



The differential impact of compulsory schooling laws on school quality in the United States segregated South



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ARTICLE INFO

Article history:

Received 10 February 2013

Revised 26 January 2015

Accepted 26 January 2015

Available online 3 February 2015

JEL classification:

I21

I24

I28

J24

Keywords:

Quality of education

Education inequality

Government education policy

ABSTRACT

In this paper, I estimate the differential effects of compulsory schooling laws on school quality between black and white schools in the United States segregated South. I employ state-level data on length of school terms and pupil–teacher ratios to examine these responses. Other literature has found that stricter compulsory schooling legislation failed to impact black students' education levels in terms of years of schooling, while having a modest increase on white students' years of schooling. I find that an increase in the age at which a child could receive a work permit led to a small increase in the term length in black schools relative to white schools. On the whole, however, the differential effects on school quality are small in scope and magnitude. This finding suggests that in the context I examine, changes in school quality are a minor issue when using compulsory schooling laws as an instrument for educational attainment or when estimating the overall impact of compulsory schooling laws on educational attainment.

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1. Introduction

In this paper I examine the differential effects of compulsory schooling laws on school quality in black and white schools in the United States segregated South in the early 20th century. In so doing, I provide the first comprehensive estimation of the differential impacts of these laws across segregated schools. I utilize state-level school-quality data that is available separately for black and white schools in the South and regress these measures on different aspects of compulsory schooling laws. The two measures of school quality that I focus on are the length of school term and the pupil–teacher ratio.

Although existing literature finds that compulsory schooling laws had differential effects by race on education *quantity* variables (i.e., educational attainment), the differential effects of these laws with regard to *quality* of education has

so far been overlooked. Several studies underscore that quality of education is an important component in the overall production of education. In addition, there are reasons to believe this may have been particularly true in the early 20th century.¹ Therefore, examining whether educational quality also changed simultaneously with educational quantity may help hone the results of previous studies. Lleras-Muney (2002), for example, examines the effect of compulsory schooling laws from 1915 to 1939 and finds that although compulsory schooling laws increased white students' educational attainment, they had no effect on that of black students.² Lochner and Moretti (2004) investigate a longer

¹ Schooling differentials during this time period may include the difference between learning how to read and write – or not.

² Lleras-Muney (2002) notes several reasons that could support the discrepancies in the effects of compulsory schooling laws on educational attainment, including black students' lower returns to education, less strict enforcement of the laws for blacks, and/or that blacks were likely to be exempted from the laws. These factors may have also played a role with respect to differential effects of the laws on the quality of schooling.

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period (1914–1974), and find a positive significant relationship between compulsory schooling laws and blacks' educational attainment. Goldin and Katz (2003) find that the same laws I employ had no significant impact on the educational attainment of black students. Relevant to these studies is that if compulsory schooling laws affect the *quality* of education, in addition to the *quantity*, including these effects offers a more complete picture of the impact these laws had, and how they operated. This is important because in attempting to explain (and decrease) racial disparities in educational attainment, it is essential to determine the mechanism by which these policies affect students.

In addition to the studies on the direct effects of compulsory schooling laws on certain outcomes, other studies use these laws as instruments for education. For instance, Lochner and Moretti (2004) use compulsory schooling laws as an instrument for education in measuring the relationship between education and crime for blacks and whites. If, in fact, the laws had different effects on school quality between the races, the “first stage” equation in these studies measures years of education that are not equal across race if school quality is not accounted for.³ For instance, if school quality decreased in white schools relative to black schools, the ultimate effect of education on the outcomes studied understates the effect that a year of education has for whites relative to blacks, and vice versa.

Compulsory schooling laws passed at the state level can affect school quality at the school district level through two different channels, which I capture with the school quality variables I employ. First, if stricter laws have their intended impact of increasing enrollment, but this enrollment is not accompanied by an increase in the number of teachers employed by the school district, pupil–teacher ratios will increase. Stricter laws also imply more years for students in school. As a result, if school districts are opposed to laws set at the state level,⁴ they can partially circumvent them by decreasing the length of the school term and thereby decrease the impact on total education (years times days per year) stricter compulsory schooling laws may have had. Together, the length of term and pupil–teacher ratio measure educational responses that affect total education, but are not captured by the years of education.

To analyze the relationship between compulsory schooling laws and school quality, I rely on the fact that although both of these measures improved over time, there were great fluctuations in these variables, independent of race, across states. In addition, despite the promulgation of the “separate but equal” doctrine, significant *intra-state* differences between black and white schools with regard to observable

school quality persisted.^{5,6} For example, the difference in black and white pupil–teacher ratios in South Carolina and North Carolina dropped from 19.7 and 11.9, respectively, in 1918, to 14.8 and 5.9, respectively, in 1938.⁷ Moreover, differences in other measures of school quality also decreased over time. In 1918 in South Carolina, for example, there was a 35-day difference between black and white schools in school-term length; by 1938, this difference decreased to 20 days.

In 1918, when compulsory schooling legislation passed in Mississippi, all states in the segregated South adhered to some form of compulsory schooling legislation.⁸ The strictness of these laws increased over the next twenty years. In 1918, for example, out of the 15 southern states,⁹ five states required a minimum of six years or less of schooling for children who did not receive a work permit (i.e., those who left school at the standard school leaving age). However, by 1939, the mean years of compulsory schooling increased and all states required a minimum of seven years of schooling for children who did not receive a work permit. There was also great variation in the strictness of this measure across the southern states. For example, in 1918, Virginia, the most lenient state, required four years of schooling, while Alabama, Arkansas, Maryland, Oklahoma, South Carolina, and Tennessee, the strictest states, required eight years. In 1939, Georgia, Louisiana, and North Carolina were the most lenient states, requiring seven years of schooling, and Oklahoma was the strictest with 11 years.

My estimation strategy relies on the assumption that changes to compulsory schooling laws are exogenous to the other factors causing changes in school quality in both white and black schools.¹⁰ For example, it is possible that greater emphasis on social capital for the white population led states to pass stricter compulsory schooling legislation, while at the

⁵ There were also great differences in “unobservable” school quality, which I address in a later section.

⁶ In 1896, *Plessy v. Ferguson* upheld the constitutionality of “separate but equal,” which remained constitutional in the South for 58 additional years, until the Supreme Court found segregated public schooling to be unconstitutional in *Brown v. Board of Education* (1954). See, e.g., O'Brien (2008).

⁷ These types of large disparities and subsequent convergences were more common in the “Deep South” states such as Louisiana and Alabama, relative to border states like Kentucky and Tennessee. In fact, in some of the border states, some years' data reflect that measurable school quality in black schools was greater than that in white schools. It has also been shown that school quality improvements lagged in the Deep South compared to the border states (Card & Krueger, 1992).

⁸ According to Tyack (1974), in addition to the presence of compulsory schooling legislation in all states by 1918, the first twenty years of the 20th century reflected the beginning of greater enforcement of compulsory schooling laws.

⁹ There are 17 states where (across the entire state) schools were segregated. Only 15 are used because Kentucky and Missouri are dropped due to many years of missing data.

¹⁰ The exogeneity of compulsory schooling laws has been assumed with respect to a wide array of different outcomes. The laws have been exploited to determine the effect of education on health (e.g. Arendt, 2005; Clark & Royer, 2010; Lleras-Muney, 2005; Silles, 2009; among others), teenage births (Black, Devereux, & Salvanes, 2008), social returns to education (Acemoglu & Angrist, 2000), distribution of earnings (Brunello, Fort, & Weber, 2009), political interest and involvement (Milligan, Moretti, & Oreopoulos, 2004), religion (Hungerman, 2011), migration (McHenry, 2013), education of one's children (Oreopoulos, Page, & Stevens, 2006), and school dropout (Cabus & De Witte, 2011).

³ Stephens and Yang (2014) explored the validity of using compulsory schooling laws as an instrument for educational attainment. They show that the effect of compulsory schooling laws on outcomes such as wages becomes insignificant when state-level school quality data – similar to the data I use here – are included. This paper complements their work, as I determine whether compulsory schooling laws directly influenced school quality measures.

⁴ Opposition to these laws came from various factions in the South, including families who needed children to supplement household income (Ensign, 1921), and manufacturing interests who wanted cheap child labor and the same freedoms enjoyed in the Northern U.S. a century earlier (Abbott, 1939).

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