

AN ABSTRACT OF THE THESIS OF

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Title: Justifications for K-12 Education Standards, Goals, and Curriculum

Abstract approved:

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In the contemporary U.S., the state, through the Legislative Assembly, the State Board of Education, and the Department of Education, sets policies for K-12 education. These include goals and standards that affect the kinds of influences local officials, parents, and students can have on various education programs, required and elective coursework, graduation requirements, and curriculum content. The state ought to be able to justify their education policies to citizens.

I argue here for a pragmatist informed “minimalist approach” to justifying education policies. This approach has state officials (and subsequently local officials) use local, situated reasons for justifying their education standards, goals, and curriculum. I argue that if state officials utilize a minimalist approach to justify education policies, it will be easier for citizens to contest (or support) the state’s policies because the language employed will better represent citizen’s local, situated common experiences, and be contestable on those grounds. One consequence of this minimalist approach is that state officials could exclude justifications that are made by appealing to isolated, abstract conceptions.

Isolated, abstract conceptions are, as pragmatists such as Rorty have argued, transcendental in nature and doomed to failure; fortunately, as the pragmatist defense of a minimalist approach shows, they are also unnecessary.

Some implications of adopting a pragmatist-informed approach is that the state should give up terms and phrases that attempt to (i) construct a unifying *theory* for justification or for truth; (ii) construct and somehow universally justify a single best particular *method* for interpreting texts and analyzing scientific processes; and/or (iii) construct comprehensive and complete standards. Rather, state officials ought to identify local, situated reasons for particular policies. From these local appeals, state officials could construct a minimal set of education policies that leave room for local officials and teachers to have particular freedoms in constructing programs, projects, and curricula.

I approach this argument through a critique of select education policies in Oregon, Texas, Arizona, and Tennessee. I argue that these policies, like many education policies and standards, lack adequate justifications. Those justifications that are provided are too vague and susceptible to interpretations that are not relevant to the particular purposes of the policies. For instance, certain policies have illegitimately led to the denial of funding for “Ethnic Studies” programs in Arizona, or allowed for irrelevant teacher and student criticisms of theories within the sciences to be explored and entertained as legitimate in Tennessee classrooms. My recommendations, if followed, would give state officials grounds for

excluding the concerns of citizens that are not relevant to particular policies and provide a legitimate, justifiable basis for constructing state education policies.

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Justifications for K-12 Education Standards, Goals, and Curriculum

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Sean Creighton

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I understand that my thesis will become part of the permanent collection of Oregon State University libraries. My signature below authorizes the release of my thesis to any reader upon request.

Sean Creighton, Author

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In some respects, I have been generating ideas for this thesis since my youth. I have long wondered why I did not enjoy my learning experiences in High School. Despite this concern, I was able to stumble my way through (at no fault to my wonderful parents, John and Tami) with the aid of a brilliant science teacher, Nicholas H. Meulink. After meeting my wife, Carolyn, I gained interest in education again. Without her, this project would not have occurred.

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Chapter One- Introduction

The driving question to be answered in this thesis is normative: How *should* the state justify its K-12 education policies? In what ways are the state's various influences in education justifiable to citizens, or in what ways could those influences be justified? The topic of justifications for state actions is a messy one, which is why I suspect it is avoided in state politics. In the case of K-12 education policies, the general public does not contest justifications partly because there are very few. In the rare cases where state justifications for education policies are made explicit, they tend to be vague and difficult to apply.

Lacking the opportunity to contest justifications, citizens are left instead to respond to the policies and revisions the state enacts. State policies in education impact the ways in which issues are framed for students, the freedoms teachers are given in selecting and contesting their respective curricula, and, the capacity for parents and community members to influence their local schools. Take, for instance, the Texas School Board of Education's revisions to the curriculum standards that were constructed by content panels for the Social Sciences: e.g., removing Oscar Romero, a historical Latin American figure, from the proposed textbooks (adopted by the Texas State Board of Education on May 21st, 2010). What legitimate educational goals of the state justify such a decision? None were given, and without justifications for particular standards or points of view, citizens have nothing to dispute except the finalized version of the textbook. The final policies are approved by the voting decisions of the School Board members,

as opposed to a public set of justifications. Hence, the decisions that School Board members make are not accountable to reasons that citizens can contest or approve.

In response to the Texas State Board's revision process, Russell Shorto, a contributing writer for the *New York Times*, protested the Texas School Board's final standards. Of the School Board's process he notes, "This is how history is made—or rather, how the hue and cry of the present and near past gets lodged into the long-term cultural memory" (1). Shorto's concern is that the state's uncontested revision process allows School Board officials to shape curriculum in ways that are incompatible with the varied interests and lives of future citizens. Without public justifications, Texas state officials are unable to show how Shorto's criticisms are illegitimate. Furthermore, because of Texas's statewide curriculum guidelines and textbook buying power (48 million textbooks annually), the School Board revision process has effects on textbook purchases across the country (1).

In Arizona, the State Legislature has come under pressure from citizens due to their House Bill (HB) 2281 (signed by the governor of Arizona on May 11th, 2010). HB 2281 places fiscal restrictions on various Ethnic Studies programs across the state. Arizona's Bill declares that "Public school pupils should be taught to treat and value each other as individuals and not be taught to resent or hate other races or classes of people" (Arizona House of Representatives, 1). Arizona state officials act out this declaration through the

Superintendent of Public Instruction. The Superintendent determines whether certain school districts are violating the following conditions:

- (1) Promoting the overthrow of the United States Government;
- (2) Promoting resentment toward a race or class of people;
- (3) Are designed primarily for pupils of a particular ethnic group; or,
- (4) Advocate solidarity instead of the treatment of pupils as individuals (*sic) (1).

Once the Superintendent determines that a school district or charter school is in violation, the Arizona Department of Education will “withhold up to ten per cent of the monthly appropriation of state aid that would otherwise be due the school district or charter school” (2). There are no publicly contestable justifications for this Bill. The absence of any justifications makes it unclear why claims against a curriculum which advocates for solidarity, or a curriculum that is designed for a particular ethnic group, are concerns for the Board to address. As a result, the citizens have responded to the Bill with bold, plausible concerns. For example, in an open letter to Arizona legislators, Snehal Shingavi argues that “HB 2281 begins with the faulty premise that the study of ethnic minorities can only be seditious or communitarian” (1). Shingavi offers one viable explanation of the Bill among many possible alternatives. Without a set of public justifications, the state is unable to show that Shingavi’s claim is illegitimate.

These state policies impact areas beyond the Social Sciences. In Tennessee, citizens have voiced concerns about whether House Bill (HB) 0368 creates a slippery slope into teaching creationism in high school science classrooms (passed by the House April 7th, 2011; passed as SB 0893 by the Senate

on April 17th, 2011). HB 0368 allows teachers to cover “controversy” in science curriculum by giving teachers freedom to “critically” contest scientific theories. Furthermore, the Tennessee general assembly has legislated protections for teachers who are “contesting” broadly accepted findings in the sciences. The legislators provide protections under the vague and abstract rhetoric of “teacher autonomy.” According to the legislators, so long as the alternative curriculum contains “scientific information” that is not framed with any religious or non-religious doctrines, the teachers will be protected from any penalties that state and local officials could potentially enforce (Tennessee Senate, 1-2) . The legislators note:

Neither the State Board of Education, nor any public elementary or secondary school governing authority, director of schools, school system administrator, or any public elementary or secondary school principal or administrator shall prohibit any teacher in a public school system of this state from helping students understand, analyze, critique, and review in an objective manner the scientific strengths and scientific weaknesses of existing scientific theories covered in the course being taught (2).

I argue that the legislators of Tennessee have abused the purposes of teacher autonomy by giving teacher’s freedom to misinform students with irrelevant controversies. Individuals, who are familiar with the conventions of science, find that the controversies that do occur in the sciences are small in scale and unworthy of special state provisions. The controversies that state officials in Tennessee have responded to are largely contentious because they are pitched with isolated, abstract notions that open up the possibility of debunking entire scientific theories. I argue that state officials do not have to meaningfully engage

the concerns of citizens that are pitched at the level of isolated, abstract conceptions.

HB 0368 is a Bill that responds to controversies that are not grounded in the particular purposes of science curriculum (e.g., finding and measuring fossils; understanding the position of elements on the periodic table; learning how proteins are formed, and so on). There are no justifications given for believing that controversies that do not pertain to the particular purposes of scientific endeavors should be addressed in science standards. Nonetheless, legislators have constructed a policy that addresses the vague rhetoric associated with such controversies. One rationale, found in the Bill, goes as follows:

- (1) An important purpose of science education is to inform students about scientific evidence and to help students develop critical thinking skills necessary to becoming intelligent, productive, and scientifically informed citizens;
- (2) The teaching of some scientific subjects, including, but not limited to, biological evolution, the chemical origins of life, global warming, and human cloning, can cause controversy; and
- (3) Some teachers may be unsure of the expectations concerning how they should present information on such subjects (2).

Legislators in Tennessee claim that they want educators to create “an environment within public elementary and secondary schools that encourages students to explore scientific questions, learn about scientific evidence, develop critical thinking skills, and respond appropriately and respectfully to differences of opinion about controversial issues” (2). According to the Bill, teachers are “permitted to help students understand, analyze, critique, and review in an

objective manner the scientific strengths and scientific weaknesses of existing scientific theories covered in the course being taught” (2).

Unfortunately, this Bill lacks (a) justifications for thinking that controversies within scientific theories are different from other education-related controversies; (b) justifications for thinking that teacher protections are needed in the case of scientific controversies; and (c) a method of distinguishing legitimate controversies from controversies pitched at a high level of abstraction. The absence of justifications has resulted in citizen responses and allegations. One such response, garnered from the American Civil Liberties Union (ACLU) of Tennessee, questions the veracity of the legislator’s presupposition that there is controversy in scientific communities. The ACLU states, “While at first glance this may not appear to promote creationism, the Bill’s intent is actually to enable creationist teachers to create doubts in their students regarding evolution, doubts which are not scientifically justified” (TN Report, 1). Since the state has not provided a public set of justifications, it is difficult to determine whether the ACLU’s claims are illegitimate. Until the state provides justifications, citizens have no good reasons to think that the ACLU’s worries are incorrect.

I argue that the state can clarify the legitimacy of citizen responses and disputes by providing clearly articulated justifications for their K-12 education policies. I show that when the state fails to provide justifications for their education policies, citizens have no way of systematically evaluating the final policies. The state’s failure to provide justifications gives citizens no particular

reason for thinking that the policies have not been enacted on the basis of a single conception of the “good life,” to appease a particular lobby, to enrich a benefactor, or for some other arbitrary and capricious reasons. The absence of justifications for the state’s policies denies citizens an opportunity to understand and contest the reasons for enacting the policies. Further, the absence of justifications makes it difficult for state officials to construct and revise policies, or give guidance to content panels and local education officials.

1.1 State and local education policies

I focus on justifications for education standards, goals, and curriculum. These education policies are constructed at three levels of the state: The Legislative Assembly, The State Board of Education, and the Department of Education. The critiques I put forward have further implications for local district and school policies. Local officials are generally responsible for ensuring that their curriculum, processes, and programs are compatible with justifiable state policies.

The broader goals for K-12 education are set by the Legislative Assembly of a particular state. Within each state, the Department of Education is responsible for creating education policies that are in line with the Legislative Assembly’s goals. The state’s policies range from graduation requirements (i.e., number of required and elective credits, the fulfillment of individualized education plans, etc.) to standards of equity (i.e., fair hiring practices, addressing

poverty through free and reduced lunch programs, etc.). The Legislative Assembly gives the Department of Education the responsibility of creating and revising K-12 education standards. In order to create education standards by discipline, the Department of Education gathers experts within a content area of study. These experts form together into a content panel and make recommendations about the kinds of benchmarks students ought to achieve by certain grade levels and the kinds of core curriculum that is to be taught. State officials from the Department of Education act as a facilitator for the content panel's construction of standards.

Once a version of the content standards is constructed, the standards are presented to the State Board of Education. The State Board of Education makes use of Legislative Assembly's goals to ensure that the content standards meet state purposes. If the State Board of Education determines that a particular set of content standards need revisions, officials from the Department of Education work with the content panels to make adjustments to the standards. In some cases, such as the State Board of Education in Texas, the final revisions to the content panel's recommended standards come from the State Board members directly. In any case, the finalized version of the content standards must be approved by the State Board of Education before they are implemented into the state's diploma requirements.

After the state's content standards are adopted by the State Board of Education, officials from local school districts work with teachers and curriculum

specialists to ensure that the state's content standards are being met. The content standards also guide textbook manufacturers and textbook panels who determine whether a certain course text is suitable for the state's purposes.

1.2 Pragmatist-informed justifications

I argue that not only do we need justifications for K-12 education policies, but we need justifications of a particular sort, namely, those informed by a philosophically pragmatist approach. A pragmatist approach has a number of advantages for justifying state policies: (i) the reasons for constructing education policies will be both local to the common experiences of citizens and contestable on those grounds; (ii) state officials, local officials, and teachers could utilize a new criteria for excluding as irrelevant the concerns of citizens that are not pertinent to the particular purposes of their policies and curriculum because such citizen concerns are pitched at the level of isolated, abstract conceptions; and (iii) through appeals made to local reasons, citizens will have an expanded opportunity to contest (or support) state education policies. Adopting a pragmatist-informed approach to justifications would prevent the following problems: (i) state and local officials will be less able to cater to the irrelevant special interests of citizens, corporations, or lobbies; (ii) citizen interests that are based in a particular comprehensive doctrine, conception of "the good life," or idealistic vision of a future society, could be excluded from the construction of certain education goals,

standards, and curriculum; and (iii) state officials will be less likely to utilize vague rhetoric when justifying particular policies.

Pragmatist-informed policies are justified by appeals to local reasons: e.g., state education officials would justify the standards of biology by referencing local needs such as tending a garden (notably, less of a need today than in the past), or determining the impacts of various consumer products on local ecosystems and communities. By “local reasons” I mean, the common experiences of citizens that are pertinent to a particular policy. This conception of local might differ from the idea of a “local way of life.” A local way of life could pertain to the unique experiences of, say, an Amish community, where the term “local” is used in reference to a select grouping of exclusive experiences. I use the term local to reference experiences that are common to citizens generally. Amish communities require concerted efforts on the part of community members to make unique community experiences. State officials who utilize a pragmatist-informed approach to justifying education policies will act as investigators who respond to the generally experienced, local conditions of citizens.

Additionally, state officials who adopt a pragmatist-informed approach can restrict the use of isolated justifactory notions that are abstracted from experience. Notions such as “human nature,” “reason,” or a particular comprehensive conception of “the good life” can be dismissed as irrelevant to the particular purposes of the policies.

One concern with isolated, abstract notions is that they can conceal the local conditions with which the state should be engaging.¹ State officials in Oregon have appealed to vague and abstract notions to organize their policies, instead of identifying the complex experiences of citizens. Take, for instance, the Social Science standards constructed by a panel of experts for the Oregon Department of Education (ODE). The Social Science standards claim that “teaching and learning will be powerful when...” (A) “they are meaningful;” (B) “they are integrative;” (C) “they are value-based;” (D) “they are challenging;” and (E) “they are active” (ODE, 1). These standards require local officials to fill in the kinds of events that will make their curriculum meaningful, integrative, value-based, and so on. Unfortunately, because Oregon’s Social Science standards are often vague and abstract, they fail to give guidance to local officials and teachers about the kinds of work that future citizens should be engaging.

Vague policy rhetoric is also found in Oregon’s Science standards. The Fordham Institute has given Oregon an “F” grade in a nationwide comparative analysis because Oregon’s standards lack “content, rigor, clarity, and specificity,” (150). The reviewers note:

A two-page table titled ‘Vertical Articulation of the Core Standards’ contains two columns, labeled ‘structure and function’ and ‘interaction and change,’ which give some promise of the content until one reads such empty entries as ‘living and non-living

things move' or 'the components and processes within a system interact' (150).

One problem with Oregon's science standards is that state officials use vague terms and phrases in an attempt to comprehensively cover all of the content needed for students as they progress from Kindergarten to High School. A more effective strategy would be to provide local officials with a framework of education goals and standards that is based upon the various purposes of citizenship, and justifiable to citizens. Since there are a large number of curriculum options that can meet the varied demands of citizenship, the specific curriculum can be selected by local officials and teachers in ways that are compatible with the state's policies. For instance, a student can learn about different chemical interchanges in a unique lab or garden. The state's role is to determine how learning about various chemical interchanges can positively or negatively impact the everyday lives of citizens. The state could have experts create a minimum set of curriculum standards that gives local officials and teachers the necessary flexibility to elect other areas of focus, while meeting identifiable citizen needs.

With the sciences, and content standards generally, the state needs a clear set of justifications so that content panels and state officials can sort out their standards in ways that will guide the local officials and teachers who implement the standards on a day-to-day basis. The pragmatist approach to justifications I offer meets specific content requirements by putting many of the particular

content selections in the hands of local officials and teachers. The state's role will be to ensure that the justifications for particular content selections are made in ways that are compatible with the state's education policies.

I draw upon the works of Richard Rorty, John Dewey, and Donald Davidson, among others, to build a pragmatist-informed approach for justifying state education policies. I take pragmatism to be an atheoretical (or perhaps anti-theoretical) branch of philosophy that emphasizes the historically contingent development and usage of vocabularies.² Rorty uses the metaphor of "vocabulary" to describe the linguistic tools we use as we move around our world. Pragmatists focus in on solutions that respond to particular, situated problems. Pragmatists, of Rorty's persuasion, treat the notions of truth, justification, reason, and good, as fuzzy categories that are built up from historically situated conditions; these isolated, abstract notions are treated as tools, the use of which are regularly tested by local, empirical conditions, and can be further developed for new situations and new purposes, as they arise. Treating vocabularies as human creations presupposes "the contingency of the language we use," but is silent on philosophical debates about the "reality of the world" that we use language to describe (CIS, 9). This contingency is not meant to deny that the world is "out there," rather, it is meant to point out that there is not a single best *description* of the world (5).

One of the consequences of recognizing the historically contingent aspects of the vocabularies we use is that it discourages any attempts at constructing a

unifying *theory* for justification or for truth, or to construct and somehow universally justify a single best particular *method* for interpreting texts and analyzing scientific processes. Such attempts rely upon theories or methods that are transcendental in nature; and such transcendental approaches demand the existence of some kind of god-like spectator, skyhook, or Archimedean point, for objectively adjudicating how well a particular term or phrase aligns with things-in-themselves before traveling through our human interpretive faculties. No such entities are available, so attempts to construct theories that describe or appeal to them are doomed to failure. There is no non-human language with which to build conceptions. Rather, what makes a particular conception meaningful is the achievement of intersubjective agreement.

This atheoretical approach is in line with Davidson's analogy of triangulation. Davidson takes meaningful discourse to arise from a three-way conceptual interdependence among language users and their environments; as opposed to a descriptive vocabulary that is taken to "mirror nature" (TVK, 207; PMN, 171). To mirror nature, or as some say, "uncover reality," language users would have to employ abstract thought experiments that superimpose some god-like perspective (or other device detached from our everyday empirical practices) onto triangulated intersubjective discourse. To "mirror nature" is to talk about conceptions in isolation, e.g., the way Kant uses with the notion of "things-in-themselves;" instead of talking about conceptions pragmatically, e.g., the way

Dewey uses an *organic circuit* or *organic unity* to describe things in continual working relation with observers in certain contexts (Kant, 12; RAC, 358).

In general, pragmatists offer explanations for how complex ideas hang together, noting that our descriptive tools and argumentative resources are in constant flux. Pragmatists do not claim to be able to determine, once and for all, what the best way for people to live is, or how to discover the ‘truth’ of some matter of fact. Rather, as Kai Nielson points out, pragmatists try to show that at best “we have some idea how people in Europe or North America, for example, should live. Not a precise idea, of course, but some, albeit contestable, idea that could be developed and articulated with persuasiveness and care” (3).

Returning to the issue of state education policies, I argue that adopting a pragmatist approach can help state officials construct policies that are compatible with the varied interests of citizens; emphasizing the importance of justifying policies based on broadly shared, contingent, and contestable reasons. These reasons should be tied as closely as possible to our everyday practices and ordinary methods for adjudicating conflicts. This means that if policies can be justified without an appeal to isolated, abstraction notions (such as “truth” or “rationality”) then they *should* be justified without making such appeals. Isolated, abstract notions are not broadly shared and grounded in our everyday practices. When such notions are called upon in circumstances where the state has a set of local, situated reasons for enacting a particular policy, the state should act with indifference toward the additional appeals.

Take, for instance, Driver's Education curriculum in Oregon. Teachers construct a curriculum that covers a basic understanding of vehicles, driving skills, safe driving decisions, and sharing the road, among other things. The state's standards for this curriculum might emerge by making appeals to the local, situated needs of citizens to drive to various activities of daily living. The curriculum student's receive would vary by district, since students in certain parts of, say, Eastern and Central Oregon may need to focus more time on driving in snowy conditions; whereas teachers in the Willamette Valley might emphasize rainy scenarios. The standards that emerge in regard to Driver's Education are broadly agreed upon by those affected because they are constructed with local, situated terms and phrases that represent the common experiences of citizens. For these reasons—that is, the state's ability to identify the common, particular driving experiences of citizens—the state is able to construct Driver's Education standards that are uncontroversial and rarely contested by citizens. For instance, citizens do not contest the standards on grounds that we should be driving on the left side of the road. The justifications for Driver's Education standards and curriculum are not constructed with, or contested by, isolated, abstract conceptions.

Driver's education standards differ, with regard to citizen responses, to the standards that emerge for the geological sciences. One example of how some citizens contest the geological science standards comes from the Young Earth Creationists (YEC). In 2009, seven YEC members contested portions of Texas's

Earth and Space Science standards. In particular, YEC's disagreed with Texas's standards regarding the Origins of life, the age of the Earth and Universe, radiometric dating, and the evolution of fossil life (Schafersman, "A Scientific Response"). YEC's argue that the Earth is between 6,000 and 10,000 years old. They incorporate their religious view that people should interpret the text of Genesis literally into their observations of evidence about dating the Earth. For YEC's, the interpretive strategy of filtering accounts of evidence through their respective religious doctrines, involves endorsing the idea that animals were created in full form and life did not evolve over the span of billions of year (Scott, 60). By calling upon their comprehensive religious doctrine, YEC's have made efforts to incorporate a story about the Earth as one created by God in a span of time conflicting with generally accepted Earth dating standards.

Conversely, The Global Network of Science Academies (IAP) have collectively endorsed the statement, "In a universe that has evolved toward its present configurations for some 11 to 15 billion years, our Earth formed approximately 4.5 billion years ago" (IAP). The 60-plus organizations endorsing the IAP's statements utilize instruments that are common to the scientific disciplines, make no appeals to additional comprehensive doctrines, and are contestable by citizens who are willing to engage the experiences associated with the disciplines of study that evaluate the age of the Earth. Whereas, the evaluative methods that YEC's employ for determining the age of the earth rely upon

isolated, abstract conceptions of “God’s divine counsel.” Religious notions such as these are not contestable on local, situated grounds.

YEC’s respond to the state’s Earth dating standards with isolated, abstract claims. However, with regard to Driver’s Education, the YEC’s have not contested the standards. If some YEC members issued a response to Driver’s Education standards on grounds of “God’s divine counsel,” the state would dismiss these claims as irrelevant to the purposes of driving. This is partly because the state already has a set of broadly shared, local, situated reasons for the current driving standards. This approach of constructing education standards by appealing to commonly shared and identifiable experiences, works successfully in Driver’s Education curriculum and is one that state officials could utilize when constructing standards for each of the disciplines.

In effect, a local, situated approach to justifying state policies works mostly by exclusion—that is, excluding conceptions that are either insufficiently shared or add unnecessary steps to a justification process. One of the reasons I make this argument is because isolated, abstract notions like reason, truth, comprehensive conceptions of the good, comprehensive doctrines, and god, shift the focus of analysis away from the sorts of local, situated reasons we can (and do) use to adjudicate conflicts and toward trying to determine some uncontestable support for the single best approach.

Consider, for example, the distinction between providing *reasons* to justify particular actions and the notion of *reason* as an isolated, abstract

conception. In an instance of justifying, say, child car seat designs, engineers take into consideration a variety of relevant factors (e.g., the weight and size of children, the structure of vehicles, potential velocity and impact points, cost-benefit tradeoffs, maximum acceptable complexity given the likelihood of misuse, etc.). Each of these factors will provide some *reasons* (some justification) for picking some particular design rather than another. Here, pragmatists note that an appeal to *reason*, as an isolated conception that makes each of the individual reasons relevant to the cause of designing a child car seat, is an extra and unnecessary appeal. The engineer is able to successfully navigate the stages of car seat development without such appeals. An approach that prizes “reason” as the fundamental conception underlying the navigation of design both fails to appreciate the importance of the local, situated reasons provided, and relies on an isolated, abstract conception that is far more difficult (likely impossible!) to justify than are the local, situated reasons that do the actual work.

By focusing in on local, contingent, and contestable reasons for the choices we make, we can avoid the idea of a single best conception; it is difficult to obtain intersubjective agreement about such fixed and abstract conceptions. Pragmatists give up on the goal of uncovering fixed theories and methods as justificatory frameworks, and replace this approach with fallibilistic descriptions that are employed throughout various experiments of democratic life, including but not limited to the experiments we associate with science.

In Chapter Three, I discuss cases where local reasons might still fall short of providing adequate guidelines for education programs, projects, and curriculum in local schools. Local reasons will not guide administrators and teachers in all aspects of their jobs. For instance, local reasons may not provide sufficient justifications for how teachers and administrators should select and construct elective courses, or which historical circumstances should be chosen for a particular textbook, or which aspects of theoretical physics should be held off until college. I argue that in cases where local reasons are not sufficient, the state should provide space for local officials to construct their own visions and guiding narratives, which may be justified on an isolated, abstract conception of a better future society. Beyond providing space, state officials also need to ensure that the creation and promotion of such visions, in local education policies, do not conflict with a set of contingent and contestable state standards.

End Notes

¹ I modify this idea from the work of Bjorn Ramberg. Ramberg argues that “the conventions of language as a communicative social practice, may conceal the actual truth-conditions of what is being asserted” (C&I, 647).

² I borrow the contingency of language, selfhood, and a liberal community from Rorty (CIS, 3-69).

Chapter Two- A Minimalist Approach to Education Policies

I argue for a pragmatist-informed approach to the state's justification of education policies. This amounts to determining which sorts of terms and phrases are going to be the most useful for state officials to utilize in justifying their education policies to citizens. In Chapter One, I provided examples of state policies that were not justified, and as a result, received protests from citizens who questioned the legitimacy of the policies. In this chapter, I contrast the use of isolated, abstract terms and phrases in education policies with contingent and contestable policies that are justified with local reasons. I call the construction of contingent and contestable education policies a "minimalist approach" to justifications.

I argue that a minimalist approach utilizes terms and phrases that better represent the historically-constructed contemporary conditions of citizenship than a vocabulary of isolated, abstract conceptions can offer. If state officials utilize a minimalist approach to justify education standards, it will be easier for citizens to contest (or support) the state's policies, because the phrases employed will better represent the local, situated common experiences of citizens, and be contestable on those grounds. Furthermore, this minimalist approach gives state officials grounds for dismissing as irrelevant the concerns of citizens that are pitched at a level of isolated, abstract conceptions.

I begin by providing a broad structure of pragmatist-informed justifications. This meta-analysis of organizing education policy terms and

phrases is meant to provide state officials with a general approach for justifying state policies. This general approach is atheoretical because it does not require, and indeed discourages, state officials from appealing to abstract theoretical underpinnings when justifying their policies. This approach is experimental in that it gives state officials and citizens a way to treat policies as hypotheses to test. Hypotheses in science, as elsewhere, are historically contingent, and responsive to the changing conditions of citizenship.

After this organizational strategy is put forward, I provide pragmatist-informed justifications for the state's involvement in academic standards generally. Next, I provide some examples of how a minimalist approach can guide state educational policies. This is followed up with some brief accounts of minimally informed education policies, which play out in terms of (a) constructing positive academic standards, and (b) responding to citizen concerns.

2.1 Organizing State Justifications

I have argued that a pragmatist approach to justifications is atheoretical. Atheoretical justifications are context dependent—that is, related to a particular audience, in a given time and place, with uniquely expressed interests. It is within particular contexts that problems arise, and thus, the need to justify solutions should follow from these local conditions. Pragmatists are indifferent to (or outright reject!) justifications that are based in ahistorical and transcendental conceptions because such notions lack context, are often fixed, and/or are said to

be the “single best” descriptions. Using isolated, abstract conceptions in policy results in standards and recommendations that are over-simplified and/or overstated. Rorty notes,

... pragmatists do not think of scientific, or any other inquiry, as aimed at truth, but rather at better justificatory ability—better to deal with doubts about what we are saying, either by shoring up what we have previously said or by deciding to say something different... you can aim at ever more justification, the assuagement of ever more doubt... you can aim at ever more sensitivity to pain, and ever greater satisfaction of ever more various needs...

Justificatory ability is its own reward (PSH, 81-82).

In one example, Dewey observes that we might justify a trip to the doctor in response to the condition of a broken limb. As doctors provide solutions to the broken limb, they do not need an ideal end-in-itself view of health to make recommendations to clients—in fact, we have no evidence to support the idea of an ideal end. The doctors can suggest interventions to better their client’s lives, and this guidance will persuasively influence the kinds of treatment trade-offs clients may decide to engage in (e.g., whether or not to have surgery on the limb, understood in light of the severity of the break, the other treatment options available, and the likelihood of recovery given the various available treatment options, etc.) (TOV, 46).

Given the importance of situating a discussion of justifications into a context, the best justifications will be local to the interests of those engaged. Broadly construed, justifications are a clustering of context-related data to fit situations. People will supply various reasons for why they make certain decisions and act in certain ways, each of these reasons are local to and contestable by other citizens. We accept someone's justifications when they jibe with the relevantly situated data and show respect for the interests of those involved. Kai Neilson makes this point in the following way,

Justification comes through gaining a coherent pattern of beliefs.

We, in weaving and unweaving our web of beliefs, justify them; and in doing this we justify one belief in terms of others. We seek, for a time, and for certain purposes, to get the most coherent pattern of beliefs we can forge... In pushing justification as far as it can go, we seek, for a time, the widest and most coherent cluster of beliefs we can muster, but each time for a particular purpose or set of purposes.

We do not understand what it would be like to get the most coherent set of beliefs *period* (7).

Pragmatists see no need to push a conception of justification further by isolating the notions of reason and relevancy so that we have a clearly demarcated set of boundaries to achieve coherency. This is because attempts to construct such boundaries have never resulted in complete coherence. Instead, pragmatists claim that local reasons will be suitable for particular occasions.

With the project of state justifications for education standards, I argue that a pragmatist-informed minimalist approach is the most useful strategy the state can utilize. In constructing state goals, standards, revisions, and curriculum selections, this minimalist approach either limits, or makes non-influential, the role of ideals, utopias, and/or notions of the single best way of life. Dewey argued along these lines by showing that a vocabulary based in ideals is one we should give up:

The very meaning of the word 'ideals' is significant of the divorce which has obtained between means and ends. 'Ideals' are thought to be remote and inaccessible of attainment; they are too high and fine to be sullied by realization. They serve vaguely to arouse 'aspiration,' but they do not evoke and direct strivings from embodiment in the actual existence. They hover in an indefinite way over the actual scene; they are expiring ghosts of a once significant kingdom of divine reality whose rule penetrated to every detail of life (QFC, 431).

A minimalist approach stays local so that the reasons provided for justifying particular policies are contestable in immediate experience. With respect to education policy, a minimalist approach works well because it gives state officials something to reference in the day-to-day experiences of citizens.

While pragmatist-informed critiques often appear as a set of negative theses that replace traditional transcendental, transcultural, and/or ahistorical

appeals, from these criticisms springs a positive project of social hope. In deconstructing the concept of truth, pragmatists hope to construct solidarity among citizens by emphasizing the need to continually readjust our concepts in light of changing circumstances. In the introduction of *Philosophy and Social Hope*, Rorty claims that:

The title ‘Hope in Place of Knowledge’ is a way of suggesting that Plato and Aristotle were wrong in thinking that humankind’s most distinctive and praiseworthy capacity is to know things as they really are—to penetrate behind appearance to reality. That claim saddles us with the unfortunate appearance-reality distinction and with metaphysics: a distinction, and a discipline, which pragmatism shows us how to do without. I want to demote the quest for knowledge from the status of end-in-itself to that of one more means towards greater human happiness (xiii).

Rorty leads us to the view that shifting experiences should take precedence over the construction of isolated, abstract conceptions. This approach places emphasis on the common experiences of citizens. The traditional approach can play out in scenarios where a transcendental notion like truth or the “good life” is given priority over the experiences of fellow citizens. For instance, certain religious folk such as the Latter-Day Saints (LDS) have taken the truth of their religious doctrines to the public sphere. LDS members believe, according to their proclamation to the world called, “The Family,” that “the family is ordained by

God” and that “marriage between man and woman is essential to His (God’s) eternal plan” (LDS, 1). These religious folk take their conceptions of “Truth” to the common experiences of citizens, and work from Truth to experience in their interactions. The pragmatist response to this is to recognize that the common experiences of citizens build up our conceptions of truth. Truth becomes a contingent notion that is dependent upon appeals to local experiences. So, pragmatists reverse the way truth is treated. Instead of giving a fixed notion of truth priority, pragmatists give appeals to local conditions priority.

In a liberal democratic state, we, as citizens, can pragmatically justify our beliefs by working from our shared, common experiences with others to build persuasive justifications for policies. Pragmatists acknowledge that these common experiences are changing, and have no fixed end in sight (just as we we with the results of scientific experiments). Dewey argued that the specific terms and phrases we utilize in public affairs be treated and tested in experimental ways. In *The Construction of Good* he states:

... carrying over the experimental method from physics to man (*sic) concerns the import of standards, principles, rules. With the transfer, these, and all tenets and creeds about good and goods would be recognized to be hypotheses. Instead of being rigidly fixed, they would be treated as intellectual instruments to be tested and confirmed—and altered—through consequences effected by acting upon them. They would lose all pretence of finality—the

ulterior source of dogmatism. It is both astonishing and depressing that so much of the energy of mankind (*sic) has gone into fighting for (with weapons of flesh as well as of the spirit) the truth of creeds, religious, moral and political, as distinct from what has gone into effort to try creeds by putting them to the test of acting upon them. The change would do away with the intolerance and fanaticism that attend the notion that beliefs and judgments are capable of inherent truth and authority; inherent in the sense of being independent of what they lead to when used as directive principles (QFC, 277).

Building from Dewey's work, I argue for two general descriptions of a minimalist approach. First, when state officials supply reasons, they should be based on local accounts that attend to the conditional needs of citizens. Second, when meta-appeals to notions like truth or ideals are employed, they should be made with a sense of contingency that asks citizens to give priority to our shifting experiences.

2.2 A Minimalist Approach

I argue that a minimalist approach is the best approach the state can utilize in justifying particular education policies. If state officials adopt a minimalist approach, they will need to draw upon, in an admittedly more cumbersome fashion, conceptions that reflect the common experiences of citizens for justifying

state policies. This approach cashes out as a series of reasons, followed by a particular standard. Here is a possible case for Oregon's educational standards:

(1) **Rationale:** Citizens are routinely called upon to vote on measures similar to our recent Measure 81, which sets out to specifically restrict the use of commercial gillnets and tangle nets in the Columbia River.

(2) **Rationale:** Citizens are routinely presented with decisions about the environmental impacts of their daily activities. For instance, some citizens face quandaries over how to appropriately discard paint products. Such a decision may impact local rivers and streams and have the potential for deleterious downstream effects on all of the biological life with which rivers come in contact.

(3) **Standard:** A basic understanding of biological life that accounts for the chemical and biological changes occurring in our local ecosystem is one important skill set required for citizens to (a) make informed voting decisions, and (b) appropriately discard chemical products so that unnecessary externalities are not imposed on one's community.

The purpose of having minimal justifications for standards is not to tediously detail all of the potential reasons for a particular policy; rather, it is to ensure that the state can justify their policies on a minimal level without appealing to isolated,

abstract conceptions. If the state cannot provide local reasons that are contingent and contestable by citizens, then they should forgo the standard.

While this minimalist approach makes the act of constructing positive claims for standards, goals, and revisions cumbersome, it gives state officials a useful tool set for dodging claims that are vague, irrelevant, and over-stated. Take, for instance, the case in Tennessee that I highlighted in Chapter One. In constructing HB 0368, the Tennessee state legislature constructed standards about science curriculum by presupposing important controversies in situations where controversies have minimal impacts on understanding scientific processes. Among scientists, the controversies that do occur in the sciences are small in scale (when compared to the idea of somehow rejecting the whole theory of evolution), subject to peer review, and largely uneventful. One example of an actual controversy that occurs in the field of biology comes from Pigliucci and Kaplan's work in *Making Sense of Evolution*. In one case, the authors have argued that the metaphor of "force" that is typically used in theories of natural selection can mislead scientists when they evaluate evidence for natural selection and differentiate between drift and selection (33). While this is no small quibble, it pales in comparison to the "controversies" that emerge solely on isolated, abstract grounds. When it comes to actual controversies within the sciences, scientists are apt to welcome the discussion of them in classrooms.

If the Tennessee legislature is worried about the actual controversies that occur among the sciences, it is unclear what would be motivating such concerns.

The controversies that do occur tend to have little impact on student's abilities to gain a basic understanding of biology, chemistry, and physics, or function as a citizen generally. For these reasons—that is, locally supported justifications showing that actual controversy among scientists has a low impact on classroom studies—it becomes more likely that the Tennessee legislators are responding to concerns from citizens who take issue with the general use of evolution in science classrooms. These latter concerns are pitched in a different way. For instance, citizens who are Fundamentalist Christians might argue that an understanding of evolution is incompatible with a literal interpretation of Genesis. Here, the Tennessee legislators, if acting with a minimalist approach for justifying state policies, could say that isolated, abstract conceptions like, “God’s creation,” do not serve as adequate reasons for incorporating the story of Genesis into biology curriculum. In this instance, the state would act with indifference to the isolated, abstract justifications for including the teaching of controversies in science curriculum. This purposeful state indifference is not meant to belittle the beliefs of, say, Fundamentalist Christian citizens who advocate such views; but rather, it is to ensure that the justifications for curriculum that is taught in science classes is contingent and contestable (the same concern would be lofted against a secularist who argued that “reason” or “rationality” makes evolution standards important). As I noted with Driver’s Education curriculum, the standards that emerge are uncontroversial because they are made with appeals to the local experiences of citizens. With Driver’s Education, citizens generally accept the justifications for

the standards, independent of their idealized views. This is likely because their comprehensive doctrines have no commentary to offer on the subject of daily driving activities. The reasons for driver's education standards are identifiable in the common experiences of citizens. The standards are constructed without appeals to additional layers of isolated, abstract conceptions. The driver's education standards provide an example of standards that can be well-justified on with a minimalist approach. This same approach of justifying standards with local, situated reasons can be taken with the sciences. For instance, justifications for curriculum on evolution can be made by appealing to the circumstances of finding fossils, and the various approaches that have been taken to measure such fossils. Additional appeals to isolated, abstract conceptions that move the standards away from local conditions about finding and measuring fossils, and toward a debate about the veracity of the entire theory of evolution, are unnecessary appeals that the state can, and does (with the case of Driver's education standards) work without.

While the Tennessee legislators have provided a special caveat that the controversies covered should contain scientific information that is not framed with any religious or non-religious doctrines, they have failed to justify why the actual small scale controversies occurring in the sciences are something that requires the protection of teacher autonomy. Teaching "real" controversies—as small scale and peripheral as they are—can be an important tool in teaching students about how science is done. In failing to provide clear and contestable

reasons for citizens, the legislators have left room for teachers to promulgate fake controversies. Such controversies are taken to be fake because they are not justifiable to citizens on local, situated grounds.

Contrast this minimalist approach for justifying state educational standards in the sciences on local, situated grounds, with cases where state officials utilize isolated, abstract conceptions. In these latter circumstances, state officials may draw upon, or respond to citizen concerns about, isolated conceptions: e.g., citizens might respond to biology standards on grounds that “evolution” conflicts with “creation” or “God’s plan of human perfection.” With isolated, abstract conceptions, it is difficult to import the necessary common experiences that often build up the notions that state officials are utilizing. As a result, the use of isolated, abstract conceptions in state policies leaves open the possibility of interpretations that draw upon conceptions that are not widely held by citizens. Such isolated, abstract conceptions can do damage to a minimally constructed set of state goals and standards regarding the education of future citizens.

Take, for instance, the case for children’s rights that James Dwyer makes against many Catholic and Fundamentalist Christian private schools across the country. Dwyer argues that the instruction provided in many of these religious schools receive little critical attention from the general public. This lack of attention, he continues, is likely because the general public assumes that the state is sufficiently ensuring that students of Catholic and Fundamentalist Christian schools are receiving adequate education. Currently, however, the state puts

relatively few constraints on the materials they teach or how they treat their students (2). The lack of state control results, for example, in these religious schools being able to deliberately inculcate sexist views into their curriculum and classrooms, such as, discouraging female students from seeking ambitions in life other than serving their future husbands (3). When the state provides justifications that are vague and susceptible to varied interpretations, they leave open the possibility of future women citizens being inculcated with an education that encourages a limited lifestyle. Officials within religiously-oriented private education institutions are given room to import a narrowly informed set of experiences and future plans into their interpretations of vague education standards. A minimally-informed set of justifications about the future role of citizens would exclude education standards that are susceptible to interpretations that allow local officials to import isolated, abstract conceptions of God's plan for the family. The education policies need to contain enough specific, local reasons to ensure that young women are not being taught to live out an exclusively unpaid, care-focused, adult lifestyle.

In the cases of Catholic and Christian Fundamentalist schools, the various states could adopt a minimalist approach that would resolve the concerns regarding sexism. The first way to do this is to exclude the justifactory use of isolated, abstract conceptions. If the religious schools are justifying their organizational structures, goals, standards, and/or curriculum on the basis of "God's plan for men and women," then, the state has grounds to exclude this

approach because no locally justified, legitimate state policies are benefited by such conceptions. Such isolated, abstract justifications are irrelevant to public sanctioned education structures and uncontested on local, situated grounds. The second way this can be done is by positive appeals to the current conditions of contemporary democratic life. As our liberal democratic state is currently structured, citizens across genders have varied ways of life and varying future desires. There is no evidence to support the claim that there are clear and distinct boundaries, pertaining to the future plans of citizens, between genders. In other words, there is no single best way of life associated with any gender. Thus, there are no grounds for constructing positive state policies that reflect traditional gender divides that call for sharp distinctions between men and women. Here, the state needs to pull in experiences that are common to the citizens to show that there are no legitimate reasons to believe that women should be limited to traditional misogynistic gender roles in public life. In this instance, the state can then justify the exclusion of traditional misogynistic gender roles in education structures. Doing so will ensure that institutions that wish to distribute a publicly endorsed diploma are held accountable to the conditions of our contemporary society and free from justifications that rely on isolated, abstract conceptions.

2.3 Examples of Minimally Informed Academic Standards

I argue for academic standards that are broadly compatible with the state's locally justified education policies. Such locally justified policies could include

equity-based state standards that exclude the teaching of, say, an isolated, abstract conception about the “single best” way to live. By “broadly compatible,” I mean that we cannot expect a set of academic standards to comprehensively address the changing conditions of citizenship. Rather than focus on completeness or exactness, I argue that the state’s academic standards can be made persuasive through careful attention to local conditions that provide reasons for particular standards. The standards will be contestable by citizens and state officials who gather evidence, and make a case showing that a particular standard no longer represents the conditions of citizenship.

Why science standards?

A basic understanding of biology, ecology, physics, and chemistry is easy to justify with local, situated reasons without making appeals to isolated, abstract conceptions. Citizens regularly engage in day-to-day events that require a basic understanding of the sciences. For instance, the act of tending a garden makes it clear that certain chemistry standards are important. Driving a car from one destination to another makes a basic understanding of physics important. And, balancing a checkbook requires limited math standards. Beyond a basic understanding, however, it is not clear whether, say, Quantum Mechanics, String Theory, calculus, or trigonometry, should be a regular part of the curriculum. The common conditions of contemporary citizenship do not provide any compelling reasons for believing that certain aspects of theoretical physics are necessary for citizens to participate in a democracy. In fact, most citizens can, and do, navigate

around their environments quite successfully without such an understanding. In the absence of clear and contestable reasons, the state should leave standards for the higher levels of the sciences up to local school districts. Some teachers and administrators may find it suitable to teach quantum mechanics in an elective course. The desire to teach such material is broadly compatible with the state, but not something that a minimalist justification strategy can satisfy.

Complex analyses of physics are not essential to the common experiences of citizens. In a future society, they might be, but as of now, there are no hard and fast reasons for believing this is the case. With biology curriculum, however, state officials have to deal with citizen concerns in different ways. Citizens have attempted to infiltrate biology content standards on the basis of isolated, abstract conceptions related to, for example, Christian theology (Edwards v. Aguillard, 1987; Tammy Kitzmiller, et al. v. Dover Area School District, et al., 2004). The state can respond to these kinds of concerns by saying, “We have provided a set of local reasons that make our academic standards contingent and contestable. In regard to our biology standards, we have determined that there is a need for citizens to have a basic understanding of biological life. This entails, among other things, an understanding of how natural populations change over time, the impacts of over-harvesting on biodiversity, and the impacts of chlorofluorocarbons on the ozone layer. All of these things relate to the kinds of activities citizens commonly engage in, and the local and global impacts our behaviors can have on non-human environments. If citizens believe that these

understandings do not reflect the common experiences of citizens, then we would like to know reasons why certain standards are inadequate or irrelevant.”

Health and human sciences have faced problems similar to citizen concerns over biology standards. The two most prevalent concerns relate to curricula that explore sexual orientation and a variety of efficacious measures for preventing sexually-transmitted diseases and pregnancy. There are a number of reasons why, on a pragmatist conception, these topics should be a part of the curriculum: we have evidence showing that homosexuality is not a choice; and teen pregnancy and sexually transmitted diseases are problems that students of certain ages tend to confront. In these cases, again, citizen criticisms are pitched from a level of isolated, abstract conceptions. Their concerns appeal to a “natural order of society” which claims that “homosexuality is unnatural;” or, they may work from a religious doctrine to experience, in an effort to promote false claims like, “Abstinence and fidelity are the only means of halting the AIDS pandemic.” These arguments can be excluded by the state on grounds that the citizen concerns are not well justified—that is, the concerns are pitched at a level of abstraction, or fail to represent the experiences of citizens—and do not provide a legitimate basis for constructing contingent and contestable standards.

In cases where it is difficult for local officials to determine which elective courses to construct, or what curriculum to leave out, appeals made to local, situated reasons can satisfy the construction of a minimal set of academic standards. State officials can leave room for local officials to guide curriculum

beyond basic science literacy, so long as those guided selections do not conflict with other state policies. Often, excluding the justifiable use of isolated, abstract conceptions is enough. However, with cases such as Tennessee, the legislators have created a policy about science “controversy” that allows teachers to promulgate artificial controversies. In other words, the guided efforts of a particular teacher’s curriculum may be to teach “creationism” without explicitly employing the term. One way for the state to protect against illegitimate guiding narratives such as these, is to provide contingent and contestable state policies (e.g., state constructed equity standards in education) that protect the varied future interests of students. This way, if a guiding narrative can be shown to arbitrarily inhibit the future pursuits of students, it can be discarded as a potential way of organizing elective courses. One responsibility of the state, then, is to provide local, situated reasons for K-12 education policies that are aimed at protecting the interests of future students.

2.4 State Equity Programs

Given the professional structures that surround education, the funding structures currently in place, and the state’s active (and necessary) role in providing equitable opportunities for citizens, the state clearly cannot be excluded from education. Since the 1950’s, the federal government has influenced education policies on the basis of equity for students with disabilities, people of color, and women. These federal programs have been in line with, or forcefully

impacted, state education policies. For instance, the Supreme Court *Brown* decision to desegregate schools sought to bring equitable education to students of color. By the 1960's, there was a substantial increase in national control over education, despite the lack of constitutionally sanctioned federal power noted by the Tenth Amendment. One of the ways this was done was through Lyndon B. Johnson's Elementary and Secondary Education Act, which incorporated funding for special needs populations (e.g., children with disabilities, minority-language students, and low-income and low-achieving students) into education broadly. It was predominately issues of equity, not, say, a national education tax that provided avenues for federal influence in education today. As a result of various equity based approaches, the Department of Agriculture still houses the school lunch program, the National Science Foundation provides research grants for secondary schools, and the Department of Health and Human Services still advances the Head Start programs. Further, court rulings across the states have ensured that the use of property taxes for funding local schools was deemed "inherently unequal" (Kirst and Wirt, 9-18).

The states do not need to justify their equity-based influences in education on the basis of isolated, abstract conceptions of justice or inalienable rights. Rather, there are a sufficient historically contingent and local, situated reasons for justifying state equity policies. The state's role in ensuring equity could be (and has been) largely exclusionary. For example, states have made attempts to exclude the purposeful segregation of students of color that have been shown to

disadvantage nonwhite students. Since there are no local, situated grounds for disadvantaging students according to poorly constructed boundary lines such as race, gender, ability, and sexual orientation, the states could construct policies that exclude any attempt to do so. These equity-based policies could give state officials grounds for ensuring that the local education standards, programs, and curriculum that students regularly engage are not arbitrarily disadvantaging some students on the basis of poorly constructed categorical distinctions. To use the example of various Catholic and Christian Fundamentalist schools, the construction of pragmatist-informed state equity policies could ensure, I have argued, that students within these schools are not being disadvantaged by local (way of life) education programs aimed at living out an idealized family structure. Idealized family structures are based on poorly constructed gender lines, and justified with isolated, abstract conceptions such as “God’s divine counsel.”

2.5 Conclusion

I have argued that the state should adopt a minimalist approach for justifying education policies. This minimalist approach allows state officials to prescribe certain academic standards by appealing to historically constructed local, situated reasons. Furthermore, this minimalist approach allows state officials to respond to those citizen concerns that aim to thwart academic standards on the basis of isolated, abstract conceptions.

In a few circumstances, I have noted that a minimalist approach will not provide state officials with prescriptions for all of the kinds of curriculum standards local administrators and teachers will construct (e.g., adding theoretical physics to science curriculum). This gives flexibility to local administrators and teachers to determine which standards are the best fit for students in various elective offerings that go beyond, for instance, a basic understanding in the sciences. In addition to constructing curriculum for electives, there are problems with standard courses such as history. With history, it is impossible to cover all of the pertinent historical events that led us to today. At some point, certain components of history need to be discarded. A minimalist approach cannot resolve every curriculum concern. This leaves open the possibility that some of the material may be framed in ways that are incompatible with the minimally-constructed goals and standards of the state. In order to ensure that the state's interests are protected in the construction of course materials that are not accounted for by a minimalist approach, the state needs standards for compatibility. In the next chapter, I will provide some strategies that state and local officials can utilize in order to ensure that students are safeguarded.

Chapter Three- The Limits of a Minimalist Approach

In Chapters One and Two, I argued for a pragmatist-informed, minimalist approach to justifying state policies in K-12 education. In this chapter, I highlight cases that, in particular ways, extend beyond the reach of a minimalist set of justifications. State officials who utilize a minimalist set of justifications cannot expect to create general policies that guide local officials through the construction of all of their complicated curriculum and course selections. As a result, local officials will be left to determine, for example, which history texts to utilize, which physics theories to bypass, or which literary works to focus on. Likewise, administrators will need to determine a broader course for students, such as, which elective classes to offer, or which student programs and projects can most effectively enrich the school community, or which teaching methods to implement.

I argue that visions are necessary for organizing broad and complex circumstances. Visions come in different forms, such as, general principles and values to inspire action, or utopian ideals of a better future society, or the construction of a social “self-image” that we collectively try to live up to. Such visions can be called upon by local officials in determining education aims, school missions, and ways of framing curriculum. Local officials will be able to experiment with visions—that is, treat them as tentative hypotheses—that emerge from society generally. A few ways this can play out are: (1) Language Arts teachers may draw upon the works of Gandhi, Martin Luther King Jr., Cesar

Chavez, and Henry David Thoreau to frame a peace studies curriculum that focuses on nonviolent resistance in conflict resolutions; (2) Administrators may hire extra teachers in Science, Technology, and Foreign Language in order to develop elective classes that prepare students for focused competition in the global market places of post-industrialized societies; and/or (3) a public charter school may create specialty electives that meet the mission of teaching Fine Arts. Furthermore, I argue that when it comes to visions, the state has the special responsibility of ensuring that our citizens are capable of conceptualizing the types of idealizations, whether they be religious or otherwise stated, that help us re-describe our present circumstances in better terms that will gain force solely because they are persuasive.

Up to this point, I argued that visions should not serve as justificatory frameworks for the state. This claim still holds true. The state's role is to leave room for local officials to identify visions that citizens find important, and incorporate them into classrooms in ways that do not conflict with a minimally-informed set of state education policies. For instance, given that the state could have a well-justified account of educational equality which implies that teachers and administrators cannot teach a curriculum to their students which suggests that students ought to live out limited future plans on the basis of morally irrelevant categorical distinctions like race, gender, or class, then local officials do not have room to construct visions that guide academic standards on those grounds. The

state's role is to create space for the construction of visions and manage cases where constructed visions conflict with state policies.

In order to develop these points, I provide a meta-philosophical analysis of visions that broadly explains the role they play in education, and how they can be made compatible with a minimalist set of justifications. After doing so, I discuss case examples of narratives that emerge as a result of particular visions, and are used to guide local schools and curriculum in ways that can be compatible with the state's policies, or each other.

3.1 Meta-philosophical justifications

As noted in Chapter Two, a minimalist approach does not provide a catch-all for constructing state policies, standards, and goals. We should not expect state officials to put forward policy prescriptions that will guide all academic standards. As a result, local administrators and teachers play important roles in constructing curriculum and local policies. The policies state officials construct will enable local officials to fulfill the needs of future citizens in ways that are (a) compatible with state academic standards; (b) able to identify and address specific local needs; and (c) able to develop visions of a better future society .

A minimalist approach does not provide state officials with a general positive project, in part because positive claims are reductive in relation to the complexity of relevant events. For instance, if local officials create a positive project for peace studies in the Social Sciences, they will enable teachers to draw

upon historical events in their curriculum. Framing history in this way leaves out a number of important events that students could arguably study. What is important is that the positive projects employed for addressing complex events are compatible with a minimally constructed set of state education standards. This leaves room for visions in education, insofar as those visions do not conflict with the state's current set of contingent and contestable standards. Since Peace Studies projects do not conflict with (and would likely enhance!) the state's equity standards, there is no justifiable reason the state could employ for denying local officials an opportunity to develop such programs at their schools.

Compatibility: The absence of conflict with contingent and contestable standards

One consequence of utilizing a pragmatist-informed, minimalist approach to justifying state education policies is that state officials remain indifferent to (or outright reject!) justifications that are pitched with isolated, abstract conceptions such as, state "neutrality" between people's comprehensive conceptions of the good life, or "human nature." In many ways, the minimalist approach is a negative project, where the primary work of state officials is to exclude justifications that appeal to isolated, abstract conceptions, particularly when the state already has a constructed set of local reasons that make a policy contingent and contestable. For instance, as I argued in Chapter Two, the state's equity standards are sufficiently justified with local reasons. This makes an appeal to "inalienable rights," as the explanatory notion that makes equity standards

legitimate, an extra and unnecessary appeal. Thus, the state will purposely reject the justifiable use of “inalienable rights” in favor of local, situated accounts of state equity standards in education.

State officials who utilize a minimalist approach, cannot expect to construct education policies that transcendently reach beyond all circumstances. Rather, the work of state officials needs to be situated for particular state purposes. Broad claims that extend past particular purposes are not anything the state can expect citizens to contest (or support).³ The education policies that pragmatist-informed state officials construct could be built up by appeals to local reasons. One problem with the minimalist approach is that some academic standards draw upon a large amount of relevant circumstances, and as a result, there arises a viable amount of competing educational aims. In cases where there are competing aims, there will be few reasons within a set of contingent and contestable standards to suggest that we ought to choose one aim over another. For instance, in creating a history curriculum, or selecting material for Social Science textbooks, educators are forced to make choices about what material to include or exclude when pulling from the vast array of historical events available.

One approach for resolving which historical events to select in constructing curriculum and textbooks is to appeal to narratives that organize behind a future vision for citizens. Visions regarding the type of future society we want to become are made with idealistic hopes. The use of visions for future citizens will create a guiding narrative for selecting particular historical

circumstances to study. One such narrative might be a historical analysis of progress by Latina citizens in the United States. This narrative would draw upon specific cultural turning points in American history that signify movements by this group. For instance, the curriculum might cover important Latinas in history such as Linda Chavez-Thompson, Jovita Idár, or Alicia Dickerson Montemayor, among others. Or, the curriculum might cover events such as poverty, segregation, suffrage, lynchings, women in power, and so forth. This narrative of important Latina citizens could also have the support of local reasons, e.g., Latina citizens comprise a portion of the US population and are underrepresented in our leading political and economic institutions. However, even if there are local reasons in cases like these, those local reasons will not be sufficient to suggest that a narrative of Latina historical figures is more suitable than a narrative of, say, Japanese immigrants.

Given that a minimalist approach to education standards leaves room for a sizeable amount of competing narratives, state officials are tasked with leaving space for the construction of narratives. This amounts to allowing local officials to decide what the best ways are for framing the material. The state's role in these instances is to ensure that the material selected does not conflict with other education standards.

To clarify, state officials will provide education policies that are informed by local reasons so that they remain contingent and contestable by citizens. When faced with the need to construct academic standards that a set of local reasons

cannot fully address, state officials will remain indifferent to the use of isolated, abstract conceptions. This way, when local officials aim to construct a history curriculum or select social science textbooks, they can do so with a guiding narrative, so long as the guiding narrative does not conflict with a different set of academic standards that are capable of being justified by a set of local reasons. Broadly, this means that when state officials, who use a minimalist approach to justify policies, are faced with situations where they lack a set of knockdown reasons for constructing standards, they will remain indifferent to the use of guiding narratives as they relate to those standards, so long as those guiding narratives do not conflict with other sets of locally justified standards. For instance, a guiding narrative for a history course which sets out to survey five centuries of Christian theology will be suitable for future citizens, insofar as that guiding narrative is not also used to advocate for misogynistic gender roles in the curriculum students receive. The inculcation and contemporary encouragement of misogynistic gender roles would conflict with other academic standards that have already been detailed out with local reasons explaining why it is inappropriate to encourage limited gender roles for future citizens.

Visions of a Better Future Society

On a local, situated level of common experiences, it is often daunting and difficult to imagine how we citizens can alter the complex political arrangements that influence the kinds of goods we can purchase, the availability of jobs and

healthcare we have access to, the possible living arrangements of fellow community members, the collective environmental footprints we leave on our biotic community, and the educational opportunities that children across the state, country, and planet have access to, among other things.⁴ If we did have access to understanding all of these complex political arrangements, the decisions and changes would be too numerous to be accounted for by an individual. I argue that visions are necessary for the possibility of altering the large scale political arrangements that citizens on a local level do not have access to. Visions are conceptual strategies that transcend circumstances and allow a large number of people to unite in a particular direction. If a large range of people, who each have a particular influence on various, broad scale political arrangements, are capable of uniting under a particular vision, the possibility of social change is widened (e.g., this is evidenced by the various works that, say, church organizations have done throughout history).

One danger with visions is that their importance, in regard to democratic engagements, can be over-stated. If visions are given priority to the local, situated experiences of citizens, then we run the risk of allowing an isolated, abstract idea to outweigh our shared, common experiences with fellow citizens.

I argue that visions are necessary and useful tools for sorting out school missions, programs and curriculum, as well as, teaching students how to imagine a better future society. The difficult project, for state and local officials alike, is to leave space for teachers to select visions that are compatible with the current

education policies that the state has. One example of a compatible vision that local officials might endorse can be inspired by Rawls's principles of justice. Rawls's second principle contains an ideal of fair equality and opportunity. For Rawls, inequality is only permissible in circumstances where the conditions for his principles of justice are satisfied (e.g., when the least advantaged citizens stand to benefit from a particular economic inequality). His principles inspire a vision that has citizens take purposeful action to identify inequality, and expand the opportunities for members of our society who are the least advantaged. This principle is compatible with locally constructed education standards, and is one that local officials could be compelled to utilize in constructing curriculum, textbooks, programs, and projects. Principles such as this inspire visions that challenge our current political and economic structures, and give local officials something to unite behind as they engage various projects.

When it comes to selecting certain visions, local officials can pull from individuals in society whose voice gains compelling favor among citizens. For Rorty, these are people we should think of as "strong poets." He argues that "the heroes of liberal society are the strong poet and utopian revolutionary... [who protest] in the name of society itself against those aspects of the society which are unfaithful to its own self-image" (CIS, 60). One concern with selecting strong poets is that some visions can be damaging to certain citizens when they inform local behaviors or policy decisions. Other visions may gain compelling favor when they have no educational import. We citizens do, after all (as Gutmann

notes), favor movie theaters to museums (130). The goals of local officials are to select visions that are compatible with state education policies (e.g., a policy on equity in education), and have educational value. In Rorty's terms, we need to identify the "heroes of a liberal society," he notes,

A liberal society is one whose ideals can be fulfilled by persuasion rather than force, by reform rather than revolution, by the free and open encounters of present linguistic and other practices with suggestions for new practices... one which has no purpose except freedom, no goal except a willingness to see how such encounters go and to abide by the outcome. It has no purpose except to make life easier for poets and revolutionaries while seeing to it that they make life harder for others by words, and not deeds. It is a society whose hero is the strong poet and the revolutionary because it recognizes that it is what it is, has the morality it has, speaks the language it does, not because it approximates the will of God or the nature of man but because certain poets and revolutionaries of the past spoke as they did (60-61).

For Rorty, Martin Luther King Jr. (MLK Jr.) was one of our society's greatest strong poets because he pointed out the broken promises Americans had made to minorities. MLK Jr. explained that the rights promised by our liberal democracy were in fact withheld from blacks and other ethnic minorities. In his time, he understood better than most, and certainly better than the white majority, what our

society's self-image was—that is, “all men (sic*), yes, black men as well as white men, would be guaranteed the ‘unalienable rights’ of ‘Life, Liberty, and the pursuit of happiness.’” MLK Jr. compelled citizens to recognize that they were violating this image because, “Instead of honoring this sacred obligation, America has given the Negro people a bad check, a check which has come back marked ‘insufficient funds’” (ARC, 1). MLK Jr. pitched his dreams of equality with the personal idealization that we are all “God’s children.” Although the notion of “God’s children” is an isolated, abstract conception that the state cannot use to justify its education policies, MLK Jr. was able to provide a persuasive conception of community that makes our social lives better. Teachers could highlight the visions of MLK Jr., particularly, his nonviolent resistance, and compelling, peaceful actions, when constructing a curriculum for the Social Sciences or Language Arts.

3.2 Curriculum Narratives

A minimalist approach to justifications does not give state officials clear direction for shaping the entire curriculum students receive. Since, as a practical matter, students and teachers need guided curriculum, state officials are tasked with providing responsible space for local officials to construct guiding narratives. For instance, the state would not compel local officials to follow a particular idealized vision, or deny them opportunities to develop compatible visions. Also, the state would provide educational opportunities for teachers and

local officials to understand what kinds of programs, projects, and curriculum are justifiable. After responsible space is provided, the state can emphasize the guidelines they have put forward. These guidelines could be constructed with minimalist justifications, and might include guidelines regarding the minimum number of English courses required to graduate, or guidelines that exclude the purposeful limiting of potential futures for female citizens. Then, after the guidelines are stated, local officials and teachers fill in the details. So in this case, given the general requirements for graduation, local officials could determine that one way to meet part of the state's graduation requirements is to build a literature sequence focused on the 18th Century "Age of Enlightenment." So long as this particular focus of readings does not conflict with state requirements, the curriculum is justified.

In Chapter One, I discussed the Texas School Board of Education's revisions to textbooks that their chosen content panel of experts for the Social Sciences constructed. One noted example comes from the State Board's decision to remove Oscar Romero, a historical Latin American figure, from the proposed textbooks. I have argued that the justifications for revisions to textbooks should be made by appealing to local reasons. However, there are instances where local reasons fall short of providing clear direction. Framing selected material, or adding and removing certain historical figures during a revision process, are examples of circumstances where it is not clear, on a local basis, how the choices among potential material could be guided. While the Texas School Board's

reasons for removing Oscar Romero from the textbooks were not justified with local reasons, the final decision could have been compatible with a minimalist set of justifications for state educational policies and revisions. One problem is that there are a wide range of potential justifications for removing Oscar Romero. One such justification could be that the School Board determined that the Founding Fathers needed to be emphasized, and that attention to this not widely known Latin American figure was taking away from such an emphasis. It is unclear what vision, or local reasons would be compelling a rationale like this. Since the State Board did not provide justifications, any number of possible interpretations can be taken as legitimate. If any number of possible justifications can be taken as legitimate, then the possibility is open that certain special interests are guiding the revision process. This undermines the capabilities of citizens to democratically participate in the education students are receiving.

Since Social Science textbooks are unable to comprehensively cover historical events, there is a danger in having a State Board of Education select the material because, across the state, students will be limited to particular texts in their evaluations and understanding of history. More dangerous is the notion that the federal government could construct a perfect Social Science textbook. One compatible method may be to establish, at a state level, a minimal set of Social Science curriculum that leaves open space for local teachers to cover a variety of focused historical events. A solution such as this gives opportunities for state officials to create content panels of experts. Expert panels can create or influence

certain course requirements, texts, and curriculum. As long as the state does not charge expert panels with the impossible tasks of creating a comprehensive or “single best” curriculum, course, or text, the work these experts do could be justified with a minimal set of justifications.

To return to the issue of narratives that are incompatible with a minimally justified set of state education policies, let us look at California’s Senate Bill (SB) 48, which mandates that public schools teach the role and contributions of homosexual American historical figures (signed by the governor of California on July 14th, 2011). SB 48 specifically changes instruction in the Social Sciences by ensuring that “the role and contributions of lesbian, gay, bisexual, and transgender Americans” is placed in the curriculum in order to combat the biases and associated discriminatory practices set against these people. By adding LGBT members to the groupings of oppressed people, California is able to alter the curriculum students receive. These alterations were in line with existing laws requiring instructional materials to “accurately portray the role and contributions of culturally and racially diverse groups.” This Bill impacts the social science standards and instructional materials by ensuring:

- (1) The way LGBT individuals are portrayed in contemporary society will be reflected in early historical analyses of California to the extent that it highlights the role and contributions of LGBT individuals; and

(2) Textbooks or instructional materials that (a) adversely portray, or (b) fail to pay tribute to (in terms of holding professional, vocational, or executive roles) LGBT individuals, will not be adopted in the state.

This addendum, I argue, coheres with a minimalist approach to state policies.

This claim, at first glance, seems contradictory, in that one might argue there is no difference between promoting a narrative of homosexual figures or DWEMs.

However, state officials can successfully construct a contingent set of local standards that requires the incorporation of homosexual historical figures into the material, when it is otherwise absent. SB 48 asserts no allegiance to a comprehensive conception or doctrine and protects citizens from justifications made on the basis of religious doctrines or “natural way of life” for humans. Furthermore, SB 48 is not an attempt to comprehensively cover history.

As discussed in Chapter Two, the state’s education policies address standards for curriculum, professionals, and the role of future citizens in our society. The state could justify equity standards that protect against the disadvantages associated with ableism, classism, heterosexism, racism, and sexism. Such disadvantages for shaping the opportunities of future citizens have no justifiable grounds. In other words, there are a sufficient amount of historically-constructed local reasons for directing policies which ensure that all citizens are given the opportunity to pursue varied interests in the public sphere. Such reasons range from working against racism through federally-ordered

desegregation, to working against classism through social service programs like Head Start. In the case of SB 48, the legislation addressed a situation where history textbooks were designed by content panels to omit the role and contribution of homosexual individuals. This purposeful omission conflicts with a minimally-justified recognition that heterosexism is not justified with local, situated experiences and cannot be allowed in the education that students receive. Heterosexism is justified with isolated, abstract conceptions of “God’s plan for” or the “natural order of” the family. Appeals to such isolated, abstract notions for justifying the ongoing experiences of citizens are over-simplified.

3.3 Program and School Narratives

Program Narratives

State officials who use a minimalist approach to justifying their educational programs can leave room for the possibility of programs that are constructed around a particular narrative. For instance, it is possible to have ethnic studies programs, so long as those programs do not conflict with a set of contingent and contestable education policies. As I discussed in Chapter One, the state of Arizona has enacted a House Bill (HB2281) that targets various ethnic studies programs across the state. As currently written, Arizona’s Bill cannot be justified with a minimalist set of local reasons.

HB 2281 declares that “public school pupils should be taught to treat and value each other as individuals and not be taught to resent or hate other races or

classes of people.” Arizona state officials act out this declaration through the Superintendent of Public Instruction, who determines which school districts or charter schools are

- (1) Promoting the overthrow of the United States Government;
- (2) Promoting resentment toward a race or class of people;
- (3) Are designed primarily for pupils of a particular ethnic group; and
- (4) Advocate solidarity instead of the treatment of pupils as individuals.

Once the superintendent determines that a school district or charter school is violating these declarations, the Department of Education “withholds up to ten per cent of the monthly appropriation of state aid that would otherwise be due the school district or charter school” (1-4).

With point (1), it is not clear what local conditions state officials are responding to when they wish to prevent the overthrow of the U.S. government. The worry about government overthrow is vague, grandiose, and not grounded in local events. Let us say that ethnic studies programs gave state officials evidence that the ethnic studies programs were encouraging the overthrow of the U.S. government. One example might be an ethnic studies program “bake sale,” where the proceeds go to the “Overthrow the U.S. Government Project.” Here, state officials would, at minimum, have a reason to point to, albeit, an absurd one that is difficult to take seriously. Furthermore, the federal government already has laws in place to protect against those who advocate the overthrow of the US government (CL, 1). If there is a legitimate concern that teachers and local

officials were advocating the overthrow of the government, state officials could turn them over to the federal government, instead of withholding ten percent of their funding.

Points (2) and (3) are indefensible—that is, suggesting that the potential outcome of teachers covering the Holocaust would be that students hate white people—and uncontested because justifications were not given. Here, a minimalist approach better suits the state official's concerns. When the state compiles a set of local reasons for ensuring that programs are not promoting ableism, classism, heterosexism, racism, and sexism, they can address curriculum that is specifically focused to limit the future plans of citizens on the basis of race. Once a minimal set of contingent and contestable standards are constructed, then there will be room in education for programs which target a particular ethnic group. The instruction of a particular ethnic group can be made compatible with the state's academic standards.

Point (4) is vague and unsubstantial because it lacks local justifications. Arizona officials claim that advocating solidarity fails to treat people as individuals. State officials have failed to establish what local conditions they are drawing upon in making this claim. If, for instance, it turned out that certain ethnic studies programs were resulting in gangs of students from a particular ethnicity were attacking individuals who did not look like them, then the state would have particular, identifiable reasons for concern. Further, when state officials utilize terms that lack context (i.e., solidarity, individuals) in justifying

policies, they leave open the possibility of fitting those terms into a number of education-related circumstances. If a term can be made to fit into a large number of conflicting circumstances, then it likely does not need to fit into any of those circumstances.⁵

Take, for instance, an ambitious hypothetical scenario where a teacher in an ethnic studies program has students work on a project that asks students to collect data on the health of children in households where there is at least one non-white parent. The students could use this data to compare to other studies regarding the child-health statistics of all-white households, or households where the parents are same-sex couples. Then, drawing on this comparative analysis of child health, students could explore the possible reasons why the data diverges or comes together in various ways. Here, one could imagine a state official coming in with various claims about solidarity: (a) having students work on a group project that compares minorities to whites encourages solidarity among the groups of students; or (b) having students understand the experiences of people from similar races or ethnic groups encourages solidarity among the races and ethnic groups. There are a number of viable projects, and imagined responses to those projects, that can incorporate a claim about solidarity. Since the concept of solidarity can be made to fit into a wide range of potential experiences, it can be treated as irrelevant to those experiences. Solidarity works as an additional honorific. Solidarity, as a justificatory idea, is not contestable by citizens or applicable by local officials. One problem with point (4) of the policy is that state

officials use the term “solidarity” to employ discriminatory practices against ethnic studies programs. The term is vague enough to be interpreted however state officials see fit.

School Narratives

Charter and private schools often revolve around guiding narratives. Charter and private school narratives can (a) teach conventional strategies that emphasize the accrual of “essential” information; (b) utilize progressive strategies that focus on individual education plans and emphasize the construction of knowledge; (c) promote vocations that emphasize a particular trade or educational specialty; and (d) assemble according to a religious denomination. The various missions of charter and private schools are to promote a narrative that serves as a vision for the education students engage. The narratives of these schools could be made compatible with a minimally constructed set of contingent and contestable state policies. For instance, a charter school that employs essentialist strategies could encourage a particular set of literary works that give students information which local officials deem essential to their education. This particular framing of literary works would have to be completed and reviewed by state officials to ensure that it is compatible with pragmatist- informed state policies.

One concern with school narratives relates to the cases Dwyer explores with Catholic and Christian Fundamentalist schools, where the future plans of female students are being deliberately limited by local officials and teachers.

When the state does not have a well-justified set of education policies, private and charter schools are given the capability of interpreting vague education standards, goals, and curriculum in ways that could be incompatible with a better-justified, minimalist set of state policies, most notably, state equity standards.

As with curriculum narratives, state officials would need to make concerted efforts to ensure that the visions employed, play out in the schools' education programs, projects, and curriculum, in ways that are justifiable. A vision of developing, say, a "Fine Arts" focused charter school, could be compatible with the state's education policies insofar as the local officials are extending their mission beyond the Fine Arts in ways that give students the opportunity to meet the state's minimally-justified graduation requirements and education policies.

End Notes

³ A meta-level analysis of the positive standards state officials can construct will look similar to the projects found within the latter works of Wittgenstein. In the *Philosophical Investigations*, Wittgenstein stated that “the work of the philosopher consists in assembling reminders for a particular purpose” (127). He continues, “There is not a philosophical method, though there are indeed methods, like different therapies” (133). Much of Wittgenstein’s work took aim at deconstructing the tendencies of philosophers to provide general theses that transcend circumstances by utilizing a form of logic or a priori generalizations.

⁴ I borrow this idea from Rorty, who states, “You know more about your family than about your village, more about your village than about your nation, more about your nation than about humanity as a whole, more about being human than about simply being a living creature... This is why, as groups get larger, law has to replace custom, and abstract principles have to replace phronesis... Plato and Kant were misled by the fact that abstract principles are designed to trump parochial loyalties into thinking that the principles are somehow prior to the loyalties” (PCP, 46).

⁵ I extend Popper’s concerns. I argue that we should be worried about isolated, abstract ideas that are used to reach all circumstances for the for the same reasons that Popper worried about Marx’s *Theory of History*, Frued’s *Psychoanalysis*, and Adler’s *Individual Psychology* (2). If something can be made to explain an unusually large amount of things, it has likely explained nothing!

Chapter Four- Conclusion

I argue that education policies in Oregon, Texas, Arizona, and Tennessee lack adequate justifications. The justifications that are given are vague and susceptible to interpretations that are not relevant to the particular purposes of the policies. For instance, in Arizona, certain policies have illegitimately led to the denial of funding for “Ethnic Studies” programs. In Tennessee, legislators have allowed for irrelevant teacher and student criticisms of theories within the sciences. And in Texas, the State Board of Education made revisions to a content panel of expert’s recommendations for the Social Sciences without justifications.

Education policies and practices continue to be unchanged by state officials across the country. It is both disheartening and dumbfounding that our nation allows teachers to have the autonomy to misinform students. Our nation has state policies that illegitimately attack students of certain ethnicities. Our nation’s state of education allows students, in various ways, to be disadvantaged on the basis of color, sex, sexual orientation, class, and ability. Each of these disadvantages is accepted, in one form or another, by states across the country.

I argue that a pragmatist informed “minimalist approach” to justifications for education policies can help states construct education policies that will exclude many attempts by citizens and local districts to disadvantage students. I argue that if state officials utilize a minimalist approach to justify education policies, it will be easier for citizens to contest (or support) the state’s policies because the phrases employed will better represent citizen’s local, situated

common experiences, and be contestable on those grounds. If the state utilizes a minimalist approach to justifications, citizens could have an expanded opportunity to contest education policies in ways that are discernible by state officials, local schools, and citizens generally.

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