall back on Rawls' theory of justice (Reich & Koski, 2006, p. 32; Brighouse & Swift, 2008, p. 455).

Rawls' democratic equality consists of two principles, *fair equality of opportunity* (FEO) and the *difference principle* (DP) – where the former is argued to have lexical priority over the latter. In the previous chapter, I have discussed Rawls' theoretical framework, namely, contractarianism. From his framework, Rawls aims to derive principles that everyone would hypothetically agree to and that, therefore, must be just.

Rawls argues that FEO and the DP would be part of this hypothetically agreed upon principle package. Unaware of their position in society, individuals are unable to secure advantages specifically for themselves. Therefore, Rawls (1999) claims, "the sensible thing is to acknowledge as the first step a principle of justice requiring an equal distribution" (p. 130) – including an equal distribution of opportunity. Unaware of the position they will end up in, individuals will prefer this position not to influence their opportunities in life (FEO). Although the logical starting point for Rawls is equality, the story does not end here. Imagine that from a point of equality, society can agree to introduce a level of inequality that makes everyone better off.[40] From the individual perspective, this would be a reasonable decision, as it necessarily improves their prospects. This kind of reasoning leads Rawls to the DP: "Taking equality as the basis of comparison, those who have gained more must do so on terms that are justifiable to those who have gained the least" (p. 131).

To realize FEO, a society should guarantee that

> "those who are at the same level of talent and ability, and have the same willingness to use them, should have the same prospects of success regardless of their initial place in the social system … The expectations of those with the same abilities and aspirations should not be affected by their social class" (Rawls, 1999, p. 63).

This rationale appears identical to that of meritocratic equality of opportunity. In fact, Rawls's FEO is often characterized as an inherently meritocratic ideal of equal opportunity (e.g., Mason, 2016, p. 296; Shields et al., 2017, §3.5).

[40] The idea that larger inequality can lead to larger overall prosperity is quite well-established in economic thought (Mankiw, 2018, p. 418).

Then why, according to Rawls, do his principles of justice *not* lead to a meritocratic society and its associated unfair treatment of the merit-less? Rawls emphasizes that a merit-based allocation of wealth and income is not necessarily just. As Rawls (1999) argues:

> "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 … Even 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 circumstances (p. 64).

To remedy this concern, Rawls points us to the working of the DP. Because the DP prescribes that inequalities are only just when they benefit the least advantaged members of society, it grants special concern for those who lost out in the natural lottery for valued talent or have not been born into effort-stimulating circumstances. This is to guarantee "genuine" equal opportunity – equal opportunity that takes account of arbitrary inequalities in merit (Rawls, 1999, p. 86). Secondly, the DP restrains the extent to which individuals can reap the fruits of their merit. Rawls (1999) writes:

> "The naturally advantaged are not to gain merely because they are more gifted, but only to cover the costs of training and education and for using their endowments in ways that help the less fortunate as well" (p. 87).

In relation to education, for instance, Rawls (1999) has used this line of reasoning to justify the allocation of more resources to the less intelligent during the early years of schooling (p. 86). Such a policy would not be defensible on the ground of meritocratic equality of opportunity, as this principle takes either inborn or developed merit as a non-arbitrary factor along which to distribute educational opportunity. The special concern for the less fortunate leads Rawls to conclude that his ideal of democratic equality will not result in a meritocratic society.

Thus, Rawls' claim that FEO does not reduce to *The Tyranny of Merit*[41] depends on the special concern granted to the merit-less based on the DP.[42] Borrowing Rawls' vocabulary, I call this

[41] In reference to the title of Michael Sandel's (2020) popularized book on the problems associated with meritocratic society.

[42] Others have criticized Rawls for giving lexical priority to FEO over DP, and thereby allowing the sacrifice of special concern for the worst off in favor of fair competition (see Arneson, 1999; Clayton, 2001). This would bring back some of our moral concerns about meritocratic equality. But the specific workings of Rawls'

combination of FEO and special concern for the least advantaged *genuine* equality of educational opportunity. This ideal does more than the meritocratic conception, in the sense that it aims to take account of the arbitrary distribution of inborn and developed merit.

3.1.3 Education without merit?

So far, I have tried to argue that a defense of meritocratic equality of educational opportunity must be deontological, as the consequentialist argument in favor of efficiency is implausible in the context of education. Furthermore, I have argued that the moral intuition underlying this deontological defense naturally pushes us to demand more. Namely, to also consider a merit-based distribution of opportunities unfair to the extent that merit is influenced by circumstances beyond an individual's control. This consideration leads us to endorse something like genuine equality of educational opportunity.

The complex questions arise when we attempt to apply such a conception in equity-based educational policy. May children with more intelligence not perform better? Or may this better performance just not open more doors for them? Should we allocate places in educational tracks in high school or university at random? Does this radical version of equality of educational opportunity indeed require "the abolishment of the family"? (Koski & Reich, 2007, p. 608) or at least "getting rid of those non-essential elements [of the family] that infringe on equality of opportunity"? (Miller, 2013, p. 135). I will not answer these questions here, but I suspect that the answers we want to give conflict with our intuition underlying genuine equality of educational opportunity.

The problem that we arrive at is exactly what Miller (2013) worried about when trying to consistently distinguish the person and her circumstance – a distinction that I argued to be unsuccessful. The worry is that the advocate of equality of educational opportunity will end up advocating equality of educational outcome when he follows through on this moral commitment. That is, once we acknowledge that merit-based distributions of educational opportunity are similarly arbitrary as class- or race-based distributions of opportunity, the only practical way out seems to demand that all children have the same educational outcome. This, in turn, is a questionable pursuit in itself for reasons mentioned in chapter 2 (e.g., all children

principles are not of interest here. The question is whether we can imagine some form of the equal opportunity ideal that is sensitive to the concerns about a meritocratic society.

have to leave secondary school with equal qualifications for tertiary education). There is a tension because we have two simultaneous intuitions: (i) educational opportunities should not depend on factors beyond an individual's control and (ii) it is quite natural that children with different developed merit perform differently in their education.[43] There is a tension because it is hard to have merit play a little or no role in the educational opportunities of a child.

One proposed solution to this tension comes from Elford's (2015), who advances a *restricted* notion of meritocratic equality of educational opportunity. Instead of doing away with merit completely, he defends a merit-based distribution of opportunity that only considers merit not mediated by arbitrary background circumstances. The upshot of this methodological step is that it preserves both our intuitions described above. In practice, however, Elford's suggestion leaves us with little guidance in the design of educational policy. We would first have to determine what part of a child's merit is not mediated by arbitrary circumstances and consequently design policy that equalizes educational opportunity along not-mediated-merit. Thus, I object to Elford's solution on pragmatic grounds. In terms of policy, we simply cannot distribute educational opportunity only on developed merit to the extent that this merit is not arbitrary. It leaves in place the problem that I have sketched. Namely, that advocates of equal educational opportunity will have to move beyond the merit principle but at the same time cannot arrive at a workable design of education without merit.

This is not to say that we cannot think of any educational policy informed by the ideal of genuine equality of opportunity. Imagine a policymaker who adheres to this ideal, call her Genuine. Genuine starts from the empirical observation that arbitrary unequal development of merit already starts when children are only 2 years old (Zumbuehl & Dillingh, 2020; Blossfeld et al., 2019). What could Genuine propose? Society could devote special concern to young children who have lost out on the lottery for merit-facilitating circumstances. This special concern may come in the form of a pre-schooling program designed specifically to give disadvantaged children a head start. Perfect data on the initial distribution of merit-facilitating circumstances of course never exists, but special concern for children from low-income families and/or whose parents do not hold a degree from higher education are reasonable practical approximations.[44] What this point is meant to show is that we can imagine educational

[43] The kind of developed merit that serves one well in education.
[44] Examples are: the Head Start initiative in the United States (https://www.acf.hhs.gov/ohs/about/head-start) and recommended pre-schooling for children with a language deficiency in the Netherlands

policies that are informed by the ideal that Genuine adheres to. The difficult question for Genuine is what role a child's merit may play in the distribution of opportunities within their education.

I have argued that genuine equality of educational opportunity is both morally appealing and practically complex. My exposition underscores that any scholar or policymaker who wishes to defend equity-based educational policy should take the tension inherent in 'equal educational opportunity' seriously. The tension lies in morally wanting to take account of the arbitrariness of developed merit, but practically not being able to design educational policy accordingly. Instead of throwing around the intuitively appealing notion of equal opportunity, one should be clear about the form of equal opportunity pursued and the reason for endorsing this form.[45] Once we are reflective on this pursuit, I think we find support for Satz's (2007) claim that we should not think of educational justice in terms of opportunity. This is so because we know that the educational performance of children is shaped by so many arbitrary features, including merit, that aiming to dissect illegitimate obstacle(s) *Z* is a futile pursuit. And even if one could approximate such an exercise, it consequently demands to imagine an educational system in which children with more developed merit do not enjoy better educational opportunities. I worry that advancing equal educational opportunity will inevitably lead us to demand equal educational outcome – a demand that I have claimed no one wishes to defend.

3.2 What is an adequate educational opportunity?

This section takes up the ideal of adequate educational opportunity. In the previous section, I argued that a defense of equal educational opportunity leads to a defense of equal educational outcome – which I rejected – once we are reflective on and consistent in our moral reasons for advancing the former ideal. In this section, I argue that the advocate of *adequate* educational opportunity faces a pragmatic issue when turning his ideal into concrete educational policy.

Let me start by repeating the definition of adequate educational opportunity derived in the previous chapter:

(https://www.rijksoverheid.nl/onderwerpen/voorschoolse-en-vroegschoolse-educatie/vraag-en-antwoord/wat-is-voorschoolse-en-vroegschoolse-educatie-vve).

[45] For example, Bøyum (2014) has shed light on such unclarity in educational policy documents by the OECD.

> *Adequate educational opportunity* = An agent, or group of agents, *X*, is said to have an adequate educational opportunity to achieve goal(s), *Y*, iff both (i) *X* can choose to realize *Y* through their education with reasonable effort and (ii) the realization of *Y* brings about minimal condition(s), *W*.

In the previous chapter, I argued that "illegitimate obstacle(s), *Z*" plays no role in adequate educational opportunities. I argued that this is the case because the principle of adequacy demands a sufficiency standard for all children, regardless of their circumstances. So, the content of these circumstances – illegitimate obstacle(s) *Z* – is of no special concern as long as all children's educational opportunities meet the adequacy benchmark. The upshot is that this removes the moral complexity of defining illegitimate obstacle(s) *Z* that one faces when defending equal educational opportunity.

But let us consider the terms in the definition above from which ambiguity may derive instead. First, consider "brings about minimal condition(s), *W*". This term requires specification. Any scholar or policymaker convincing us that all children should have an adequate educational opportunity, should answer the 'adequate to what' question. Any specification is debatable, but not very ambiguous. Anderson (2007), for example, at some point includes a 'socially integrated elite' as part of the minimal condition(s) *W* that education should bring about (p. 596). One may well debate whether this is the adequacy benchmark society wants to uphold, but whatever the outcome of this debate, the minimal condition(s) *W* can be specified clearly.

The goal(s) *Y* that Anderson associates with this adequacy benchmark brings our attention to the ambiguous term in our definition. To realize democratic equality and a socially integrated elite, Anderson (2007) demands that:

> "Every student *with the potential and interest* should receive a K-12 education sufficient to enable him or her to succeed at a college that prepares its students for postgraduate education" (p. 597, own emphasis).[46]

Here Anderson constrains the group for which the adequacy benchmark should be within reach: those with sufficient potential and interest (i.e. talent and effort). This ties back to an element in our definition of adequate educational opportunity, namely, "with reasonable effort". In the

[46] A K-12 education covers primary and secondary education.

previous chapter, I proposed to add this element because this is exactly what sets adequate educational *opportunity* conceptually apart from adequate educational *outcome.*

Thus, we find that adequate educational opportunity is not void of the daunting concept of 'merit' either. The ideal recommends that merit should play a reasonable role in an individual's prospects of realizing the adequacy benchmark. The obvious task of defining reasonable should be undertaken, a task that Anderson (2007) unfortunately neglects. The furthest she goes is describing this condition as "substantial but not extraordinary effort" (Anderson, 2007, pp. 614-615).

Still, I do not think that the room left for merit in adequate educational opportunity leaves us with the same *moral* complexity as equal educational opportunity does. Because adequacy, unlike equity, is not primarily concerned with the equalization of all arbitrary features, an advocate of adequacy enjoys quite some freedom in determining the appropriate role of merit in education without becoming morally inconsistent. For example, one could claim that reasonable effort requires that a child exerts more effort than the average effort level of secondary school students.

The complexity that arises in the case of adequate educational opportunity is *practical.* We may theoretically say that a child has an adequate opportunity to pursue higher education when above-average effort gets her in. But in hindsight it is hard to establish whether the ideal was satisfied practically. Firstly, consider equal educational opportunity, on which quite some empirical studies exist. Most often, equal opportunity is operationalized via between-type measures (Ferreira & Peragine, 2016). Here a researcher or policymaker groups people based on some illegitimate obstacle(s) Z and calculates the mean score of each group on some outcome variable. For instance, we group secondary school students in three groups based on their parents' income level (low, medium, high income) and compute the average GPA of all three groups. A between-group difference in mean scores would indicate inequality of opportunity, because we have only separated people along variables that should not make a difference. So theoretically group scores should more or less even out, still allowing for intergroup heterogeneity. Another common empirical approach to equal opportunity is to regress some measure of educational achievement on illegitimate obstacle(s) Z and test whether any of the regressors has a significant effect on educational achievement (Figlio & Page, 2002). If so, this hints at unequal educational opportunity. Finally, one could consider the spread in

educational outcomes and take less spread as an indication of more equal educational opportunity (e.g., Hanushek and Wößmann, 2006). These are clear practical ways in which to think about and measure equal educational opportunity. From this one can design an educational policy that aims to improve the prospects of ascriptive groups found to face unequal educational opportunity.

I have sketched the above measurements of equal educational opportunity to underscore the complexity that arises with the ideal of adequate educational opportunity. For this ideal no such straightforward measures exist. To design a policy that pursues adequate opportunity, we will need some way to measure adequate opportunity or at least make the concept concrete. 'An adequate opportunity to succeed in higher education' sounds beautiful, but what does it entail? We would somehow have to determine whether the student who does not succeed faced adequate opportunity nevertheless and whether the student who does succeed faced inadequate opportunity but succeeded, nevertheless. Therefore, I claim, the ideal of adequate opportunity is an undesirable approach to educational justice because it cannot be made concrete nor turned into a measurable concept.

3.3 Conclusion

In this chapter, I have highlighted some difficulties with advancing educational justice on the avenue of educational opportunity. The advocate of *equal* educational opportunity has a hard time following through on his moral reason for pursuing equal opportunity and seems to inevitably end up advocating the undesirable ideal of equal educational outcome. The advocate of *adequate* educational opportunity cannot turn his ideal into a concrete and measurable ideal of educational justice.

I contend that these complexities that arise on the avenue of opportunity give us reason to focus on the avenue of outcome when pursuing educational justice. To the extent that the reader agrees with my arguments in chapters 2 and 3, these together direct us to the ideal of adequate educational outcome (as I have rejected the ideal of equal educational outcome in chapter 2). Regardless of my reader's enthusiasm for this approach to educational justice, this chapter has provided one argument against the celebration of equal educational opportunity as the ultimate ideal of educational justice. The next chapter provides a second argument against this celebration by, instead, problematizing the aim of *equity* in educational justice.

4. On the Aim of Educational Justice: Problems with Equity

The previous chapter has argued that we may not want to think about educational justice on the avenue of opportunity. This chapter lays out some problems with thinking about educational justice along the aim of equity. Thus, I critically scrutinize the ideal of equal educational opportunity from a different angle. The weak version of my argument reads as 'a policy focus on educational equity is not enough, because it does not address the relational inequality along educational credentials'.[47] The strong version of my argument reads as 'a policy focus on educational equity partly conflicts with relational egalitarian thought, as is sharpens the dividing line between those who do and do not succeed'. My argument is more focused on a criticism of equity than a celebration of adequacy, mainly because equity and adequacy are not the only possible aims of educational policy.[48] I do however discuss how some form of adequacy-based policy may cater to the concern raised in relation to equity-based policy and sketch some policy implications. When I talk about (educational) equity throughout this chapter, I am still referring specifically to equal educational opportunity.

The concern about equity-based educational policy raised in this chapter derives from a reality in, at least, the United States and many European countries. This reality is that society is strongly segregated along educational backgrounds. In this chapter, I explain why this should concern us in the design of educational policy (section 4.1), argue that equity-based educational policy fails to address and potentially aggravates this concern (section 4.2), and suggest that adequacy-based policy is better equipped to respond (section 4.3). Section 4.1 is mainly empirical, and sections 4.2 and 4.3 are more philosophical.

4.1 Concern: Segregation by education

In this section, I discuss an empirical concern about contemporary Western societies. The concern, in a nutshell, is that our society segregates along citizens' educational backgrounds. Those with a degree from higher education live segregated lives from those with a more modest education, which undermines social cohesion and fosters negative out-group attitudes. I survey

[47] This version of my argument mirrors efforts on the other side of the debate to show that adequacy is not enough. E.g., "Put simply, "adequacy" is not enough" (Reich & Koski, 2007, p. 546); "In this section we explain why adequacy, even on Anderson's and Satz's understanding of it, is not enough" (Brighouse & Swift, 2009, p. 125).
[48] One alternative, as mentioned in chapter 2, is some form of prioritarianism.

this concern empirically because the objection I raise against the ideal of equal educational opportunity is somewhat context-dependent. That is, if current societies showed no indication that citizens with different educational backgrounds fail to relate as equals in civil society, my concern with a primary policy focus on equal educational opportunity would be less severe.

Many contemporary societies are segregated along the dimension of education. For one, we see segregation *in* education. The segregation of students within and between schools along social and ethnic backgrounds has been well-documented (e.g., Yang Hansen & Gustafsson, 2016; Karsten, 2010; Burgess, Wilson & Lupton, 2005; OECD, 2019; Inspectorate of Education, 2018). Although such segregation *in* education is problematic in many ways, this is not the type of segregation I am concerned with in this chapter.[49] Most notably because the issue of segregation *in* education can be problematized and tackled from a concern with educational equity.[50] The kind of segregation that this chapter is concerned with is segregation *by* education. That is, how citizens are socially and spatially segregated in society along their educational background. This issue is naturally related to segregation *in* education, but not the same.

What does segregation *by* education look like? De Lange, Tolsma, and Wolbers (2015) suggest that social groups can be said to be segregated when we observe (1) a difference in behavior, perceptions, and life prospects between these groups, and (2) identification with one's social group (p. 64). Thus, to see whether society segregates by education, we cluster social groups based on the types of education that citizens have followed – call these educational groups – and look for elements (1) and (2).

Here I survey some empirical findings in the Netherlands, but these observations are plausibly not limited to the Netherlands.[51] In relation to (1), we can point to different political behaviors of educational groups. Citizens with a degree from higher education are overrepresented in political participation (Bovens, 2006) and there exists a relation between educational background and voting behavior (Hakverdian, Van der Brug & De Vries, 2015). Furthermore,

[49] For a philosophical discussion on this issue, see Brighouse, 2008.
[50] The basic contention is that integrated schools contribute to more equal educational opportunity (Brighouse & Swift, 2009; Ayscue & Orfield, 2016).
[51] Empirical research by Verba, Nie & Kim (1978) suggests, for example, that the connection between educational background and political behavior is stable across many countries. Sandel (2020) illustrates segregation by education in the United States (pp. 97-104).

we see that perceptions on certain topics differ with educational background. For example, citizens' perceptions of topics such as globalization, immigration, and cultural diversity are found to relate to educational background (Den Ridder, Glas & Dekker, 2014; De Koster & Van der Waal, 2014).

In relation to (2), we can find empirical indications of an in-group/out-group identification along educational background. Kuppens et al. (2018), for example, have conducted surveys in three European countries, including the Netherlands. Their results indicate, among other things, that educational background is a strong indicator of a sense of shared identity.[52] Another indication of group identification along educational background could be the rise of dating platforms[53] and insurances[54] marketed exclusively for the higher educated. Moreover, as already touched upon in the previous chapter, the in-group/out-group dynamic along educational background is also associated with negative attitudes towards those with a more modest education (Kuppens et al., 2018). An empirical study in the Netherlands found that these negative attitudes already exist among children in the higher tracks of secondary school (Van den Bulk, 2011).

Several political philosophers have identified segregation by education as a symptom of *the rise of meritocracy*, to use the title of Michael Young's (1958) dystopian novel. I want to discuss the notion of meritocracy here for two reasons. Firstly, because a concern raised about meritocracy – what I call the 'relational concern' – underscores what is concerning about segregation by education. Secondly, because the story about a meritocratic society points us towards the role that educational institutions play in a society segregated by education.

Narrowly defined, *merito - cracy* describes the situation of government by those who possess (most) merit. On a broader reading of the term 'meritocracy', we think of a meritocratic system: a society that adheres to a merit-based allocation of benefits. Building on conceptual labor performed by Young (1958, p. 14), Sandel (2020, p. 25), and Mijs (2015, p. 15), we can think of a meritocratic society *as a system in which individuals obtain social positions with economic goods and political power based on their talent and effort (i.e. merit).* The meritocratic ethic

[52] The surveys by Kuppens et al. (2018) operationalized this is a perceived similarity with and feelings of warmth towards others with different and similar educational backgrounds.
[53] Examples in the Netherlands are Lexa and Elite Dating.
[54] Examples in the Netherlands are Promovendum and Independer.

aggravates aggregation because it leaves little room for concern with the worse off. As Sandel (2020) concludes his book:

> "The meritocratic conviction that people deserve whatever riches the market bestows on their talents makes solidarity an almost impossible project. For why do the successful owe anything to the less-advantaged members of society? The answer to this question depends on recognizing that, for all our striving, we are not self-made and self-sufficient; finding ourselves in a society that prizes our talents is our good fortune, not our due" (p. 227).

The concern that Sandel raises is essentially a concern about relational inequality. It resonates with the exact starting point of adequacy-advocates like Anderson and Satz, who argue that the educational system should prepare children to face each other as equals in civil life and democratic society. Exactly in a system that distributes political power and economic goods based on merit, it is crucial for social cohesion that those with different levels of merit remain interconnected. Anderson (2004) and Satz (2007) stress the importance of an elite that can represent interests across social groups, Sandel (2020) stresses the importance of solidarity with the less fortunate; both are important for an egalitarian society.

Let me elaborate on the link between segregation by education and relational equality. Relational equality, as explained in chapter 2, requires among other things that citizens regard each other as moral equals. Anderson's (1999) democratic equality, for instance, requires that citizens are not regarded as inferior on some interpretation of intrinsic worth. Segregation by education does not necessarily imply relational inequality in this sense. You and I can live completely segregated lives – spatially, socially, economically – without any of us regarding the other as morally unequal in any respect. The link between segregation by education and relational inequality is that segregation by education is likely to undermine relational equality.

Whereas Anderson and Satz underscore the need for relational equality in this moral sense and criticize segregation, the link between those two is not always made explicit. Satz (2007) argues:

> "Individuals who are radically cut off from one another … will also lack the knowledge and perspectives needed in both politics and in the economy" (p. 637).

Similarly, Anderson (2007) writes:

> "To the extent that they [the advantaged members of society] lead lives that are isolated from the lives of the disadvantaged and personally know few disadvantaged people, they are liable to be relatively ignorant of the problems the latter face in their lives" (p. 602).

In these passages, the need for integration seems reduced to the aim of gaining *knowledge* about the plurality of individual perspectives and experiences in society. However, the need for integration runs a deeper course, namely, to facilitate *attitudes* that support equal moral standing. One's recognition of others as moral equals comes before one's familiarization with the perspectives that those others bring. The idea that knowledge about others' perspectives alone does not suffice is fundamentally shared by Anderson (2007, p. 609) and Satz (2007, p. 640) – this relates back to the need for a culture of equality (section 2.7).

The claim that exposure between social groups is important in fostering relational equality in terms of moral standing can be supported empirically. Sociologists have found that exposure between social groups can mitigate negative intergroup attitudes (Semyonov & Glikman, 2009). Such findings are reminiscent of the contact hypothesis in psychology, which posits that exposure can reduce prejudice (Allport, 1954). In relation to education specifically, studies show how segregation *in* education undermines attitudes constitutive towards relational equality (Kavadias, Hemmerechts & Spruyt, 2017; Elffers, Van de Werfhorst & Fischer, 2015). These empirics support our intuition that citizens with different educational backgrounds should not live strongly separated lives once we acknowledge the importance of relational equality.

This civic purpose of educational policy is also acknowledged by equity-advocates, after which such authors add that the purpose of educational policy is *also* to ensure fair competition around positional goods (section 2.6).

The relational concern has particular relevance because the equity *vs* adequacy debate has often been performed in the corner of equity-advocates. In this corner, the revolving question is to what extent adequacy-based education should or can take into account the positionality of education. Instead, it would be good to invite equity-advocates into the other corner of the

debate and demand they take account of relational equality and contemporary segregation by education. This goes beyond establishing procedures of fair competition around a positional good and considers how this strong positionality impacts relational equality.

Sandel (2020) would add to this concern that educational institutions have become the gateways to flourishing in a meritocratic society.[55] This claim entails two things. Firstly, that educational institutions have become the relied upon *measurement* of merit. Although the role of prestigious and selective educational institutions may be particularly strong in the United States – Sandel's main focus of analysis – we have good reason to believe that a reliance on credentials from higher education also prevails in European countries. One could for instance consider the significant overrepresentation of higher educated individuals in government (Best & Cotta, 2000). In the Netherlands, for example, this is more than 90% (PDC, n.d.). These numbers underscore the merit-based allocation of social positions with political power in contemporary society. In terms of economic goods, a range of returns to higher education have been well-documented, such as higher future earnings, better health conditions, more job satisfaction, and improved prospects for one's children (Harmon et al., 2001; Vila, 2000; OECD, 2019).

Moreover, there is some empirical indication that this gateway function of institutions for higher education is increasing. The role played by educational credentials in the labor market is growing. Most data on this trend comes from the US, where we witness an increasing demand for higher education degrees by employers for jobs that did not have this requirement before (Fuller & Raman, 2017) – a change that is not explained by a change in demanded skills (Burning Glass, 2014). This so-called degree inflation has also been documented in countries other than the US, such as the Netherlands (Van de Werfhorst, 2009; Van de Werfhorst & Andersen, 2005). Furthermore, the occupational status associated with all forms of education has been decreasing (Dronkers & Van de Werfhorst, 2016). In other words, an individual currently needs 'more' education to obtain the same social position as their parents; an individual needs 'more' education to get by.

The second implication of Sandel's conjecture is that educational institutions have simultaneously come to *define* the concept of merit. As Sen (1999) puts it, "the concept of

[55] Specifically, see chapter 6: *The sorting machine* (pp. 155-196).

"merit" is deeply contingent on our views of a good society" (p. 5). Talent for what? Effort exerted where? When credentials from higher education are at the basis of a distribution of political power and economic benefits, merit is defined as the kind of merit that serves one well in the pursuit of higher education. The most prominent example is IQ, but we can think of other types of merit such as concentration, communication, and literacy. When companies currently demand credentials from higher education for jobs that previously did not have these requirements, the underlying assumption seems to be that individuals with those academic kinds of merit will perform better. Contemporary meritocratic society thus specifically allocates social positions with political power and economic goods based on talents and effort *valued in institutions for higher education.*

The gateway function of educational institutions that Sandel (2020) describes is of interest because it speaks to the role that educational policy can play in realizing a less segregated society. I have discussed the role of education at length because others have suggested that the issue of segregation by education and credentialism is not something that derives from our educational institutions. In response to Sandel, Lenfield (2020) has for instance argued that the social stigma that people will a more modest education face has to do with the way society values certain jobs; not their credentials per se. Although I admit that relational equality is not something to be pursued only via educational policy, I have attempted to argue that we should evaluate the desirable and undesirable impacts that educational policies have on the extent to which our society segregates by education.

In sum, I have surveyed empirical findings which indicate segregation by education in the Netherlands. Another, less scientific, suggestion would be for the reader to reflect on their own degree of segregation from citizens with a different educational background. My intuition is that many find themselves surrounded by people with a similar educational background. Next, I have argued that segregation by education is problematic from a relational egalitarian point of view and that educational institutions play a clear part in segregation by education in contemporary meritocratic societies. In the next two sections, I return to the equity *vs* adequacy debate in light of this relational concern.

4.2 The problem with equity

In this section, I argue that equity-based educational policy is unsuited to respond to the relational concern. The weak version of my argument reads as 'a policy focus on educational equity is not enough, because it does not address the relational inequality along educational credentials'.[56] This is an argument about what equity can achieve and, more importantly, what it cannot. The strong version of my argument reads as 'a policy focus on educational equity partly conflicts with relational egalitarian thought, as it sharpens the dividing line between those who do and do not succeed'. This is an argument about what the political discourse of equity may bring about. My argument is independent of any specific approach to equal educational opportunity (e.g. meritocratic) and thereby goes beyond previous critiques that meritocratic equality of educational opportunity fails to do justice to those with a more modest education (Mijs, 2015). Any approach to equal educational opportunity, I argue, fails to do so.

4.2.1 Equity is not enough

In chapter 2, I have focused on equal educational opportunity as the most probable and defended form of educational equity. Let me start by repeating the definition arrived at there:

> *Equal educational opportunity* = Two or more agents, *X*, are said to have an equal educational opportunity to achieve goal(s), *Y*, iff X can choose to realize *Y* through their education in the absence of any illegitimate obstacle(s), *Z*.

As we have seen in the defense of equity-based educational policy (chapter 2), the ideal of equity is inherently an ideal that aims to establish fair competition in some respect. What is deemed 'fair' eventually depends on one's specification of *X*, *Y*, and *Z*. The meritocrat, for instance, establishes fair competition by only having merit play a role in the different prospects that individuals face throughout their education.

An ideal that inherently revolves around establishing fair competition cannot address the relational concern about segregation by education, regardless of how fair competition is

[56] This version of my argument mirrors efforts on the other side of the debate to show that adequacy is not enough. E.g., "Put simply, "adequacy" is not enough" (Reich & Koski, 2007, p. 546); "In this section we explain why adequacy, even on Anderson's and Satz's understanding of it, is not enough" (Brighouse & Swift, 2009, p. 125).

defined. What do I mean by this? Fair competition merely establishes an equal opportunity to be unequal.[57] Moreover, a concern with equal opportunity in the first place derives from the acknowledgment of unequal outcomes. This is at the core of the positionality argument in favor of equity. My objection here is not that one should therefore endorse equal outcomes. The concern about segregation by education does not imply that we cannot allow citizens to end up in unequal positions through their education (e.g., in terms of economic prosperity), but rather that these unequal citizens should still enjoy equal status as members of society (Satz, 2007). All that any ideal of educational equity can do is offer more equal opportunities in securing one of these social positions, but not contribute to the integration of these positions.

Here lies a connection between the positionality argument from which equity-based educational policy is defended and the relational concern that I underscore. Here, we should recall the dimension of *social standing* in relational equality that I explained in chapter 2. Relational equality in terms of social standing requires that we do not presume one of us to be more worthy of the other's respect or admiration. What positional goods essentially bring about is a hierarchy of persons, which in turn undermines the likelihood that we come out relating to one another as equals in terms of social standing. What I mean by this is the following. Because the value of my educational credentials is determined partly in reference to the educational credentials of my peers, I find myself in a credential-based hierarchy with my peers. What I mean by such a 'hierarchy' is that the vivid experience of the relative quality of the good makes it more likely that it brings about a social status; that those with more credentials are worthy of more admiration or respect. This is different from other non-positional goods that people may enjoy. Think for instance of the quality of our sleep. I suppose that most people value a good night's rest and that the value we derive from his is not (very) positional. That is, whether or not you got a good night's rest yesterday, does not affect the value I derived from my sleep.[58] In turn, my peers and I can more easily enjoy different qualities of sleep without tending to place ourselves in a different social standing. Thus, whereas equity-advocates stress the state's obligation to establish fair competition around positional goods, I stress the state's obligation to safeguard relational equality around positional goods.

[57] This claim is not innovative. See, for instance, Fishkin, 1983, p. 5.

[58] One may object that the value of all goods one can acquire is often subjectively experienced as positional (e.g., You find comfort in knowing that you at least had a better night's rest than your peers). But this is a different kind of positionality than that of good which value is objectively determined relative to the possession of that good by others (e.g., You find comfort in knowing that you have a higher GPA than your peers and this higher GPA puts you at an instrumental advantage).

Let me consider some pushback on this argument. If we see that society segregates by education, would an equal opportunity to join all educational groups (goal *Y*) not ease our concerns? In this way, segregation by education would at least not be passed on between generations as every child would face an equal opportunity to join each educational group. This line of reasoning is, somewhat surprisingly perhaps, the road that Anderson (2004) takes in her argumentation towards adequacy-based educational policy. She defines her adequacy benchmark as follows:

> "enough to ensure that the elites of society – those holding public offices and private positions with decision-making authority – are fully integrated, containing significant representation of individuals from all social classes and groups that mark significant social divisions. Universities today function as the main gatekeepers to elite status in modern societies. So democratic equality requires that the state provides educational *opportunities sufficient to ensure that any child from any social background who has the potential to succeed at the university level will be able to qualify herself for university*, if she expends a normal (not extraordinary) effort to do so" (p. 108, own emphasis)[59]

Here, Anderson defines her adequacy benchmark in such a way to guarantee the opportunity to join the elite (i.e. the educational group with the most education) which in turn ensures that educational groups are fully integrated. Similarly, an advocate of equity-based educational policy could propose to specify goal(s) *Y* as joining the 'highest' educational group.

Such a response, and also Anderson's, misses the point.[60] When the concern is segregation by education, the solution cannot be an adequate or equal opportunity in securing a certain position within that segregation. Although an individual will most probably prefer such opportunity within a segregated society, it does not tackle the concern about relational inequality. Anderson's (2004) envisioned integrated elite is an elite integrated across "significant social divisions" (p. 108) *except* for the division of educational background.

[59] Satz (2007) appears to define a similar adequacy benchmark: "While my conception of adequacy does not require that everyone have the level of education necessary to gain entry into the top law schools, it does require that everyone with the potential have access to the skills needed for college" (p. 638).
[60] My criticism of Anderson is aimed at her specific formulation of the adequacy benchmark, not at the aim of adequacy per se. Section 4.3 explores potentially better formulations of the adequacy benchmark.

This leads me to the weak version of my argument. Equity-based educational policy is not enough since a focus on equal educational opportunity cannot address the concern about segregation by education. Essentially, the argument here is that we need more than equal opportunity in education to facilitate a society in which people relate as equals.

4.2.2 Equity conflicts with egalitarian thought

Now I pursue the strong version of my argument. Equity-based educational policy partly conflicts with relational egalitarian thought, as it sharpens the dividing line between those who do and do not succeed. This argument is stronger in the sense that it does not merely recommend that a concern with equity should be complemented by other concerns, but to a reason why equity considerations may have to be constrained. Furthermore, in the equity *vs* adequacy debate, it may influence how we weigh those two aims. Whereas the pursuit of adequacy cannot hurt the value of fair competition, the pursuit of equity, I argue, can hurt the value of relational equality.

The value of fair competition lies at the core of equity-based educational policy (section 2.6). The problem with having this value at the fundament of educational policy is that it aggravates the image of education as an arena for relative achievement. Consider how policy applications of equity tend to fetishize educational achievement. As an example, take the year report by the Dutch Ministry of Education, Culture and Science (2022). As one of the policy priorities, the ministry lists the pursual of equal educational opportunities. What is meant here? In an accompanying table, the report lists the goals and indicators associated with equal educational opportunities. This list includes tackling low literacy, achievement in the lower track, upward track mobility, and the number of dropouts (pp. 17-18). These indicators are essentially all matters of educational achievement and conflate the concern for equal educational opportunity with improved educational achievement. What this example is supposed to underscore is that emphasizing equal educational opportunity implicitly brings with it the message that educational achievement is what matters. Instead, to relate as equals, I argue, we want to move away from a society in which higher educational achievement is put on such a pedestal. What this point comes down to is that there exists a thin line between, on the one hand, claiming that two individuals should face an equal educational opportunity and, on the other hand, that these individuals should maximize their educational potential.

The realization of equal educational opportunities, however conceived, will not change the fact people will leave their education with different credentials. It will not change the fact that a significant proportion of citizens will not obtain a degree from higher education.[61] Regardless, all citizens should ideally relate to one another as moral equals. A policy focus on equal educational opportunity invigorates the perception that education is a ladder to be climbed, and that those whose position on the ladder is 'lower' – the wide-shared vocabulary of 'lower-educated' is telling – are somehow of less worth.

At the same, of course, I am not denying the value of equal educational opportunity. Imagine we observe that, statistically, children from low-income families are less likely to reach a point of eligibility for higher education. I am not denying that such a statistic speaks to educational injustice. Nor am I claiming that we send these children a letter along the following lines:

> *We recognize that the below-average income of your parents makes it statistically less likely for you to become eligible for higher education. Furthermore, we acknowledge that this is a matter of educational justice; the income level of your parents should not form an obstacle to the prospects in your educational career. Nevertheless, we have decided not to address this case of educational injustice because doing so would reinvigorate society's perception that pursuing higher education is the highest aim and that those who do not succeed, regardless of our success at securing equal opportunities, are therefore 'lower' in some regard.*

Then, what am I claiming? First of all, there is a difference between not addressing this inequity and addressing it from a different angle. The route of adequacy-based educational policy can also improve the impoverished prospects of children such as the ones described above, especially if the adequacy-benchmark is set as high as Anderson and Satz propose. Secondly, there is a difference between not addressing this inequity and constraining the emphasis placed on the goal of equity. What the strong version of my argument attempts to get across is that equity-based educational policy can be an equalizer and a dividing line at the same time. Because of this tension, a policymaker may better pursue equity to some level but allow inequity above this level – what essentially brings us to adequacy.

[61] In the Netherlands, for example, about 40 percent of those aged 25-64 possessed a degree from higher education in 2019 (Maslowski, 2020).

The emphasis of my strong argument is a lot on the discourse of equal educational opportunity. That is, I am not arguing that a situation in which everyone has an equal opportunity to pursue a university education is inherently bad. I am arguing that a political discourse that continues to emphasize university education as the holy grail of opportunity aggravates the relational inequality between people with different educational credentials.

A large part of my concern with discourse comes from attitudinal developments in contemporary Western societies – developments I have touched upon when I discussed segregation by education in section 4.1. Many people seem to equate meritocratic equality of opportunity with justice – an equation of which my rejection is hopefully from my discussion in section 3.1.1. In experimental settings, we see that people tend to morally separate a merit-based distribution from a luck-based distribution, where the former is perceived as more just (Rustichini & Vostroknutov, 2014). Empirical research suggests that society perceives those with a more modest education as less valuable and less likable (Kuppens et al., 2018). Furthermore, this group is assigned more responsibility and blameworthiness than other disadvantaged groups such as the poor (Kuppens et al., 2018). These convictions are found to correlate with a belief in the meritocratic system (Kuppens et al., 2018). [62] The discourse in educational policy can play a role in correcting such unnuanced perceptions of merit and justice. Reported student and teacher experiences indicate the burden that an obscured discourse of equal educational opportunity brings, especially for disadvantaged students that 'fail' to seize their supposed equal opportunities (Owens & de St Croix, 2020).

In sum, I have argued that equity-based educational policy partly conflicts with egalitarian thought because it sharpens the dividing lines between different educational credentials. A political discourse that continues to emphasize that everyone should have an equal opportunity to pursue higher education strengthens credentialism. It does little but disrespect the significant group of citizens that will never qualify for or aspire to enroll in higher education. Clarity about the kind of equal educational opportunity we are after can contribute to more modest perceptions about educational justice as it will inevitably confront us with the limits of and inconsistencies within equity-based educational policy.

[62] This belief was measured as an index of trust in social mobility, the protestant work ethic, and the idea that we live in a just world.

4.3 The potential of adequacy

So far, I have argued that a focus on equal educational opportunity cannot ground a concern with relational inequality due to segregation by education and that this focus may even aggravate the problem. Finally, I sketch how adequacy-based educational policy can do a better job.

Whereas I have criticized the adequacy benchmarks that Anderson and Satz propose, I do argue that a concern with adequacy can guide the design of educational policies aimed to accommodate relational equality. In the previous section, I criticized Anderson and Satz for describing adequacy as a situation in which all children either have the opportunity to or are eligible for enrollment in university. I criticized this adequacy benchmark because it does little to integrate citizens who do and do not end up pursuing a degree in higher education. In the end, both authors seem too concerned with providing either adequacy opportunity or outcome within a hierarchical and competitive structure, rather than considering how citizens can relate as moral equals within this structure.

Adequacy-based educational policy can accommodate the relational concern I raised in the following way. What both avenues (opportunity and outcome) of adequacy-based educational policy have in common is the specification of some minimal condition(s) *W*. The intuitive step is to define minimal condition(s) *W* as partaking in society as a moral and social equal. From here, the goal is to ask ourselves how educational policy can contribute to this aim – or not undermine it.

I can sketch some policy implications that I think would follow from such an adequacy approach to educational justice that defines adequacy as relational equality. For one, a policy recommendation would be to strengthen the importance of civics throughout all educational tracks. For example, the Dutch state requires all secondary schools to provide civic education which teaches children competencies and societal values necessary to function in a democratic and cohesive plural society (House of Representatives of The Netherlands, 2020). This comes down to teaching children how to relate as equals in civil society, regardless of their educational background. Another interesting policy implication might be Sandel's (2020) suggestion to allocate scarce and prized positions within educational institutions more so by lottery, as this contributes to chances of integration within education and humility about the positions children

find themselves in. Sandel is mainly concerned with positions at prestigious university, but we might as well think of the allocation of children among secondary schools when some schools are favored for their shown quality.

At the same time, I do not wish to pause too long on such policy implications. My point is not that adequacy-based educational policy should be pursued because of the desirability of those policies; neither that those specific policies cannot be argued for from the value of equity. My point is rather that a focus on adequacy allows us to zoom out further on the problem of positionality and relational inequality. Rather than offering children an equal opportunity to become unequal and aggravating the elitist status of higher education, educational policy informed by adequacy can ask what it takes to make every child come out of their education as an equal member of society.

4.4 Conclusion

In this chapter, I have underscored my concern about relational inequality in a society that segregates by educational background. I have argued that a focus on the aim of equity in education has limited value in light of this concern. The weak version of my argument reads as 'a policy focus on educational equity is not enough, because it does not address the relational inequality along educational credentials'.[63] Equity-based educational policy, essentially, can only provide children with equal chances in securing a position in a society that fetishizes educational credentials. The strong version of my argument reads as 'a policy focus on educational equity partly conflicts with relational egalitarian thought, as it sharpens the dividing line between those who do and do not succeed'. Equity-based educational policy aggravates the perception of education as an arena in need of fair competition, where then some can justly so come out 'on top'.

The main conclusion of my discussion is that the state should zoom out more on the issue of positionality and segregation by education. Equity-advocates are quick to argue to educational equity is needed precisely *because* education is a strong positional good. I have attempted to explain why this may be an unsatisfactory approach to educational justice when we see that

[63] This version of my argument mirrors efforts on the other side of the debate to show that adequacy is not enough. E.g., "Put simply, "adequacy" is not enough" (Reich & Koski, 2007, p. 546); "In this section we explain why adequacy, even on Anderson's and Satz's understanding of it, is not enough" (Brighouse & Swift, 2009, p. 125).

society socially segregates along this positional good. The question as to how all children can come out of their education as equal citizens should perhaps be higher on our agenda than offering every child an equal opportunity throughout their education.

In the last section, I have briefly discussed how a focus on adequacy can accommodate the relational concern. The upshot of an adequacy approach to educational justice is that it allows for a more zoomed out perspective on the matter. More importantly, perhaps, is that the discourse of educational adequacy does not aggravate the image of some educational careers as better or worse.

I should note that my argumentation in this chapter may be read as stating the obvious. Earlier on I concluded that the equity-based educational policy is inherently tied to the egalitarian value of fair competition whereas adequacy-based educational policy is inherently tied to the egalitarian value of relational equality (chapter 2). By raising concern about relational inequality in this chapter, the reader may object that I am simply reiterating the value that adequacy pursues.

I agree with this objection to some extent. It should be of little surprise that adequacy-advocates are conceptually well equipped to accommodate the relational concern. Nevertheless, my argument in this chapter has done more than reiterate this egalitarian value. On a deeper level, I have attempted to pursue the claim that equity-based educational policy fails to accommodate and may undermine this relational egalitarian value.

5. Conclusion

In this thesis, I have critically scrutinized the ideal of equal educational opportunity. This is an ideal of educational justice that has a prominent standing in both academic literature and policymaking. To critically scrutinize this ideal, I have attempted to do three things.

The first objective (chapter 2) was to offer an overview of the equity *vs* adequacy debate in the literature on educational policy. Here I laid out the different positions in this debate and offered a conceptual understanding of these different positions. Furthermore, I summarized the strongest argument on both sides of the debate and dissected the underlying egalitarian value on which they rely. This first aim of the thesis was largely explorative. This exploration was worth our while as the main theorists in the debate cited throughout this thesis are not explicit about their conceptual stance and, perhaps as a consequence, have been criticized for incorrectly conceptualizing their opponents' stance (e.g., Brighouse & Swift, 2009, p. 118; Satz, 2007, p. 635).

The other two objects of my thesis were argumentative. To summarize these two arguments, let us again consider the hypothetical policy conflict between equity and adequacy for the school board that has to decide how to spend additional resources (section 2.8). I depicted the conflict as a decision between two policies of which the first was preferable from the point of adequacy and the latter was preferable from the point of equity. The school board could decide to direct an additional fund at The Inadequate to get all children's opportunity or outcome above some adequacy benchmark. Alternatively, the additional fund could be spent on The Unequal, in order to compensate those children whose educational opportunity was hurt most by certain arbitrary background circumstances (illegitimate obstacle(s) *Z*).

Does my thesis have any bearing on this hypothetical? After some more than 70 pages we would certainly hope so. Firstly (chapter 3), I have raised the argument that opportunity is an undesirable way of thinking about educational justice because the ideal cannot follow through on its moral commitment. On an equity-account, it would require us to dissect to what extent a child's educational opportunity set is constrained by arbitrary features, including merit, and consequently imagine an educational system in which developed merit does improve a child's educational opportunity. On an adequacy-account, it would require us to make concrete and somehow measurable what an *adequate opportunity to….* entails; or when it is satisfied. Thus,

this argument, I claim, already provides the board with one reason to focus on the avenue of outcome and therefore the ideal of adequate educational outcome. That is, to spend the additional fund on The Inadequate. Spending the money on The Unequal would require the board to make a moral argument which, I argued, they cannot consistently uphold.

The strong version of my second argument (chapter 4) can also be presented to the school board. First of all, this means convincing the school board that the relational equality of their students, also after education, should be on their agenda. Then I would ask the school board how they plan on justifying these two policies to the students and their parents. Spending the additional fund on The Inadequate could be defended along the following lines:

> *The board has decided to direct the additional fund at children who, after the covid-19 crisis, score below the national adequacy level for language. We have decided to do so because we deem it essential that all children have the opportunity/outcome to properly master the Dutch language as to participate as an equal member in civil society.*

Spending the fund on The Unequal could be defended in the following way:

> *The board has decided to direct the additional fund at the group of children with the lowest socio-economic status. We have decided to do so because research shows that this group's socio-economic status formed a significant obstacle to their educational progress during the covid-19 crisis. We deem it essential that the influence of this background feature is mitigated to approximate a fair chance in making the most of their educational outcome.*

My intuition is that both of these letters would be accepted by most parents. Both speak to an egalitarian value that many people support. The argument I have constructed in chapter 4 is that, when deciding between these two letters, the latter letter is less desirable because it also brings with it an implicit competitive notion; a notion that a higher educational outcome is somehow inherently better. The worry I have raised is that reading the second letter will aggravate the perception of educational credentials as a hierarchy of worth, as a dividing line between those who do and do not succeed. This is the strong version of my second argument. Therefore, I recommend that the school board focuses on the adequacy of their students' education instead and direct the fund at The Inadequate.

Besides this hypothetical conflict, I can imagine my reader desires some more actual, applied policy implications. Let me first consider a policy issue raised by scholars in the debate on which I think my argumentative endeavor has *no* implication. Satz (2007) has argued for the need for adequacy-based educational policy as it can demand the need for integration by class and race *in* education. If we acknowledge the goal of relational equality as input for what is adequate education, this supports the integrated schools to encourage "intergroup knowledge, social integration, accommodation, and understanding" (p. 640). Equity-based educational policy, according to Satz, can ground this demand to a lesser extent.

In contrast to Satz, Brighouse and Swift (2009) have argued that there are also equity-based reasons for promoting integration *in* education. The authors list several reasons why a schooling system segregated by race and class comes at the expense of equity. When children from higher social classes cluster in schools, they will benefit from more parental resources, a more skilled and ambitious student body, and the fact that these schools more easily attract good teachers. In the Netherlands, such equity-based arguments have for instance been advanced to argue against the early separation of children into different tracks (Social and Economic Council, 2021).

Therefore, it seems implausible that equity-based accounts cannot ground a claim in favor of integrated schools. Nor is it obvious that this claim would have less force coming from an equity-advocate. The distinction that Satz (2007) makes is perhaps more about the appropriate reason to endorse a policy rather than a policy implication. In a footnote, she concedes that "equality of opportunity theorists sometimes endorse integration as an instrumental value", after which she adds "I am arguing, by contrast, that it is a constitutive feature of a democratic society" (footnote 46). Whether or not one accepts the relevance of this motivational contrast, it seems my argumentative endeavor in this thesis has no drastic implications for policy around integration *in* schooling.

Finally, let me consider another (policy) implication of my argument. I have argued in chapter 3 that the ideal of equal educational opportunity ultimately pushes us towards demanding equal educational outcome once we reflect on our moral commitment to eliminate the role of arbitrary illegitimate obstacle(s) *Z*, including developed merit. In chapter 4 I argued that the ideal of equal educational opportunity takes the positionality of education for granted and can merely

try to establish procedures of fair competition around this positionality. I have pursued the claim that this approach to educational justice is regrettably limited, as it does little for the relational inequality that many people without a degree from higher education face in contemporary society.

The implication of this is that educational policymakers should be more reflective on the ideal of equal educational opportunity when they rely on it to defend certain policies. Let us revisit the slogan of the GKA (a division of the Dutch Ministry of Education, Science and Culture): *Children with the same talent have a right to equal opportunity*. In light of chapter 3, I find such a departing value for educational policy problematic because it leaves the arbitrary nature of merit fully unaddressed. In light of chapter 4, I find such a departing value for educational policy problematic because it does little for those children that do not translate their educational opportunity into outcomes that get them on top of the rock. Instead, I would recommend the ministry to depart from a value such as: *All children have a right to leave their education as equal citizens.*

In sum, I have provided two arguments why educational policymakers should perhaps be more focused on pursuing adequate education (in terms of opportunity or outcome) than equity in education. A discussion of the equity *vs* adequacy debate asks for nuance because both sides of the debate identify egalitarian issues that, I think, strike most people as problematic. That is, it is problematic when children from low-income families struggle significantly more throughout their education (inequity) and when some children do not leave school with some basic capabilities in core subjects (inadequacy). I have not set out to deny the relevance of any of such considerations but argued that the ideal of educational adequacy should be higher on the priority list of educational policymakers.

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