THE FIGHT TO EXPAND EDUCATION—TWO CENTURIES APART

June Carbone*

The United States emerged as a power on the world scene at the beginning of the twentieth century as the best educated country in the world.1 It did so by leading the world in the embrace of free secondary education.2 This embrace occurred because of something more than the conviction that expanded educational opportunities made sensible public policy. It also occurred because of the construction of political coalitions committed to greater equality and to a cultural transformation in women’s roles.

Today, the United States is no longer the best educated country in the world.3 Where it has fallen behind is in early childhood. Despite a scholarly consensus that early childhood experiences influence a child’s lifelong development and that investment in early childhood offers a bigger return on dollars spent than almost any other form of social spending,4 the United States is falling behind in mandating paid parental leave, providing access to high quality childcare, and insuring universal early childhood education. The investment in early childhood is the equivalent of the earlier fight for free secondary education, and it is not a fight that the United States is winning.

This essay will examine the similarities and differences between the movements for free secondary education in the nineteenth century and the fight for early childhood education in the twenty-first century. First, the essay will link the developments in each century to the changing family, the changing roles of women within the family, and the connections between women’s changing roles and the remaking of the pathways into the middle class. Second, it will discuss the political and legal contexts of these developments expanding access to education. In both centuries, states and societies more committed to social equality have provided greater support for the expansion of education. Third, it will identify the basis of today’s opposition to and the prospects of assembling a coalition capable of providing support for improved early childhood education.

* Professor and Robina Chair in Law, Science and Technology at the University of Minnesota School of Law.
2. Id. at 164.
3. Id. at 41, 325–28.
4. Id. at 349 (observing that the “bulk of existing research indicates large returns from investments in high quality early childhood education programs”).
I. CHANGING FAMILIES, CHANGING WOMEN’S ROLES, AND CHANGING EDUCATION NEEDS

Both the industrial revolution of the nineteenth century and the technological revolution of the late twentieth century remade the relationship between work, family, and education. In each case, the impetus for change came from the interaction of three factors: first, a change in the nature of the pathways into the middle class; second, a reorganization of the middle class family to adjust to the change and to facilitate greater investment in children; and third, systemization of the mechanisms that produce that investment to include a broader portion of the public, a process that unfolded over close to a century.5

The rise of the industrial era made formal education more important to the pathways into the upper middle class, remade women’s roles as the moral overseers of home and family, and increased the payoffs from investment in children.6 In a parallel fashion, the information age increased the demand for women’s market labor producing a corresponding increase in women’s education, compelled a reorganization of the family to accommodate women’s changing roles, and further increased the payoffs from investment in children.7 The result in both cases initially increased societal inequality as the existing middle classes had the resources to realize the benefits of the new opportunities and the working classes did not.8 In both cases, the promise of equal opportunity required more public investment in children. In the nineteenth and early twentieth centuries, this involved the embrace of free secondary education for a broader segment of the public.9 In the twenty-first century, the missing piece is the provision of universal early childhood education.

A. The First Transformation

As the wave of industrialization swept over the Northeast in the early nineteenth century, the most promising jobs in the new economy, including many industrial jobs, required more formal education.10 Industrialization also led to urbanization, increasing the importance of supervising children to protect them from the dangers of the city.

6. Id.
8. GOLDIN & KATZ, supra note 1, at 85 (documenting increasing returns to college education after 1975).
9. Id. at 129–30.
10. See id. at 166 (observing increased demand for workers with high school diplomas); RYAN, supra note 5, at 108 (describing changing economic foundation for the middle class).
including the dangers of early romance.

The nineteenth century solution to these issues in the urban Northeast was to remake the role of middle class women.\textsuperscript{11} While initially the size of the professional classes remained small, the change in family roles had a broader effect.\textsuperscript{12} The urban middle classes had to deal with the changes that came from the men leaving their farms and shops for farther away offices.\textsuperscript{13} As that happened, middle class women became the mistresses of a remade domestic realm.\textsuperscript{14} The home no longer combined commercial and domestic activities, and urban women no longer helped with the harvest, made their own clothes, or contributed to their husbands’ shops.\textsuperscript{15} Middle class women’s primary occupation, in addition to homemaking, became the moral instruction of the young.\textsuperscript{16} If the boys were to realize the education necessary for the promising jobs in the new economy, their mothers needed to insure that they did their homework and stayed away from the girls and out of trouble.\textsuperscript{17} The girls needed to be instructed in the right virtues and graces, which included the ability to read the Bible and say no to the boys.\textsuperscript{18} The demand for formal education increased for both boys and girls.\textsuperscript{19}

Over the course of the first half of the nineteenth century, the new family ethos proved sufficiently successful. The number of brides pregnant at the altar would fall from 30\% in 1800 to 10\% in 1860, and the average age of first marriages would rise substantially, particularly for the men.\textsuperscript{20} By century’s end, the number of live births to married women would fall by half (from seven to three and a half), as parents invested considerably more in each child they had.\textsuperscript{21} And with respect to all of these changes, better-off, native-born, white Protestants led the

\begin{itemize}
  \item[Ryan, supra note 5, at 116–18.]
  \item[Goldin & Katz, supra note 1, at 167–68 (note, however, these groups constituted a relatively small part of the overall population, and did not grow significantly until the end of the nineteenth century).]
  \item[Ryan, supra note 5, at 57–58.]
  \item[See generally Joan Williams, Unbending Gender: Why Family and Work Conflict and What to Do About It (2000) (describing the ideology of domesticity, which focused on the “separate spheres” of home and market).]
  \item[Id.]
  \item[Ryan, supra note 5, at 185.]
  \item[Id. at 184–85.]
  \item[Larson, “Women Understand So Little, They Call My Good Nature ’Deceit’”: A Feminist Rethinking of Seduction, 93 Colum. L. Rev. 374, 392 (1993).]
  \item[Goldin & Katz, supra note 1, at 231 fig.6.5 (showing that female graduation rates tended to exceed male rates through 1970).]
  \item[Linda Hirshman & Jane Larson, Hard Bargains: The Politics of Sex 92 (1998); Larson, supra note 18, at 392.]
  \item[Hirshman & Larson, supra note 20, at 148; Ryan, supra note 5, at 184.]
\end{itemize}
way. Their embrace of the new pathways into the middle class increased societal inequality. The educational pathways to success were, at least initially, beyond the reach of the urban (and increasingly immigrant) working classes, freed slaves, and others who could not afford the education necessary to realize these opportunities.

Over the latter part of the nineteenth century and into the twentieth, however, the American embrace of public education, particularly free secondary education for girls and boys, established a foundation for what has been called “The American Century” and a dramatic decline in income inequality.

B. The Second Transformation

In the latter part of the twentieth century, the information age increased the demand for the type of labor women had traditionally performed. Demand grew for educators, health professionals, administrative assistants and skilled professionals of various kinds while it fell for the type of unskilled physical labor blue collar men had traditionally performed. As this happened, investment in girls as well as boys paid off, with women’s greatest gains in income occurring with the rapid increase in women’s educational levels during the 1980s.

To realize their new opportunities, ambitious women needed to postpone marriage, and the average age of first marriage and first birth jumped dramatically for female college graduates, with the initial increases linked to greater access to contraception and abortion during the seventies. Older, better educated, and more successful women began to stay in the labor force after giving birth. Since then, two income

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24. Id. at 153 (indicating that free public education was particularly critical to the expansion of women’s education); see also id. at 21–23 (documenting closing gap in African-American education).

25. Id. at 1–3.


27. See June Carbone & Naomi Cahn, Marriage Markets: How Inequality is Remaking the American Family (2014).


29. See generally Jacob A. Klerman & Arleen Leibowitz, Child Care and Women’s Return to Work After Childbirth, 80 Am. Econ. Rev. 284 (1990) (describing how by the 1980’s a
families have become the norm for the aspiring middle class. The result has increased the demand for commercial child care and early education services. And with the even greater return for investment in children, middle class mothers and fathers spend even more time and money on children.

In the mid-1970s, college graduate parents spent about the same amount of time interacting with their children during the first years of life as less educated parents. By the period between 2003 and 2010, the time college graduate parents spent with their children had quadrupled while it had doubled for less educated parents. The gaps had grown for both mothers and fathers, but the differences were particularly stark for men: college graduate fathers, who were far more likely to be married to the mothers of their children, spent almost twice as much time on average with their children as the less educated fathers. Among mothers, the largest gaps came during the first year of life, with better educated mothers spending an hour a day more with their children. The gaps in expenditures have increased as well. From the early 70s to the 2005 to 2006 period, the amount of money the bottom quintile spends on enrichment activities for their children increased only modestly, while it increased substantially during the same period for the top quintile. The top quintile spent roughly four times as much as the bottom quintile in the seventies; after 2000, the differences grew to almost eight times as much.

As with nineteenth century developments, the result contributes to societal inequality as the pathways into the upper middle class are again

significantly higher percentage of women would return to work after childbirth, as opposed to previous decades where women traditionally returned when children began school).


33. Id.
34. Id.
35. Id. at 9–10.
36. Id. at 13.
37. Id.
38. See WHITHER OPPORTUNITY?: RISING INEQUALITY, SCHOOLS, AND CHILDREN’S LIFE CHANCES (Greg J. Duncan & Richard Murnane eds., 2011).
becoming beyond the reach of the less well off. While the nineteenth century developments focused on secondary education, an important growing gap in the twenty-first century involves early childhood.

II. EDUCATION, SOLIDARITY AND EQUALITY

Education is a good that has benefits that extend beyond the person receiving the education. Participation in society is not a zero-sum game in which a better educated person simply outpaces the less educated. While broad support often exists for education, the political will to encourage investment in education is hardly automatic. Instead, support for publicly funded educational equality tends to depend on the strength of a coalition that favors a more egalitarian society for reasons that are independent of the advantages of education per se.

In the nineteenth and early twentieth centuries, the construction of such a coalition supporting public secondary education took place in different regions at different times. Early support arose in New England, which industrialized earlier and had more egalitarian origins, than many other regions. Yet, in the early twentieth century, high school enrollment in the larger industrial cities in the Northeast lagged, in part because of immigration and in part because children entered factory work at relatively young ages. Within these areas, better-off citizens ensured that their own children were well educated, and, indeed, wealthy areas in the Northeast led in establishing elite private educational institutions dating back to the colonial era. The spread of high school education to broad sections of the population in the United States instead occurred most dramatically in Prairie States such as Iowa, Kansas, Nebraska, and Colorado and the West Coast, with the South and the Border States trailing most notably.

In their book, The Race between Education and Technology, economists Claudia Goldin and Lawrence Katz explore the factors that

39. See GOLDIN & KATZ, supra note 1, at 52–54, 329 (documenting the rise in wage equality and tying it in part to education); see also Sara McLanahan, Diverging Destinies: How Children Are Faring After the Second Demographic Transition, 41 Demography 607, 617 (2004) (discussing increased income gap between well-educated and less educated families).

40. See GOLDIN & KATZ, supra note 1, at 34–41 (measuring contribution of education to economic growth). See also id. at 131 (noting an increase in “geographical sorting on the basis of income”).

41. Id. at 130 (describing “egalitarianism” as important to support for educational opportunity); see also id. at 167 (describing support for greater social mobility as contributing to the expansion of secondary education).

42. Id. at 159 (describing provision for high schools in Massachusetts dating from the 1820s).

43. Id. at 197.

44. Id. at 255.

45. Id. at 201–08.
contributed to regional differences in the embrace of broad-based secondary education.\textsuperscript{46} Wealth contributes. So does a history of commitment to education.\textsuperscript{47} Goldin and Katz also observe that equality tends to beget a greater commitment to more equality. In the context of education, they found, in particular, that “[g]reater social cohesion, intergenerational propinquity, and community stability” increased support for publicly funded education.\textsuperscript{48} That is, smaller and more relatively homogeneous communities with more stable populations and older residents who identified with younger ones tended to produce higher levels in investment in public education.\textsuperscript{49} These communities were often in the West, Midwest, and Prairie states in comparison with the much more diverse urban areas of the Northeast or racially riven communities in the South and border states.\textsuperscript{50}

Other factors mattered as well. The embrace of free, public primary education established the foundation for the expansion of secondary education.\textsuperscript{51} And the communities with public universities tended to embrace the expansion of free public secondary education earlier than other communities.\textsuperscript{52} The federal investment in land grant colleges thus contributed to the embrace of secondary education in agricultural communities. Before the Civil War, the South blocked the passage of a bill to promote the creation of “land grant colleges.” Once the South seceded, Congress passed the Land-Grant College Act of 1862, or Morrill Act, which provided grants of land to states to finance the establishment of colleges specializing in “agriculture and the mechanic arts.”\textsuperscript{53} The Act helped introduce agricultural research and scientific methods as important to the increase in agricultural productivity and made a university education attractive to farmers. This in turn increased the importance completing high school, which further increased support for public funding in farm communities.

The relationship between education and employment is more complex. Communities with more manufacturing jobs often enticed students to leave school earlier.\textsuperscript{54} Overall educational achievement increased with gender equality in public education, in part because girls

\begin{enumerate}
\item \textit{Id.} at 217.
\item \textit{Id.} at 135.
\item \textit{Id.} at 209.
\item \textit{See id.} at 211 (observing that older people in the population are less likely to support public education today in large part because older populations have become more mobile).
\item \textit{Id.} at 210–17.
\item \textit{Id.} at 135.
\item \textit{Id.} at 209, 216.
\item See Goldin & Katz, supra note 1, at 205, 210 (noting role of manufacturing jobs in depressing high school graduation rates).
\end{enumerate}
were less likely to leave school for employment. Better educated women, in turn, tended to stress the importance of education to their own children. Nonetheless, the increasing return on education in terms of employment and income opportunities helped increase support for education over the course of the twentieth century. All of these considerations contributed to the role of education as being part of the American dream and as a component of a commitment to social mobility.

III. SUPPORT FOR EARLY CHILDHOOD EDUCATION

The change in women’s roles and the reorganization of the family to address those changes set the stage for an increase in the importance of early childhood education and child care. First, with more mothers of children under five in the labor force, the need for high quality day care has increased. In 2013, 69.9% of all mothers with children under the age of eighteen including 61.1% of mothers with children under three were in the labor force. The figures are even higher for unmarried mothers; 74.2% of these women are working outside the home. Second, high-quality child care and early childhood education are expensive. Some studies suggest that seven of ten families cannot afford high-quality services. Third, as the essay notes above, today’s families are spending substantially more time and money on their children, increasing the class-based gaps in early childhood experiences. The result has been a widening, class-based achievement gap that begins early in life: a study published in 2013, for example, found that class-based differences in cognitive performance appear in children as early as eighteen months and that a six-month gap in both vocabulary learning and language-

55. See id. at 154 (emphasizing the importance of public education in increasing women’s educational opportunities and the distinctiveness of the American embrace of co-ed education).
56. See generally id. at 167–85 (observing an increase in jobs requiring education).
59. Id.
processing efficiency existed at age two.\textsuperscript{62} The percentage of children growing up in poverty has increased from 16\% in 2000 to 21\% in 2013.\textsuperscript{63}

A broad-based consensus exists that subsidized, high-quality early childhood education, including subsidized day care, paid parental leave, and other interventions focused on improving early childhood care, has the potential to address these issues. The research studies find generally that:

(1) The most disadvantaged children gain the most. This is true in part because their parents are more likely to feel the need to remain in the labor market and are less likely to have high-quality options available that they can afford.

(2) The long-term results include a variety of benefits including higher rates of high school graduation and adult employment and decreased risk of ill health and criminal activity.

(3) Programs that target socially disadvantaged children produce high rates of return, more than justifying the costs of these programs.\textsuperscript{64}

The research on universal programs does not show the same rates of return, in part because better-off parents already provide enriching environments for their children.\textsuperscript{65} Nonetheless, universal programs may be important in increasing support for the programs targeting children from more disadvantaged backgrounds and in addressing the high cost of parenthood for middle class families.\textsuperscript{66} In recent years, both overall fertility and women’s labor force participation rates have declined, with studies suggesting that both may reflect the lack of family-friendly U.S. policies.

Looking at labor force participation rates, the United States had the sixth highest female labor participation rate among twenty-two Organization for Economic Co-operation and Development (OECD) countries in 1990. By 2010, however, its rank had fallen to seventeenth. A study found that the expansion of "family-friendly" policies in other

\textsuperscript{62} Anne Fernald, Virginia A. Marchman, & Adriana Weisleder, \textit{SES Differences in Language Processing Skill and Vocabulary Are Evident at 18 Months}, 16 DEV. SCI. 234, 243 (2013).


\textsuperscript{64} Id. at 41.

\textsuperscript{65} Id.

OECD countries explained a significant part of the decrease, including spending on subsidized day care. A more recent study looked comprehensively at combined public spending on pre-primary education and childcare and found the United States to be toward the bottom end of the OECD countries. Looking at pre-primary education alone, the United States ranked thirty-fifth among developed economies in pre-primary or primary-school enrollment for three- to five-year-olds. Lillian Mongeau observed that, “On every level—local, state, and federal—this country invests little to nothing in the first five years of a child’s life, putting it decades and dollars behind the rest of the developed world.” Various studies suggest that this lack of public subsidization reduces women’s rate of employment and fertility as women directly bear the costs of childrearing.

The lack of public spending is at odds with broad public support for doing more. In 2018, for example, a Pennsylvania poll found that three out of four voters favored expanding early childhood education and a plurality favored increased state funding. Some of the explanation for the lack of greater progress involves the decades-long assault on increased public funding of any kind, and the role of partisan polarization in obstructing what might be bipartisan efforts, at least at the federal level.

A review of the expansion of free universal high school education may provide some lessons for mobilizing support for the extension of early childhood education. First, as Goldin and Katz emphasize, the support involved more of a
bottom up than a top down effort, as communities came to support greater education for their own children.

Second, the funding mechanisms that worked then, which involved localized systems, may not work now, partly because of greater residential mobility. Locality-based funding systems might prompt, for example, families with children to move in and older resident to either leave or vote down the funding increases.

Third, given American political divisions, finding the right level at which to mobilize support may be critical. Twenty-two states headed by Republican governors increased state spending on preschool in the 2015-16 fiscal year, along with ten states headed by Democratic governors. The gridlock that exists at the federal level need not necessarily exist at the state or city level.

Taken together, however, investment in the well-being of young children needs to be seen as critical to overall national health. This investment affects overall levels of inequality, children’s readiness for later schooling, their preparation to be productive adults, and their parents’ emotional and financial well-being and workforce participation. Addressing early childhood education has to be seen as part of a needed infrastructure investment in preparing the United States to deal with the economy and the families of the twenty-first century.