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Quasi-Markets, Competition, and School Choice Lotteries

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Abstract

This article problematizes the lottery as a taken-for-granted concept, which is normatively understood as a neutral process rewarding its participant based on luck. The article adopts a policy problematization frame that interrogates the limits of normative concepts. To problematize the lottery system, this article engages with the two movies on school choice, *The Lottery* and *Waiting for "Superman"*, as "instances" through the conceptual lens of a quasi-market. The main argument is that the lottery is a particular discursive practice co-constituting the competitive frame of education quasi-markets. In identifying how the spirit of competitiveness underlies a competition, and by extension the lottery system, the article posits that in a competitive setting, competitors are primarily concerned with maximizing inequality among each other.

Keywords

school choice, quasi-market, policy problematization, competition, lottery

Introduction

> So every morning, betraying the ideals that I live by, I drive past three public schools as I take my kids to a private school. But I'm lucky, I have a choice. Other families pin their hopes on a bouncing ball; a hand pulling a card from a box; or a computer that generates numbers in random sequence. Because when

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> there is a great public [charter] school, there aren't enough spaces. And so we do what is fair: *we place our children and their future in the hands of luck*. (Guggenheim, 2010, 00:03:55, emphasis added)

The above quote is the narration of the opening scene by Guggenheim (2010) in the movie, *Waiting for "Superman"* (*WFS*). The school lottery is described as an equitable system because it is random. In other words, the lottery is seen as a system of "absolute fairness" where luck is the key element in the determination of winners and losers (D. Stone, 2012, p. 56). The lottery is thus perceived as a neutral system devoid of any external influences. As Emil Yoanson, a parent in *The Lottery* (*TL*) lamented, "What can I do? I just wait for the lotto" (Sackler, 2010, 00:25:24). The neutrality of the lottery, being a system based on luck, is often presented as a taken-for-granted concept in many national and international policy recommendations on oversubscription (i.e., student applications exceed number of school spaces) for certain schools (e.g., Field, Kuczera, & Pont, 2007; Jha & Buckingham, 2015; Musset, 2012), and in movies promoting school choice (e.g., Guggenheim, 2010; Sackler, 2010).

This article centers on the United States because of the confluence of the scale of its charter school movement (Ravitch, 2013) and the legally mandated use of lotteries in the event of oversubscription for majority of its states[1] (National Alliance for Public Charter Schools, n.d.). Furthermore, the large-scale public nature of many lotteries, which captures the American public imagination on school choice, articulates the lottery system as a key nodal point in the school choice discourse. A school lottery works by having all the eligible applicants' names (or identification numbers tagged to the respective applicants) placed in a physical contraption (like a box or a bingo wheel) or entered into a computer program. Successful applicants are determined by drawing names randomly from the contraption or getting the computer program to randomly generate the names.[2] Pertinent to this article, it is important to note that charter schools are organized, and operated, differently across states due to variations in charter school legislations and the peculiar context where they are located (Lubienski, Gulosino, & Weitzel, 2009). It is recognized that although the form of the lotteries may differ across states—due to the various ways the lotteries are conducted and the different enrollment preferences—the key point is that the lottery system is legally mandated by states when oversubscription arises and it determines successful applicants through a random process, regardless of the form it takes.[3]

Although my discussion centers on the lottery system within the U.S. charter school system, it has wider relevance as the lottery system is a common solution used in many oversubscribed schools globally. For instance,

England (P. Stone, 2008), Netherlands (Musset, 2012), and Singapore (Ministry of Education, Singapore, n.d.) use the lottery system when certain schools are oversubscribed. This article is also relevant for countries, such as Australia (see Jha & Buckingham, 2015), where the lottery system is not in place as a formal solution, but is in the process of being introduced via proposals for school choice expansion. As such, this article forms part of the wider research on the expansion of school choice.

This article problematizes the supposed neutrality of the school lottery within proposals for the expansion of school choice, and puts forth the proposition that the lottery is far from a neutral system based on luck, but is a competition rewarding participants based on their comparative efforts. The main argument is that the lottery is a particular discursive practice co-constituting the competitive frame of education quasi-markets.[4] The article contributes to extending the discussion on school choice because, despite the lottery being a frequently used concept/solution, the lottery remains a relatively unexamined concept. This article also joins attempts at the use of policy problematization as a form of critical policy analysis (e.g., Gulson & Webb, 2016). Although critical policy analysis is a broad category, encompassing for instance various discursive, linguistic, and interpretative "turns," this article shares resonances with it as (a) an endeavor to interrogate policy processes (i.e., the lottery system in this article) and (b) the possibility of such analysis to contribute to other political actions (Diem, Young, Welton, Mansfield, & Lee, 2014; Simons, Osslen, & Peters, 2009). However, what distinguishes policy problematization from critical policy analysis is that the latter type of studies often assumes a hidden contradiction(s) within policy texts waiting to be revealed (e.g., ideologies; Simons et al., 2009). Policy problematization, Gulson and Webb (2016) note, extends its analysis beyond policy texts and interrogates "the conditions that give rise to both "'problems' and the resultant 'solutions' contained in many forms of critical policy analyses" (p. 158). Importantly, policy problematization does not proceed with an objective to reveal a hidden contradiction(s), but "to address that which has already become problematic" (Rabinow & Rose, 2003, p. xviii).

The article is divided into five sections. The first section outlines the policy problematization approach as a form of policy analysis that interrogates the limits of normative concepts (Bacchi, 2009; Webb, 2014), and the complementary abductive (breakdown-driven) approach of treating the movies *TL* and *WFS* as "instances" (Brinkmann, 2012). The second section discusses the issue of school choice via the conceptual lens of a quasi-market, and outlines underlying key assumptions of school choice, especially competition, contributing to the breakdown in my understanding of the lottery as a process based on chance. The third section, through engaging with *TL* and *WFS* as

"instances," puts forth the proposition that the lottery is far from a neutral system based on luck, but is a competition rewarding participants for their comparative efforts. I also discuss how the spirit of competitiveness underlies a competition, and by extension the lottery system. I argue that competition/competitiveness constrains actions in particular ways, where competitors are mainly concerned with maximizing inequality among each other. The fourth section sums up the points made in the earlier sections and posits that the lottery serves as a particular discursive practice co-constituting the competitive frame of education quasi-markets. The final section concludes the article.

Policy Problematization and "Instances"

The goal of policy problematization "is to stand back from taken-for-granted objects and concepts" to examine the assumptions underlying these "unproblematic" objects and concepts (Bacchi, 2012, p. 5; see also Webb, 2014). Through highlighting the contingency of the "unproblematic," policy problematization proffers opportunities to question the "desirability" of normative concepts, and thus indicates possibilities for other forms of political actions (Gulson & Webb, 2016; Rabinow & Rose, 2003). This article focuses on problematizing a secondary problem nested within school choice: the problem of oversubscription when families are given expanded school choice, or in relation to this article, when demand for places in certain charter schools exceeds its supply. In particular, I problematize the lottery's supposed neutrality, or "unproblematic" nature, as a solution for oversubscription.

Policy problematization, as Gulson and Webb (2016) point out, requires "a particular type of relationship to data" (p. 158). Namely, it requires a certain breakdown of normative understanding, that is to see the problematic of the "unproblematic." Rabinow (2003) citing Foucault, on why problematization renders the "unproblematic" problematic, notes,

> The reason that problematizations are problematic, not surprisingly, is that, something prior "must have happened to introduce uncertainty, a loss of familiarity; that loss, that uncertainty, is the result of difficulties in our previous way of understanding, acting, relating." (p. 18)

In contrast to induction (generalization from data) or deduction (testing of hypothesis), my approach to data adopts an abductive form of reasoning, which sees research components (e.g., data, theory, analysis, etc.) as always imbricated and informing each other (Brinkmann, 2012). In an abductive approach then, linear research procedures do not exist, and is perhaps best characterized as "without a beginning or end, without origin and destination"

and emerging in the middle (St. Pierre & Jackson, 2014). Abductive reasoning occurs when something, or someone, causes a breakdown in one's understanding and requires one to make sense of the breakdown (Brinkmann, 2012). Next, I briefly discuss the cultural and political nature of movies, and state how viewing movies as "instances" led to my abductive reasoning.

The Cultural and Political Nature of TL *and* WFS

TL and *WFS* revolve around several highly motivated families trying to get out of supposedly "failing" public schools and chronicle the difficulties of these families getting into oversubscribed "successful" charter schools via lotteries—*TL* centers on New York, while *WFS* focuses on the states of New York, California, and Washington, D.C. Scenes toward the end of both movies, pertinent to this article, show various public lotteries conducted in sites packed with families eagerly waiting for the lottery results—some sites are as large as an indoor sports hall with running tracks. In both movies, lottery administrators announce the winners through various systems based on luck like drawing a card out of a box, using a computer program to generate numbers in random sequences or turning a contraption that spits out numbered balls. In both movies, the lottery participants also greatly exceed the available spaces in the respective charter schools, indicating both the demand for these charter schools and the low probability of winning those lotteries.

Movies, such as *TL* and *WFS*, are what Dumas (2013) terms "cultural and political products" (p. 536). Cultural in the sense that movies "are co-constitutive of 'who we are' in a visually oriented culture, and 'who we are' is simultaneously expressed through visual media" (Brinkmann, 2012, p. 149). This notion of a visual-oriented culture is aptly captured by what Norman Denzin (1995) termed as a "cinematic society" as he argues that people live in societies where movies have become a prime source of knowledge. Moreover, visuals, such as movies, are political,[5] and as such make visible certain meanings and interpretations, while rendering others invisible (Banks, 2007). Movies are especially political in an "increasingly networked society" as dominant groups are able to easily circulate particular meanings and interpretations via various communication outlets (Swalwell & Apple, 2011, p. 369), which in turn relates back to movies co-constituting "who we are."

TL and *WFS* contribute to, and also form part of, the wider movement championing for the privatization of U.S. public education, or commonly known as the expansion of school choice. The movement revolves around "powerful intersecting forces" made up of influential individuals (e.g., Bill Gates) and institutions (e.g., Walton [Walmart] Family Foundation) seeking to transform public education and build an ideological consensus (Peck,

2015, p. 591) around, what Apple (2006) terms, conservative modernization, which is to further an audit culture and the marketization of public education. The impact of both movies differs greatly as *WFS* garnered considerable publicity. *WFS* appeared in the *Time* and *New York Times* as major stories, featured twice on the highly viewed *The Oprah Winfrey Show* and appeared in several National Broadcasting Company's (NBC) programs including an interview with U.S. President Obama (Ravitch, 2010). In these media outlets, *WFS* was generally casted in a positive light and elicited sympathetic responses from viewers/readers. However, its widespread publicity also generated many critical responses from academics and progressive education advocates. In general, the critiques were aimed at the partial positive portrayal of charter schools, the "effectiveness" of private more than public, and the demonization of teacher unions (see Swail, 2012). For instance, a rebuttal film, *The Inconvenient Truth Behind Waiting for Superman*, emerged as a grassroots movement to debunk these three points in *WFS* (Bruhn, 2014). In relation to the wider political economy, Swalwell and Apple (2011) point out that *WFS* deliberately portrayed neoliberal reforms— for example, merit-based remuneration, weakening union, and preference of privately managed schools—as the *only* policy solution while eliding many systemic issues that calls for other (non-neoliberal?) solutions like providing direct public assistance to disadvantaged students and public schools. Elsewhere, Dumas (2013) argues that *WTS* reinforces a neoliberal rationality, where people are held accountable for their low educational performance, by providing "a policy solution that promises an end to racial educational inequality, [only] for those who *choose* it" (p. 546).

TL *and* WFS *as "Instances" Leading to Abduction*

I do not aim to add to the existing literature on critiquing the movies or examine how moviemakers "construct" and reinforce particular representations, but to use both movies as "instances" for problematizing the lottery within the context of school choice. "Instances" refer to occurrences corroborating the operation of respective sets of cultural understandings (Brinkmann, 2012). Importantly, when confronted with such "instances," it invites one into abductive reasoning, that is, to ask oneself "How is this possible?" and to inquire along the lines of "What makes this possible" (Brinkmann, 2012). Hence, I did not watch these movies with the *initial* intention of (policy) problematizing the lottery; I watched the movies initially because of the various discussions (e.g., critiques as mentioned above) and my interest in school choice. It was only through watching these movies that caused a "productive" breakdown in my understanding: a breakdown framed as how is it possible

for a system resting on luck (lottery system) to exist within a school choice movement sustained by a key discourse of competition that seek to reward its participants based on their comparative performances.

Viewing both movies as "instances" in abduction stands in contrast to Mikos's (2014) definition of movie analysis being "a systematic investigation of the structures of film texts, their conditions of production and reception, and the societal contexts," which he argues is what differentiate academic analysis from everyday analysis (p. 409). Nonetheless, an abductive approach, which views research components as imbricated, will see both forms of analysis informing each other, and thus a separation of the academic from the everyday, or vice versa, will be futile. Recalling that problematization requires a breakdown in understanding to occur (Rabinow, 2003), and following in what St. Pierre and Jackson (2014) term post-qualitative inquiry and post-coding analysis, I *do not* treat both movies as "untheorized data" and attempt to systematically code or study scenes in these movies to "reveal" underlying themes or patterns (movie analysis), but use specific "instances" in relation to theories and concepts to better understand my "breakdown." Using movies here also joins Clarke's (2015) attempt to conduct research that "resists conventional distinction between 'primary' and 'secondary' data," where the former is privileged over the latter because of some greater presumed validity or immediacy, purportedly un-theorized, in the former (p. 72). This article treats the "instances" as "products of theory" given that data, regardless of its origin, is encountered within "particular grids" of thinking, doing, and saying that suggests data's a priori theorized nature (St. Pierre, 2011, p. 621).

As part of a policy problematization, the next section outlines key assumptions, especially competition, underlying school choice expansion in the context of quasi-markets, and by implication the problem of oversubscription and its accompanying solution in the form of the lottery.

School Choice and Quasi-Markets

This section examines school choice via the conceptual lens of a quasi-market. Although this section rehearses some well-covered ground in school choice research especially pertaining to the United States and United Kingdom, I revisit it, in relation to my abductive problematization approach, to outline underlying key assumptions of school choice expansion, especially competition, contributing to the "breakdown" in my understanding of the lottery as a process based on chance. Importantly, this section provides the context of, and also adumbrates, the lottery as a particular discursive practice co-constituting the competitive frame of education quasi-markets. There are, besides competition, other assumptions underlying school choice. For

example, Feinberg and Lubienski (2008) identify four justifications used by choice advocates: protection of liberty, improving academic achievement, increasing equality, and creating consensus communities. What is of interest for this article is that these justifications are articulated in relation to attempts at the further marketizing of the education system.

Market or Quasi-Market?

The period after the mid-1990s, in the United States and Canada, is characterized by Hargreaves and Goodson (2006) as an age of educational standardization and marketization. Within school choice, a key aspect in its expansion, regardless of its justifications, has always been articulated in relation to the notion of a "free market" system (Chubb & Moe, 1990; Friedman, 1955; Hoxby, 2003). An utopian form of a market system is one free of state intervention, resting on the natural spontaneous interactions between, and within, producers and consumers (see Mirowski, 2013). Importantly, it is recognized that the same commodity has more than one producer and more than one consumer, and consumers are the ultimate benefactors of the market because producers compete among each other, through various innovations, to offer consumers the lowest price for the same commodity, and/or satisfy consumers in some other ways—just think of one's daily exposure to various advertisement. The key point, pertinent to my argument, is that in a market with more than one producer offering the same or similar commodity, consumers have a range of options to choose (Chubb & Moe, 1990; Friedman, 1955). This is the normative image of a "free" market system, and why education markets may be deemed to be quasi-markets: quasi-markets because the state provides a bulk of the funds for the operation of the education system and the "lack of a conventional cash nexus" between education providers (producers) and families (consumers; Whitty & Power, 2005, p. 47)—to the extent of state monopoly, which stands in antithesis to a "free of state" market.

Nonetheless, education markets should not be relegated to being quasi-markets simply because they are not "free of state" markets. As Ball (2008) points out,

> . . . education markets, or quasi-markets as they are called, are not in any simple sense 'free markets'. As Sayer (1995, p 104) points out, 'markets are social constructions whose birth is difficult and requires considerable regulation and involvement by the state' (p. 45).

Markets are far from natural and spontaneous, but require complex structures, discursive practices, and state oversight to ensure their smooth operation—the financial market is a prime example, especially during the 2008 Great Recession

when many financial institutions were bailed out by the states (Mirowski, 2013). All markets then may be deemed as quasi-markets as "few contemporary markets in any field are *actually free* from government regulation and many of them involve some element of overt or covert subsidy" (Whitty & Power, 2005, p. 47, emphasis added). Hence, the prefix "quasi" does not characterize an education market as "not free" because there is no entity such as a "free of state" market, but to acknowledge that the state is more involved in an education market, which is more regulated—especially in relation to entry and exit of producers—as compared with other markets, such as an automobile market. Therefore, school choice advocates are not pushing for a "free" education market, but to push for reforms to minimize state involvement (monopoly) in education, especially by allowing the entry of other education providers. In the next section, I argue that the expansion of school choice is an attempt to relax restrictions on an education quasi-market toward a "freer" quasi-market, which is all about intensifying competition, about creating visible winners and losers.

Expanding School Choice and Intensifying Competition Through Charter Schools

> The idea of school choice has a tangled history. It is an idea that has taken many shapes, under the banner of the same hopeful word, one that seems to have a simple positive meaning but embodies many contradictory possibilities . . . It includes the creation of charter and magnet schools, voluntary transfer programs under state and federal legislation, choice-based desegregation plans, transfer rights under No Child Left Behind (NCLB), and voucher programs. (Orfield, 2013, p. 3)

School choice in the United States has complicated historical roots and is a multifaceted concept (see also Berends, Springer, Ballou, & Walberg, 2009). It is beyond the scope of this article to do justice to the historical examination and delineation of school choice. Here, I offer a scant account of school choice to provide some historical context, and also highlight aspects that are pertinent in establishing the relation among choice, charter schools, and competition.

In 1954, in *O. L. Brown v. Board of Education*, the Supreme Court granted the rights for Black students to access schools catering only to White students and vice versa. The court's decision marked the serious contention over the freedom of choice in U.S. public schools (Orfield, 2013). Although freedom of choice was legislated, it was a passive form of choice as White families almost never exercised that choice to transfer to Black schools, and an overwhelming majority of Black students remained in Black-only schools as Black students who tried to get into White schools faced numerous obstacles

(e.g., lengthy procedures and backlash from White communities; Orfield, 2013). Desegregation was also impeded by open-enrollment policies as White students who were the minority in certain schools made the choice to transfer to White schools. This passive form of choice then continued to perpetuate segregated schools until the mid-1960s when federal education officials acknowledged that unconditional freedom of choice (i.e., without clear measurable delineation of desegregation) did not allow Black, and disadvantaged, families to realize choice (Orfield, 2013). They then told school authorities that they would only approve plans that demonstrated rapid integration. This was backed by the 1968 *Green v. New Kent County* decision where the Supreme Court held "that choice plans that increased segregation were illegal" (Orfield, 2013, p. 24).

A plan that emerged after the mid-1960s was the establishment of magnet schools, which are public schools offering distinctive programs (e.g., specialized programs and teaching methods) and included outreach and free transportation, among other policies, to attract a diverse student population (Siegel-Hawley & Frankenberg, 2013). It would be inaccurate to cast magnet schools in a solely positive light, especially in relation to these schools being accessible to disadvantaged, usually non-WHITE, families (i.e., low socioeconomic status [SES]). For instance, Orfield (2013) notes that "[t]hroughout the magnet experience, it has been apparent that parents with better information do better" (p. 16). That is, parents with a clearer idea of the complex choice systems stood a better chance at getting their children into magnet schools as compared with parents who were less educated and connected (Smrekar, 2009). Desegregation continues to be a major goal for magnet schools, but magnet schools are facing considerable pressure to abandon their desegregation efforts as courts started to favor race-neutral individual rights over desegregation since the early-1990s (Goldring, 2009; Orfield, 2013; Scott, 2011). The birth of charter schools in 1991 was an instance for emphasizing individual rights over desegregation.

In general, charter schools are publicly funded, but are not constrained by regulations governing traditional public schools, such as those pertaining to staffing, curriculum, and finance matters. Importantly, majority of charter schools can enroll any student within their respective states (open-enrollment system), which stands in contrast to traditional public schools only being able to enroll students within their neighborhood or district boundaries.[6] Similar to the magnet schools, making informed choices about charter schools require resources (e.g., time and money) that are not available to everyone (McGinn & Ben-Porath, 2014). However, an open-enrollment system without intentional integration policies (e.g., outreach program) moves toward resegregation (Frankenberg & Siegel-Hawley, 2013). Magnet schools also tend to have

an open-enrollment system, but many strive to maintain desegregation plans. However, as mentioned above, magnet schools also show signs of resegregation due to the emphasis on individual rights over desegregation plans. The emphasis on individual rights could be seen as a return to the early 1960s passive unconditional freedom of choice—It is important to note that individual rights within the contemporary (neoliberal) climate is largely dissociated from democracy/politics, but is more akin to the rights to compete (see W. Brown, 2015, Chapter 5). This shift to individual rights also places the burden of "bad" choices (e.g., low academic performance) onto individuals, without consideration of systemic issues (e.g., racial inequality; Dumas, 2013; Lipman, 2011).

An expansion of choice unconditionally perpetuates (re)segregation, and "inevitably involve winners and losers among schools and reflect the unequal human capital and networks of different groups of parents" (Orfield, 2013, p. 16)—This latter point is crucial for the rest of the article. Although, as I have outlined, choice realization cannot be divorced from SES and race, school choice advocates (e.g., Chubb & Moe, 1990; Friedman, 1955; Hoxby, 2003) argue that the expansion of choice allows disadvantaged families—typically with low SES and non-White—to flee schools with poor academic performance, especially via an unrestricted (race-neutral) open-enrollment system. Charter schools are exemplars of such an unrestricted open-enrollment system.

Choice, charter schools, and competition. A primary argument behind the push for the expansion of choice is to render choice more realizable for disadvantaged families. When access to public schools is primarily determined by one's address, the refrain, "Quality Education Shouldn't Be Determined by Where You Live" is commonly used by school choice proponents. When unrealizable choice is combined with arguments that public education is failing and state oversight stifles innovation and efficiency, it becomes very difficult to argue against allowing families to have access to "good" schools (Feinberg & Lubienski, 2008). In line with the focus on education quasi-market, together with the assumed rationality of market actors, "good" schools refer to those schools with better academic performances (e.g., Chubb & Moe, 1990).[7] For school choice advocates, they have sought to expand choice through various reforms in education quasi-markets, especially through the expansion of charter schools in the recent years.

The introduction of charter schools and its open-enrollment system is essentially a double maneuver to relax restrictions on an education quasi-market and move it toward a "freer" market, a more competitive sphere. First, public schools need no longer be solely established and run by the state, and

takes up Chubb and Moe's (1990) recommendation that any education service providers meeting the state's criteria may "be chartered as a public school and granted the right to accept students and receive public money" (p. 219). This is a move to render the barrier for entering an education quasi-market more porous and thus, effectively minimizing state involvement and monopoly of public schools. Second, and related to the first move, families are empowered to flee schools (producers) with low academic performances. This second move positions the families as consumers with an expanded range of public schools to choose from, and not restricted to neighboring public schools. This double maneuver contributes to the intensification of competition, which is institutionalized in the format of the market (Davies, 2014). Choice advocates have always envisioned an education quasi-market as a place where schools (producers) compete with each other for students/families (consumers) or risk cessation (e.g., Chubb & Moe, 1990; Friedman, 1955). What is downplayed is the notion of families (consumers) vying for "choice" schools (certain producers) leading to the issue of oversubscription (see Chubb & Moe, 1990, p. 211)—I will touch on this point below.

Prior to the establishment of such charter schools, competition among public schools is minimal as each public school has its guaranteed pool of students due to a student enrollment based on residential zoning. With the introduction of charter schools, competition is not only intensified among charter schools but also in relation to traditional public schools. All public schools have to compete and innovate to satisfy the demands of families, or risk "literally 'going out of business'" (Lubienski et al., 2009, p. 605). Although traditional public schools continue to have forms of designated student catchment areas, families now have the choice to *not* enroll in their neighborhood schools. As such, public schools also face pressures to perform, or risk low student enrollment and be forced to close. Based on the increased number of charter schools and the students served over the years,[8] competition for students/families among all public schools is projected to rise. Before moving forward, I like to point out that even before the introduction of charter schools, families had the choice of public, private, and parochial schools. Even magnet (public) schools have open-enrollment policies, though they tend to be more controlled as they had certain desegregation plans in place (Siegel-Hawley & Frankenberg, 2013). Therefore, it is more accurate to state that the introduction of charter schools intensifies competition in the school system. Although the exponential growth of charter schools co-constitute the "freer" education quasi-market, the contributions made by some charter schools toward their respective community self-determination and desire for teacher autonomy should also be duly recognized (Stulberg, 2008).

The "construction" of competition. The marketization of the public school sector carries with it the implication that a commodity is being traded. However, as highlighted by Connell (2013), "[e]ducation itself cannot be commodified" (p. 281). She argues that what is commodified then is "privilege—something that other people cannot get, that is no longer common property" (p. 281). This privilege, or access to certain public schools, is exactly what is sold in an education quasi-market with the entrance of charter schools and their open-enrollment system. For the popular charter schools, families are no longer guaranteed enrollment, even if they live across the streets of these schools; they are only given enrollment preferences in weighted lotteries.[9] As will be observed later, this privilege is highly associated with the types and amount of resources that are possessed by families. Contrary to choice advocates seeing competition restricted primarily on the producers' side, families clearly must compete for the limited spaces in popular schools. For instance, in *WFS*, Harlem Link Charter School had 767 families applying for only 35 spaces (Guggenheim, 2010, 01:12:29). Competition is intensified within an education quasi-market when restrictions are relaxed in a bid to move a quasi-market toward a "freer" quasi-market; competition in such a quasi-market does not discriminate between producers and consumers.

Nevertheless, for commodification, and by implication competition, to be successful, "[t]here need to be visible losers" and winners if families are to be persuaded to invest in their children (Connell, 2013, p. 282), and also for education providers to distinguish themselves between "good" and "bad" producers. Going beyond simply visibility of winners and losers, and in recognition of the synthetic nature of the markets and the need to cultivate competitiveness, Sellar (2013), following Marginson (1993), notes that competition needs to provide "a few with disproportionate rewards and thereby stimulates desire among the many" (p. 251). As such, the optimal functioning of a marketized education system, and its format of competition, requires other discursive practices—which will somehow involve the state—such as standardized tools for families to differentiate educational products/services and transparency of information (Gorur, 2013). For example, there are various league tables for public schools (e.g., Best High Schools Rankings by U.S. News). In addition, standardized testing, as part of the larger marketized education system, legitimizes the results of competition such that it is not attributed to "a matter of unfair discrimination or bad luck" (Connell, 2013, p. 282). The assumption behind contemporary standardized testing is to reduce "opportunities for subjective discretion in marking" and to award marks based on students' actual performance (Allen, 2014, p. 178). Competition is then understood as a situation whereby participants are rewarded for their comparative performance (Davies, 2014). At least, this definition of competition is what choice advocates

have in mind when they argue that the competition for families among schools is based on the schools' comparative performance on innovation (e.g., Chubb & Moe, 1990; Friedman, 1955).

In sum, I argue that all markets are quasi-markets because the state is always involved in contemporary markets in one form or another. Hence, choice advocates are not pushing for a "free" market per se, but to minimize state involvement by relaxing restrictions on an education quasi-market. As the market is the institutional format of competition, the relaxation of restrictions suggests the strengthening of the education quasi-market's competition frame. In the context of public schools, the relaxation of restrictions takes the form of charter schools, which intensifies competition for both public schools and families. Yet, acknowledging that markets (competition) are social constructions, various interrelated discursive practices are required to sustain a quasi-education market. These interrelated discursive practices heighten the visibility of winners and losers, who are determined by their comparative effort. In relation to the historical context of school choice, I pointed out that despite choice's various iterations (i.e., passive freedom of choice → conditional freedom of choice → freedom of choice emphasizing on individual rights), choice is not realizable for every family, but only by families with certain resources—This point, as one shall see later, links to my argument that the lottery parallels a competition.

Understanding school choice through the conceptual lens of a quasi-market then led to a breakdown in my understanding—abductive reasoning—of the school lottery as simply a neutral solution resting on luck: How could such a neutral discursive practice exist within a school choice movement seeking to reward its participants based on their comparative performances? Next, I posit how the school lottery is far from the taken-for-granted, or "unproblematic," impartial process resting on luck—as presented in many policy recommendations on oversubscription (e.g., Musset, 2012), and also in both movies, *TL* and *WFS*.

School Lotteries: Competition and Competitiveness

This third section, through engaging with *TL* and *WFS* as "instances," puts forth the proposition that the lottery is far from a neutral system based on luck, but parallels a competition rewarding participants for their comparative efforts. I also discuss how the spirit of competitiveness underlies a competition, and by extension the lottery system. I argue that in a competitive setting, competitors are primarily concerned with maximizing inequality among each other. I acknowledge that in the school choice context, families do have other

concerns or motivations other than maximizing inequality. For instance, seeking a "good" education to move up the social ladder. My point, though, is that for families to address whatever concerns they may have, families must first win the lottery (competition), which is premised on maximizing inequality among participants.

A competition, Davies (2014) argues, "represents a paradoxical combination of equality and inequality" (p. 41). In a competition, there are norms and regulations projecting a sense of fairness such that competitors are believed to be on a level playing field. Some perceived form of equality is required before, and during, the competition. This perceived equality is evident in the *WFS* lottery scene when the lottery administrators announced to the families that the lottery is a "random public drawing" (Guggenheim, 2010, 01:29:32). The term *random* encapsulates the notion that every family stands a fair chance—the element of luck is invoked—and the term *public* reinforces the fairness of the process because it is transparent for all to see. At every draw, one sees the winners' jubilation; at the announcement of the last draw, the losers' dismay is obvious. The outcome of winners and losers is exactly the goal of a competition: inequality. Competitors are (supposedly) equal at the start, but definitely empirically unequal at the end. Another key characteristic of any competition is that its final outcome, that is who wins and who loses, is unpredictable (Davies, 2014), which is also captured by the term *random*. Therefore, the format of lottery parallels a competition as it is indeed a combination of both equality and inequality, and one cannot predict the lottery's winners and losers.

However, simply having the format of the lottery paralleling a competition's paradoxical combination of equality and (unpredictable) inequality is insufficient to deem the lottery as *actually* paralleling a competition: Competitiveness as a trait must be considered as integral for a competition to be meaningful. That is, competitors actually *want to* outdo one another in achieving unequal outcomes: There is no point of having a competition if participants are nonchalant about the outcomes. Davies (2014), through reviewing works of neoliberal theorists, identifies the market as competition's "institutional format" while competitiveness is its "psychological format" (p. 54). He further adds, "[w]hat ultimately facilitates, drives and justifies competition and competitiveness is found in individual psychological capacities" (p. 54). This is to say that by seeing competitiveness as an inherent human psychological trait, it expands the competition arena to pervade all aspects of life where "individuals are assumed to be acting in their own interests, and will employ various forms of domination in order to do so" (p. 56). Competitors will need to adopt a strategic mind-set seeking to skirt around the boundaries of the rules—or even to break the rules, but without getting caught—to find

the "sources of inequality most likely to result in victory" (p. 64). Competitiveness calls for one to focus on how to use one's resources, possibly around the rules, against their opponents. The key point is not whether people are competitive by nature or as a result of operating within particular discursive practices—recalling the synthetic nature of the market will imply the latter—but rather that competitiveness is a necessary underlying assumption in any meaningful competition for scarce and critical resources.

Returning to the lottery scenes toward the end of both movies, it is difficult to see the lottery system as a competition rewarding the families for their comparative efforts. Where is competitiveness being manifested? After all, families in both movies, unlike competitors in a sporting arena (e.g., players on a football field or tennis court) and also on most reality shows nowadays, do not actively seek to outdo each other. Entry to the lotteries generally entails submitting an application form online, by mail or in person at the school, a process hardly seen as competitive. And during the lottery draws, families waited passively for the lottery results. The lottery system viewed in isolation is indeed an arbitrary system based on chance and quite unlike a competition. However, when one views the lottery system as situated within a larger school choice context of a quasi-market, then one could see the extent by which families are rewarded for their comparative performances.

If one views the lottery system as a part of wider discursive practices, then it is crucial to examine the manner in which families get to participate in the lotteries. There are reports of certain charter schools putting in various barriers—such as lengthy application forms, compulsory family interviews, and small application windows—to filter highly motivated families (students) with desired characteristics into the lotteries (e.g., Simon, 2013). These barriers effectively mean that families must use whatever resources at their disposal to overcome the barriers to at least qualify for the lotteries. This means that a competition had begun even before the lotteries and in that competition, families were definitely unequal at the starting block because each family would have different amount of social, cultural, economic, and education resources, or what Bourdieu (2002) terms as forms of capital. In the main, and pertinent to my discussion, Bourdieu argues that one should widen the purview for the storage of value beyond economic capital, which refer to assets that are easily converted into currency. There are also other forms of capital such as social (e.g., social network) and cultural (e.g., mannerism of certain class) that store value—Bourdieu categorizes education qualifications under cultural capital. More importantly, these forms of capital are interchangeable under certain conditions, and can be mobilized to make use of opportunities that are only accessible if one has the appropriate combination and amount of capital. Forms of capital, another way of articulating SES and

privilege, cannot be disentangled from race. For example, the hourly wage gap between White and Black workers in Illinois widened by 162.3% from 1980 to 2004 (Heartland Alliance, 2006), which is a manifestation of differential economic capital between two races (for more on the relations between forms of capital and race, see Grenfell & James, 1998). My discussion here then intersects with my earlier outlining of how choice has complex relations with SES and race. Although the rest of my discussion focuses on the forms of capital to argue that a lottery parallels a competition, my exclusion of racial politics does not indicate that my discussion is "color-blind," or race-neutral; it is simply beyond the scope of this article to enlist a complex concept such as race into my discussion (for an exposition on race and school choice, see Lipman, 2011). My discussion concentrates on how families utilize their differential capital to participate in the lotteries.

Pertaining to differential capital, individuals, or families as a unit, are always unequal in a social competition due to inherited capital. McNamee and Miller (2009) provide an excellent analogy using a never-ending relay race where the "race to get ahead does not start anew with each generation . . . [because] we inherit a starting point from our parents" and the inherited starting point continues to pass through future generations, implying that everyone starts the race at different starting points (p. 55). This variation of capital among families affects their ability to make informed school choices (McGinn & Ben-Porath, 2014). As such, this implies that families making it to, or wanting to be entered in, the lotteries have particular forms and combination of capital to be informed about the benefits promised by those oversubscribed schools. For families to qualify for the lotteries, they will also have to effectively utilize their different forms of capital. For instance, families need to have certain combination of social and cultural capital to be aware of lottery application procedures (e.g., filling up lengthy application forms or preparing their children for interviews). Hence, the "privilege" to attend such schools cannot be dissociated from the forms of capital owned by families.

In relation to both movies, despite the differences in the makeup of the families (single parent, grandmother being the primary caregiver, parent with a disability, etc.), all the families in the movies were willing to make sacrifices to ensure access to "good" charter schools for their children. As a parent, Nakia, asserted, "I don't care what I have to do. I don't care how many jobs I have to obtain, she will go to college. And there's just . . . no second guessing on that one" (Guggenheim, 2010, 00:15:52). Or for another parent, Maria, saying with tears at the end of the unsuccessful lottery, "I wouldn't give up on my kids" (Guggenheim, 2010, 01:37:13). For Maria, she refused to give up even after eight unsuccessful charter school lotteries. Imagine the resources (time, effort, money, etc.) Maria had at her disposal and to expend

for the unsuccessful charter school lotteries. This is excluding the opportunity costs that were incurred during those applications for the lotteries. In Maria's case, one observes how she used her capital, which is not necessarily available to other (disadvantaged) families, to enter in the lotteries. In addition, lotteries are seldom conducted with equal chances, and certain families are given enrollment preferences (e.g., extra chances at the lottery) for criteria, such as geographic proximity or being school employees, possibly only attainable through effectively utilizing their differential capital. For instance, in Los Angeles, enrollment preferences were given to parents who were able to contribute their time, expertise, and/or money to the schools they wanted to enroll their children (Maddaus, 2011). The various examples discussed above demonstrate how families (competitors) maximize their inequality among each other via the effective use of their differential capital to be informed, enroll, and succeed in the school lotteries (competitions).

Legislation, Lotteries, and Competition

To reiterate, a lottery system examined in isolation is indeed an arbitrary system of chance and is disjunctive from the definition of a lottery as a competition that rewards participants based on their comparative performances. Yet, getting to the lotteries in the first place, and gaining enrollment preferences for certain families, is largely based on how families can effectively use their "unequal" capital. My point is that it is unrealistic to simply view the lotteries as events distinct from the context in which they are in, especially when the lotteries operate within the school choice context (quasi-market), which is about intensifying competition. Then again, these lotteries also co-constitute the larger institution of competition (quasi-market), especially given its public nature. Eva Moskowitz, founder of Success Academy Charter Schools, on conducting public lotteries,

> Of course, the lottery is prescribed by law. If demand outpaces supply, you have to do a lottery. You do not have to do a public lottery.[10] We do a public lottery to show that there are thousands and thousands of parents who are interested in a phenomenal education for their child. (Sackler, 2010, 00:24:48)

From the lottery scenes in both movies, and also by media coverage of lotteries, it is evident that demand for these charter schools greatly exceeds the offered spaces. There are clearly "thousands and thousands" of applications, but definitely not "thousands and thousands" of spaces. Such publicized image of "demand exceeds supply" reinforces the format of competition in an education quasi-market by the heightened visibility of winners and losers. The lottery as a

legislative requirement also suggests that charter schools, given the option, may abandon the lottery system (supposedly based on luck) in favor of a system that allows them to select students who would contribute to the competitiveness of their schools. However, as I have argued, the competitive format of the lottery system does allow charter schools to select their students who have larger forms of capital in similar ways like private schools (high school fees) and "good" public schools in affluent suburbs (e.g., expensive residential property). Therefore, legislation, supposedly in the spirit of fairness perceived here as affording families chances at winning the lotteries, contributes to the reinforcement of the competition/competitiveness schema in the school choice movement pushing for a relaxation of restriction in an education quasi-market.

My discussion thus far illuminates the format of a lottery paralleling one of a competition, and more importantly, competitiveness being the underlying assumption for all meaningful competitions. I argued that when the spirit of competitiveness courses through the lottery system, a supposedly impartial lottery system becomes biased in the sense that families are only able to participate, and/or gain enrollment preferences, in the lotteries due to the various ways they utilize their differential capital. Next, drawing from my discussion on the education quasi-market and the lottery's competitive format, I argue that school lotteries are a particular discursive practice co-constituting the competitive frame of education quasi-markets.

School Lotteries Co-Constituting Education Quasi-Markets

Earlier, I discussed how all markets in practice are quasi-markets given that markets are social constructions (Ball, 2008; Mirowski, 2013). I argue that the move for further marketization is an attempt at intensifying competition, which is the market's institutional format (Davies, 2014). Contextualizing this understanding of a quasi-market to education, I argued that the introduction of charter schools—as part of the expansion of school choice movement—is a double maneuver seeking to intensify competition in an education quasi-market. I also outlined how the operation of an education quasi-market requires the commodification of privilege, which in turn depends on the visibility of both winners and losers (Connell, 2013). Yet, this visibility also depends on other discursive practices, such as standardized testing (Gorur, 2013), to sustain the market's institutional format of competition. This complex education quasi-market suggests that discursive practices operating within it serve to reinforce, and intensify, the institution of competition, the dichotomization between winners and losers. Hence, I argue that lotteries, being a discursive practice within the education quasi-markets, also co-constitute the institution of competition.

A key purpose of a lottery is to determine winners and losers, and the public nature of the school lotteries heightens the visibility of winners and losers, which reinforces the competition frame of an education quasi-market. For example, lotteries, especially those held publicly in popular charter schools, receive extensive media coverage—*WFS* is an excellent example—and entail a detailed process determining winners and losers witnessed by both participants and the larger community. Moreover, it is not simply the format of the lottery paralleling a competition's outcome of winners and losers; there exists the spirit of competitiveness discursively sustaining, and also co-constituting, the lottery as a competition. It is a co-constitutive relationship because just as competition is animated by the spirit of competitiveness, competitiveness is dependent on the intentional construction of the market (e.g., the format and regulations of competition) for its animation (Sellar, 2013). This competitive spirit takes the form of families utilizing their differential capital through various means, maximizing inequality among each other, to not only participate in the lotteries but also to gain enrollment preferences. Therefore, through highlighting the lotteries' public revelation of winners and losers, and the spirit of competitiveness coursing through the lotteries, one could observe how the lotteries serve as a particular discursive practice co-constituting the competitive frame of education quasi-markets.

Conclusion

This article adopted a policy problematization frame complemented with the abductive approach of engaging the two movies, *TL* and *WFS*, as "instances." Policy problematization here is understood as an examination of key assumptions underlying taken-for-granted concepts. In this article, I outlined the key assumptions, particularly competition, through the conceptual lens of a quasi-market sustaining school choice. As such, it led to my making sense of how a lottery system, depending on chance, exists within a school choice movement seeking to reward its participants based on their comparative performances. I interrogated the normative concept of the lottery and posited that the lottery is far from a neutral system based on luck, but parallels a competition. I also discussed how a spirit of competitiveness underlying all competitions, and by implication school lotteries, is primarily about competitors maximizing inequality among each other. After which, drawing from the various strands in my discussion, I argued that the lotteries serve as a particular discursive practice co-constituting the competitive frame of education quasi-markets.

Finally, in relation to my discussion thus far, I will like to end this article with three points. First, it may seem that my discussion in this article assumes that families implicated in the discursive practices of competition proceed in

accordance to a "fixed" competitive schema or immutable subject position, and thus leads to "simply [a scenario] of domination" where people are striped of any capacity for alternative actions or roles (Ball, 2015, p. 309). I need to emphasize that even though discursive practices produce subject positions, it does not mean that these positions are taken up in its entirety and there are no possibilities for change. Discursive practices cannot produce totalizing subject positions as it will also mean closing possible forms of political action (Youdell, 2006). That said, my stance is that discursive practices constrains actions where people act "within/at the limits" of such discursive practices (Youdell, 2006, p. 42). What this means is that the discursive practices of competition/competiveness make it difficult for people operating in education quasi-markets to *not* be competitors, but definitely *do not* necessarily lead to people being "perfect" competitors. The policy problematization attempted in this article then could simultaneously be seen as an attempt at demonstrating the contingency of school choice expansion through its co-constitution with the discursive practices of competition (e.g., standardized testing, league table, lotteries, etc.), and thus allow one to consider other political actions, other "ways of thinking about and acting" oneself (Rabinow & Rose, 2003, p. ix). This aim of policy problematization then resonates with a key goal of critical policy analysis.

Second, this article can be understood as an "instance" in relation to the long-standing conversation around the erosion, or failure, of meritocracy in the United States and other modern Western societies (e.g., P. Brown, 1990, 2013; Goldthorpe, 2003; McNamee & Miller, 2009). McNamee and Miller (2009) define meritocracy as "a social system . . . in which individuals get ahead and earn rewards in direct proportion to their individual efforts and abilities" (p. 2). Meritocracy then is not vastly different from the format of a competition where participants are rewarded for their comparative effort, and is in line with Allen (2011) noting that competition is actively encouraged in modern meritocratic societies. In education, the idea of students, teachers, schools, and other actors being appraised, and rewarded or penalized, for their respective merit is discursively reinforced. For example, high school students take tests to differentiate among themselves so as to gain entry to prestigious higher education institutions, or schools being closed for poor student test performances. However, as many studies have shown, individual merit, or test performance, is not a sole result of innate abilities, but a product of other factors such as family support and SES (e.g., Collins, Collins, & Butt, 2015; Perna et al., 2015). The definition of meritocracy as a social system where people are rewarded for their individual merit is thus compromised as individual merit is generally not as "individual" as it turns out to be. Hence, my problematization of school lotteries as a discursive practice of

competitiveness—where families effectively utilize their differential capital to enter in, and succeed at, lotteries—can be understood in relation to the recession of meritocracy, and informs what P. Brown (1990) terms as parentocracy in education, where students' educational performances are largely dependent on their parents' background, rather than their ability and efforts.[11]

Last, within contemporary education systems in many Organisation for Economic Co-Operation and Development (OECD) countries (United States being one), the notion of giving families school choice is now a key recommended education policy reform, and many countries either have some existing school choice systems or are in the experimental phase to expand school choice, or a mixture of both (see OECD, 2015). Moreover, in relation to this article's arguments, the lottery system is almost always present (e.g., legally mandated in United States), or being proposed (e.g., Australia), as a solution to oversubscription in certain schools in these countries where the neutrality of the lottery system, and not its "partial" competitive nature, is articulated, or assumed. The expansion of school choice (intensification of competition) does not exist independently, but is co-constituted in relation to the overall competiveness schema across these countries. For example, there are the U.S. *Race to the Top* education reforms (Ravitch, 2013), Australia's *My School* website allowing competitiveness to be foregrounded (Gorur, 2013) and forms part of the education infrastructure to contribute to "win[ning] the education race" (Gillard, 2012), and in Shanghai where education reforms are "borrowed" from other countries so as not to "lose out in the race" (Tan, 2012, p. 159). The metaphor of "race" could be seen as synonymous with competition, and the use of "race" is indicative of states being competitive because it is taken that they want to emerge as winners or at the very least, "to keep pace" with those at the top of the race (Sellar & Lingard, 2013, p. 470). Hence, I believe that school choice reforms, co-constituted in relation to various national competitive schemas, will continue to intensify competition in the respective education quasi-markets. Nevertheless, relating to my first point, possibilities do exist to think and act differently even in a competitive environment.

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Notes

1. There are 43 U.S. states with legislations governing charter schools. Out of the 43 states, 40 states mandate the use of a lottery system when charter schools are oversubscribed (National Alliance for Public Charter Schools, n.d.). Out of the 40 states, only California and Hawaii are legally required to conduct public lotteries.
2. It is important to note that the lotteries are seldom conducted with equal chances. Many charter schools conduct weighted lotteries as the schools are legally required to give enrollment preferences to certain groups of applicants (e.g., geographic proximity, race, siblings, school founders, etc.; National Alliance for Public Charter Schools, n.d.). Due to variations in legislation across states, the enrollment preferences also differ considerably. For example, in both California and New York, charter schools are required to give enrollment preferences to students residing in the school district where the schools are located. Yet, California's charter schools are not required to give enrollment preferences to siblings of students enrolled in these schools, whereas New York's charter schools are required to give enrollment preferences to this group of applicants.
3. See Notes 1 and 2 for the differences in organization and operation of charter schools across states.
4. Discursive practice(s) in this article refers to the "historically and culturally specific set of rules for organizing and producing different forms of knowledge," which also constitute the conditions for other discursive practices (O'Farrell, 2005, p. 134). In other words, discursive practices convey the conditions for certain knowledge claims to be made and as such constrains how people think, talk, and act.
5. Foucault (1977) has famously shown how vision can be employed as a tool to exercise power through analysis of the gaze and panopticon. The panopticon is a prison structure that allows a single guard to monitor a large number of prisoners.
6. Some states, such as Mississippi, require their charter schools to only enroll students within school districts where the schools are located.
7. The notion of what counts as "good," or choice, schools is highly subjective, and may not necessarily depend on gathering information directly from these schools, or other available information such as academic results. Holme (2002), for instance, demonstrated how some "White and middle to upper income" parents acknowledged certain schools as "good" primarily based on those schools serving other families like them, and the opinions of such families (p. 179). In addition, there also exist families that decide to remain in low academically performing schools with nonacademic programs that cater to these families' needs (e.g., Carkhum, 2016). The term *good* does not necessarily refer to a school's academic

performance but a concept that depends on several factors and differs across contexts. This understanding of "good" deviates from the school choice literature that situates choice within a quasi-market, which associates "good" schools primarily with higher academic achievement (Carkhum, 2016, pp. 12-22).

8. As of the 2013-2014 school year, there were about 6,400 charter schools serving approximately 2.5 million students in the United States. This stands in contrast to about 1,500 charter schools serving approximately 0.35 million students in the 1999-2000 school year. See http://www.publiccharters.org/dashboard/home for details.
9. See Note 2 on weighted lotteries and enrollment preferences.
10. See Note 1 for states legally mandating the use of public lotteries.
11. Allen (2011), however, argues that it is not that meritocracy is eroded, but that the meritocracy that exists in the 21st century is simply different from principles contained within Michael Young's (1958) book, *The Rise of Meritocracy 1870-2033*.

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