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### Economic crisis, accountability, and the state's coercive assault on public education in the USA

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## **Economic crisis, accountability, and the state's coercive assault on public education in the USA**

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This article examines education accountability as a mechanism of coercive neoliberal urban governance in the USA. Drawing on Gramscian theory of the 'integral state' as the dialectical synthesis of coercion, consent, and resistance, the author argues that as the crisis gives the state less room to win consent, it intensifies coercion as a strategy of governance. The author discusses three aspects of coercive state responses to the crisis in relation to education: (1) cannibalizing public education as a site of capital accumulation; (2) imposition of state austerity regimes and selective abandonment of education as a mechanism of social reproduction and legitimation in African-American communities that have become zones of disposability; and (3) governance by exclusion of African-American and Latino communities through school closings, state take-overs of elected governance bodies, and disenfranchisement. Systems of accountability are integral to this process as they make schools legible for the market, mark specific schools and school districts as pathological and in need of authoritarian governance, and justify minimalist schools in areas of urban disposability. This paper concludes with the potential of emergent resistance to dominant neoliberal education policy and argues that breaking with the framework of accountability and testing is critical to a counter-hegemonic alternative.

**Keywords:** accountability; high stakes testing; neoliberalism; urban governance; exclusion; African-American and Latino communities

### **Introduction**

The state is using the structural crisis of capitalism to accelerate neoliberal restructuring of public education in the USA. Seeing an opportunity to gobble up the public sector for private gain, fractions of capital, venture philanthropists, and neoliberal ideologues have seized on the fiscal crisis of the state to attack teacher unions and further marketize public education. While these moves are legitimated through discourses of 'school failure' and framed as 'reforms,' the cultivation of consent is dialectically related to the deployment of coercive state power – disenfranchisement, expropriation of public goods, and state abandonment. Driven by intertwined logics of capital and race, African-American and Latino urban communities that are largely superfluous to corporate/financial interests and excluded from state investment are targets of a strategy to dismantle public education and essentially abandon its role in social reproduction. The state is selectively disposing of

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public schools and abolishing elected governance bodies in urban school districts, stripping them of democratic processes of school governance. School closings, take-overs by education management organizations, expansion of privately run charter schools, and mayoral control of school systems are the order of the day.

This coercive assault on public education can be understood in relation to broader logics of crisis and the state's response. The social contradictions created by neoliberalism have led governments to increasingly deploy coercive processes of incarceration, surveillance, and punishment to maintain order in society (Gill 2003; Wacquant 2001). In the USA, governance through coercion has been a feature of state strategy over the past two decades, apparent in a dramatic increase in surveillance, curtailment of civil liberties, and intensification of incarceration, policing, and containment of people of color, especially in cities, and particularly in schools. The economic crisis has intensified coercive tendencies as the state is increasingly unable to deliver on its promises and the whole of society is thrown into turmoil. This is evident in brutal police crackdowns on the Occupy movement in the USA and preemptive strikes against demonstrators attempting to exercise rights to speech and assembly.

In this paper, I examine education accountability as a mechanism of coercive neoliberal governance. The negative effects of accountability on teaching and learning, teacher morale, and teaching as a profession have been well documented (e.g. Hursh 2008; McNeil 2000; Valli and Buese 2007), as have ways in which accountability exacerbates inequality (Gillborn and Youdell 2000; Lipman 2004; Valenzuela 2005). While education accountability continues to work discursively to shape educational discourse and teacher practices and subjectivities (Ball 1994), and while the ongoing struggle for hegemony is evident in efforts to construct consent for neoliberal policies and practices, consent is in dialectical relation with coercion and resistance. A pervasive audit culture of high stakes testing, performance indicators, sanctions, and competition constitute a disciplinary system of regulation and surveillance (e.g. Ball 2001; Suspitsyna 2010), but that is not my focus here, although I return to it in the final section of the paper. My argument is that education accountability in the USA also plays a central role in coercive urban governance. Specifically, I argue that the state is using the crisis to accelerate the expropriation of urban public schools, forced displacement of people of color, and disenfranchisement of African-Americans, Latinos, and other people of color, and accountability is pivotal to this project. Systems of accountability make education legible for the market and private appropriation, mark schools and school districts as pathological and in need of authoritarian governance, and justify minimalist schools in areas of urban disposability.

My argument draws on two related theoretical frames. The first is a theory of the state that accounts for both hegemony and coercion and highlights the role of coercion in neoliberal governance. The second is the proposition that education policy and neoliberal urban regimes of capital accumulation and racial domination are co-constitutive. Neoliberal education policies contribute to, and are shaped by, neoliberal urban regimes characterized by 'accumulation by dispossession' (Harvey 2003) (expropriation of territory and resources for capital accumulation), intensified exploitation (breaking unions, contingent labor, and contracting out), and racial oppression (two-tiered provision of public services, violence, and displacement, eliminating schools as anchors in disinvested communities).

I discuss three aspects of coercive state responses to the crisis in relation to education. (1) The economic crisis and fiscal crisis of the state accelerate opportunities to cannibalize public education as a site of capital accumulation while relieving the state of responsibility for portions of urban school systems. Black and Latino urban schools and students are commodified investment opportunities through privatization and financialization of the education sector. (2) The imposition of state austerity regimes (e.g. budget cuts and teacher lay-offs) suggest that the state may be *selectively* abandoning education as a mechanism of social reproduction and legitimation in African-American communities that have become zones of state abandonment and disposability. (3) School closings in African-American and Latino communities, state takeovers of urban school districts, and disenfranchisement of parents, teachers, students, and community members constitute coercive governance through exclusion. In the final section of this paper, I briefly discuss the complexity of coercion, consent, and contestation and possibilities of an emergent counter-hegemonic movement.

My analysis is grounded in eight years of ethnographic research, collection of documentary data, and participation in education justice movements in Chicago. I also draw on data and analyses of other urban US contexts, particularly the work of Kristen Buras on New Orleans (2010) and Tom Pedroni on Detroit (2011). My data include a variety of documents and participant observations collected in public meetings of teachers, union and education activists, parents, community organizers, and youth, and in public meetings of school officials. As a participant in these events, my own experiences help to inform and shape my analysis. (Much of my participation is, however, ‘off limits’ as a source of data as it occurs in the spirit of education activism.) The data also include formal interviews with teachers, parents, and school staff related to high stakes accountability, school closings, and markets conducted in 2006 and in 2010 (Lipman 2011; Lipman and Person 2007). Field notes, interviews, and documentary data collected for several co-authored reports and policy briefs also inform my analysis (e.g. Fleming et al. 2009; Greenlee et al. 2008; Lipman, Smith, and Gutstein 2012). In all this research, I owe a debt to the insights and contributions of community members, teachers, activists, and parents with whom I have worked.

### Hegemony and coercion

In the USA, through the decades of the 1980s and 1990s, powerful social groups constructed a hegemonic alliance around the neoliberal restructuring of public education. Apple (2006) describes this hegemonic block as suturing the interests of fractions of capital committed to neoliberal, market-based education solutions to the interests of neoconservatives, religious fundamentalists (authoritarian populists), and new managerial professionals.<sup>1</sup> Although there are tensions within this alliance, the general goal is to create conditions for markets, choice, standards, and discipline in schools, and to orient education toward global economic competitiveness. Systems of accountability and competition have been essential to this project – to create markets as well as to define what counts as knowledge and to discipline teachers, students, and schools (e.g. Ball 2007; Ball, Bowe, and Gewirtz 1994; Lingard 2010).

Hegemony involves persuasion and relatively legitimate forms of rule. It is achieved to the extent that a hegemonic bloc wins widespread support for its values and goals (Gramsci 1971). Education accountability and markets gained popular support, in part, because they spoke to the exclusions and lack of responsiveness of

public schools organized under the Keynesian Welfare State settlement (Clarke and Newman 1997). In the USA, proponents framed top-down accountability and choice as equity (i.e. No Child Left Behind [NCLB]), and the 'good sense' in this policy resonated with some parents of color and advocacy organizations fed up with persistent inequities in education and unresponsive school bureaucracies (Pedroni 2007). Accountability measures, disaggregated by race/ethnicity and other markers of difference, promised to make visible the 'achievement gap,' end the 'soft bigotry' of low expectations for students of color and second language learners, and hold teachers' and schools' feet to the fire to 'teach all children.' Some Civil Rights advocates and African-American and Latino school district superintendents initially supported NCLB<sup>2</sup> (e.g. Don't turn back the clock 2003). Although there was a campaign by powerful state and corporate actors to win consent, there was also tactical agency on the part of civil rights advocates and others to use the federal accountability law to draw attention to entrenched racial disparities, particularly in the absence of a robust alternative.

Hegemony requires not only ideas but also encompasses social institutions through which it is materialized and reproduced. As accountability and markets have taken hold, they have spawned an array of self-reinforcing institutional supports. Public private partnerships, firms, consortia of investors, university departments, bodies of scholarship and scholarly journals, professional degrees, corporate philanthropic institutions, product lines, for-profit supplemental educational services, non-profit services, think tanks, and more have evolved to support, elaborate, and justify this agenda.

Yet, hegemony is never complete. Ruling classes must constantly reassert moral and intellectual leadership so that dominated or subordinate classes consent to their own domination rather than being simply forced into inferior positions. In this sense, we can delineate the ongoing construction and reconstruction of neoliberal hegemony as dominant groups rearticulate subaltern claims and critiques in order to exert leadership over how people think and act on them (Apple 2006; Swalwell and Apple 2011). For example, the assemblage of media events (such as the pro-charter, anti-union *Waiting for Superman* film and massive publicity campaign), political rhetoric (e.g. Obama's 'Educate to Innovate' agenda), systems of performance measurement (paying teachers based on 'value added'), and framing teachers as the source of education problems are all designed to recruit a wide network of parents and the broad public to support expanded education markets and attacks on teacher unions.

But coincident with the ongoing construction of hegemony, another, more brutal form of governance is at work in Chicago, Detroit, New Orleans, Philadelphia, and other cities where communities of color are being stripped of their schools and their right to participate as public actors and 'citizens.' Urban scholar, Davies' (2010, 2012) theorization of the role of coercion in neoliberal urban governance is particularly useful in understanding this. Davies' analysis derives from a 'Marxist reading' of Gramsci's concept of the state as the dialectical synthesis of coercion, consent and resistance. Davies recalls Gramsci's formulation of the 'integral state' composed of 'dictatorship+hegemony' (Gramsci 1971, 239). The Gramscian integral state is a 'strategic and coercive actor' in dialectical relationship with civil society which is understood as the terrain where political classes struggle for both hegemony and domination (Davies 2010, 2). In the dialectic of hegemony and domination, although technologies of assent are critical, coercion 'remains the indispensable condition of social order' (Gramsci 1971, 57; cited in Davies 2012, 3). Davies argues that all urban governance embodies this dialectic of coercion and consent in some form.

The weakness of the hegemonic strategy is that consent of subordinated classes and social groups depends on the state cultivating expectations for social well-being and advancement that it cannot meet. Wacquant (2001), Harvey (2005), Gill (2003), and others have argued that as the neoliberal state loses legitimacy in the face of growing inequalities, deprivation, and marginalization, the state relies more on exclusion, incarceration, surveillance, repression, hierarchical imposition of authority, symbolic violence, discipline through markets, and explicit violence to maintain the existing social order. This is evident in the astounding growth of the carceral state in the USA, the expansion of surveillance and curtailment of civil liberties, and criminalization of immigration. Hegemony is further undermined by capitalism's tendency to crisis, and particularly as mature capitalism is prone to more frequent and contagious crises of accumulation (Harvey 2010). As the current economic crisis intensifies the contradictions of neoliberalism, there is a growing tendency to coercion in urban governance.

However, the disciplinary force of the state is not applied uniformly. In the USA, it targets low-income people and neighborhoods and African-Americans and Latinos, and immigrants (Wacquant 2009). Specifically in the US context, coercive urban governance is intertwined with white supremacy. Here the development of capitalism is integrally connected with slavery, the theft of native lands, conquest of part of Mexico, decades of Jim Crow laws and racial terror, and racially structured and segregated labor markets, housing, and schools. Racial oppression and capitalist exploitation are interwoven, each producing and serving the other (Brown and Lissovoy 2011). Neoliberalism is both built on and reproduces this dynamic (Lipman 2008, 2009). In the present crisis, the logics of race and capital are co-constitutive of the expropriation of the collective assets of communities of color, their commodification and disenfranchisement. Constructing consent, when it comes to these communities, does not seem to be the primary aim.

### **The crisis, cities, and education**

Western capitalism is experiencing its deepest structural crisis since the 1930s. After nearly four years, despite talk of recovery, unemployment remains high and the global financial system is fragile, with national debt in Greece, Spain, Portugal, and Ireland threatening major banks and holders of collateral debt obligations in a house of cards of overexposed risk. With some variation, the state's response is generally to socialize the losses of investors through bank bailouts and to attempt to impose social austerity on the general populace (Harvey 2010), as mandated by the European Union and International Monetary Fund for the Greek debt crisis. In this scenario, the working and middle classes will be expected to endure repeated reductions in wages, loss of pensions and hard-won social benefits, drastic cuts in public services such as education, and decimation of personal assets, e.g. homes and other possessions. With the state unwilling to challenge corporate wealth or recoup obvious sources of federal and local revenue (e.g. taxes on the rich and corporations, reduction of military spending, taxes on financial speculation), city governments in the USA have opted to sell off public assets and impose austerity measures on working and middle classes. Budget cuts, cutbacks in public services and increases in fees, and public worker wage and benefit concessions are the order of the day. The initial, crisis-driven round of deep cuts to primary, secondary, and tertiary education are unlikely to be the last.



People of all walks of life, many heretofore unengaged in politics, have been drawn into struggle to defend their livelihoods. At the same time, those who have been suffering all along due to disinvestment and neoliberal restructuring – particularly people of color – are facing outright destitution and civic exclusion. There is a new grammar of political opposition captured by the Occupy Wall Street movement and the metaphor of the 99% vs. the 1%. The crisis has produced a new moment – ripe with both danger and opportunity – in which coercive state strategies have come to the fore in dialectical relation to grassroots mobilization against austerity and, incipiently, against capitalism itself.

Cities, which have been targets of neoliberal experimentation and resulting economic, social, and spatial inequalities and marginalization (Brenner and Theodore 2002), are a focal point of this dialectic. As critical geographers Peck, Brenner, and Theodore (2008) summarize:

The manifestations of destructively creative neoliberalization are evident across the urban landscape: the razing of lower income neighborhoods to make way for speculative development; the extension of market rents and housing vouchers; the increased reliance by municipalities on instruments of private finance; the privatization of schools; the administration of workfare programs; the mobilization of entrepreneurial discourses emphasizing reinvestment and rejuvenation; and so forth.

Debt financing and reliance on real estate, particularly gentrification, as a pivotal sector of neoliberal urban economies, made municipal governments particularly vulnerable to the crisis. Years of failing to pay into public pension funds and entanglement of city finance in global financial markets have caught up with city and state governments as they have lost millions of dollars in revenue and cannot meet pension and other public obligations.

Because education policies are intertwined with neoliberal urban economies, education is a key site of urban contestation (Lipman 2011). Analyses of the intersection of neoliberal strategies of capital accumulation, race, and education in New Orleans (Buras, Randels, and Salaam 2010), Chicago (Lipman 2004, 2011), and Detroit (Pedroni 2011) illustrate ways in which education policies support the disinvestment and reinvestment in the urban built environment and the displacement and exclusion of working-class and low-income people of color, particularly African-Americans. In New Orleans, Chicago, and Detroit, policies of closing schools and expanding education markets have facilitated real estate development and displacement of people of color, particularly African-Americans. Racial segregation in housing, racialized labor markets, and the state's abandonment of African-American and Latino urban areas over the past three decades made these areas ripe targets of neoliberal experimentation (Wilson 2006). In turn, privatization of education in these neighborhoods is often a leading edge, discursively and materially, of the generalized privatization of public goods and services (Lipman 2011).

The fiscal crises of state and municipal governments have given new energy to neoliberal restructuring of education. Framing the financial crisis and deeper structural crisis as a crisis of public debt opens the way to specific policies (see Clarke and Newman 2010). This framing provides the rationale for broad public austerities and attacks on public sector worker unions. In education, it provides a further warrant to close public schools, turn over locally elected school boards to mayors or appointed financial managers, and to dismantle whole school districts, as is underway

in the city of Philadelphia. Charter and turnaround schools, national standards, 'value added' merit pay for teachers, and demonization of teacher unions are normalized. Leading representatives of monopoly finance, information, and retail capital (e.g. Gates, Walton, Broad, and Dell), who made billions of dollars during the boom years of the 1990s and early 2000's, have deployed their enormous wealth to steer national education in this direction (Saltman 2010). At a moment when public schools face severe budget cuts,

In state after state, men with vast personal fortunes invest in campaigns to end teachers' tenure, end seniority (now called Last In, First Out, or LIFO), and clear the way for private takeovers of public schools, where teachers work with no job rights at all. (Ravitch 2012)

### **Cannibalizing public schools for profit and appropriation of Black urban space**

The economic crisis and interwoven fiscal crisis of the state accelerate opportunities for capital to cannibalize public education while relieving the state of responsibility for (unwanted) portions of urban school systems. In a form of 'disaster capitalism' (Klein 2007), public education has become a highly visible site of 'accumulation by dispossession' (Harvey 2003). Systems of accountability have created conditions to turn Black and Latino schools and students into investment opportunities by commodifying and financializing the education sector.

Chicago, whose system of education accountability launched in 1997 set a national trend, led the way in using performance measures to justify and facilitate markets. Referencing students' poor performance on high stakes standardized tests, in 2004, the city's mayor and corporate elites unveiled a plan to close 60–70 public schools and open 100 new schools, two-thirds as charter schools (Lipman 2011). As of Fall 2012, in African-American and Latino communities, the Chicago Board of Education has closed, phased out, or turned around 105 schools; the Academy for Urban School Leadership, a private education management organization, operates 25 'turnaround' schools; and private operators run 87 charter schools. A proposed new charter school compact, partly funded by the Gates Foundation, will give charter school operators more access school facilities and greater public funding. Chicago's mayor, Rahm Emanuel, said he hopes charter operators from around the country will 'look at this as an opportunity to set up shop' (Harris 2011). As a whole, this represents a significant appropriation of the commons in African-American and Latino areas of the city. These politics of disposability are repeated in cities across the USA as school districts close neighborhood public schools in low-income African-American and other communities of color.

In post-Hurricane Katrina New Orleans, the logics of white supremacy and capital accumulation meshed in the forcible dispossession of that city's African-American population of their homes, land, cultural institutions, and schools. For decades, city government had systematically disinvested in African-American areas of New Orleans and their schools. The performance of the city's students on state accountability measures was then used to blame students and teachers and the teachers union. This was the run-up to post-Hurricane Katrina. Capitalizing on the devastation of the storm and the forced exodus of much of New Orleans' working-class Black population, neoliberal think tanks, charter school operators, real estate investors, and those who wanted to 'revitalize' the city as a space of whiteness, pounced



on the disaster as a ‘golden opportunity’ to ‘Bring New Orleans Back,’ minus its working-class African-Americans (Buras, Randels, and Salaam 2010). Dismantling and privatizing the school district was a crucial component. In the words of Lipsitz (2006), the aftermath of the hurricane ushered in an orgy of ‘legalized looting to enable corporations to profit from the misfortunes of poor people’ (452).

In 2008, when Arne Duncan was confirmed as US Secretary of Education, the first thing he did was fly to Detroit to tell that cash-strapped Black city<sup>3</sup> and struggling school system that the federal government was there to help – but only if they would do things very differently. They must follow the Chicago model: close ‘failing’ schools and expand privately run contracted-out charter schools or turnaround schools, disband the elected Board of Education, impose mayoral control of the school district, and run the schools like businesses. Playing to state and city revenue shortfalls, in 2008 the Obama administration’s \$4.35 billion federal competition for education funds (Race to the Top) made this mandate national. What followed was mass divestment and privatization of Detroit’s public schools that is ongoing.

In the USA alone, elementary and secondary education is a \$650 billion dollar industry, and higher education puts the education sector well over a trillion dollars. As charter schools have evolved into corporate enterprises, there is money to be made in managing them, selling them buildings and learning materials, and speculating on their growth. In a production chain that begins with a system of accountability and sanctions and ends with school closings and charter school openings, low-income children of color are the central commodity. In New York, as in Chicago, charter school expansion is accompanied by public school closings and co-location of charters in existing public schools, often with charters cannibalizing the school’s best facilities and resources. Hedge funds are at the ‘epicenter’ of the New York charter school movement (Hass 2009). They are major financiers of charter schools across the city and dominate their boards and the organizations that support charter schools. As Miner (2010) reports:

given that most hedge funds operate on what is known as a 2–20 fee structure (a 2 percent management fee and a 20 percent take of any profits), some lucky hedge fund will make millions of dollars off of Harlem Children’s Zone [charter schools] in any given year.

In addition to management fees garnered by for-profit education management organizations, charter schools can generate huge returns on investment. The New Markets Tax Credit, passed by Congress in 2000, gives a huge federal tax credit to banks and equity funds that invest in community projects in underserved communities. Investors are using the tax credit heavily to build charter schools and since this is a tax credit on money that they are lending, they are also collecting interest on the loans (Gonzalez 2010). Juan Gonzalez explains how this case of rapacious capitalism works:

Under the New Markets program, a bank or private equity firm that lends money to a nonprofit to build a charter school can receive a 39% federal tax credit over seven years. The credit can even be piggybacked on other tax breaks for historic preservation or job creation. By combining the various credits with the interest from the loan itself, a lender can almost double his investment over the seven-year period. No wonder JPMorgan Chase announced this week it was creating a new \$325 million pool to invest in charter schools and take advantage of the New Markets Tax Credit.

In the effort to construct consent for this policy, state abandonment is framed as public sector failure. The challenges of poverty, urban disinvestment, minimalized curricula, and racism register as low performance on the matrix of performance indicators. Yet parents and teachers in Chicago claim that the state produces school 'failure' as schools are stripped of resources and staff (Brown, Gutstein, and Lipman 2009; Lipman and Person 2007; Lipman, Smith, and Gutstein 2012). Once closed schools are designated for conversion to charters or turnarounds and are awarded millions of new dollars in renovations and additional staff. Over \$25 million for capital improvements has been earmarked for the six schools that Chicago Public Schools (CPS) will turn over to Academy for Urban School Leadership in Fall 2012. CPS's \$660 million capital budget plan for 2012 allocates almost \$125 million – about one-fifth of the entire budget – to 11 schools that the district targeted to be turned around or closed and reopened by another operator (Vivea 2011).<sup>4</sup> In November 2010, the UNO charter school operation, led by then-Mayor Daley's chief Latino political ally, was awarded \$98 million by the State of Illinois at the very time when public schools were facing cuts. UNO specializes in charter schools in Latino communities.

Especially in African-American communities that have faced the expropriation of their living space as the state has dismantled and marketized public housing and as their neighborhoods have been gentrified, education privatization is experienced as another means of seizing and commodifying Black urban space (Lipman 2011). Closing or turning around schools that are anchors in communities, further destabilizes the communities and accelerates the dislocation of African-American and Latino residents who live there. Having disinvested in these areas in the run up to the recession, capital is taking advantage of the crisis to mop up schools in communities of color just as they are mopping up foreclosed homes. 'Failing' schools are yet another form of 'distressed property' to be cannibalized for investor portfolios.

### **Austerity and selective abandonment of social reproduction and legitimation**

Education is at the center of the 'shock doctrine' (Klein 2007) response to economic crisis. Cuts to education budgets and attacks on teacher unions are a focal point of the state's attempt to break public sector unions in general and impose severe cuts to public goods and social welfare. But schools that are most dominated by punitive accountability measures and least resourced are more deeply affected by budget cuts, teacher lay-offs, and program reductions. After 17 years of accountability mandates and threats of being closed or turned around, many Chicago public schools serving low-income African-American and other students of color are minimalist, test-prep schools, stripped of the courses and programs that constitute what has defined even a mediocre public school in the USA. Built on an historically unequal and racially segregated public school system, accountability, markets, and inequitable investment have produced what Chicago Teachers' Union President, Karen Lewis, calls an 'apartheid school system' with elite selective enrollment and well-resourced public schools in more affluent and white areas and disinvested schools concentrated in African-American and Latino neighborhoods. (Chicago public school student population is 92% of color and 86% low income.) Many elementary school students have limited access to physical education, arts, library/media instruction, science laboratories, computer science, and world language classes. In 2011, 160 of Chicago's public elementary schools did not have libraries. Only 25% of neighborhood elementary

schools had both art and music teachers; 40 schools had neither and most schools are forced to choose between the two (Chicago Teachers Union 2012). Some schools do not have a full set of textbooks for each student. They lack nurses, counselors, and support staff. The economic crisis has given added impetus to, and the trope of budget deficits justifies, further disinvestment in public schools in low-income African-American communities in particular. In December 2011, the school district's Chief Operating Officer announced that the district did not intend to invest in schools that would be closed in the next 5–10 years (Ahmed-Ullah 2011).

On the other hand, there is an abundance of test preparation materials and related teacher professional development activities. As these schools are further diminished, those that are not handed over to private operators are reduced to militarized spaces of containment. The crisis is accelerating a process of sloughing off the social reproduction and legitimation function of schools in (disposable) African-American (and some Latino) communities. Charter schools and minimalist public schools in areas that are largely abandoned by the state and excluded from the life of the city reflect the further decline of the public as an avenue of opportunity or even safety in the crisis ridden, post-Keynesian welfare state (Meiners and Quinn 2011) and a shift from hegemony to governance by exclusion.

Undermining teaching as a profession and breaking teacher seniority will certainly ensure the acceleration of teacher turnover in the least resourced and most test-driven schools. A revolving door of short-term, untrained novices supplied by privately run 'alternative certification' operations will constitute the staffs of the most desperate schools or schooling will be outsourced to private providers of online learning or learning modules synched to high stakes tests. Ravitch (2012) sums up this direction:

Teaching will become a job, not a profession. Young people will typically spend a year or two as teachers, then move on to other, more rewarding careers. Federal and state policy will promote online learning, and computers will replace teachers. Online class sizes will reach 1:100, even 1:200; the job of monitoring the screens will be outsourced, creating large economies for state budgets. For-profit companies will make large profits.

This scenario is classed and raced. While austerity measures are implemented across the board, public schools in more affluent and white areas continue to legitimate the narrative of opportunity (often with supplementary parent funding) while restricted education schools are characterized by exclusion from the historic opportunity structures that legitimated the social order. Racialized 'societal fascism' – exclusion of segments of the population from any social contract (Santos 2002) – is intensifying in a state-organized survival of the fittest. In descent into barbarism, some people (e.g. African-Americans, homeless people, some immigrants) are simply deemed disposable in a nation of high unemployment, intensified austerity, and competition for scarce resources.

### **Disenfranchising African-Americans: governance by exclusion**

State takeovers of predominantly African-American and Latino school districts and whole cities, elimination of their elected governing bodies, and disregard for the voices of those affected exemplify coercive urban governance by political exclusion. The dismantling of the predominantly African-American New Orleans public

schools and imposition of a state-run recovery district is the well-known model for this strategy. As in other cities, the state accountability system was the legitimating mechanism. Citing the city's low scores on state assessments, the state fired all 4500 public school teachers, broke the city's powerful Black-led teachers union, and dismantled the school system's administrative infrastructure (Dingerson 2008; Saltman 2007). 'Forceful expulsion' of African-Americans from the city, in part, by seizing their schools (Buras, Randels, and Salaam 2010) can hardly be called hegemony through persuasion and legitimacy.

Similarly, Detroit's corporate and financial leaders are seizing on decades of disinvestment and economic decline to reshape the city for a new round of capital accumulation (Pedroni 2011) with school closings as a principle lever. Having disinvested in the city's economy for decades, in partnership with city and state officials, corporate elites see the crisis an opportunity to restructure Detroit as a global niche city, minus the economically impoverished African-Americans who along with other workers were the source of Detroit's wealth in the industrial era. The plan is to 'clear cut' disinvested Black neighborhoods and open up the land for new investment. Detroit's population is 82% African-American, and the city has the highest rate of Black home ownership in the US. School accountability is a lever to close schools, eliminating a critical anchor in distressed communities and forcing out African-American home owners. (See Pedroni 2011 for a full analysis.)

The state is facilitating this agenda by disenfranchising the city's majority Black residents. Pointing to Detroit's budget deficit, eroded tax base, fiscal 'mismanagement,' and low performance on state tests as basis, in 2009 the Michigan governor appointed an Emergency Financial Manager to oversee the school district's finances. In 2011, the Governor appointed an Emergency Manager, a former General Motors executive, to run the school system, eliminating the authority of the city's elected school board. The Emergency's Manager's agenda is to close public schools and convert others to charter schools. In the last five years, 125 public schools have been closed. By the end of the 2011–2012 school year, Detroit Public Schools will no longer operate a single neighborhood public high school. Public high schools are either selective enrollment or are part of the new State-run 'recovery district' à la New Orleans.

In April 2011, the mayor announced plans to 'downsize Detroit' by pushing out African-American residents of disinvested areas through cutting utilities, removing city roads, and reducing public services (garbage removal and street lights) (MacDonald 2011). In spring 2012, the Detroit City Council voted to accept a State-appointed financial advisory board to oversee the city's finances in order to avert a takeover by an appointed emergency manager. Disenfranchisement of Detroit's Black residents mirrors similar moves in other majority African-American cities in the State of Michigan where Detroit is located. Emergency Managers have absolute authority to unincorporate the city, sell its assets, remove its elected leaders, privatize or eliminate services, and break union contracts. Schools are central to contestation of this project. Pedroni (2011, 213) writes:

Within this struggle over for whom the city exists, schools in Detroit play a vital role in maintaining or relinquishing one's stake in the city, which is why they are central to both the fostering of and resistance to neoliberal urbanism.

The Chicago Board of Education has closed 105 public schools in African-American and Latino working-class low-income communities since 2001, while it

has expanded its 'portfolio' of charter and selective enrollment schools requiring admission tests.<sup>5</sup> Citing poor performance on school accountability measures, the Board has closed 80% of the schools in the historic African-American South Side Bronzeville community. These decisions are made by the mayor and his appointed school board composed of CEOs in finance, real estate, and transnational corporations, winning them the informal title of '1%ers' (the one percent wealthiest people in the USA)<sup>6</sup>. Their decisions are made behind closed doors, without genuine public participation. Public hearings prior to the decision have become notorious for their mockery of democracy as each member of the public is limited to two minutes to speak, evidence presented by teachers and parents is not considered, and no one in power is present. In 2012, when school communities in Chicago offered plans to transform schools threatened to be closed, the Board refused to acknowledge them. Rallies, marches, pickets, petitions, candlelight vigils, and more have spared only a handful of schools. As in Detroit and New Orleans, this is external rule with no pretense of 'citizenship' or democratic participation. Mayoral takeover of elected governance bodies, overt decision-making by financial and corporate elites, and enforced school closings continue the erosion of democratic participation instituted through the disciplinary power of top-down accountability systems, particularly affecting schools in low-income communities of color in the USA (Lipman 2004). This is perhaps why the theme of self-determination resonates in struggles to defend neighborhood public schools in Chicago.

Regimes of accountability certify the failure of schools and, by implication, the communities of which they are a part, legitimating their disenfranchisement. But this legitimization strategy has little salience for those who have seen their schools closed and neighborhoods destabilized. Residents of Chicago's, New Orleans, and Detroit's African-American and Latino communities do not need to be told about the connection between school closings and the neoliberal restructuring of their cities. It is apparent that city plans do not include them and that closing and privatizing neighborhood schools facilitates their exclusion. They are largely disposable, and it is not necessary to obtain their consent except to the extent that their resistance necessitates concessions. This is neoliberal urban governance by exclusion, a 'form of economic, spatial and symbolic violence against the poor where hegemonic actors do not see the potential, need or possibility of organizing a more inclusionary enrolment strategy' (Davies 2010, 25).

### **Concluding thoughts: contestations, complexities, and possibilities**

Among those directly affected, there is little consent for the punitive policies I have described, and their resistance has been fierce. More broadly, despite a richly financed and visible pro-charter, anti-teacher union campaign and the normalization of systems of accountability, the lived experience of neoliberal education policy is eroding its legitimacy. Despite the authority of numbers and metrics, the luster has worn off high stakes testing as a decade of its reductive and punitive effects have degraded teaching and learning and curriculum.<sup>7</sup> Accountability regimes are beginning to be the disparaged status quo with opposition to high stakes testing and corporate managerialism extending to white middle and working-class parents. Austerity measures, attacks on teaching and teacher unions, and other corporate policies are beginning to be felt across lines of class and race, setting off a backlash. Coalitions of teachers and parents, student walkouts, protests of all sorts, teacher



activist organizations, and democratic stirrings in teacher unions have become a feature of US urban school districts in turmoil – so much so that corporate philanthropies are focusing on parent organizing as a counter-strategy.

In February 2012, Chicago's mayor and Board of Education high-handedly closed 19 schools and turned over six of them to private operators who received an infusion of public funds. The Board ignored protests, marches, petitions, sit-ins, and a winter sleep-out on the sidewalk in front of the Board of Education by mainly African-American and Latino parents, students, and community members. This was the culmination of eight years of ignoring pleas and demands against school closings. Meanwhile, the Board's disconnection from the educational concerns of parents and teachers has also begun to affect middle-class and white working-class schools, and the parents have mobilized and connected with organizations of people of color. The election in June 2010 of progressive leadership of the 30,000-member Chicago Teachers Union<sup>8</sup> has tipped the balance of social forces. A new city-wide, multi-racial, multi-class alliance of parents, community groups, and the union is emerging.

The present social conjuncture is highly volatile, marked by economic and political crisis, repression, upward redistribution, and social struggles and contestations. In the face of economic crisis, the state has fewer resources to maintain inclusive forms of urban governance associated with hegemony. Its repertoire of strategies is more limited, exposing the nexus of race and capital at its core. The combination of treating whole groups of people as disposable and the generalized failure to meet expectations undermines hegemony. Although just beginning, this is a pivotal opportunity for the formation of a counter-hegemonic education alliance. However, corporate philanthropies and heavily funded corporate school 'reform' groups are deploying massive symbolic and material resources to promote and accelerate their agenda and undermine growing opposition.<sup>9</sup> Internally, a counter-hegemonic alliance is complicated not only by entrenched race and class privileges of some, but also by ways in which the disciplinary power of accountability shapes resistance.

Public hearings on school closings in Chicago exemplify the persistent discursive power of testing and performance metrics to define the parameters of legitimate opposition. The hearings begin with an extensive power point presentation by a school district technocrat, meant to demonstrate in detail the school's failure to meet accountability targets. In a display of accountability metrics as a mode of regulation, the presentation's graphs, charts, and statistics reveal the school's (inferior) ranking on a matrix of performance indicators that have been defined as the 'field of judgment' (Ball 2001). This is followed by often-emotional testimonies by students, teachers, and parents proceeding from a different field of judgment. They speak of the importance of the school to the community, the human relationships it embodies, its enriching programs and dedicated teachers, its commitment to the children, their languages, cultures, and so on and the injustice of a history of inadequate resources. But there is more. They also dispute the school's performance ranking, contend 'scores are going up' or are 'better' than neighboring schools, and offer plans on how they will improve them. While they stand on ground distinct from neoliberal accountability, they also reaffirm the legitimacy of its measures, comparisons, and judgments to define the value of a school and the people who are part of it. Their testimonies are evidence of the persistent strength of accountability discourses to define teaching and learning and to discipline subjectivities and limit the terms of engagement even as resistance is growing. While accountability is contested, high stakes testing nonetheless continues to work as a discourse of containment.



The dialectic of consent, coercion, and resistance is playing out in complex ways. This is a moment of extreme tensions and contradictions. Clarke and Newman (2010, 714) note:

Invention, innovation and revitalization of older ways of thinking and doing have been taking place around us. It is precisely the compressed co-existence of dominant, residual and emergent formations that creates the conjuncture – and the struggles among them that shape the lines of potential future development.

This is just such a moment in education in the USA. Crises tend to increase the gap between what capitalism promises and what it can deliver, leaving the state with less room to maneuver, undermining hegemony and sharpening social contradictions. Crises create new conditions for resistance, new alliances, and possibilities for coalescence around a new social vision – even as they create the impetus for an accelerated assault on public education and low-income communities of color. Breaking with the framework of accountability and testing will be critical to counter the politics of consent *and* coercion with a counter-hegemonic movement and a revitalized liberatory discourse and program.

## Notes

1. Apple (2006) elaborates the interests of other social sectors: neoconservatives want a return to higher standards and a 'common' (patriarchal, Eurocentric) culture; 'authoritarian populist' religious fundamentalists are concerned about the erosion of Christian values and traditions; and a fraction of the new professional middle class benefits materially from the application of managerial strategies to the public sector (testing, business management of schools, and performance indicators).
2. The NCLB, a reauthorization of the federal Elementary and Secondary Education Act passed in 2002, mandated a system of performance indicators (disaggregated by race, English language status, socioeconomic status, and students designated for special education services), benchmarks, and sanctions.
3. Detroit's population is 82% African-American.
4. Tim Cawley, the Chief Operating Officer, is former Managing Director and Chief Finance Officer of the Academy of Urban School Leadership, the turnaround organization that would get six of the schools.
5. There are currently 675 Chicago public schools. Since 2004, the number has increased from about 500 as public schools have been closed and the students divided among smaller charter and selective schools.
6. The current seven-member Board is chaired by the CEO of the Chicago Board of Trade, a global finance institution, and five of the other six members are CEOs and leaders of major transnational corporate, financial, real estate, and marketing firms.
7. For example, more than 400 school districts in Texas, the state that pioneered high stakes accountability under then-Governor George Bush, signed a resolution to take a stand against the current testing (Cargile 2012).
8. The union's education program is a counter to accountability and corporate, market-driven policies (Chicago Teachers Union 2012).
9. For example, Stand for Children, a corporate-funded education 'reform' organization, has spent millions of dollars lobbying for anti-teacher union legislation.

## Notes on contributor

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