**Reviewed by Doris A. Santoro**
Bowdoin College

By the third or fourth week of my Contemporary American Education course, one of my students will raise their hand and ask with equal parts impertinence and honest exasperation, "But, when are we going to get to the *answers* to these questions?" In a course built around the enduring dilemmas of and ongoing controversies inherent to public education in the United States, I usually have a mental countdown for when this appeal will occur.

I delight in this moment, and I suspect Michele Moses would as well. This opening, made accessible by a brave student's admission that their frustration has reached intolerable levels, enables me to say that these dilemmas are (a) the outgrowth of public and popular education in a democratic society and (b) the democratic quality of public education policy-making in the US. In *Living with Moral Disagreement: The Enduring Controversy about Affirmative Action*, Moses charts the ways that living with moral disagreement are part and parcel of living in a democratic society. Furthermore, she recommends that in
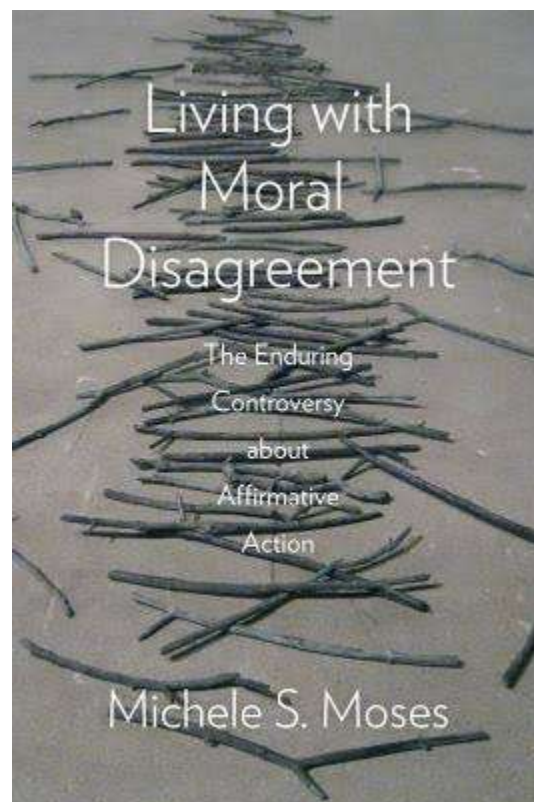
understanding that argument (a) – that all of our policies are aspects of living in a pluralistic society where all policies are value-laden, we might do a better job at (b) improving the democratic quality of decision-making about matters of moral disagreement.

Moses' second chapter offers a succinct and readable history of affirmative action policy, legislation, and court rulings that could be excerpted for an introductory syllabus like my Contemporary American Education course. This précis of race-conscious educational policy-making provides the context for the rest of the book and Moses' primary argument, motivated by the question, "How is it that those on either side of the affirmative action debate share significant moral ideals [such as equality and liberty] yet endorse opposing policy prescriptions?" (27).

However, potential readers for whom affirmative action is not their central educational policy concern should not let the subheading of this book deter them. Moses invites critical reflection on how we engage with moral disagreement in any setting, especially when those moral disagreements influence policies that impact the life chances of our neighbors in profound ways.

Concepts of deliberative democracy as articulated by political scientists Amy Gutman and Dennis Thompson provide the theoretical framework for the book as well as the conceptual ground for the community dialogues that Moses conducts and studies in advance of Coloradans' vote on Amendment 46, a proposal to end affirmative action in her home state (see Chapter Five). With Gutman and Thompson, Moses argues that deliberative democracy raises to the surface moral concerns that underlie policymaking. She believes that a society that enables individuals to become more conscious of the moral commitments driving their actions and arguments may lead to better conversations and enhanced understandings of others' political stances.

For many political actors in the United States, the value of the principle of equality is undisputed. Therefore, why do we continue to debate affirmative action, welfare, and bilingual education? The debates hinge, explains Moses, on "the conceptual distinction between being treated *as an equal* and being treated *equally*" (29, emphasis original). These assignations belong to egalitarians and libertarians, respectively. While the egalitarian position of treating each person *as an equal* "requires us to recognize the relevant differences in persons' life situations and treat them accordingly in order for the ideal of equality to be served well," for libertarians, "being treated equally signified sameness of treatment, regardless of history, context, or social structures" (30). Similar distinctions can be observed in the debate over the use of #BlackLivesMatter versus #AllLivesMatter. Through a philosophical examination of the conflicting interpretations of equality and liberty, Moses enables readers to see how even shared ideals can result in divergent political commitments and policy recommendations.

Moses views ongoing moral disagreement as a source of hope, rather than an indication that the US is doomed to be stalled in intractable debates. She cites *Brown v. Board of Education* and *Roe v. Wade* as examples of how "moral disagreements can serve as catalysts for social change" (40). Grounded in substantial knowledge of educational practice, affirmative action policies, and race-conscious legislation, Moses' view of moral disagreement is not naïve, but it is optimistic. In the wake of Citizens United and the rollback of the Voting Rights Act, I find it hard to see moral disagreements as only progressive – moral disagreement can also lead to infringements on liberty and equality.

Anticipating doubts like mine, Moses defends her commitment to a belief that understanding moral disagreement can improve the policymaking landscape. Against what she calls "self-interest arguments", she holds that while personal gain does drive some decision-making, it is an incomplete

explanation of human behavior. She offers an example of a parent whose child would benefit from so-called ability tracking, but who opposes the practice nonetheless. While there is no doubt that individuals have the capacity to make a choice that may work against their self-interest, empirical evidence suggests that a parent in this position is the exception rather than the norm.

This empirical problem brings us to the next objection that Moses takes on: the issue of power. Moses acknowledges that powerful individuals and groups may co-opt language and distort the policy landscape. Drawing on the example of the Center for Educational Opportunity, an organization opposed to race-conscious policies, Moses addresses the ways in which moral ideals can be manipulated by the discourse of powerful policy actors. The shifting meanings and uses of language are vitally important for all stakeholders to understand because policy is practice that is codified in language. Researchers, especially, have the potential to reveal how language used for one set of interests can be used to confuse and rally the unintentional support of other interests, especially in ballot initiatives (discussed in Chapter Four).

Moses is correct that individuals *may* advocate for more than their self-interests alone. Her analysis also reveals that shifting language, such as George W. Bush's administration's embrace of the term "diversity", presents an opportunity to find common ground between seemingly divided actors. However, school tracking policies may reveal the limits of deliberative democracy when self-interest and power are concentrated in social groups, such as those who are white and/or relatively wealthy. While parent may opt to act from egalitarian impulses rather than self-interest, researchers such as Amy Stuart Wells (1996) have shown that as a power bloc, white and middle class parents vigorously defend the privileges they and their children are accorded through tracking.

When self-interest and power are coupled, the resulting polarization can be stark. Parents seeking a good education, or a buena educación, for their children at both ends of the power spectrum may retreat into self-enclosed systems that are anti-democratic in the sense of open systems that offer opportunities to cross boundaries and expand perspectives. The poor may hitch their hopes onto charter schools that promise (segregated) success and the affluent into suburban enclaves and private schools that offer their own promises of (segregated) success. The best empirical results in desegregating schools have been borne out of policies, such as busing, that are unpopular. As a result, powerful families have systematically dismantled policies that yielded positive results for most, rather than few, as we have seen in Seattle, WA and Wake County, NC.

Moses explains that tracking, "may result in inescapable moral wrongdoing and even moral tragedy" because of the harm it incurs on students placed in the lowest tracks (45). Nonetheless, tracking is a widespread practice sustained by a minority of powerful and self-interested families in schools. It is for this reason that I think that Moses dispenses with the problem of power too quickly. Even when educational leaders and policymakers have access to the very same evidence, it is likely that they persist in tracking students in order to please parents and students with disproportionate social and political capital. It is here that we may need to delve more deeply into what Meira Levinson (2016) calls the "ethics of pandering" (143-150).

Furthermore, I worry that school leaders, policy makers, elected officials, and increasingly, private entities, have the power to delimit what counts as a moral claim (Jessen & DiMartino 2016; Lubienski, Debray, & Scott 2016). In my research with experienced teachers, I have found that private consulting groups and curriculum publishers have made it difficult for teachers to criticize materials that they are expected to adopt "with fidelity" (Santoro 2016). For instance, teachers may

depart from the curriculum pacing outlined by a commercial publisher or the district in order to meet students' learning needs. Teachers may make this choice at the risk of being labeled irresponsible. Mandated pacing, they may be told, ensures that students engage in the required amount of learning as expected by the district, state or nation. The unilateral moral claim of a district or commercial publisher may annul a teacher's moral claim and render it unrecognizable as a moral claim. A teacher's attempt to exercise moral responsibility may be a source of moral blame.

I have also learned that gender and institutional power may make teachers' moral claims unrecognizable and the teachers themselves dismissed as mad (Santoro, forthcoming). As members of a feminized profession, teachers of any gender may face challenges in making their moral claims heard as moral. In the Western philosophy and moral psychology traditions, those occupying feminine subject positions have often been rendered unreliable moral subjects. Teachers who believe they are dismissed when making important moral claims about their work may become noticeably upset and feel as though they are crazy. This emotional response may be further evidence why the teacher is an unreliable moral agent.

Finally, Moses takes on what she calls the impossibility objection. In response to letting my students know that clear answers to the questions we are asking in Contemporary American Education are not forthcoming, some throw up their hands and say, "Well, what's the point? Isn't any position as good as any other?" In her conclusion, Moses invokes the poet Rainer Maria Rilke and enjoins us to "love the questions themselves" (96). In order to love the questions themselves, we need to understand the basis of the questions, explains Moses. That basis is moral disagreement. She argues that acknowledging moral complexity does not entail accepting moral relativism; one moral stance may be better than another, but even better moral answers may have other moral implications. Only by engaging in sustained and thoughtful conversations about moral sources of policy disagreements can we see, anticipate, and respond to the complexities that will arise with any choice.

Moses contends that mere knowledge will not change individuals' beliefs or alter their moral convictions. She argues that deliberative community conversations have the opportunity to foster more civil discourse, increase knowledge about the facts of a policy, and perhaps increase an individual's willingness to listen to others' beliefs. Engaging in deliberative democracy enables us to live more respectful democratic lives and become better-informed democratic decision-makers.

Playing on Churchill's famous quote, deliberative democracy may be the least worst way to engage with others regarding moral disagreements. Perhaps that's why many of us teach at the crux of controversies and strive to create democratic classrooms.

References

Jessen, S. B., & DiMartino, C. (2016). Perceptions of prestige: A comparative analysis of school online media marketing. Working Paper No. 230, *National Center for the Study of Privatization in Education.* http://ncspe.tc.columbia.edu/working-papers/OP230.pdf, accessed 7/25/2016.

Levinson, M. (2016). Is pandering ethical policy? Power, privilege, and school assignment. *Dilemmas of Educational Ethics: Cases and Commentaries*, M. Levinson & J. Fay, Eds. (pp. 143-150). Cambridge, MA: Harvard Education Press.

Lubienski, C., Debray, E., & Scott, J. (2016). The push and pull of research: Lessons from a multi-site study of research use in education policy. *William T. Grant Foundation.*

http://wtgrantfoundation.org/push-pull-research-lessons-multi-site-study-research-use-education-policy, accessed 7/25/2016.

Santoro, D. A. (2016). Cassandra in the classroom: Teaching and moral violence. *Studies in Philosophy and Education.* http://dx.doi.org/10.1007/s11217-016-9544-1

Santoro, D. A. (2016). "We're not going to do that because it's not right": Using pedagogical responsibility to reframe the doublespeak of fidelity. *Educational Theory 66* (1-2), 263-277. http://dx.doi.org/10.1111/edth.12167

Wells, A. S., & Serna, I. (1996). The politics of culture: Understanding local political resistance to detracking in racially mixed schools. *Harvard Educational Review, 66,* 93–118. http://dx.doi.org/10.17763/haer.66.1.274848214743t373

About the Reviewer

Doris A. Santoro is an Associate Professor of Education at Bowdoin University. A philosopher of education who conducts empirical research, she studies the moral and ethical sources of teacher dissatisfaction and resistance. Her #teachertweets project examines the moral claims teachers make about their work on Twitter. She is a teacher educator for pre-service and experienced practitioners, and examines how norms and values are communicated in professional communities.

education review // reseñas educativas
a multi-lingual journal of book reviews

editors: gustavo e. fischman /
melissa cast-brede / gene v glass

Supported by the Mary Lou Fulton Teachers College, Arizona State University

Please contribute reviews at http://www.edrev.info/contribute.html.

Connect with *Education Review* on Facebook (https://www.facebook.com/pages/Education-Review/178358222192644) and on Twitter @EducReview