

IMFC REVIEW

A Publication of the Institute of Marriage and Family Canada

THE EDUCATION ISSUE

AT A CROSSROADS

WHEN IT COMES TO SPECIAL EDUCATION WILL CANADA CHOOSE THE ROAD LESS TRAVELLED?

HOME EDUCATION IN CANADA

HOW MUCH DOES CLASS SIZE ACTUALLY MATTER?

THE DEBATE SEEMS BIGGER THAN THE ISSUE ITSELF

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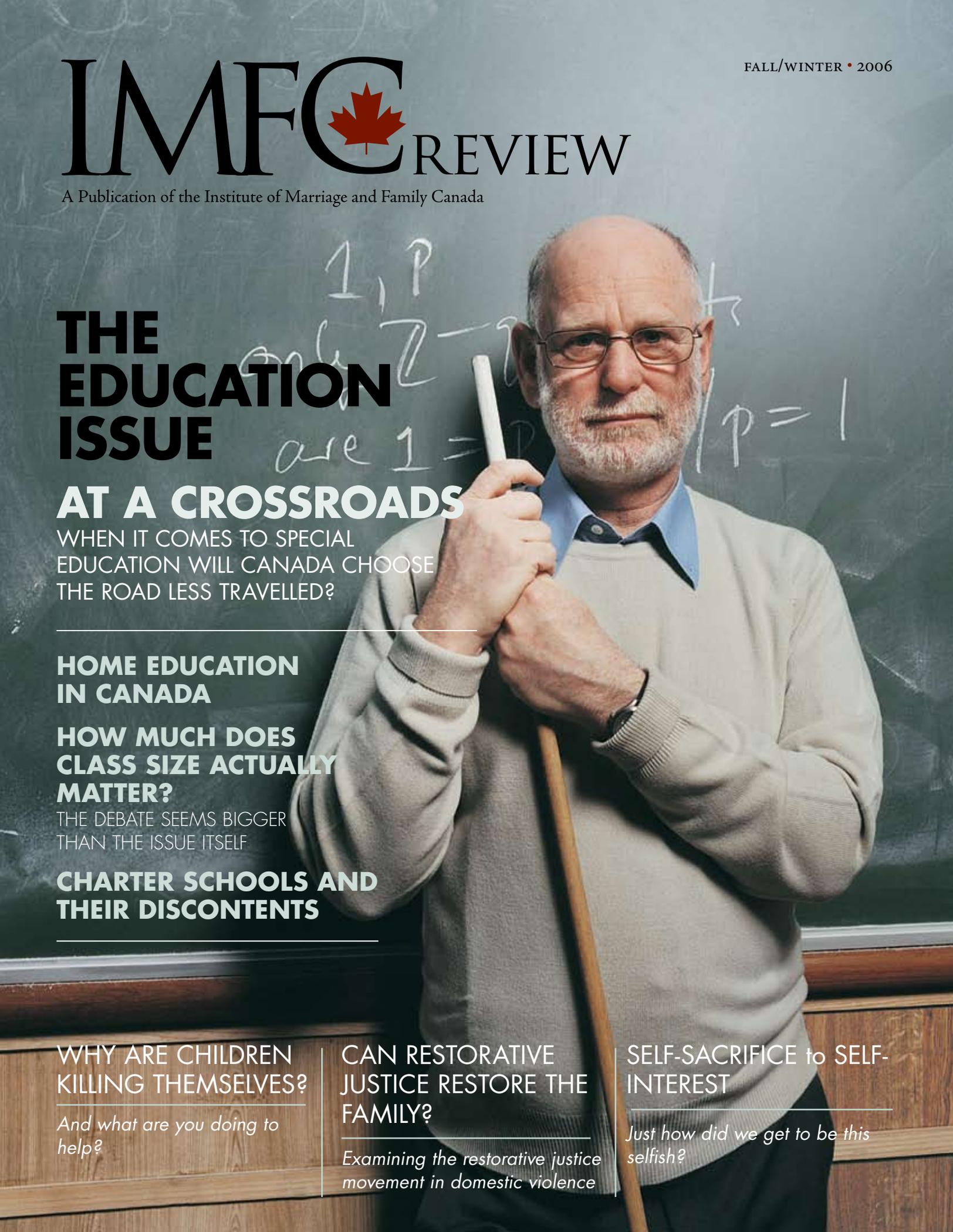
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Examining the restorative justice movement in domestic violence

SELF-SACRIFICE to SELF-INTEREST

Just how did we get to be this selfish?





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• FROM THE IMFC EXECUTIVE DIRECTOR



AS PARENTS, we have many education options for our children: public, private, home-schooling and in some cases, hybrids of these different forms.

I started school when I lived on a small farm in central Alberta where rides on a big yellow bus were routine. At times, I had quite the entourage walk me to the bus stop: my dog, Suzie, the goat and maybe a cat. The school was small, especially compared to my graduating class years later in a different city and province.

Times change and later, my wife and I (but mostly my wife) home-schooled our children for a number of years and then sent them off to public school.

What does the future hold for our current education system? Is it meeting our children's needs? How can we make the education system even better? These are some of the questions we ask ourselves in this issue of the *IMFC Review*.

In parts of our country, those running the school system appear to have more authority than those who are actually using it. In British Columbia, 15,000 parents just signed a petition challenging the province on who can influence curriculum changes. Province by province, systems vary, as does academic calibre. Alberta has opened the door to charter schools, something John Robson explores in depth on page 21, while Ontario maintains one public school system where Catholic schools also receive funding. Each province will need to address challenges successfully: for example, how we conduct special education. An international and historical look at developments in special education is covered extensively by David Carter in this issue. Paul Faris presents a detailed, national survey of home schooling on page 16, to help Canadians understand just what home-schooling is and what it achieves. But whether it concerns religious education, curriculum changes or larger structural modifications – like opening the doors to publicly funded charter and private schools – provincial education systems need to adapt to big changes.

We need to step back and re-evaluate our objectives. Only then can we more accurately and realistically plan for the future.

I hope that you are challenged by some of what you read in this issue of the *IMFC Review*. ☒

Until next time, all the best.

• CONTRIBUTORS



DAVID CARTER: Dr. David Carter is a consultant in special education and educational measurement and evaluation. He recently retired as Director of External Programs at the University of British Columbia. He was also a Director of Special Education for more than 14 years. Dave spent 33 years in public education, and has been a classroom teacher, special education teacher and school psychologist. He is the co-author of two Canadian standardized educational tests, and has recently been involved as an expert witness in two B.C. Supreme Court cases involving autism and learning disabilities. He teaches university courses for both the University of British Columbia and Simon Fraser University, and does extensive consulting and in-service training in western Canada. He and his wife Sharon have four children.

PAUL FARIS: In 2003 Paul Faris joined the Home School Legal Defence Association of Canada as legal counsel; he became executive director in 2005. Since joining HSLDA, Paul has been serving and defending home-schooling families across Canada in the courtroom, in the media and in Parliament and provincial legislatures. Paul lives in London, Ontario, with his wife, Suzanne, also a home-school graduate.

KATE FRAHER: Kate Fraher is a researcher at the Institute of Marriage and Family Canada. She has just completed an internship at Trinity Western University's Laurentian Leadership Centre in Ottawa, Ontario, including a work term at the Canadian Centre on Substance Abuse. She is finishing a degree in political science from Trinity Western University in Langley, British Columbia.

PETER JON MITCHELL: Peter Jon Mitchell is a Research Analyst at the Institute of Marriage and Family Canada. A former youth worker and speaker, Peter Jon has been involved with several youth focused non-profit organizations. Beyond his interest in youth issues, he has studied culture, society and public policy issues at the Focus

on the Family Institute in Colorado. In addition to his academic background in history and political science, as well as a graduate degree in theology, Peter Jon is currently completing an advanced Masters degree.

ANDREA MROZEK: Andrea Mrozek is Manager of Research and Communications at the Institute of Marriage and Family Canada. Prior to joining the Institute, she was associate editor at The Western Standard, an independent news magazine in Calgary. She has also worked in education and health policy at The Fraser Institute, where she co-authored *Let the Funding Follow the Children: A Solution for Special Education in Ontario*. Her experience at magazines includes time at *Toronto Life* magazine and two political journals in Prague, Czech Republic. Andrea completed her Masters degree in History at the University of Toronto.

JOHN ROBSON: John Robson is a columnist with the *Ottawa Citizen*, a broadcaster with News Talk Radio 580 CFRA in Ottawa and a host with iChannel television in Toronto. He has been a Legislative Assistant and Social Policy Researcher with the Reform Party of Canada, a Policy Analyst at the Fraser Institute and a Sessional Instructor/Assistant Instructor at the University of Texas at Austin, the University of Calgary and the University of British Columbia. He has also served as Deputy Editorial Pages Editor and Senior Editorial Writer and Columnist at the *Ottawa Citizen*. He has written regularly for publications including *Fraser Forum*, *Western Standard* and *Gravitas*.

FRANK STIRK: Frank Stirk is a freelance journalist and writer from North Vancouver, B.C. He earned a Bachelor of Arts (Honours) from the University of Manitoba and a Master of Divinity from the Canadian Southern Baptist Seminary in Cochrane, Alberta.

publisher

Institute of Marriage and Family Canada
an initiative of Focus on the Family Canada
Box 9800 Stn Terminal
Vancouver, BC V6B 4G3

editor-in-chief

David Quist

associate editors

Andrea Mrozek
Kristen Best

copy editors

Meghan Baxter
Julie Vaughan

art director

Andrea Smith

photography

Tommi Lintinen
Richard Siemens
Christina Bulgin

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Institute of Marriage and Family Canada
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IMFC Review
130 Albert Street, Suite 2001
Ottawa, ON K1P 5G4
Tel. 613.565.3832
Fax. 613.565.3803
Toll free. 1.866.373.IMFC (4632)
Email. info@imfcanada.org
www.imfcanada.org

DR. MARGARET COTTLE ON PARLIAMENT HILL

By IMFC Staff

“It is said that euthanasia kills the patient twice: the first time when you look at the patient’s life and say, ‘Your life really isn’t worth living.’ The second time is when you actually do it.”



Dr. Margaret Cottle palliative care physician and professor at the University of British Columbia does not mince words. All eyes were on her as the petite woman with slightly greying hair herself presented her information on palliative care on October 26, 2006.

Life is a gift, she told the audience, but what of compassion for those whose lives are filled with painful suffering? She strongly asserted there is “not one

shred of peer-reviewed evidence that any person is better off dead” and that a secular society simply cannot rest on unproven notions of “mercy killing.” Through her experience and studies of palliative care, Cottle proved her main point: that pain can be successfully controlled. She highlighted the different kinds of pain: physical, psychological, spiritual and social and cited case studies: one where physical pain had been largely relieved but some remained because the younger woman, dying of cancer, was troubled that her Club Z points, collected over years, would not be spent on a bicycle for her child. Cottle was able to gather the points and buy the bike, thereby relieving the last of the woman’s anxiety.

She highlighted that the right to die is nowhere enshrined and that any move toward legalized euthanasia could break apart the fabric of our society in favour of an unknown benefit. It is incumbent upon us, she said, to gather around the elderly in a community as they die, just as we might around babies when they are born.

Cottle spoke after Bobby Schindler, brother to Terri Schiavo, who now works full-time for the Terri Schindler Schiavo Foundation (<http://www.terrisfight.org/>) to defend the rights of disabled, elderly and vulnerable citizens against euthanasia.

Many thanks to Dan McTeague, MP (Hon) and Pierre Lemieux, MP, for hosting the event in cooperation with the Institute of Marriage and Family Canada and the Euthanasia Prevention Coalition (www.epcc.ca). Cottle’s presentation can be found online at www.imfcanada.org.

DR. SEANA SUGRUE ON PARLIAMENT HILL

By IMFC Staff

“The question is: are you going to take social tragedy and make it the status quo? And are you going to perpetuate and make that tragedy worse? Because with same-sex marriage, anytime that couple [acquires] a child, society is sanctioning the severing of the mother-father-child bond,” says Dr. Seana Sugrue, chair of the Department of Politics at Ave Maria University in Florida.

The IMFC invited Dr. Sugrue to present her paper, *Canadian marriage policy: A tragedy for children*, at a reception hosted by Liberal MP John McKay and Conservative MP David Anderson on Parliament Hill on June 3, 2006. Dr. Sugrue addressed how changing the definition of marriage affects Canada’s children.

This was the IMFC’s first reception on Parliament Hill and a group of 30 gathered, including MPs James Lunney, Jason Kenney, Paul Szabo and Ken Epp, along with staff representing MPs from other offices.

Dr. Sugrue made a moving appeal to defend children’s rights and her expertise shone afterward as she fielded questions, which opened discussion on how heterosexuals are at least partially responsible for the breakdown of the institution of marriage and whether the Canadian decision on same-sex marriage is irrevocable. If this proves to be the case, and Dr. Sugrue would not comment on that, all Canadians will need to adapt to a brave new world where same-sex adoption, test tube babies and children who know neither biological parent are par for the course.



The IMFC thanks Dr. Sugrue for agreeing to speak at the event and for presenting her paper, *Canadian marriage policy: A tragedy for children* for the IMFC. The IMFC also thanks Mr. McKay, Mr. Anderson and their offices for hosting this event.

Dr. Sugrue’s presentation can be found on the IMFC website in audio format. A copy of her paper, which was handed out to those who attended the reception, can be found at www.imfcanada.org. The paper was also published in the *IMFC Spring/Summer Review* also online.

THE SHIFT: SCHOLARLY VIEWS OF FAMILY STRUCTURE EFFECTS ON CHILDREN, 1977-2002

Glenn, N., & Sylvester, T. *Institute for American Values*. March 30, 2006. Retrieved from <http://www.family scholarslibrary.org/assets/pdf/theshift.pdf>

The authors of this report published by the Institute for American Values seek to determine whether a scholarly “consensus” has emerged on the issue of child well-being and its relationship to family structure. Norval Glenn and Thomas Sylvester examined articles spanning 26 years published in the quarterly *Journal of Marriage and Family* to trace how this “consensus” (if it, in fact, exists) has been shaped and/or changed over the last few decades.

The results showed that social scholars were concerned about the effects of family structure on children in the 1970s and 1980s, but that this concern lessened in the late 1980s.

Despite these findings, the authors insert their own beliefs into the conclusion. They state that while not conclusive, evidence that family structure can have adverse effects on children is very convincing. The authors admit that non-experimental and quasi-experimental methods are fallible, but that “the preponderance of the evidence indicates that family structure matters, and matters to an important degree, for children.”

TISSUE-ENGINEERED AUTOLOGOUS BLADDERS FOR PATIENTS NEEDING CYSTOPLASTY

Atala A., Bauer, S.B., Soker, S., Yoo, J.J., & Retik, A.B. (April 2006). *The Lancet* 367(9518), 1241-1246.

A team of researchers from North Carolina’s Wake Forest University have succeeded in creating tissue-engineered human bladders grown from patients’ own cells and successfully implanting them in seven patients suffering from bladder malfunction. Researchers say this is the first time tissues have been replaced with those grown in the laboratory from a patient’s own cells.

The lab in North Carolina, headed by Dr. Anthony Atala, is already working to develop 20 different tissues in the lab including hearts, livers, bones, blood vessels, lungs and nerves, although they say it will be a long time before they are able to engineer more complex tissues. It

took Dr. Atala nine years to build and successfully implant the first bladder.

Because the tissues are made from the patient’s own cells, the bladders are not rejected by the patient’s immune system like organs transplanted from other donors. Also, the cells are derived from adult stem-cells, which is pleasing to those opposed to embryonic stem cell research. Furthermore, end-of-life questions faced by families of potential organ-donors and recipients would not have to be so complicated in the future if doctors are able to grow replacement organs.

TEENAGE SEXUAL ABSTINENCE AND ACADEMIC ACHIEVEMENT

Rector, R., & Johnson, K.A.. *The Heritage Foundation*. October 27, 2005. Retrieved from <http://www.heritage.org/Research/Welfare/whitepaper10272005-1.cfm>

Teenage sexual abstinence is linked to academic achievement, according to a paper written by The Heritage Foundation in Washington D.C. The paper employed data from the National Longitudinal Survey of Adolescent Health in the United States. This longitudinal study surveyed roughly 14,000 youth and followed them for a period of seven years. The youth were interviewed three times during the seven year period and asked questions related to their sexual behaviour. After analyzing the survey’s findings, the authors of this paper concluded that teens who abstain from sex during their high school years are less likely to be expelled from school, less likely to drop out of school and more likely to graduate from college.

The study found that teens from identical socio-economic backgrounds who abstained from sex at least until age 18 did “dramatically better academically when compared to sexually active teens.” It is possible that teen virgins experience less emotional turmoil and fewer psychological distractions in their high school years. Teen sexual relationships tend to be short-lived and unstable, with 80 per cent ending within six months. This adds a considerable amount of stress to a teen’s life and could explain why sexually active teens fare worse academically. The authors suggest that teens who are not involved in any sexual relationships are able to focus more on their studies.

Abstinent teens also exhibit underlying

character traits that serve to strengthen their ability to succeed academically as well as relationally. These character traits include perseverance, impulse control, the ability to defer gratification, future orientation and resistance to peer influence, as well as respect for parental and social values.

EDUCATIONAL OUTCOMES AT AGE 19 ASSOCIATED WITH READING ABILITY AT AGE 15

Knighton, T., & Bussière, P. (June 2006). *Culture, Tourism and the Centre for Education Statistics, Statistics Canada*. Retrieved from <http://www.statcan.ca/english/research/81-595-MIE/81-595-MIE2006043.pdf>

A Statistics Canada study shows that reading ability at age 15 is a predictor of educational outcomes at age 19 in Canadian adolescents. Tamara Knighton and Patrick Bussière conducted the study which asked if reading ability at age 15 had an impact on high school completion and participation in post-secondary education.

The study concluded that students with



lower reading levels at age 15 had a more difficult time graduating from high school and were more likely to drop out of high school or to remain in high school later than their peers. The results also showed that reading proficiency levels at age 15 affected participation rates in post-secondary education at 19 years old, even when controlling other factors. The authors concluded that reading proficiency at age 15 can be used to predict high school and post-secondary participation.

STRONGER TOGETHER

AN ALBERTA SCHOOL DISTRICT SHOWS IT IS POSSIBLE TO INTEGRATE ALTERNATIVE EDUCATION INTO THE PUBLIC SCHOOL SYSTEM – TO EVERYONE’S BENEFIT

By Frank Stirk

For the past decade, parents in Edmonton have had the option of giving their children a Christian education without having to leave the public school system. The idea for the Logos program, as it is called, was conceived by a local school trustee in 1995. It was birthed by a small committee of Christian educators, who were able to show that many parents would welcome having this choice. In fact, when the proposal went to the trustees for their approval in January 1996, the document before them actually came from the district superintendent himself. The final vote was 8-to-1 in favour.

Today, about 5,800 students in the greater Edmonton area receive Christian public schooling. Nine of Edmonton’s public schools offer Logos, as well as three Christian private schools that joined the public system and the five surrounding school districts.

One of Logos’ co-founders was Dr. Bruce Wilkinson, now an emeritus professor of economics at the University of Alberta and president of the Edmonton Logos Society. He spoke with the *IMFC Review* about the Logos program and its ongoing success. *IMFC Review* also spoke with Gloria Chalmers, manager of alternative programs with Edmonton Public Schools.

IMFC Review: At the outset, did you encounter much, if any, public opposition to the idea of Christian education within the public school system?

Bruce Wilkinson: Not really. We had spoken to the Alberta Teachers’ Federation, telling them what we were doing, and they were of course against it, because their attitude is that they do not want any Christian teaching in the public system. They are essentially supporting another religion called secular humanism, which is intolerant of anybody else’s view but their own. But they never came out and said much. We never got any big outcry anywhere.

Gloria Chalmers: What we did say is that Logos would be based on fundamental Christian principles. We didn’t want a Pentecostal program and a United Church program, an Anglican, a Baptist program. What we would work at doing is have a program that supported the values and the beliefs of the home, as opposed to teaching some specific religious doctrine.

IMFC Review: What has the relationship been like between Logos and the public school board in the past 10 years?

BW: Wonderful, absolutely wonderful. We’ve had support from successive superintendents and from people like Gloria Chalmers and from the trustees. We have a commissioning service every fall for our program and the other three big Christian schools. Normally it’s attended by a representative, maybe several, from the school board and often a trustee. We have had excellent support.

GC: From my perspective, it has been very positive. Bruce actually

spoke at a meeting of our board in November 2005 to mark the 10th anniversary of the Logos program, and he was very well-received. So I would say it’s been an excellent relationship.

IMFC Review: And what about the relationship with the community? It is interesting that Logos is formally described as “a program with an alternative teaching philosophy” rather than just simply “Christian.”

GC: Our *School Act* says we can develop alternative programs based on language, culture, religion, pedagogy or subject-matter. We started in the business of choice in public education back in 1973. And of all the programs we started, we’ve only had two that are not still available today. We are committed to working with the parents and community to provide choice within public education.

BW: In Edmonton, there are more than 30 alternative programs of various types. Many schools have more than one program in it. One school might have the regular program and a specialized half-day in Spanish or Mandarin. There’s an all-girls school. One school emphasizes a military academy approach. Another specializes in sports. Ours just happens to be Christian. In some schools, Logos students make up about half the student body, and in one school, only Logos students attend because not enough parents were even interested in having the regular program there.

There have been one or two occasions where some parents wondered whether the increasing number of Logos students would adversely affect the school. We pointed out that without Logos, their

school might be closed, because there wouldn’t be enough kids to keep it open. But on the whole, there’s been pretty good support for the program.

Sometimes when parents are moving to another major city, they ask us if it has a Logos-type program. We have to tell them that it does not.

IMFC Review: What have been some of the benefits to the children and parents who’ve been in the Logos program?

BW: Parents have been so grateful, because they find that their children are being given a standard, an approach that’s consistent with their own beliefs at home. We’ve had some parents who have said that it changed their son’s life, or things like that. They find that the nurturing that they’re getting at school affects their behaviour at home positively. They’re taught that we’re here to serve others. Each school has a service program for reaching out maybe to a seniors’ home in the community or tsunami relief or whatever it may be that they choose.

IMFC Review: I understand there is a document that parents have to sign when they agree to place their children in Logos.

BW: That document may be a little unique to each school in some ways. But one of its key parts is our mission statement. Parents have to say that they support it. They have to agree to check their kid’s workbook and support them in any homework they have to do. The kids, where they’re old enough to make their own decisions, have to sign a document saying they’re going to do their best and respect others and so on. And the school and the teachers say what they’re committed to doing. So if discipline problems or some issues come up, the principals can say to the parents, “Okay, here’s what we agreed. Are we following that?”

If parents aren’t happy with the program, they always have the alternative to go to the regular program. But I know at least one school in which probably 30 per cent or more of its children are not Christian, but whose parents liked the values being taught and so put their kids in the program.

IMFC Review: I’m sure some parents would wonder, “Are you going to try to make my child a Christian against my wishes?”

BW: No. The program is meant to be sustaining and nurturing rather than proselytizing. That’s the focus. But the fact is there are prayer times in the classrooms. So when Johnny comes to class and says, “My mother’s very sick,” they can pray for her. They have chapel, a praise time and they celebrate Christmas and Easter. The parents, when they sign the document, know the children are going to be exposed to that.

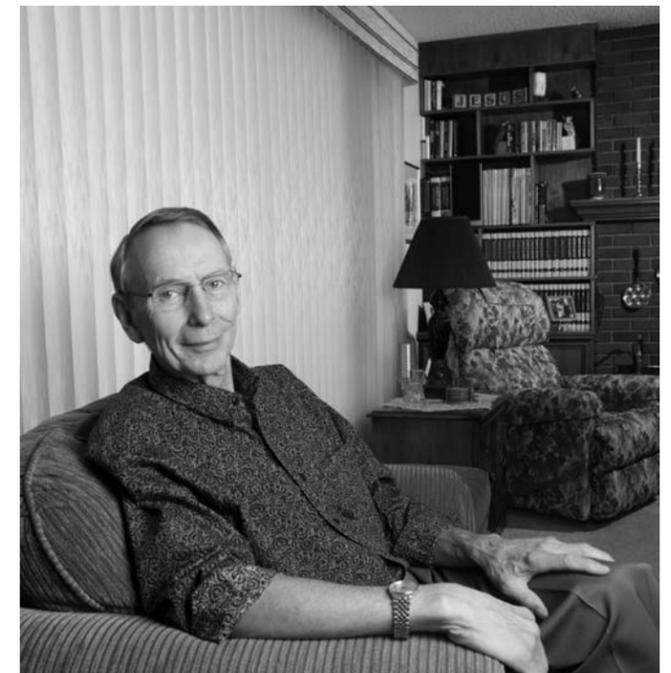
IMFC Review: You’ve also said that the children who go through this program actually end up being more socially integrated than others.

BW: That’s right, because when people recognize that they’re able to express freely who they are and what they believe in, they’re less threatened by other groups. Second, because there are students from so many different nations in these programs, the kids just accept one another and are friends with everybody. It really is a very good environment.

IMFC Review: All this is so very different from the educational environment in B.C. A poll done recently showed most British Columbians think private schools are just for the rich. Is there an obvious way to avoid these public-versus-private battles?

BW: When parents are given choice according to their desires, that strengthens the public school system. In contrast, in Calgary, trustees voted against having a Christian program in their school system. So consequently, they have a lot of kids that have gone to private schools or to the Catholic schools, which are also fully-funded. Or they’ve gone to home-schooling. And the public school system is weakened because of that. They’ve wakened up now and realized they have to put in some alternatives – but not, as of yet, a Christian one.

But in other parts of Alberta – Red Deer, Drayton Valley, Three Hills and elsewhere – the Logos model has been expanding slowly in one of two ways. Either it’s with an alternative program such as ours, or when private schools join the public system. Either way, it’s a big benefit financially for parents. 



Dr. Bruce Wilkinson is co-founder of the Logos Society in Edmonton, Alberta.



AT A CROSSROADS

Special education: Will Canada choose the road less travelled? In the summer of 2004, 30 Korean special education teachers came to the University of British Columbia

by David Carter

to study Canadian inclusion – how Canadian schools integrate children with handicaps. The trip was sponsored by the Korean Institute for Special Education, which sends teachers around the world to examine and learn “best practices.”¹

As the director of special education at UBC, I found the Korean teachers enthusiastic and experienced. They had spent years working with and advocating for children with disabilities in their homeland. But special education in Korea is, for the most part, different from Canada. The teachers usually work in segregated schools, where only children with disabilities may attend. In Korea, they explained, many people with disabilities are not generally accepted by society.

When the time came to evaluate and report on what each teacher had learned, one shy young teacher, who works with severely physically and mentally challenged children, abruptly covered her face and began to cry during our final interview. Finally, she spoke through heart-wrenching sobs:

“...how did your country do this great thing?”

“Doctor, last Saturday, a few Korean teachers decided to go into Vancouver to buy souvenirs. We went on a public bus. As we were driving along, we saw up ahead a man at the bus stop. He was in an electric wheelchair, his head was in a brace and he moved his wheelchair by sipping and puffing on a little straw-like device. Suddenly, the bus stopped right where the man was. The bus doors opened and the bus “kneeled down” low to the ground and the driver helped the man to get on. Then the bus drove away. The man sat in his wheelchair, and sometimes made unusual sounds. No one on the bus laughed or pointed, no one even stared at him. People just kept looking out the windows or talking to each other, or reading their papers. No one looked away – they just acted as though he was a regular passenger. After a few minutes, the bus stopped, kneeled down again and the man in the wheelchair got off and rolled away. Doctor, please answer this question – how did your country do this great thing?”

How did Canadian special education get to the point that other nations, like Korea, want to emulate it? We must keep in mind the attitudes toward people with disabilities and special education that have developed throughout history. Only then can we examine the current forces influencing special education and those threatening its future.

ANCIENT GREECE TO MODERN DEMOCRACIES

Disabilities have existed as long as people. In pre-agricultural societies, children with serious disabilities were unlikely to have endured the hardships and dangers of everyday life. Evidence shows physically disabled children were routinely killed at or near birth.²

Around 10,000 BC, many societies moved to a settled agricultural base. Margaret Winzer, professor of education at the University of Lethbridge and special education expert, notes it was the development of agriculture and urbanization that increased “opportunities for disabled persons at least for mere survival.”³ The first written records of efforts to assist persons with disabilities come from Egypt, where papyri from the second millennium BC mention treatments for mental handicaps, epilepsy and deafness. The priests at Kharma ran the first “school” for blind children – offering training in music, art and massage.⁴

Ancient Greek societies were harsh in their treatment of children with disabilities. Aristotle suggested a law stating “no deformed child shall live.” In Sparta, the laws of Lycurgus

declared all children were the property of the state and not the parents. Since disabled children would be military and economic liabilities, the law instructed that disabled babies should be exposed to death in the Taygetus gorge or optionally thrown into the river Eurotes. In Athens, the law of Solon instructed midwives to kill “weak infants” outright and discretely dispose of the body, or to place the newborn child into a clay vessel, seal it and leave it “on the wayside to die.”⁵

Under the Roman rule of “*paterfamilias*,” a father held sacred authority over the life and death of the family, including killing, mutilating (for the purposes of begging) or selling his own children into slavery. Even with such draconian laws, both Greek and Roman governments at times became alarmed at the numbers of children killed. Both took occasional steps to reduce infanticide committed because of gender or handicap. By the third century AD, Roman law declared all infanticide murder.⁶

Many children who would otherwise have been killed in the first three centuries AD were rescued by Christian sects, baptized and maintained within the community.⁷ By that point, Roman laws went so far as to offer financial assistance to parents of children with disabilities if they would agree not to kill them. And yet, Seneca, the Roman philosopher, statesman and playwright of the early first century AD kept a “blind imbecile” in his household to entertain guests, as owning a seriously disabled servant was seen as a sign of wealth.⁸

By the sixth century, there was a move across Europe toward the “cloistering” of religious orders. Many children with disabilities were given to monks or nuns as an alternative to infanticide. During the 12TH and 13TH centuries, a number of hospitals were established to provide care for those with serious health disabilities. The most famous of these was the Hospital of St. Mary of Bethlehem, founded in London in 1247. The name corrupted over the centuries into the shortened form, Bedlam Hospital, adding a new word to the English language to describe a place of utter turmoil. Inmates, many of whom were seriously mentally ill, were often chained to walls and given a range of “treatments” including cold water immersion and restriction in straight jackets or tiny coffin-like cages. On weekends, the public could purchase admission to view the proceedings as entertainment.⁹

In the 1700s, there were some remarkable advances, especially in France. Dr. Jean Marc Itard, now considered to be an early pioneer in the special education field, worked with “Viktor, the Wild Boy of Aveyron,” (made famous in the 20TH century by several films). Viktor was a “feral

child” who was putatively raised in the woods by wolves, supposedly until age 12. The French researcher gave Viktor, who may have had serious autism and/or mental handicap, a structured program in areas like speaking, listening, feeding and toilet training. Itard’s program established the principles of “instruction by domain,” used almost universally today. It ensures a child’s learning needs are examined and met within logical categories like speaking, reading, spelling, feeding and toilet training.¹⁰

Itard’s student, Sequin, immigrated to the United States and brought with him the idea that people with mental challenges could be educated. In the late 1800s, two famous educators made important contributions to special education: Gallaudet worked in advanced education for people who were deaf (Gallaudet College still bears his name), and Maria Montessori advocated for the “mentally retarded” and early childhood education.

INCLUSION AND DEMOCRACY IN THE 19TH AND 20TH CENTURIES

Hallaghan and Kauffman (1991) credit the spread of democratic ideals for the surge in improved services for those with disabilities through the 19TH and 20TH centuries:

“... as the ideas of democracy, individual freedom and egalitarianism swept ... there was a change in attitude (toward disabilities). Political reformers and leaders in medicine and education began to champion the cause of handicapped children and adults, urging that these “imperfect” or “incomplete” individuals be taught skills that would allow them to become independent, productive citizens.”¹¹

By the beginning of the 20TH century, there was a proliferation of special education programs across the West. Almost exclusively designed along segregated models, they included government-funded schools for children who were blind or deaf, and large institutions for the “mentally retarded.” During this century, however, hand-in-hand with great progress came the effects of belief in radical genetic theories (including concepts like “the survival of the fittest” and the Aryan “superman”). Armed with these theories, totalitarian governments moved to widespread murder of people with disabilities.

Mass killings of those the Nazis thought genetically “unfit” followed – the sick and disabled preceded the murder of Jews and others in the Holocaust. Between 1935 and 1945, it is estimated that the Nazis euthanized 200,000 such men,

women and children across Germany and its occupied territories.

Although the 19TH and 20TH centuries brought positive changes for special education, there are competing forces influencing the survival of people with disabilities today. These include infanticide, euthanasia, assisted suicide, genetic testing, abortion and forced sterilization (the last forced sterilizations in Canada occurred in Alberta in 1972, the same years the Sexual Sterilization Act was repealed).

For more than 100 years, the political, scientific and social forces seeking to kill or limit procreation of people with disabilities have competed with other less violent forces that promote the rights, value and dignity of all people regardless of handicaps. Inclusion is the literal expression of a society’s belief in and acceptance of the worth of each individual, regardless of how weak or strong they are.

During the latter half of the 20TH century, there was broad consensus that the inclusion of children with disabilities into the “mainstream” of schools was, at least in the large majority of cases, a good thing. Research supports the benefits of inclusion not just for the child with a disability, but for all children. Benefits cited for regular education students include measurable academic and social gains along with heightened senses of empathy and caring – while students with disabilities grow in social skills (through modelling), and have better academic skills development and an improved sense of self-worth.^{12,13}

SPECIAL EDUCATION TODAY: THE IMPACT OF LITIGATION

In Canada, the *Constitution* prohibits federal intervention in education.¹⁴ Each provincial government is independently responsible for special education legislation and service delivery. It is only very recently that litigation based on the *Constitution* has had an impact on special education as cases rise to the Supreme Court.

To understand why the *Charter* has been the basis for a number of high-profile special education cases, it is essential to understand what it says about “equality rights.” When the *Canadian Charter of Rights and Freedoms* came into force in 1982, with the addition of Section 15 (the “equality” section) three years later, there was considerable discussion within the education community about what effects this might have; especially in a country where there was no tradition of citizens taking their own government to court. Section 15 states that “*every individual is equal before and under the law and has the right to the equal protection and equal benefit of the law without discrimination and, in particular, without*

discrimination based on race, national or ethnic origin, colour, religion, sex, age or mental or physical disability.”¹⁵

“...the moral test of Government is how that Government treats those who are in the dawn of life, the children; those who are in the twilight of life, the elderly; and those who are in the shadows of life, the sick, the needy and the handicapped.”

Hubert Humphrey, Vice President of the United States, 1965-1969, serving under President Lyndon Johnson.

In the mid-1980s, the Supreme Court made several decisions suggesting a willingness to interpret and apply the *Charter* to individual cases between citizens and government. Many felt that this heralded a convergence of the Canadian non-litigation tradition with that in the U.S. where suits against government are common. Poirier, Goguen and Leslie noted in 1988 that “the attitude of the courts may be changing and ... they may take a more active role in interpreting the [*Charter*].”¹⁶

Recently, a series of exceptional court decisions affecting special education have tested the accuracy of their prediction. One of the earliest was the Eaton case (1997), where the parents insisted on regular class integration for their child, but the school district did not agree and legal action commenced. The ultimate findings were that a) the concept of “equality” requires accommodations to the needs of those with disabilities; b) parental views about what is best for their child are not “determinative;” and c) there is no constitutional presumption in favour of integration – rather the needs of each child must be considered in deciding what, if any, level of integration is appropriate.¹⁷

In B.C., in the Auton case (2004), a group of parents of children with autism took legal action against the Ministry of Health, seeking financial coverage of “Lovaas-style” home-based therapy for their children (costing upward of \$50,000 per year).¹⁸ The parents argued that failure to provide this level of support was a breach of their children’s *Charter* rights. After the parents won at lower levels, the case moved to the Supreme Court of Canada, where it unanimously overturned the lower court rulings and said that there had been no discrimination. They further decided that the benefit the parents sought was not prescribed in law, and, importantly, that the provincial legislatures had the right to determine what medical services above and beyond those

that are “core” (physicians, hospitals, etc.) they would offer. Educators and legislators across Canada watched this case with intense interest – for all the talk of special education it was as much about the rights of elected legislatures and the overall cost of provincial healthcare as it was about individual child therapies.

Subsequent to the Auton decision, a lower Ontario court ruled on another case involving autism. In the Wynberg case (2005), the trial judge ruled that the province of Ontario had discriminated against children with autism by not providing certain types and levels of intervention for children above the age of six, and damages were awarded. The Ontario Court of Appeal overturned the decision (2004). The judge decided that the province could focus its resources on younger children where therapy is more effective. Significantly, the court noted that the proper allocation of limited special education resources best lies with the government and not the courts, and further, that awarding damages would have constituted an inappropriate remedy. Justice Kiteley wrote (para 145):

(The Charter) ... cannot require the state to provide whatever assistance is needed to achieve (a child with special needs) success, as compelling as that may be on moral or policy grounds. **That remains the terrain of legislators.** (emphasis added)¹⁹

At the highest level, the courts appear reluctant to move from examining the rights of students with disabilities, to directing how much shall be spent on each child and what the programs should look like. There is concern across Canada amongst special educators, that if the courts rule that very large amounts of money must be spent on specific types of disability, it will distort the equitable allocation of finite resources.

Such distortions could move services away from some students with disabilities toward others, or vice-versa. This “rob Peter to pay Paul” scenario may already be occurring and this could also be a reaction to litigation or the threat of litigation. Court challenges obviously cost parents and governments large sums of money that might otherwise have been spent on educational programs. When litigation begins, staff that would otherwise work with children end up involved in the court proceedings, spending as much time planning how to stay out of court as planning for kids. So far, court decisions have ultimately reinforced the authority of legislatures, school boards and education administrators

to make decisions, provided they are made thoughtfully and reflect the balance of needs among all children (including children with special needs).

But ongoing, as educational budgets tighten and the numbers of children with special needs grows, it is appropriate to scrutinize how we allocate resources and how much we spend on special education. Indeed, the incidence of some classifications of special education is growing – especially some low incidence handicaps and learning disabilities. The growth in autism has been explosive internationally, with the prevalence increasing sharply – in some jurisdictions at a rate of 20 per cent per year.²⁰ It’s natural to pose questions of costs. Canadian educator Ken Webber says analyzing costs is normal. “Even though the posing of questions like these (about the financial cost of special education) seems to deny the very soul of our culture and the essence of what we like to think of as our civilizing spirit,” he says. “They are impossible to ignore ... they are natural and honest questions.”²¹

FIGHTING TO INCLUDE

From ancient times to today, we can trace the ups and downs – mostly vast improvements corresponding to movements toward democracy – in attitudes towards special needs students. Canada should be proud of the gains it has made in including persons with disabilities. The Korean teacher’s question was indeed profound, highlighting not just how we educate but who we are.

Canada has generally chosen not to cloister children out of sight. It has chosen to provide special rights for those with disabilities, and in some places, busses that “kneel down.” Canadian schools and society have sought to move children with disabilities, wherever possible and appropriate, into everyday classrooms.

Yet Canada must take care to guard the progress made over the decades. While resorting to litigation is a Constitutional right, we must be careful that the gains of one advocacy group do not take away from those of another.

Currently, we understand that Canadian society is strengthened by the diversity of its citizens, including those with disabilities. On balance, we do not yet comprehend what it means when we abort a child because she has Down’s syndrome. Genetic testing and planning, where parents can eventually select the gender and chromosomal pedigree of their children and cull those that do not meet their standards (the “new eugenics”)²² are opening uncharted areas of social concern for society, as does euthanasia and

assisted suicide of the elderly, ill and disabled.

What we do to those who are weaker than ourselves reflects on who we are as a nation and as individuals. Canadian special education and society may be coming to a crossroads. It has been a long and tortuous road leading to where we are, through eras where disabled babies were murdered at death or sequestered away. Canada’s progress and current situation should not be taken for granted – it must be nurtured and protected. Otherwise, it would be a much shorter road back.

endnotes

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- 4 Services for the blind and deaf appear more commonly in the early literature of special education than do other disabilities. Perhaps it is because the “average” person can imagine, and fears, what their life would be like should they lose vision or hearing. The “possibility” of these disabilities occurring by accident or disease may account for greater public empathy across time and cultures. For more information about the Egyptian papyri, see Moores, D. (1987). *Educating the deaf: Philosophy, principles and practices* (Third ed.). Boston: Houghton Mifflin.
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“What we do to those who are weaker than ourselves reflects who we are...”



HOME EDUCATION IN CANADA

NATIONAL POLL OF HOME-SCHOOLING FAMILIES
SHOWS STARTLING RESULTS

By Paul D. Faris

As the school bell tolls across Canada every September, 60,000 to 80,000 children in this country do not join their peers but receive their education outside of the classroom. Teaching and learning at home has always been legal in this country, yet the practice continues to be regarded by some with curiosity and even skepticism. Occasionally concerns are voiced about a child's socialization and the parents' ability to provide a comprehensive, balanced education. At Home School Legal Defence Association and the Canadian Centre for Home Education, we have also wondered: As we move into a new century, who is it that chooses home education and why? Are the students getting a "good" education? How might we know? Are they happy with their lives? Do we have any idea of how they fare later on in "the real world"?

To answer these questions, the Canadian Centre for Home Education distributed 5,800 questionnaire packages to home-educating families in every province and territory, and invited parents to participate by completing a 16-page survey and have their children write a Canadian Achievement Test (CAT.3). We received 1,648 English and French replies, which included responses for over 3,800 students (a healthy 30 per cent response rate); 1,080 CAT.3 tests were completed and analyzed. In 2004, the Canadian Centre for Home Education, along with Home School Legal Defence Association, released *Home Education in Canada: A Report on the Pan-Canadian Study on Home Education 2003* – the first study of its kind in a decade. In this summary, we present a selection of what our respondents have told us about home education in Canada.

DEMOGRAPHICS

A sketch of the home-educating family.

The vast majority of home-educated students (96 per cent) live with both parents in families with an average of 3.3 children, where an average of 2.4 students are being taught at home. The majority (85 per cent) of home-educated students are between the ages of five and 13, and are in their elementary years of schooling. About 67 per cent of kids surveyed have been entirely home-educated; 33 per cent of students have experienced some mix of years in the classroom and at home. Home-schooling parents are well-educated: most (84 per cent of mothers and 80 per cent of fathers) have completed secondary school and have received at least some college or university instruction. Home-schooling continues to be, for the most part, a first-generation endeavour, since almost none of these parents were home-educated themselves. Despite their higher-than-average education levels, almost 70 per cent of home-educating families live with an annual household income of less than \$65,000. Two-thirds of the home-schooling households report having only one income earner. In those households reporting two-income earners, most (67 per cent) of second-income earners report less than 15 hours of employment per week. Just over 11 per cent of home-educating mothers and just over five per cent of home-educating fathers hold provincial teaching certification. Most families report a religious preference or denominational affiliation.

SUPPORT GROUPS

Do home educators build community and work with one another?

Participation in home-school support groups is quite popular, as more than 70 per cent of families report affiliating with local or provincial associations. These groups offer support ranging from curricular advice to sports programs to legal protection.

The vast majority of Canadian home-educating families

have never experienced any legal difficulty. This suggests an entrenchment of home education into the accepted methods of educational alternatives. However, 10 per cent report some level of interference by a school board, ministry or social service agency.

MOTIVATIONS

Why do parents begin to home educate in the first place?

Most parents do not choose to home-school in response to a negative situation, but rather to proactively achieve some combination of moral, social, familial and academic goals (such as teaching certain beliefs and values, encouraging enhanced family interaction and individualizing curriculum). Many, however, do report avoiding such negative aspects of classroom attendance as wasted time, perceived lack of discipline and safety concerns.

METHODS AND LIFESTYLE

How do home educators "do education"?

This study uncovers a wide range of educational choices available to home educators. About half utilize an eclectic mix of various traditional texts and workbooks, another 17 per cent use a comprehensive textbook approach, while the rest report following a more child-initiated approach to studies. Almost all students have primarily their mother involved in their instruction, while 60 per cent report their fathers' participation as well. Instructional roles in home education appear to have expanded over the past decade to include adults other than the parents, as children's involvement in group and out-of-home activities increases. While the majority (58 per cent) of parent participants in this study rate their schooling schedule to be neither very unstructured nor very structured, the rest fall more predominantly into the very structured schedule (36 per cent) than into the very unstructured (six per cent). A similar picture exists for approach to curriculum, with seven per cent very unstructured, 63 per cent moderately structured and 30 per cent very structured. On average, children engage in eight types of activities (some weekly, some occasionally), such as co-operative educational experiences, church programs and field trips, music and swimming lessons, team sports and recreational skating, and summer camps and volunteering. More than a quarter of those surveyed visit the library four or more times a month, with most (87 per cent) going at least once a month. Almost half (45 per cent) report living in homes with over 1,000 books.

More than 50 per cent of the students watch up to two hours of television daily and spend up to an hour each day using the computer recreationally. Only 24 per cent spend more than an hour weekly learning a foreign language, with well over half studying no second language at all. The average

HOW MUCH DOES CLASS SIZE ACTUALLY MATTER?

The debate seems bigger than the issue itself.

BY IMFC STAFF

amount of money spent per child, per year, to home educate is \$700 and, unlike those in some independent or private school settings, most families receive no financial support or funding from their broader church, family or educational communities or governments.

ACADEMIC ACHIEVEMENTS

How do home-educated students compare academically with their peers?

Many home educators are philosophically opposed to standardized testing (possibly the reason for a lower participation rate in this segment of the study), yet 1,080 home-educated students did participate in the standardized testing option an ample sample size for further statistical analysis. The Canadian Achievement Test (CAT-3) was administered at home by the parents in the students' usual educational setting and the tests were processed by the Canadian Test Centre in Markham, Ontario, with results sent directly to the CCHE researcher. Over 94 per cent of home-educated students scored above the Canadian norm for both grade equivalency and basic skills.

The average home-educated Canadian student in grades one through eight ranks in the 81ST percentile in reading, 76TH percentile in language and 74TH percentile in mathematics (with the norms for their peers at the 50TH percentile). The mean (average) percentile ranks for home-educated students in grades nine through 12 were, in reading 85TH, in language 84TH and in mathematics 67TH.

LIFE SATISFACTION

But are they happy?

In addition to testing academic achievement, this study is the first known to collect data using Huebner's Student Life Satisfaction Scale (1991) to capture the home-educated students' own subjective sense of well-being. Of a possible average life satisfaction score of six, home-educated students score 4.94 compared to an average score of 4.21 for students in a previous study of public-schooled students. While this data will serve as a benchmark for future similar studies, it does indicate a general contentment among the home-educated. Students who base their happiness more on positive relationships with parents than on peer relationships, physical appearance or schooling, score higher in life satisfaction; this might explain some of the higher life satisfaction among the home-educated than among publicly schooled children.

CIVIC ENGAGEMENT

Does home education create good citizens?

The survey included a section to be completed by formerly home-educated adults, with 182 older siblings of those currently being home-educated responding. Virtually all are moving into further education or taking their place in the labour force as productive members of society, and are represented in the areas of agriculture and education, service, technical industries and business. The average age of this group of young adult respondents is just under 21, yet they volunteer at a high rate, with more than 82 per cent holding one or more volunteer positions in their communities (significantly, more than half of these positions in leadership). More than 60 per cent of these young adults report having voted in the last five years and none report having received any form of social assistance. While this is not a representative sample of all Canadian adults ever home-educated, it does point to a body of citizens that contributes to and participates in their communities.

PERSUASIVE RESULTS

The growing body of research on home education is becoming increasingly persuasive. Not only do home-educated students seem to be doing well academically, but the newest evidence also suggests that they are becoming responsible, well-socialized citizens who enjoy life. While further research is certainly called for, home education is being recognized as a responsible education choice in Canada. In light of the research to date, home education should be viewed as an acceptable educational option for those families willing and able to undertake it.

Home School Legal Defence Association (HSLDA) is a non-profit advocacy organization established to defend and advance the constitutional right of parents to direct the education of their children and to protect family freedoms.

The Canadian Centre for Home Education (CCHE) was formed in order to fill the void on a national scale for the need to do quality research in the area of home education and to train volunteer home-school leaders from across the country. For more information about HSLDA and CCHE, visit www.hsllda.ca.

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The accepted wisdom is that smaller classes improve academic outcomes. As early as 1980, the province of Alberta lured striking Calgary teachers back into schools with the promise of fewer students in the classroom. In October 2005, British Columbian teachers walked off the job; among the reasons cited was the failure of the province to confirm (smaller) class sizes. The Ontario government initiated a four-year class size reduction program in 2004 and in June 2006 also created an online class size tracker to show parents the progress school boards are making in reducing the size of primary classes.¹ Class size remains a critical issue for teachers, boards and parents alike, all in spite of a lack of consensus about its effect on academic outcomes. Countless studies have attempted to produce definitive answers, to no avail. The most agreement lies around the younger years – a class size cap at 17 students for children from kindergarten to third grade may produce some increased benefit in academic outcome.

The bigger question is whether the attention given to class size caps overshadows other important initiatives to improve schooling. A 1997 Canadian Education Association report concurred with previous findings regarding class size in the primary grades, but warned that caps are not the most efficient way of improving overall achievement.² Teaching methods, “teacher quality,” parenting and finally parental involvement can significantly affect academic outcomes. And then there are finances. At a time when school boards and provincial education ministers are attempting to offer more with limited resources and are legally obligated to operate a balanced budget, do the purported benefits of class size caps justify the financial cost and sacrifices to other education programs? Class size debates should not overshadow other important elements of improving education.

THE METHODS BEHIND THE MADNESS

“Teacher quality” may be difficult to measure; measuring how effective teaching methods are is less so. Project Follow Through, the largest, most expensive educational study ever undertaken in the United States, began in 1967 under then president Lyndon B. Johnson, who wanted to “find ways to break the cycle of poverty through improved education.”³ At a cost of about one billion dollars,⁴ the study continued until 1995. The government asked educators to submit pedagogical techniques, which would then be used and compared with other non-Project Follow Through programs. Of all the approaches reviewed, only the Direct Instruction Model, a teacher-centred approach, was found to rate more positively than others in all three designated assessment areas.⁵

Another meta-analysis of teaching methods, published in 2005 by the American Institutes for Research, allowed researchers to review 22 school reform models used mostly in high-poverty, low-performance schools and found that of those 22 models, Direct Instruction came out as a high performer above all but one other teaching model.⁶

However, where today is discussion of the best teaching methods? Child-centred learning approaches retain popularity and Project Follow Through is virtually unknown. Neither has Direct Instruction been propelled to the front of the class, leading Cathy L. Watkins, a California academic and author of *Project Follow Through: A Case Study of Contingencies Influencing Instructional Practices of the Educational Establishment* to ask, “Why were both the study and the dissemination of its results watered down?” She also analyzes the reasons why the educational establishment “ignore[s] teaching methods that are effective in raising the academic achievement of disadvantaged children.”⁷

That teaching methods are as important as class size was the conclusion of a rebuttal to a government assessment of public education in New South Wales, Australia, done in 2001. When the government affirmed the necessity of smaller class sizes, an independent think tank exposed some of the faulty research supporting this and examined the research more fully, explaining some research supported smaller classes only when partnered with changed teaching methods. “Another study...found that classroom practices differed between the small classes that achieved the largest and smallest gains. That is, small class benefits were mediated by the quality and method of teaching.”⁸ Ultimately, the author concludes that “effective teaching is much more important than the number of children in the classroom.”⁹

WHERE ARE ALL THE APPLE POLISHERS?

But just as class size alone cannot remedy poor academic outcomes; neither does the implementation of the best teaching methods function in a vacuum. Teachers rely on parents to raise – the odd childhood prank aside – well-behaved kids. In a perfect world, class size might be a non-issue because student behaviour would always be exceptional. Unfortunately, according to many teachers, we are far from utopia and disruptive classroom behaviour is rising.

In 1940, public school teachers listed the top seven disciplinary problems they faced in class: talking out of turn, chewing gum, making noise, running in the halls, cutting in line, dress-code violations and littering. In 1990, public school teachers listed drug abuse, alcohol abuse, pregnancy, rape, robbery and assault.¹⁰

A two-year Queen's University study in 1992, commissioned by the Canadian Teachers' Federation, found that teachers across Canada agree “while typically teachers can deal with discipline issues, most said it takes an inordinate amount of their time and can detract from both the quality and extent of what can be taught.”¹¹

The study also found that teachers felt their jobs were more difficult because of new public demands that schools deal with children's social problems, as well as behavioural problems. A spokesperson for the study, which surveyed 17,000 elementary and secondary teachers, said, “In their (the teachers') view, parents are turning over many of their child-raising responsibilities to the schools and making unfair, unrealistic demands of teachers.”¹² When teachers have to “socialize” other peoples' children and begin teaching values instead of reading and writing, the academic

side of education takes a blow. This on top of the fact that young children arrive at school with varying academic levels: children who have been taught how to hold a pencil, how to identify shapes and colours, how to count and how to sit and read a story begin school at a different level than those who must learn these skills for the first time. The teacher should be able to focus on literacy and counting, rather than on concepts of sharing, not interrupting and behavioural problems which could grow more unwieldy as the child does. The survey finally cited that teachers rightly feel they cannot “compensate for the deficiencies of our families.”¹³

A Scottish survey of teachers’ unions concluded much the same. The union also blamed parents for children’s disruptive behaviour and called for the introduction of a national standard of pupil behaviour. The survey found that 64 per cent of secondary teachers and 46 per cent of primary teachers were verbally abused and three out of five nursery teachers were abused or assaulted. A member of the union’s executive committee said, “The survey confirms what we have suspected over the last decade. Many children are out of control. Some parents seem not to be parenting.”¹⁴

Finally, a poll of U.S. educators cited the most disturbing behaviour in a secondary school classroom was social defiance, or the “you can’t make me” attitude.¹⁵ Refusing to listen to instruction and inciting conflict with the teacher results in more time spent attending to problems and less time spent on teaching well-behaved students who are eager to learn.

PUBLIC SCHOOLS, PUBLIC FUNDS, PUBLIC PROBLEMS

All this is not to say that class size is irrelevant: the clearest evidence unearthed from the surveys and studies that engulf the class size reduction debate supports that primary-aged students may benefit from smaller classes because they seem to promote current higher academic outcomes. But these positive outcomes are delivered at a price that some critics argue is too costly to justify.

Yvan Guillemette argues in a C.D. Howe Institute report that the financial investment needed to transition and maintain grade one classes at the 17 student cap in a typical school would be fiscally unreasonable.¹⁶ Guillemette estimates that in a school with 120 grade one students, the cost of reducing class sizes from 25 to the optimal 17 would cost an additional \$1,000 per student before capital costs. Weighing this estimated cost against a minimal academic outcome, Guillemette argues that school boards would gain greater benefit from investing in more prosperous strategies such as greater school accountability, more competition, better teacher incentives and expanded school choice.¹⁷

Spending money in this way can take its toll elsewhere, as the following examples highlight. California’s class reduction budget overrun delayed implementation in the schools that were thought to benefit from the program most: those with overall low income and the highest concentration of ethnic minorities. To deal with the fiscal shortfall, schools reduced funding to libraries, computer resources, after school childcare and special education programs.¹⁸

In Ontario, the provincial government has recently undertaken an initiative to cap primary grade classes at 20 students, promising measurable academic returns. The Elementary Teachers Federation of Ontario has called the initiative a “winning strategy,”¹⁹ yet

Toronto School Board Trustees argue that the cap comes at the expense of students in grades four to eight who are forced into crowded classrooms to make space for additional primary classes. Trustees argue that music programs are being cut in some schools to make space.²⁰ The ETFO continues to back the initiative, blaming the Province’s funding formula for the space and program crunch.

What’s clear from California and Ontario is that implementing class size reduction requires significant funding. Currently, Ontarians must weigh the advantage of small class sizes in the primary grades, with the potential loss of programs like music and increased crowding in the intermediate and senior grades. Class size reduction provides some academic outcome advantages at the primary level, but not without a significant cost.

SMALLER IS BETTER? NOT SO FAST...

To many parents, guaranteed smaller classes are a guarantee of a better education. To many teachers, it’s what allows them to keep their sanity. Class size is easily quantified: it allows governments to appear to be making improvements, and counting students is far easier than addressing the more nebulous concepts of “teacher quality” or child behaviour. Still, there are other policy options for education improvement, the bulk of which lie outside of government control. School boards must ensure teaching methods work and promote a willingness to change to new methods, where necessary. And while they cannot influence parenting, they can ensure teachers have effective tools for disciplining unruly children. Smaller classes are not a panacea. Until we broaden our focus to include other aspects of education reform, we will remain hooked on discussing one aspect of educational reform, the impact of which remains dubious.

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CHARTING A PATH TOWARD CHARTER SCHOOLS NAVIGATING THROUGH DISCONTENTED WATERS

BY JOHN ROBSON

THE PROPOSAL

Why, despite its apparent success in practice, can’t we seem to get more choice in education? Parents in many countries have long been unhappy with centralized public education monopolies and in 1955 Milton Friedman offered what seems the obvious answer: the state should pay for education but not deliver it. Instead, it should issue vouchers “redeemable for a specified maximum sum per child per year. . . . Parents would then be free to spend this sum and any additional sum on purchasing educational services from an ‘approved’ institution of their own choice.”¹ His suggestion spawned a bewildering assortment of reform schemes,² but they have been undermined and misrepresented because on the one hand, many people do not really understand the central idea at all and on the other, some inside the public system understand it all too well.

MISCONCEPTIONS

Let us deal in order with misconceptions, genuine problems and the subterfuge of the self-interested. The first surprisingly important misconception is that what something is called matters more than what it does. The state giving a “voucher” to a parent to give to a “private” school they choose, or handing the money directly to a public “charter school” parents choose, is a difference only an accountant could love and an activist could hate. What matters is whether public money follows students to wherever parents put them, instead of students continuing to follow public money wherever the government puts it. The former arrangement is the key to real reform, because it means parental dissatisfaction will systematically snip away underperforming schools from below. By contrast, any ostensible reform that does not incorporate this vital mechanism will not automatically redirect resources from bad schools to good ones.

A second misconception is that voucher-style reforms necessarily reduce the state’s ability to regulate education. But whether teachers’ paycheques are signed by the Minister of Education, a charity or Brains ‘R’ Us, the state can stipulate what is taught, and how, as easily as it can regulate trucking without

subsidizing it or getting behind the wheel. For example, the Alberta government happens to regulate private schools heavily,³ not because of terminology or funding arrangements but because politicians decided to. Governments can let parents control the curriculum in public schools, or dictate it in subsidized private ones (as in Manitoba).⁴ All vouchers necessarily do is give parents veto power over really bad teaching.⁵ So unless there is some specific, special problem in monitoring a less centralized school system, monopoly in education is to be avoided for all the usual reasons monopolies ought to be avoided anywhere. Monopolies habitually put too much emphasis on the comfort and convenience of current employees and too little on delivering a quality product at a decent price. Anyone who has driven a Lada will understand.⁶

GENUINE PROBLEMS - MEASURING THE THREE R’S

Insofar as we can test the matter, school choice does improve teaching for precisely those reasons. The “insofar” is important, because even after brushing aside tiresome partisan polemics for and against testing, we encounter real methodological problems. On the “Three Rs” (reading, writing and ‘rithmetic), the towering measurement problem isn’t poorly designed tests. It’s that the student samples aren’t homogeneous.

We can avoid obvious blunders. First, do not compare systems with similar names but different rules. Thus, voucher systems under which private schools have to employ members of the public teachers’ union and follow the state curriculum should be compared with charter schools with similar rules, even though the funding mechanism is technically different. They should not be compared to other voucher systems with fewer strings attached just because their bank statements look similar.

Second, if choice is provided primarily to disadvantaged students, or those with a particular interest in, say, the fine arts, compare them to similar students in public schools, not the general populace. If choice is broadly available, it seems first to attract parents of kids in trouble and bright kids, differences that cancel

out at least partially. But regardless, there is a colossal problem.

In all cases you end up comparing kids whose parents seized educational alternatives with those whose parents didn't, a significant difference when education is the issue. Doesn't a persistently smaller-than-usual gap between wealthy and poorer students in charter schools prove such schools work better? Not if poor parents who care more about education have kids who do better at it.

It's not much help comparing jurisdictions, either. If you measure Chile with vouchers against Canada without, are you comparing vouchers to monopoly or Chile to Canada? As a partial solution, international comparisons may exclude East Asian countries with a huge cultural emphasis on education.⁷

The best alternative, though expensive and politically problematic, is to introduce choice and see if overall test scores improve. Especially if scores improve at the lower end, and in public as well as alternative schools, it vindicates competition.

MEASURING THE TWO Cs

If education were only about literacy, the results we can get despite these measurement issues would be quite persuasive. But education is generally meant to make students better and smarter, teaching character and civics in addition to literacy.⁸ And even if we could measure whether schools taught that in "1492 Columbus sailed the ocean blue," how, in principle, could standardized tests show whether they sensitize pupils to native issues? Especially if students are clever about giving answers they know teachers want, highly desirable in math class but problematic in civics.

BODIES IN SEATS

Such concerns go to the heart of the debate. Many critics of school choice make only a half-hearted stand against testing not just because they value critical thinking over so-called "rote learning," but because they think the key contribution of public schools is elsewhere. In 2003, then-Governor General Adrienne Clarkson addressed the Canadian Club of Ottawa, praising the "decency and openness to others...expressed in our public education system – without which, if I may insert a note of dire warning, we cannot possibly have a successful immigrant society."⁹ And Heather-Jane Robertson, author and public education advocate, has written that "a shared public commitment to achieving greater equity is the only reason for public schools to exist."¹⁰ This argument is largely sociological; it's not what you learn in class but who you learn it with that shapes you. And choice is bad because it lets people huddle with their own kind instead of living our shared humanity.

Ironically, this claim is comparatively easy to test and we know it is wrong. Public schools can't make the rich sit with the poor because the rich can afford private schools. And they can't make the middle class sit with the poor either because the well-off can afford houses in expensive neighbourhoods near decent public schools. So giving the poor and marginalized choices would increase the sociological equity of education.¹¹ By contrast, the largest practical experiment in fostering goodwill by making people from different neighbourhoods sit together, interracial "bussing" in the United States, clearly exacerbated hostility.

WORDS IN LECTURES

If what matters is the content of the lessons, not the neighbouring desks, things get more complicated. Despite fashionable chatter about competitiveness,¹² the main reason governments interest themselves in teaching the times table, the Golden Rule or even the virtues of democracy, is that most citizens strongly feel that no child should have to grow up ignorant. And while charity might suffice for the poor, for children of careless or wicked parents, the government must not only compel attendance but also set standards and monitor results. Schools must not be able to cash the voucher, split it with parents and plunk the little nippers in front of a tv all day.

It goes further. Just as the majority insists that deviant parents must teach their children something, it forbids their teaching them just anything. Views differ on Darwinian evolution, intelligent design or both. But almost no one thinks any school should be allowed to teach that blacks are inferior. Not any subsidized school. Not any school.

Of course the state can't control what people tell their children at the dinner table. Nor is it clear that we want it to. But the fact that we can't stop parents from ranting about *The Protocols of the Elders of Zion* doesn't mean we should tolerate it as a textbook. And while governments can pass any regulation they want about curriculum (New Zealand expressly requires subsidized private schools to inculcate patriotism) we must not confuse what governments tell schools to do with what schools actually do. If voucher-style choice makes it easier for schools to preach jihad, it is bad, period.

Granted, we can't be sure how effectively public schools teach civics either; if "gay" has become the schoolyard insult anecdotal news stories suggest, even after years of teaching tolerance towards homosexuals, presumably they do it badly. But if we cannot measure outputs, must we not just control inputs and hope for the best? If governments can't figure out what students are learning about history, they can settle for knowing what teachers and textbooks they let into the class. The apparent inability of governments to measure the results of civics education puts the kibosh on all forms of choice, not merely those involving private schools. Alberta, for instance, favours objective-based management of public schools, a system in which state institutions are largely told what they must accomplish rather than how.¹³ But if the provincial government can't measure how well any school achieves objectives, it shouldn't allow leeway to public schools either.

BACK TO THE VOUCHER

Fortunately, we do have a way of measuring results. It is in the judgment of parents, without which voucher-style reforms wouldn't make sense even on reading, writing and arithmetic. Provided the mandated civics curriculum bears some resemblance to the wishes of the majority, and in a democracy it should,¹⁴ parents' decisions to pull their children out of schools because they think the school teaches civics badly – that effectively measures the key variables we can't get at any other way.

So the critics are right about one thing. The effectiveness of school choice is not an econometric question. In the end we should rely on the judgement of ordinary parents.

SELF-INTERESTED SABOTAGE

True, in a voucher-style system some schools will undoubtedly drift away from whatever rules are imposed. But the state can step in and shut down any that clearly fall below elementary standards of competence or decency, and it only takes a few disgruntled parents to bring such cases to light.

Meanwhile, there are good reasons for assuming that a public education monopoly does not even try to reflect the wishes of most parents.¹⁵ Anecdotally, most people understand that governments are complex, unwieldy and often seem to devote as much attention to frustrating as to satisfying the wishes of the public. It's not news to most parents that a state educational apparatus often becomes hostile not just to citizens (teaching their kids to hector them about recycling¹⁶) but to the elected government that employs them; in the 1990s Ontario unionized teachers brought bizarre polemics against then-premier Mike Harris into classrooms.¹⁷

Lately economists have helped us to understand why and how, even in a democracy, various parts of the government are likely to develop and vigorously defend agendas for which they have no popular mandate. Under the forbidding moniker "public choice theory," they stress that people in the public as well as the private sector respond to incentives. But the incentives are different; the ability of the state to compel people (for instance not to sell eggs without a licence), whereas private companies can only try to persuade them (for instance that these eggs are fresh and delicious enough to be worth a quarter each), offers rich rewards to special interests. A small number of dairy farmers who each get tens of thousands of dollars a year from cheese tariffs are far keener to defend them than the multitude of consumers who each lose a few bucks a week at the supermarket are to get rid of them. And public school teachers with decent pay and great job security have strong reason to oppose parental choice that puts both at risk.

But self-interest can be philosophical as well as personal. Public education monopolies are a highly tempting target for political "capture" by zealots who don't trust the average parent. And public sector teachers' unions are where personal and philosophical special interests naturally meet.¹⁸

The capacity of opponents to resist choice frontally is nevertheless limited. Parents care a lot more about their children than the price of cheese, and make highly sympathetic figures in public debate. Where the monopoly has struck back is in fiddling the fine print so most ostensible choice systems actually tightly restrict the right of dissatisfied parents to take their children and their money elsewhere.

One way of fiddling is to persuade governments to create an uneven playing field to begin with. Thus four Canadian provinces (B.C., Alberta, Manitoba and Quebec) offer what can be called "partial vouchers"¹⁹ to parents of private school students, worth about a third of the public system cost per child. It's better than nothing, but having to come up with two-thirds of the cost themselves remains a significant financial barrier especially to parents who are less well off. Other times it gets tilted in a hurry: Sweden's public schools consider it harmful to give marks before grade eight. But when independent schools started doing so, it was quickly made illegal lest, the then-minister of education said, it give those schools an unfair advantage.²⁰ All sorts of similar devices exist, from restricting vouchers to the poor or those

in truly awful schools to making all schools hire members of militant unions. And all are supported by people who understand very well that public education monopolies tend not to reflect the wishes of voters/parents. For educational reform to work, we must prevent such sabotage and insist on the substance, not the shadow, of state-funded parental choice.

DO IT

Milton Friedman's 1955 proposal that instead of running education the state should provide parents with vouchers good for a year's schooling at the approved educational institution of their choice, remains fundamentally sound. It gives normal parents a bit more say about what children are taught and a lot more say about how well. The practical results are difficult to measure partly for methodological reasons but also because most actual voucher-style reforms have been watered down. But the less citizens and politicians misunderstand why and how they work the less scope there will be for obstruction by those who understand it all too well.

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CAN RESTORATIVE JUSTICE RESTORE THE FAMILY?

Examining the restorative justice movement in domestic violence

Escalating verbal and emotional abuse erupted into sexual and violent physical abuse at the hands of her partner. Charges were laid and the man was sentenced to three years in prison where he participated in a life-changing program that addressed his violent behaviour. The woman, compelled by her need to face her past and her concern for the future of their son, requested a face-to-face meeting through a victim-offender mediator. At the meeting, the woman questioned her abuser at length about his behaviour and the changes he had undergone. For his part, the man took full responsibility for his crime, and reassured her that she had done nothing wrong to bring on the assault. The woman verbalized her forgiveness, and they discussed how they would parent their child. Both the man and woman agreed that mediation was the best thing that had happened between them.¹

by PETER JON MITCHELL

The victim-offender mediation or conferencing model incorporates values espoused by the restorative justice movement. Howard Zehr, a pioneer in the field, has defined restorative justice as “a process to involve, to the extent possible, those who have a stake in a specific offence and to collectively identify and address harms, needs, and obligations, in order to heal and put things as right as possible.”² While these values have been applied successfully to property and juvenile cases, limited attempts have been made to address the crime of domestic violence from the restorative justice perspective. A question to ask ourselves is whether or not an alternative justice approach that emphasizes the identification of harms, meaningful accountability and healing in a community atmosphere, could serve as a tool in restoring families and marriages where domestic violence has taken place.

DOMESTIC VIOLENCE IN CANADA

Family violence continues to be a serious concern in Canada. Research suggests that only 28 per cent of victims of domestic violence contact police.³ A recent Statistics Canada study that examined a decade of police reports found that 81 per cent of abusers were reported to police only once within a 10 year period. Researchers hypothesize that many victims are silently enduring continued abuse after initial contact with police.⁴ A growing body of research asserts that children who are exposed to domestic violence are at risk for long-term, negative consequences. Parents develop significantly more negative views toward infants who are born into families where domestic violence is present.⁵ Consequently, these attitudes can lead to the abuse and neglect of children. Despite the risk of enduring ill affects, children remain the forgotten victims of domestic violence.

THE CANADIAN JUSTICE SYSTEM AND DOMESTIC VIOLENCE

The story at the beginning illustrates the ideal outcome when restorative justice values are applied to cases of domestic violence. In practice, the concept is very controversial. At the heart of the debate lies the criticism that restorative justice philosophies place a disproportionate focus on offenders. Conversely, domestic violence scholars and practitioners advocate for a victim-centred approach in justice initiatives. Many domestic violence scholars share concerns regarding the implementation of restorative justice values in cases of family violence. They argue that restorative justice values, apart from the current justice system, would put victims in greater harm.

The Canadian justice system has made significant contributions to the understanding of domestic violence in Canada. The *Criminal Code* defines and denounces inappropriate behaviour in domestic relationships. Clear boundaries are set around constraint and due process is protected under the current system of justice. The system provides practical applications that protect victims, with moderate success, through measures that include the mandatory charging of offenders and emergency protection orders.

The current system of justice also has its shortcomings. The court system does little to adequately address the root causes of family violence. Victims rarely have the opportunity to share their experience free from the duress of adversarial tactics. A report from the Provincial Association Against Family Violence in Newfoundland suggests that the current legal system can be confusing and overwhelming for victims, sometimes leaving them to feel as if they were the person on trial. Too often un-

der the traditional justice system, children who witness adult-to-adult violence are silent victims.⁶ Some scholars have criticized the current model for its inability to protect children from re-victimization.⁷

RESTORATIVE JUSTICE VALUES – CONSIDERING A HYBRID APPROACH

A hybrid approach blending restorative justice values with the strengths of the traditional justice system could provide benefits to victims, children and offenders. Models based on restorative justice values can include, but are not limited to, forms of mediation and conferencing. The process would require willing participants, including offenders who are ready to take responsibility for their criminal behaviour and who seek to make restitution. Victims must be fully aware of the process and feel confident about ceasing the procedure if they feel uncomfortable or threatened. For these reasons, cases would require thorough screening and preparatory work by knowledgeable practitioners. It is fully conceivable that many cases of domestic violence would be inappropriate for this process.

Proponents of restorative justice argue that activities such as mediation or family conferencing allow victims to confront their abusers in a controlled setting. Unlike the traditional court setting, victims have the freedom to share their story on their own terms. This empowering experience can assist victims in the healing process. Empowering victims is beneficial for children as well. Studies have shown that some victims of domestic violence are overly permissive as parents after domestic violence, while others can be too harsh or even abusive.⁸ Restoring a sense of empowerment among victims strengthens the potential for a healthier parental relationship. Offenders who take responsibility for their crimes have the opportunity to make personal apologies to their victims.⁹ This process opens the way for further dialogue, allowing personal healing for victims and offenders. This may bring closure to some relationships or even provide an opportunity to repair marriages, though this may not be healthy in every case.

CRITICISMS OF THE RESTORATIVE JUSTICE APPROACH

Scholars and practitioners who advocate for victims have voiced legitimate apprehensions regarding the use of restorative justice values within the context of family violence. The journey to recognize domestic violence as serious criminal behaviour in Canadian society has been a substantial accomplishment. Some critics have argued that justice systems that endorse restorative justice values as an alternative to the traditional system could move the victims’ rights movement backward by softening the underlying understanding of domestic violence as a crime.¹⁰

The intimate connection between victims and offenders in domestic violent crime should raise a cautionary flag when considering implementation of restorative justice initiatives. Some offenders continue to wield power over victims of domestic crime even after an arrest. Many critics fear that victims will be re-victimized through the mediation process, especially

at the hands of under prepared facilitators. Critics have argued that restorative justice values must focus on victims in order to prevent the risk of further abuse through the process.

CONSIDERATIONS FOR POLICY MAKERS

Developing a hybrid justice approach for certain cases of domestic violence provides some intriguing possibilities for the rehabilitation and restoration of families. Consideration of how a hybrid model might include the needs of children in the justice process would be a valuable exploration. The viability of a hybrid model remains to be determined as considerable cautions require careful evaluation. Further research would benefit from the consideration of the following questions:

- How might children of domestic violence be assisted through justice initiatives?
- What do victims require from the justice system?
- How could a hybrid model address the tension between retribution and rehabilitation?
- How should the community interface with intimate relationships destroyed by violence?
- What other forms might restorative justice values take in regard to domestic violence cases?
- How might a hybrid model meet current challenges in the justice system concerning cases of domestic violence?

The implementation of restorative justice values in cases of domestic violence remains controversial. Cautious exploration may contribute to the continued evaluation of the current model of justice and promote healthy policy discussions. The current system enshrines the criminality of domestic violence and due process; however, it also has its shortcomings and falls short in meeting the needs of victims and their children. A hybrid approach could begin to address these needs in some cases of domestic violence. Recognizing the inherent risks, ongoing examination of restorative justice values in domestic violence cases is worth consideration as outcomes could benefit marriages and families in the future.

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WHY ARE CHILDREN KILLING THEMSELVES? AND WHAT ARE YOU DOING TO HELP?

BY PETER JON MITCHELL

When a 2006 study in the journal *Injury Prevention* uncovered an alarming trend among Canadian children, many mental health professionals were not surprised.¹ The shocking news: the suicide rate has doubled among children 10 to 14 years of age over the last 20 years. The number of children with mental health issues should be a growing concern among Canadians.

And while suicide rates have historically been higher among males, now the mental well-being of young women is also causing great concern. Research published in 1997 from Quebec determined that older teen girls had the highest rate of hospitalization for attempted suicide.² They also led all age and sex categories in exhibiting symptoms of depression.³ While teen girls were hospitalized at twice the rate as teen boys for attempted suicide, girls 10 to 14 years of age were hospitalized at five times the rate of boys.⁴ A survey from British Columbia revealed that 20 per cent of the grade eight girls who responded had considered suicide within the previous year as compared to 13 per cent of their male counterparts.⁵ So the question is: why are our children displaying an increase in suicidal behaviour?

RISK FACTORS FOR YOUNG CHILDREN

Research has shown that family environment greatly affects the mental well-being of children. Incidents of parental violence, sexual abuse, alcohol and drug use and suicide or attempted suicide by a parent profoundly influences a child's propensity towards self-destructive behaviour.⁶ According to

the National Longitudinal Survey of Children and Youth (NLSCY), one-third of children under the age of 12 have experienced "great unhappiness." The chief causes cited include parental divorce, separation and death in the family.⁷ This survey response confirms that family environmental factors are critical in determining the happiness of children.

Researchers have devoted effort to determine the links between divorce, separation and death and suicidal behaviour in children and youth. Having surveyed the current research, Wagner, Silverman and Martin (2003), are reluctant to cite parental divorce and separation as a specific "risk factor" for suicide, but they confirm that there is a correlation to some degree. A collection of research studies confirm that the loss of a parent to death or divorce, or removal from the home to foster care is more common among suicide completers than control groups. Also, a number of studies demonstrate that suicide ideation is higher among youth who are not living with two biological parents.⁸ Further, the scholars have little hesitation in concluding from a number of studies that "family dysfunction," including relational issues in the parent-child dyad, is a risk factor for suicide.

Conversely, the findings of the NLSCY concur with theories that suggest healthy functioning families and effective parenting strengthen children's mental health and coping abilities.⁹ Parental provisions, including emotional security and nurturing in the infant and toddler years, shape the coping mechanisms children will depend on throughout their lives. Evidence indicates that secure attachment to a primary caregiver is the

single most important familial factor in protecting resiliency in children.¹⁰ Factors that strengthen families and marriages contribute to the development of good mental health in children.

INTERNATIONAL POLICY RESPONSES TO CHILD SUICIDE

Several industrialized nations, including Australia, New Zealand, Norway, Finland, Sweden, France, the United Kingdom and the United States, have developed national suicide prevention strategies within the last 15 years. The United Kingdom's self-evaluation of its national suicide prevention strategy suggested that the suicide rate is at its lowest level since records have been kept in that country. The government has argued that a sustained drop in the number of suicides committed by young men is the first sustained reduction in 25 years.¹¹ While these self-reported results seem promising, the plan is still in its infancy, having been implemented in 2002. Continued evaluation over a period of time will determine if the early results are laudable.

In the absence of a national plan, New Brunswick and Quebec have initiated provincial strategies. Both provinces engaged in consultative processes and developed strategies that focus on three areas of development and service: prevention, intervention and postvention. In theory, a broad-based strategy would raise awareness among parents and children and would better equip adults to identify children with mental illnesses. This would provide a partial response to the problem of child suicide. However, a national strategy would fall short in effecting change to the familial risk factors that cause children to choose suicide.

Where family environment and dysfunction correlate with suicide ideation in children, national awareness programs act as a Band-Aid, rather than a preventative measure. It stands to reason that policies that promote healthy family environment and function will contribute positively to coping skills development and good mental health, lowering the propensity towards self-harm. While family-friendly policies may not specifically target the problem of child suicide, the residual results may promote the development of a healthier generation, thus reducing the risks.

Consider the potential of the following example: could family-friendly policies that increase the time spent between children and parents in the early years of life promote good mental health in children? A 2006 Statistics Canada report reveals that more children are spending time separated from parents than eight years ago. Those children from lower income families and children from single parent families are more likely to rely on multiple care situations. Children in multiple care situations are separated from parents for five to 12 hours a week more than children in single care situations.¹²

One solution might be to return tax dollars to working families and grant child benefits to help reduce the growing trend toward dependence on non-parental child care and multiple non-parental care situations. Another approach could include policies that grant incentives to businesses that promote family-friendly

practices, increasing the valuable time spent between parents and young children necessary for healthy development.

There is evidence that parents would utilize such policies. Parents have responded to the amendment to the Insurance Act in 2000 (Bill C-32) that increased the combined maternity, paternity and sickness benefits from 25 weeks to 50 weeks. This family-friendly policy has allowed parents to spend more time with their child during the critical first year of life. Statistically, the number of children in non-parent child care under the age of one has declined since 2000, suggesting that parents are taking advantage of the additional 25 weeks with their young children.¹³

Evaluating the secondary influence of family-friendly policies on child suicide would be challenging. However, the potential that secondary effects of such policies could provide long-term advantages for children's mental health is worth considering.

Ensuring the best outcomes for children is in the interest of all Canadians. The growing trend towards suicidal ideation among children deserves forward thinking approaches to policy initiatives. Some nations have turned to a national suicide program; however, as demonstrated, a variety of factors influence children's choices for self-harm. In light of this, there could be a varied response, contained in family-friendly strategies aimed at the root causes of child suicide. Preventative strategies may provide a partial response. Early evaluation of national strategies in other countries seems encouraging, but the long-term effectiveness of these plans remains unknown. Family-friendly policies may provide secondary benefits that strengthen family environments and functions that are critical to the development of life-long coping skills necessary for good mental health.

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SELF-SACRIFICE TO SELF-INTEREST

JUST HOW DID WE GET TO BE THIS SELFISH?

By Kate Fraher

"Family life just isn't for me."

"Having this baby on my own is just something that I have to do."

"I feel like my marriage is holding me back from being truly happy."

A common philosophy exists behind these statements; individual needs and desires trump those of the collective, in this case, the family. Today more women approaching the end of their child-bearing years are opting to have a child without a biological father (with a donor's sperm) because a child is "something they've always wanted." It's not just women, either: mothers and fathers both will leave their families because of a lack of fulfillment or happiness that they believe they can find in a different mate, a new city or another family. The divorce rate reached unprecedented levels in 1987 when, according to Statistics Canada, the proportion of marriages expected to end in divorce reached 50.6 per cent.¹ In 2002, one in four Canadian families with children was headed by a lone parent, which represents a 58 per cent increase from 1986.² How do we explain the mass exodus of parents from nuclear families? Social scholars are pointing to an ethos of extreme individualism as a cause of family breakdown³; they call it "expressive individualism." Expressive individualism is the attitude that self-interest should be the main goal of any situation,⁴ asserting that individuals have a moral obligation to look after themselves first and foremost.⁵

There are a multitude of factors that have contributed to the rise of expressive individualism and the emphasis on self-service rather than self-sacrifice in the realm of the family. This article addresses three: economic prosperity, the psychological revolution and technology.

HOW DID WE GET HERE?

Several economic factors facilitated the introduction of expressive individualism into family life. Social scientist Daniel Yankelovich believes that economic prosperity, and/or the "affluence effect,"⁶ has triggered the inception of expressive individualism in mainstream society. Yankelovich is the founder and president of the Public Agenda Foundation, a non-profit research institute tracking public opinion in the United States. He is also the founder and chairman of the research firm DYG INC., which began monitoring shifts in social values for social and marketing research in 1986.

Yankelovich explains the affluence effect as "the reaction of people in the industrial democracies to the experience of affluence during the half-century since the end of World War II."⁷ He argues that increased affluence has indirectly impacted people's values by changing their perceptions of reality. He explains: "for most [people] feeling affluent means freedom and empowerment. They believe that affluence brings the power to do whatever one wants to do. This meaning of affluence has had a dramatic effect on cultural values...because of it, many traditional values, rooted in generations of want and scarcity, have been swept aside and tens of millions of people find themselves experimenting with new forms of self-expression and individuality that were unthinkable or impractical in earlier periods."⁸ He goes on further to say, "driven by the affluence effect, the quest for

greater individual choice clashed directly with the obligations and social norms that held families and communities together in earlier years.⁹

Once the affluence effect had taken root in mainstream culture, social scientists observed another trend that would further the expressive individualist ideal; they called it the “psychological revolution.” The term came out of a study on the emotional well-being of postwar Americans. Psychologists found that between 1957 and 1976, Americans devoted more time to studying the inner world of the self.¹⁰ The economic boom following the end of World War II meant that instead of focusing on their economic well-being (i.e. putting food on the table), people now had time to think about their emotional well-being. The study found that: “The link between economic well-being and personal happiness weakened; people were less likely to cite economic reasons as the cause of unhappiness than they had been [20] years earlier. Instead, their sense of

of their level of inner contentment, according to Barbara Dafoe Whitehead, author of *The Divorce Culture*. With a heightened awareness of their level of inner contentment, Whitehead argues that people “became more acutely conscious of their responsibility to attend to their own individual needs and interests.”¹³ The new thinking of the psychological revolution suggested, “At least as important as the moral obligation to look after others... was the moral obligation to look after oneself.”¹⁴ Once this had become accepted wisdom, Whitehead argues that “Americans began to change their ideas about the individual’s obligations to family and society,” beginning in the late 1950s.¹⁵ She claims that an ethical shift took place: the ethic of obligation to others shifted more toward an ethic of obligation to the self. This shift had “a profound impact on ideas about the nature and purpose of the family.”¹⁶ After this shift, the purpose of the family became more about satisfying individual needs and desires, than about satisfying the broader



individual well-being became more dependent on the richness of their emotional lives, the depth and quality of feelings, and the variety of opportunities for self-expression.¹¹ In this way, the psychological revolution changed the conception of the successful life as “middle-class ambitions shifted from climbing the economic ladder to moving up the happiness scale.”¹²

The psychological revolution made people more mindful

needs of the group. Dr. Roy Baumeister, a Francis Eppes Professor at Florida State University, asserted that rather than seeing the self as “the servant of the marriage, today people feel that marriage should serve the self.”¹⁷

With the new ethic of obligation to the self, people became morally obligated to leave marriages that did not meet their needs. Thus, in creating this new ethic, the psychological revolution changed the conception of divorce. In her book,

The Divorce Culture, Whitehead argues that the psychological revolution did three things to change the conception of divorce. “First, it redefined divorce as an individual experience.” Americans ceased to regard it as a “legal, social and family event with far-reaching consequences for others.” Second, it “changed the locus of divorce from the outer social world to the inner world of the self.” She explains that you would never hear people talking about divorce as a “complexly faceted emotional journey” before the 1970s. She says that after the psychological revolution, divorce “became a subjective experience, governed by the individual’s needs, desires and feelings.” Third, Whitehead says that the psychological revolution changed the realm of the family – it shifted from being the place of the obligated self to a “fertile realm for exploring the potential of the self.” Divorce was an option in the realm of the family if it could assist in furthering the process of self-actualization. She states, “according to this new conception of divorce, leaving a marriage offered opportunities to build a stronger identity and to achieve a more coherent and fully realized sense of self.”¹⁸ The focus on self-actualization was detrimental to families, as social psychologist David G. Myers says: “The more people view self-actualization rather than child rearing as the purpose of partnership, the more likely they are to divorce.”¹⁹

Technology also furthered the development of expressive individualism in families. Widespread access to birth control and abortion on demand gave women more power to limit the number of children they had. This, coupled with a range of new modern appliances in the home, gave women time to pursue careers in the public square.²⁰ Women with full-time careers became economically independent from their husbands, which meant they could support themselves should they decide to get a divorce. This radical change in women’s economic status also impacted men; husbands who knew their wives could sustain themselves economically in their absence could feel less guilty about leaving them. Women’s economic independence, made possible by technology, facilitated the expressive individualist ethic by making divorce and/or separation affordable. If it was in a spouse’s best interest to leave a marriage, there was now no reason to stay and complete freedom to go.

“Sorry, but my children bore me to death!” says London journalist Helen Kirwan-Taylor. About her children, she writes: “They stopped asking me to take them to the park (how tedious) years ago. But now when I try to entertain them and say: ‘Why don’t we get out the Monopoly board?’ they simply look at me woefully and sigh: ‘Don’t bother, Mum, you’ll just get bored.’”²¹ Here is a classic example of the expressive individualist ethic: self-interest should never become subordinate to family needs. The inherent problem with this attitude, however, is as Whitehead states: “The parental role carries an obligation to sacrifice one’s own interests and defer or even limit satisfactions in pursuit of children’s well-being,

and this makes it a role that runs contrary to the expressive ethic.”²² In parenting and in marriage, self-interest and self-fulfillment seem to be overtaking self-sacrifice.

Parents who find their children boring, have children alone by choice and divorce for purposes of self-fulfillment are byproducts of a society that values self-satisfaction, self-fulfillment, self-expression, unhindered freedom, choice and a moral obligation to fulfill one’s personal needs. The progression of affluence, psychology, and technology has played a role in the rise of these new values which some social scholars have labelled “expressive individualism.” Expressive individualism is not always, but is at times directly, opposed to traditional views of marriage and child-rearing, which call men and women to act sacrificially for the good of the family unit. This opposition inevitably causes friction as a nation of “expressive individualists” attempts to fit into an institution that has traditionally been dependent on selfless giving and volunteerism. Remember the story of *The Giving Tree* – Shel Silverstein’s evocative tale of a tree who loved a little boy, giving his apples, his branches and his trunk away without expecting anything in return? We read it to kids to teach the beauty of giving selflessly. It might just now be time to pull it out for disgruntled older generations, those who have learned to call selfishness “expressive individualism.”

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LOVE & ECONOMICS: WHY THE LAISSEZ-FAIRE FAMILY DOESN'T WORK

ROBACK MORSE, J. (2001). DALLAS: SPENCE PUBLISHING COMPANY
REVIEWED BY IMFC STAFF

Jennifer Roback Morse is known for her writing on social and family policy issues. But economics? Her latest book addresses the laissez-faire family, something she calls “the new problem that has no name.” Roback Morse defines the laissez-faire family as one where “each member pursues his own self-interest.”

She breaks down raising a family into components and applies economic principles to it. And while there would appear to be a fundamental economic framework for raising a family, it fails to address the essential building block of successful families – love.

While some may not agree with all of the components necessary for building a healthy family, Roback Morse gives strong rationale for all of the parts she identifies in *Love & Economics*. She strongly defends the libertarian premise that while we are all individuals and

have choices available to us, she also recognizes that this in itself is not sufficient to raise and nurture a family. She sums this up nicely in the prologue: “[S]elf-giving actually elevates the worth of each individual.”

The family continues to be under pressure and the rights of individuals continue to expand. In our quest for individual rights, Roback Morse has identified that family cannot be broken down into individual tasks or duties. Rather, to reach its full potential, family members must give and support each other. Families are inclusive of the members, not competitive within themselves. This book will challenge post-modern individualist thinking, and that in itself makes it worth the read.

THE MEANING OF MARRIAGE: FAMILY, STATE, MARKET, AND MORALS

GEORGE, R. P. & ELSHTIAN, J. B. (EDS.). (2006). DALLAS: SPENCE PUBLISHING COMPANY.
REVIEWED BY IMFC STAFF

The Meaning of Marriage delivers a multidisciplinary approach to the marriage debate, gathering together philosophers, sociologists, ethicists, historians, political theorists and legal scholars at a time when thoughtful responses are required in the national dialogue.

Although the book is an American product, Canadian readers will find that many of the essays transcend the forty-ninth parallel. Defining the underlying presupposition of the book, Jean Bethke Elshtain writes in the forward, “If we alter the institution of marriage as it is understood in our laws, there will be profound and perhaps unintended consequences for the ways in which we think of ourselves as men and women, and for the kind of society we live in.”

Elshtain and co-editor Robert P. George, who are University of Chicago and Princeton scholars respectively, present an “A-list” of thinkers who address unilateral divorce, family law, the well-being of children and the historical foundation of marriage and family in social and political institutions. Most importantly, the authors weigh in on the same-sex marriage debate as they consider the future of the institution of marriage. The edited volume includes articles from Don Browning, Elizabeth Marquardt, Jennifer Roback Morse and Seana Sugrue, to name a few.

Each of the essays are excellent stand-alone pieces; however, several themes reoccur throughout the volume. Harold James examines the historical influence of family on the state and market. David Forte’s complimentary article discusses how the Framers of the American Constitution believed that family was the moral and political building block underpinning the creation of a political society. Historical analysis should serve as a guide for future considerations regarding the role of marriage in society. Browning and Marquardt examine the influence of modernization on the current marriage debate. They introduce “critical familism,” a pro-marriage strategy that builds on gender equality in the domestic and public spheres. Several articles examine how recent marriage legislation has threatened the development and rights of children. This dialogue will continue to be at the centre of the marriage debate.

The Meaning of Marriage develops strong philosophical arguments, including practical outcomes; this is not just a collection of philosophical musings, but rather a collective finger on the pulse of marriage dialogue, and a much needed voice to the policy debate.

STUMBLING ON HAPPINESS

GILBERT, DANIEL. (2006). NEW YORK: ALFRED A. KNOPF.
REVIEWED BY IMFC STAFF

In *Stumbling on Happiness*, Daniel Gilbert, a Harvard psychology professor, explains “why we seem to know so little about the hearts and minds of the people we are about to become.” That’s no small feat. Gilbert explains that happiness is often perceived in relation to past memories of happiness. The trouble with this tactic, he states, is that our memories are often wrong. According to Gilbert, memory is a “faithless friend” upon which we cannot rely to recall our past happiness. Therefore, when trying to assess our current happiness we should not measure it against memories of past happiness. Got it? Only a Harvard professor could make happiness this complicated.

Gilbert warns that our present feelings can occupy the gaps in our imaginings of tomorrow, making predictions of our future happiness inaccurate. So, for example, he says people have a common tendency to assume that only they themselves can predict what a future situation will feel like, whether it’s a mortgage, a job or starting a family. On

the contrary, Gilbert suggests, the world is full of people with common experiences and the best way to predict how we will feel is simply to ask someone currently in the middle of the scenario to tell us how they are feeling. In the same way we project our feelings from today onto the memories of yesterday, we project the feelings of today onto our imaginings of tomorrow, making our predictions less than accurate.

This book doesn’t give answers to the complexities of our mind so much as it forces us to fess up to its idiosyncrasies. Scientific happiness predictors are not likely anytime soon; better we accept, as the book suggests, that our memories and perceptions of happiness are not always accurate in order to let go of preconceived notions of happiness. Happiness is, after all, something that is sometimes “stumbled upon,” not carefully calculated. But is happiness in the offing upon reading this book? Probably we’re better off leaving it to the reviewer to share his common experience.

JUST MEDICARE: WHAT’S IN, WHAT’S OUT, HOW WE DECIDE

FLOOD, COLLEEN M. (2006). TORONTO: UNIVERSITY OF TORONTO PRESS
REVIEWED BY IMFC STAFF

How many lawyers does it take to address Canada’s health care woes? *Just Medicare* – the title a pun foreshadowing the main theme – takes 24 to address who decides how our health system works, who decides what is funded and whether it is equitable. “All countries struggle with putting limits on publicly funded health care, and Canada is no exception,” reads the conclusion.

Yes, that’s one struggle. Another is reading through 18 chapters of legalese, identifying administrative, legal and bureaucratic problems in Canada’s current health care model and concluding that public health care needs to be expanded to include home care and prescription drugs. And still a third struggle is reading that Canada’s public health care model is “the most cherished social program in Canadian history,” all the while ignoring the major inequity that many a Canadian today can’t find a GP, let alone the open and paid access, transportation included, to the abortion clinic that the authors so desperately seek.

The book is divided into six topics beginning with the constitutional limits to Medicare and says the guiding principles decision makers use are not open enough. Next section? Access to abortion, which they also assert is not open enough (in spite of the fact that Canada does not legally limit abortion access). A chapter on mental health debates the patient’s autonomy and the right not to take medication. In the chapter discussing the role of the “physician gatekeeper,” the authors argue that the introduction of a profit motive will undermine care. The final section debates whether free trade helps or hinders health care.

Just Medicare is a book that desires equitable access to health care for all, but who doesn’t? It’s just not clear what the authors want to do to fix it. Editor Colleen Flood asks “...who decides what services are medically necessary...? When resources are limited and cannot fund all ‘medically necessary’ services or needs, how do we prioritize?” A conundrum indeed. Here’s to hoping that this band of merry ivory tower academics isn’t among the key decision makers.

ONTARIO'S CHOICE

Andrea Mrozek

It's no secret that Canadians are moving to Alberta to experience the economic benefits of the oil boom. Unemployment and taxes are low; the need for workers is high. But there's an additional benefit for parents with kids. Alberta's education system helps fund choices for families outside the public school system: home schooling, charter schools and private schools are among the options. It's no coincidence that Alberta has the best academic outcomes in the country.

That's great news — if you live in Alberta. Ontario is hopelessly behind on the issue of school choice, to the detriment of kids' learning (and parental sanity). British Columbia, Manitoba and Quebec also already fund choice for parents. School choice is policy undertaken successfully by four Canadian provinces — it is not foreign to Canada.

Still, Ontario holds back. In 2001, the Ontario Secondary School Teachers' Federation, a teacher's union dedicated to maintaining the status quo, wrote about an "organized campaign to discredit and undermine our public schools in order to privatize public education, divert public funding to private schools and to create a two-tiered system based on school choice and vouchers."

Others see school choice as an accusation: public schools are not good enough. "When they say (they) 'provide choice'...they're talking about the choice to go to private school.... This re-enforces (the) belief that in the private system, you can get a better education...there's nothing to show that that's true," Annie Kidder, executive director of People for Education told a college newspaper in April, 2006. This Ontario-based advocacy group has a mandate to preserve publicly-funded education.

But there is indeed evidence that the academic calibre in Ontario's public schools is merely mediocre. What are parents to make of Ontario grade 10 literacy tests published in June 2006 that only 84 per cent of students passed? And the Society for Quality Education, a charitable group that supports education choice, reports that the number of passing students is in reality much lower. They believe the true pass rate to be 73 per cent, because the higher pass rate does not take the low percentage of students who took the test into account, and further, that some students were given special considerations in order to pass.

Academic results are one thing while funding is another. Still, should parents not be concerned about recent reports indicating Ontario school administrative costs are rising, even as enrollment falls? Or that in July, Toronto District School Board trustees quietly voted themselves a pay raise: from \$5,000 to \$26,000 annually?

Many concerned parents, frustrated with their child's public school, attempt change from within. Malkin Dare, president of the Society for Quality Education, refers to hundreds of parents from Ontario who tried this route in her book *How to Get the Right Education for your Child*. "While every story is different in its details, each testifies to an utter lack of responsiveness on the part of school personnel," she writes.

Choice creates competition, which creates an incentive for schools to respond. Ontario came close: the provincial Conservatives passed an education tax credit in 2002, which eventually would have offered as much as \$3,500 a year to parents to send their kids to independent schools. It was among the first programs to be cancelled when Liberal Dalton McGuinty became premier in 2003. Cancelling that credit hardly affects families who can afford private schools already. Instead, the Liberal government denied low- and middle-income families the choice that already exists for higher income earners.

By offering some financial support to parents that opt for independent schools or permitting communities to open charter schools, Ontario could improve its academic outcomes. Parents would have greater choice when faced with a school that is unresponsive. Such progressive reforms would compel the province's public system to perform, reform or else lose more pupils. Any education debate should focus on student outcome, not saving a school system on ideological grounds, a system so large and monolithic it cannot possibly reform from within. Until that happens, Ontario's parents have a different choice: which of the more choice-friendly provinces to migrate to.

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