The Business of Learning

Critical Race Theory, Neoliberalism
and the American Charter School Movement

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Introduction

        In the United States a strong cultural emphasis on entrepreneurship and business mindedness has pervaded the nation's history since its founding. This manifests itself in a number of ways, one of which is the development of various market oriented education reforms, the most popular of which have proven to be charter schools. These semi-private institutions are quickly being accepted as popular alternatives to traditional public schools, and their rapid adoption is having measurable impacts on local communities that choose to embrace what has become known as school choice policy. Naturally, some communities have embraced charter schools more entirely than others, and the ways in which they have been implemented, and the impacts they have on their respective communities vary somewhat. Even so, a number of distinct similarities can be determined by examining the implementation and impact of charter schools throughout the country. In this essay I will explore various analyses of the impacts of charter schools in American cities, and compare them with my own historical research regarding the nature of the privatization movement of the New Orleans public school system, one that I argue is inexorably linked to both neoliberalism and also to local racist attitudes and racial tensions that date back to the civil rights era.

        I have organized this undertaking into three distinct parts. Part I begins with a brief discussion of the context in which neoliberalism developed, and how it came to the United States. Then, I will illustrate some of the social contexts that led to neoliberal attitudes and policy measures becoming popular in the American political process. After that I will take the time to analyze and canvas a handful of scholarly criticisms of neoliberalism, and break down how these arguments can be understood in the context of American education. Part II begins with an analysis and criticism of Milton Friedman's *The Role of Government in Education*, a work that played a crucial role in the development of market based education reform in the United States. Next, I will explore a variety of academic works regarding market based education reform, how it came to be implemented, the societal factors that make it more likely, and how it impacts the communities in which it is applied. As is the case with most scholarship surrounding neoliberalism, the works included are critical of the charter movement as well. I end Part II with an analysis of two Louisiana public schools that helps bring the dichotomy of public and semi-private education into a more local context. Finally, Part III contains the primary research I've conducted regarding privatization and the New Orleans public school system. There I will explore the long history of racial tensions in New Orleans schools, and using era specific newspaper articles, court documents, and interviews, I will outline how privatization efforts have been tied to race for more than half a century. This research makes up the majority of Section III. I end the section with an analysis of the impacts of Hurricane Katrina on the implementation of charter schools by looking at the New Orleans education system prior to, and immediately after the disaster. Before continuing, however, I will require the reader to become familiar with both the definition of neoliberalism and an understanding of Critical Race Theory in order to lay the foundation of my analysis.

        Firstly, neoliberalism is understood by academics to be a notoriously broad term, which can be at times problematic. Thus, I will define neoliberalism as an economic model that is grounded in de-regulation, privatization, and a championing of market values in general. It can

be broken down into three parts, all of which compliment one another: an ideology, a mode of governance, and a policy package. As an ideology, proponents of neoliberalism believe that government regulation is inherently negative, as it interferes with natural market forces that they believe are the most efficient and just ways to build a society. Thus, any state interference with the economy is interpreted as a hindrance to efficiency, but also as a roadblock on the path towards a more fair and just society. As a mode of governance, neoliberalism champions individual agency, entrepreneurship and competitiveness, things that its supporters argue necessitate a small government. These values are then held above all others as the cornerstones of a free and healthy society. As a policy package, neoliberalism is characterized by themes like deregulation of the economy and privatization of public resources.[1] All three are relevant to my analysis of the development of market based education reforms in the United States, as I take the position that charter schools have emerged out of a "broader neoliberal context that critiqued excessive government regulation and praised the greater efficiency of free markets."[2] Charter schools are meant to operate with a minimal degree of bureaucratic control when compared to traditional public schools while still being held accountable for their performance, though this is not always the reality upon their implementation, as I discuss in later sections.[3]

An understanding of Critical Race Theory is important in approaching the arguments outlined in this essay as well. Critical Race Theory "views policy not as a mechanism that delivers progressively greater degrees of equity, but as a process that is shaped by the interests of the dominant white population—a situation where genuine progress is won through political protest and where apparent gains are quickly cut back,"and it is pivotal in understanding the dynamics of racism and policy changes at "key points, especially where a landmark event appears to advances the cause of race equality."[4] Critical Race Theory can be understood as "a framework for analyzing and exploring race and racism in the law and in the broader society," that allows scholars "the theoretical, conceptual, and methodological tools for putting forth arguments, conducting research studies, and developing theories that center race and racism."[5] Critical race scholars are determined to uncover evidence of racism where it is no longer readily apparent, and to illustrate how "present racialized conditions are connected to a set of racist historical events."[6] Thus, employing critical race theory can help us to better understand how historical racism may still impact present day social issues such as inequality in education. Scholars of critical race theory have worked to illustrate how institutional racism still pervades America's systems of education by highlighting the historical failures of desegregation and the

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[1] David Harvey, "A Brief History of Neoliberalism," Oxford University Press, New York, NY, 2007.
[2] Maria Paino, Rebecca L. Boylan, and Linda A. Renzulli, "The Closing Door: The Effect of Race on Charter School Closures," Sociological Perspectives 2017, Vol. 60(4), p. 748.
[3] Ravi K. Roy and Manfred B Steger, "Neoliberalism: A Very Short Introduction," Oxford University Press, New York, NY, 2010.
[4] David Gillborn, "Racism as Policy: A Critical Race Analysis of Education Reforms in the United States and England," The Educational Forum, 78:1, 2014, p. 28-29.
[5] Marvin Lynn and Thurman L. Bridges, "Critical Race Studies in Education and the 'Endarkened' Wisdom of Carter G. Woodson," *The SAGE Handbook of African American Education*, Thousand Oaks, Calif : SAGE Publications, Inc. 2009, p. 339.
[6] Lynn and Bridges, 340.

efforts and attempts to ensure equality for black and minority students. Marvin Lynn and Laurence Parker write that,

> "[c]ritical race scholars in education have transformed the way race is understood and addressed in debates over the links between schooling and inequality. Race is no longer viewed as a secondary or tertiary unit of analysis that gives way to class or gender as explanatory tools of analysis. Even more important, they have relied on the legal scholarship on race in the U.S. to illustrate the important ways in which race acts as a structural phenomenon along side and sometimes in concert with other structures of domination such as class and gender to transform the way in which we understand racism's impact on a number of areas including education policy, teaching and teacher education, qualitative research and lives of racially marginalized students of color."[7]

In fact, the intersections between legality, race and education were paramount to the development of Critical Race Theory in the first place.

Derrick Bell is often attributed as being the father of Critical Race Theory. The theory was developed in a legal context, first being mentioned by Bell in his 1980 publication entitled "Brown v. Board of Education and the Interest Convergence Dilemma". There he draws attention to the ways in which the social gains expected by African American communities in the wake of *Brown v. the Board of Education* were not as profound as civil rights leaders had hoped. Bell feared that the ruling of *Brown* was becoming irrelevant, as black students still had not been granted the equality that was promised in the education system. He notes that in 1980, at the time of publication, "most black children still attend public schools that are both racially isolated and inferior."[8] On a normative level, surely the outcome of *Brown* suggested that a segregated society ought not to be, though on a positivistic level it did not attain the outcome that it was meant to achieve. Black schools were unequal under segregation as they were horribly underfunded and in many cases quite literally falling apart, though through various schemes the result of *Brown v. The Board of Education* did not necessarily translate to education of equal quality for black students. Bell noted that should there not be a change of course, "the purported entitlement of whites not to associate with blacks in public schools may yet eclipse the hope and promise of *Brown*."[9] Additionally, he crafted the principle of interest convergence. Bell claims that in the United States minorities have found it nearly impossible to make social, political or economic gains unless the white community is convinced that whatever changes take place will benefit them as well. The events that unfolded in within the New Orleans public school system in the wake of *Brown*, and throughout the decades that followed, certainly stand as testament to this observation.

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[7] Marvin Lynn and Laurence Parker, "Critical Race Studies in Education: Examining a Decade of Research in U.S. Schools," The Urban Review, 38(4), 2006, p. 279.
[8] Derrick Bell, "Brown v. Board of Education and the interest convergence dilemma," Harvard Law Review 93, 1980, p. 518.
[9] Bell, 528.

PART I

A (Very) Brief History of Neoliberalism

During the economic and social upheaval of the 1930s, when European powers seemed to be falling under the sway of authoritarian governments, and even the United States began implementing sweeping state directed social programs, a group of economic philosophers organized to lay the foundations of an ideological opposition to state involvement in the economy. Drawing from the writings of past philosophers like Hobbes, Paine, and perhaps most importantly Adam Smith, they set out to define which societal structures needed to be protected, and which values needed to be championed, in order to preserve Western liberal society that seemed to them to be on the brink of descent into totalitarianism. It was a transnational movement, a natural pushback against government programs like the New Deal, as well as more extreme forms of central planning like communism and fascism. These men, the first neoliberals, led by the Austrian economist Friedrich von Hayek, associated economic freedom with social freedom. In his widely distributed political and economic work *The Road to Serfdom*, Hayek posited that "the only alternative to submission to the impersonal and seemingly irrational forces of the market is submission to an equally uncontrollable and therefore arbitrary power of other men."[10] According to him society must choose between either coercion by some state sanctioned authority, or submission to the forces of the market. Promotion of free market ideology was by no means a new phenomenon, but Hayek and his colleagues harnessed it in a novel fashion. Rather than arguing that the state should be used as a tool to centrally manage the economy in order to facilitate desired social changes, "[t]he great innovation of Hayek… was to create a defense of the free market using the language of freedom and revolutionary change. The market, not the political realm, enabled human beings to realize their liberty."[11] In his mind, and the minds of his peers, the fate of modern society rested on the debate between capitalism and socialism. They did not, however, rely solely on the principles of Adam Smith and classical liberalism to determine how best to protect market values, and thus individual freedom. Aaron Director, another economist of the period argued that, "[t]he theory of liberalism must be extended to include a prescription of the role of the state in making private enterprise the equivalent of competitive enterprise."[12] In a world of exceedingly powerful states seeking to undermine individual liberty and economic freedom, these intellectuals sought to find a way to harness state power in order to protect and encourage healthy and stable competition in the market. These policies would create a framework within which a free economy would exist, acting as the skeleton that would provide the structure for competitive conditions to thrive. Government was not to be involved in directing the economy. Rather, it would establish the structural conditions under which the market could function effectively. This, too, is the central

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[10] Friedrich Hayek, "The Road to Serfdom," University of Chicago Press, Chicago, IL, 1944, p. 224.
[11] Kim Phillips-Fein, "Invisible Hands: The Making of the Conservative Movement from the New Deal to Reagan," W.W. Norton, New York, NY, 2009, p. 39.
[12] Aaron Director at the 1947 Montpelerin meeting, quoted in Robert Van Horn, "Reinventing Monopoly and the Roles of Corporations," *The Road from Montpelerin*, Phillip Mirowski and Dieter Plehwe, Harvard University Press, Cambridge, MA 2009, pg. 77.

notion behind American school choice policy, the idea being that the government should set the structural conditions within which an education market can develop.

        In the United States things unfolded differently than they had in Europe. The wealthiest businessmen in the country feared the meteoric rise of Franklin Delano Roosevelt, and the hugely popular New Deal policies that relied more on social programs than market forces. A group of these elites founded the American Liberty League, a right wing political committee that ran a strictly anti-New Deal campaign. One of their pamphlets read that there was an "attempt in America to set up a totalitarian government, one which recognizes no sphere of individual or business life as immune from governmental authority and which submerges the welfare of the individual to that of the government."[13] Comparing the alarmist wording of this pamphlet with the writings of Hayek in *The Road to Serfdom* clearly illustrates a similar understanding of the problems that they felt the world was facing. It didn't take long for them to join forces and found the Montpelerin Society, the world's first neoliberal organization, but Hayek saw the importance of keeping that alliance from the public eye. His intention was to craft a pure, intellectual understanding of the value of market fundamentalism, and any cooperation with private business interests could be seen as a conflict of interests. In a letter to one of his financers he wrote,

> "I think you will agree that experience has shown that any effort in the sphere of ideas, if it is to be effective, must avoid even the appearance of being dependent on any material interests, and… anyone, however sympathetic with our aims, who might be thought by the public to represent specific interests."[14]

Initially, Hayek did not even want the society to be directly involved in politics at all. He figured it would be better to stimulate public discourse and promote intellectual debate and critical evaluation of left wing economic policy. This of course was at odds with the views of Montpelerin's American financiers who had previously run campaigns against Franklin Delano Roosevelt and the New Deal. To them, it seemed like their European counterparts were not fully committed to their own political interests. One of these financiers, a man by the name of Jasper Crane, wrote to another of his peers that they would have no problem getting "some things of value from the foreigners, even though they cannot understand our American idea of liberty."[15] In fact, the Americans saw it as of paramount importance that the society convened in the United States rather than in Europe as it had in the past, as they believed America to be the truest exemplification of the group's economic, political and social values. By the 1950s this was achieved, and American neoliberalism began to take shape as something distinct from its European origins.[16]

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[13] Kim Phillips-Fein, "Business Conservatives and the Montpelerin Society," *The Road from Montpelerin*, Phillip Mirowski and Dieter Plehwe, Harvard University Press, Cambridge, MA, 2009, p. 285.

[14] Friedrich Hayek to Jasper Crane, February 7th, 1947, quoted Phlips-Fein, "Business Conservatives and the Montpelerin Society," p. 288.

[15] Jasper Crane to J. Howard Pew, quoted in Phillips-Fein, "Business conservatives and the Montpelerin Society," p. 289

[16] Phillips-Fein, "Business Conservatives and the Montpelerin Society," p. 292.

In addition to the impacts of the Montpelerin Society moving their meetings from Europe to the United States, the core tenets of neoliberalism would continue to undergo changes as economists at the Chicago School made it the central focus of their work. There, neoliberal economic rationality underwent a major shift. Before, it had been approached as a sort of abstract political philosophy, but Chicago school economists like Milton Friedman helped to transform it into a core economic theory, framing it as a scientific understanding of the relationship between state and society, and further legitimizing it as a set of beliefs and system of values. This change was essential for the development of American school choice policy, as those in favor of privatizing public school systems would claim that their arguments were backed by hard economic facts, though oftentimes that economic data would overlook cultural conditions and societal stressors that must be taken into account when considering education policy, as I will discuss in later sections. As had been the case with the Montpelerin Society, there unfolded a debate over how the school and its work should be represented. The economist Henry Simons took a similar stance to Hayek's arguing that their leader "should be an essentially intellectual person, not a promoter, not politically ambitious or 'on the make,' not 'the administrative type,' not prominently identified with other organizations or public activity, and not adept at salesmanship or public relations."[17] Simon's would commit suicide not long after making this statement, and Milton Friedman would go on to be the face of American neoliberalism. Although Friedman enjoyed publicity, and was particularly well connected politically, another key player would go on to be inexorably linked with American neoliberalism, and he was all but the antithesis of what Hayek and Simons had imagined as the spokesperson for their movement; Ronald Reagan.

The Rise of Neoliberalism

Throughout the late 1960s and 70s American culture was undergoing a radical transformation. What citizens expected from the government was changing, as was the general understanding of the role government was meant to play in society. Attitudes towards how an individual should consider his or her role in society, and their own relationship with the state, began taking on a shape that resembled neoliberalism more than any era previously in American politics. The decade was dominated by a retreat from public life. An extreme focus on the individual further reinforced economic liberalism and laissez-faire capitalism, and a growing contempt for authority, due to reactions to events like the Vietnam War and the Civil Rights movement, reinforced the notion that the state was no longer a benevolent entity that could be trusted to do the right thing and represent the interests of the public. Naturally, as the social welfare systems that had been so popular throughout the previous two decades necessitated state power, those began to be looked at more negatively as well. During the onset of the New Deal era, with the American public in the midst of the Great Depression, political rhetoric involving economic messages resonated with the destitute masses, but as social movements like desegregation, and gay and women's rights came to be understood as the era's most pressing issues, other concerns took a more of a backseat role in the corresponding political

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[17] Henry Simons quoted in Robert Van Horn and Phillip Mirowski, "The rise of the Chicago School of Economics and the birth of neoliberalism," *The Road from Montpelerin*, Phillip Mirowski and Dieter Plehwe, Harvard University Press, Cambridge, MA, 2009, p. 146.

discourses. The independence of suburban lifestyle fostered attitudes that were not in line with New Deal liberalism, and state involvement in the economic sphere started to be looked at more critically by average Americans. Instead, the decade was dominated by championing of individual choice and meritocracy, in some ways legitimizing the inequalities present within the existing societal and economic framework. In a world dominated by an extreme focus on individualism, people began to believe that one deserved what he or she had, both the wealthy and the less well off. These attitudes tended to reinforce an anti-statist sentiment, and are much in line with the tenets of neoliberalism. This is the political context in which the American charter school movement began to gain traction. State operated education meant that families were able to exercise less individual agency over their children's education. Granted, Americans were free to attend town hall meetings and personally lobby with their local education commissions, but that required a degree of added bureaucracy that people were beginning to feel uncomfortable with. To many, individualism meant the freedom to choose where their children went to school and more control over what they learned. Not only that, but a struggling economy called into question the effectiveness of government planning and Keynesian economics. By the end of the 1970s, political culture had evolved into something that had the potential to weaken the welfare state among the lower, middle and upper classes. It had laid the necessary foundation for the sweeping deregulatory policy initiatives that came about in the decades that followed, but although people had become more open to market oriented solutions to societal issues, they were not yet united by a strict adherence to market fundamentalism. The unification of the right would not occur until the election of Ronald Reagan in 1980.[18]

Though he began his career as a Hollywood actor, Ronald Reagan became far more politically connected during his time as a public relations executive for General Electric. There he toured plants and spoke to employees as part of a targeted effort to break union sentiment within the company, and began to rub shoulders with political and social elites. He even hosted a GE sponsored television show that aired on Sunday nights. His speeches took on an increasingly political tone, and wealthy individuals with whom he began to associate all seemed to share the same view; that taxation was akin to Marxism, and that creeping social welfare programs would lead the country into totalitarianism. These fears echoed those of the neoliberal economists of the Chicago School of Economics and the members of the Montpelerin Society. At GE, Reagan's mission was to change the way workers felt about their relationship with both their employer and the government, reframing their view to support the notion that the "corporation was the liberator and the state the real oppressor of the working class."[19] When he finally ran for president in 1980 this was the foundation of his campaign, and he managed to unite 3 distinct conservative groups into a cohesive coalition:

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[18] Kim Phillips-Fein, "1973 to Present," *American History Now*, Eric Foner and Lisa McGirr, Temple University Press, Philadelphia, PA, 2011, p. 175-185; Thomas, Borstelmann "The 1970s: A New Global History from Civil Rights to Economic Inequality," Princeton University Press, Princeton, NJ, 2011, p. 19-72; Matthew D. Lassiter, "The Suburban Origins of 'Color-Blind' Conservatism: Middle-Class Consciousness in the Charlotte Busing Crisis" Journal of Urban History, Volume 30, Number 4, May 2004, p. 549-582.
[19] Phillips-Fein, *Invisible Hands*, p. 114.

1) Social conservatives who were concerned with moral and racial issues, religion, abortion, gay marriage, and the rollback of the cultural movements that normalized these issues
2) Nationalists who were concerned with anticommunism, and who were upset with the outcome of the Vietnam War and wanted to restore american strength
3) Libertarians who believed that the free market system creates the best social and economic outcomes, that the government is the root of societal ills, and who are intent on shrinking government, and keen on serving business interests through privatization and deregulation.

Famously, Reagan was quoted as having said that "government isn't the solution—government is the problem", and in addition to his stance on market values, voters were drawn to Reagan's messages of wholeness and restoration, as he promised a return to a simpler time after the societal upheavals caused by the cultural crises of the past decade.[20]

During the Reagan presidency the economy moved more rapidly towards the service industry and away from the industrial and manufacturing sectors that had supported American employment throughout the previous 3 decades. Whereas manufacturing jobs meant stable, steady, long term employment, the shift towards a service economy meant larger variations in income and employment stability. People became incentivized to switch jobs more frequently in order to "climb the ladder". This encouraged individuals to focus on improving their skills and marketability in the job market to continuously better their own position, a concept now known as the "entrepreneurial self" that I will further explore in the following sections. Some scholars argue that this degraded social cohesion by encouraging people to think not along class lines, but instead to focus on their individual opportunities for career growth. Simultaneously, the astronomic rise of the stock market meant that those with capital were able to grow their wealth more quickly than previously, again promoting a kind of modern rugged individualism, a survival of the economically fit. These practices set a new standard, inspired a new norm within the world of business. The private sector and free enterprise was celebrated as superior to government programs, and a celebration of the market over the state would provide an ideological lens through which societal issues would henceforth be examined.[21] These factors would have severe consequences within the various systems of American public education, as social cohesion and greater societal good are essential aspects of a functioning socially funded program. Instead, less regulated and locally owned semi-private education seemed to be more in line with shifting public conscious. Even the next Democrat to be elected president, Bill Clinton, would go on to claim that "the era of big government is over."[22]

As the title of these sections suggests, this has been only a brief overview of how neoliberalism developed, and how it rose to prominence in the United States, both politically and socially. The goal of this paper is not to document the rise of U.S. neoliberalism in its entirety,

[20] Ronald Reagan quoted in Ryan Sager, "The Elephant in the Room," Wiley, Hoboken, NJ, 2006, p. 15-16; Phillips-Fein, *Invisible Hands*, p. 106-114; Borstelmann, *The 1970s: A New Global History from Civil Rights to Economic Inequality*, p. 122-174.
[21] Kim Phillips-Fein, "1973 to the Present," p. 188-190.
[22] Bill Clinton *State of the Union Address*, 1996.

however a limited background is truly necessary in order to understand the following sections in a broader historical perspective, and thus I felt it was a worthwhile inclusion. Further readings of any of the various scholars cited in this section can give a more in depth understanding of the geopolitical situations, domestic political sphere, prominent individuals, and economic changes and social changes that led to neoliberalism's hegemony in the United States. Additionally, further context is provided in the following section.

Scholarly Criticisms of Neoliberalism

In this section I begin to highlight prominent criticisms of neoliberalism in the academic community. Scholars have cited neoliberalism as being responsible for an increase in economic and racial inequality, imperialistic attitudes, and a reimagining of how an individual is meant to consider him or herself, and his or her relationship with the state. Most critiques of neoliberalism were developed in recent decades, primarily during and after the Reagan era, though some scholars particularly prescient in their understanding of neoliberalism as a driving force in society. Once again, it is a necessarily limited window into the state of the field, as the quantity of literature on the subject is incredibly vast. However, each of the works included can be used to gain insight into how the debate surrounding education developed within the American political psyche. It is necessary to consider these criticisms because the underlying arguments that are used to justify the replacing of traditional public schools with charters incorporate neoliberal ideology. Thus, understanding scholarly critiques of neoliberalism help us to craft arguments against market based education reform as well.

In *Undoing the Demos*, Wendy Brown argues that "neoliberalism...is quietly undoing basic elements of democracy… vocabularies, principles of justice, political cultures, habits of citizenship, practices of rule, and above all, democratic imaginaries."[23] Rather than taking a stance against the contamination of our political institutions by campaign financing or lobbying groups, Brown argues that neoliberalism, as a form of normative reason, is economizing all aspects of society, not only politics, but education, law and culture in general. Like many scholars of neoliberalism, she draws attention to the fact that it is a vague term that can be applied to a multitude of scenarios, though two constants seem to be ever present; its upholding of right wing economic value systems, and its rejection of Keynesian practices. She notes that while these could be considered neoliberalism's defining characteristics, the term continues to elude a single, all encompassing definition. This makes it particularly difficult to define, but allows scholars a degree of freedom in interpreting what exactly it means. Then again, some degree of specificity is at risk of being lost due to the term's vaguety.

Brown draws attention to neoliberalism's intersectionality, claiming that in the United States it has become entangled with America's longstanding anti-statism, but also with a newer form of corporate style managerialism that exhibits an extreme focus on outcomes and efficiency. This kind of corporatism results in themes like "best practices" or "core competencies" being championed, drawing attention purely towards results rather than incorporating a holistic, and perhaps more inclusive understanding of a given situation. In 2001, George W. Bush

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[23] Wendy Brown, "Undoing the Demos: Neoliberalism's Stealth Revolution," Zone Books, Cambridge, MA 2015 p. 17.

famously signed the No Child Left Behind Act, resulting in standardized methods of reporting that are a prime example of the United States' adoption of these practices, and their subsequent projection onto the field of public education. Applying these themes to the education sector illustrates how teachers and administrators are being coerced to operate more efficiently. In practice, however, these methods fail to take into account the fact that no amount of increased efficiency by the educators will address the socioeconomic factors that could be impacting students' performances, and that no amount of accurate reporting will improve the issues in the greater community that need to be considered in addition to how the school is being managed and operated. The nuanced problems surrounding the New Orleans public school system, which I explore in detail in following sections, stand as a testament to this.

Typically, critics of neoliberalism highlight economic inequality, unethical business practices, and the economic impacts of deregulation in their analyses, but Brown, does not spend as much time dwelling on these areas. Rather, she uses a Foucaldian analysis of neoliberalism, arguing that it "takes shape as a governing rationality extending a specific formulation of economic values, practices, and metrics to every dimension of human life."[24] In other words, neoliberalism is restructuring society in the image of the economic. Furthermore, Brown argues that "neoliberalism activates the state on behalf of the economy, not to undertake economic functions or to intervene in economic effects, but rather to facilitate economic competition and growth and to economize the social, or, as Foucault puts it, to 'regulate society by the market.'"[25] Brown's analysis rests heavily on Michel Foucault's *The Birth of Biopolitics*, in which he identifies neoliberalism as an ascendant ideology that he believed would alter the political application of Western liberalism.

In *The Birth of Biopolitics*, crafted from lectures at the College de France in 1978 and 1979, Michel Foucault drew attention to a disturbing trend that was becoming evident; neoliberalism was becoming a dominant social and political rationality that was rooted in the "reprogramming of liberal governmentality."[26] Today a plethora of academics are producing works on neoliberalism, as evidenced by the many that are referenced in this essay, though in the late 1970s this was not the case. Foucault was among the first to draw attention towards the fact that this rationality, one that was being increasingly accepted as legitimate and credible among academics, business elites, journalists and policymakers, would not only shrink governments, challenge Keynesian understandings of politics and economics, and privatize once socially maintained areas of society, but that it would also reshape the forces under which people *believe* the world to operate, and furthermore, the way they think societies *should* operate. He understood that following neoliberal reason results in "taking the formal principles of a market economy and referring and relating them to, projecting them on to a general art of government," and that this action would restructure individuals' relationships with the state, and increasingly economize different aspects of society.[27] Foucault understood that neoliberalism, as a normative form of reason, would incorporate "a series of governmental rationalities [which]

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[24] Brown, 30.
[25] Brown, 62.
[26] Michel Foucault, "The Birth of Biopolitics: Lectures at the Collège de France, 1978--1979," Picador, London, UK, 1979, p. 2.
[27] Foucault, 131.

over-lap, lean on each other, challenge each other… [an] art of government according to truth...according to the rationality of the sovereign state… according to the rationality of economic agents… the rationality of the governed themselves," alluding to both its fixation with the economic, but also to the term's multifaceted and hard to define nature.[28] He was concerned with how neoliberalism would transform "the relation between the subject of right and the economic subject."[29] If, as was suggested by the likes of Friedrich von Hayek and Milton Friedman, there can be no freedom without economic freedom, won't certain social and civil rights inevitably clash with economic rights? If a society determines that all individuals have the right to a minimum wage, then neoliberal reasoning would suggest that any such society is infringing upon an employer's economic freedom. Likewise, when considering the subject of this essay, if a society determines that all individuals have the right to an education, and that education is being funded by public monies, then the economic rights of the owners of private schools are being trounced by the state, as are the economic rights of families who pay taxes in order to fund public schools that their children are not attending. Foucault draws attention to the fact that neoliberalism forces us to consider the individual, *homo oeconomicus*, the economic man, as the sole "atom of freedom in the face of all the conditions, undertakings, legislation and prohibitions of a possible government," rather than incorporating a more holistic method of reasoning to the needs of a community at large.[30] Foucault acknowledges various European neoliberalisms in *The Birth of Biopolitics*, though he highlights the fact that American neoliberalism is far "more complete and exhaustive", with the earliest American cultural roots being tied to Jeffersonian understandings of individualism and a pro-business ethos.[31]

Under neoliberal reason, an individual is not only a merchant, but must also think of his or herself as something akin to a tradable good. They must constantly improve themselves so their labor will be worth more in the marketplace. They must always be aware of their competitive positioning. The neoliberal subject is coerced into making strategic decisions to increase his or her value in the future. This concept can also be understood as the "entrepreneurial self", a term coined by the German sociologist Ulrich Brocekling in 2015. Brocekling argues that neoliberal reason promotes the notion that individuals *should* think of themselves as entrepreneurs, even when they are simply employees. He argues that traditionally, the production side of the economy was seen to be as more conservative, reserved, even puritanical, while the consumer side was seen as hedonistic and self indulgent. Today, Broeckling claims, this is no longer the case, and production is becoming increasingly diverse, mobile and decentralized. Broeckling posits that this shift promotes an entrepreneurial spirit amongst a greater number of individuals, even when they are employees, and as this way of thinking becomes more widespread, it becomes legitimized by larger portions of society.

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[28] Foucault, 313.

[29] Foucault, 294-95.

[30] Foucault, 272.

[31] Foucault, 243; Jefferson Cowie, "The Great Exception," Princeton University Press, Princeton, NJ, 2016, p. 10-11, 26. Cowie delves deeply into the causes and development of anti-Keynesian sentiment in the United States, though he tends not to focus on neoliberalism specifically, and thus his work is perhaps beyond the scope of this essay. Still, his analysis of American identity, and American citizens' dedication to a particular kind of individualism sheds light on their reluctance to embrace a more regulated marketplace.

According to him, picturing "oneself as an entrepreneur turns the sense of powerlessness over real or threatened unemployment into an active posture and produces the rugged individual making it on her own in the wilderness of the labour market."[32] Citing the rise in freelance business models rather than more traditional Fordist models of production, Broeckling argues that a rejection of the formal labor market also contributes to the growing credibility of the normative neoliberal reason formulated by Michel Foucault and expanded on by Wendy Brown. The concept of the entrepreneurial self is not contained purely within the realm of accumulation of capital. Broeckling argues that it must be considered along with a shift in societal attitudes. Self evaluation helps individuals to determine the best way to move forward, either within their current roles or even in navigating their careers in general. If an individual evaluates him or herself in the same way a business owner evaluates his or her company's performance, he or she will be more likely to produce desirable outcomes, both for him or herself, and for his or her employer. These ways of thinking further reinforce the language of corporatization in the behavior of individuals and the mind of the public.[33]

This relates to market based education reform in a number of ways. Firstly, as teachers' performances are constantly evaluated based on student outcomes, they are encouraged to alter their teaching styles to more closely resemble the criteria of the evaluators, regardless of what they believe a student population needs. This can result in a more bureaucratic system that is operated by levels of managerial employees who lose site of the big picture, something that neoliberals tend to accuse the government of being guilty of. Furthermore, these ideas can be applied not only to individuals, but to organizations as well. Many cities in the United States are closing their public schools and replacing them with privately owned and operated charter schools that are managed with public funds. This then results in an expansion of market values and considerations into the education sector, an area that had previously been considered a public good. Their effectiveness is then measured based on outcomes, so steps must be taken to improve those outcomes. This incentivizes these schools not to consider the broader needs of the community, and rather forces them to take a more self-serving approach to the construction and management of the institution. This could mean taking steps to filter out students who might bring down average performance, or even special needs students who might be more expensive to educate when all funds must be strategically coordinated to produce the best possible results. In fact, these exact practices are being utilized by American charter schools already, a subject I address in subsequent sections. Then, too, should the schools operate within a racially driven mindset, it could also result in the intentional disqualification of minority students, as critical race scholars have argued. Additionally, individual employees' future livelihoods are determined by their ability to produce outcomes that are perpetuated by the managerial structure, while they might not be determined solely by a teacher's performance.

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[32] Ulrich Bröckling, "The Entrepreneurial Self: Fabricating a New Type of Subject," SAGE Publications, New York, NY, 2015, p. 26.
[33] Broeckling, 23, 26, 34.

Part II

Milton Friedman, Education and the State

In the following sections I begin to uncover the intersections between neoliberalism, education, and race in the United States by looking at works by Milton Friedman, the prominent neoliberal economists mentioned previously, and the legal efforts that were taken in an attempt to ensure racial equality in education, as well as more recent works by scholars of race and education. The debate surrounding the integration of public schools in the United States ballooned from a reimagining of the racial divisions in the American school system into a conversation surrounding tradition, the economy, and interference by the government into private life. As critical race theorists have suggested, analysis of these events helps to illustrate the foundations of present day racial inequalities in the classroom and society in general.

In 1954, during the landmark Supreme Court case *Brown vs. the Board of Education of Topeka*, the Court determined that state sanctioned racial segregation of public schools was unconstitutional in the United States. The decision that "separate educational facilities are inherently unequal," overturned the long-standing ruling of *Plessy vs. Ferguson*, where the Supreme Court deemed racially segregated public institutions constitutional as long as they were equal in quality.[34] This would have long lasting ramifications for race relations in the United States, not only in the South, where segregated schools were prevalent, but also in areas of the country that were not enforcing forms of legal segregation. Integration became a point of serious political contention, with Southern politicians coming out overwhelmingly in support for the maintaining of segregated institutions, despite the ruling of the Supreme Court. They were not alone, as neoliberal economists began to attack the ruling in typical fashion.

In 1955 Milton Friedman published *The Role of Government in Education*, where he criticized the outcome of *Brown vs. The Board of Education* using language reminiscent of earlier publications, claiming that it was an "intervention by the state into economic affairs", claiming that it signalled a "trend towards collectivism", and that in America's "free private enterprise exchange economy, government's primary role is to preserve the rules of the game by enforcing contracts, preventing coercion, and keeping markets free."[35] Though usually critical of coercion by the state, Friedman acknowledges that the government must coerce the nation's youth into receiving at least a minimum level of education, as some degree of literacy is required to maintain a functioning society, but he speaks of the value of education in economic terms, writing that "general education adds to the economic value of the student."[36] This exhibits the same kind of reasoning explored by Michel Foucault and Wendy Brown, a reframing of the social into the economic. While it is not untrue that a quality education increases one's earning potential, discussing learning in such terms contributes to, and signifies, a steady creep of economization into all aspects of society. Friedman rightly argues that education is a local problem, though he does not believe that problems relating to education can be solved through

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[34] *Brown v. Board of Education*, 347 U.S. 495.
[35] Milton Friedman, "The Role of Government in Education," *Economics and Public Interest*, 1955, p.1
[36] Friedman, "The Role of Government in Education," 3.

the "'nationalization'... of the bulk of the 'education industry.'"[37] Rather than a centralized government financing the nation's education, Friedman develops a novel solution to allow decisions regarding education to be made more locally, one that is based on a system of privately owned and operated schools that receive government funding.

Today arguments for charter schools and voucher systems have become commonplace in American political discourse, but at the time they were an unfamiliar concept. Friedman argued that rather that funding public schools, institutions that are operated and influenced by the municipality, state, and federal governments, funding for education should be circulated in the form of coupons that would grant admittance to private schools throughout the country, the idea being that "competitive private enterprise is likely to be far more efficient in meeting consumer demands than… nationalized enterprises."[38] This reduction of the social to a relationship between businesses and consumers reinforces the neoliberal understanding of the relationship between the economy and the state. Though Friedman admits that a basic education is *necessary* for a stable, functioning society, he makes no mention of whether or not it should be a *right* guaranteed to students and families. This oversight was particularly harmful considering the battle for racial equality in education that was unfolding throughout the United States. In fact, Friedman addresses the problem of racial segregation in one of his footnotes:

> "[T]he relevant test of the belief in individual freedom is the willingness to oppose state intervention even when it is designed to prevent individual activity of a kind one thoroughly dislikes. [Though] I deplore segregation and racial prejudice… it is not an appropriate function of the state to try to force individuals to act in accordance with my--or anyone else's--views… so long as the action of any one individual affects mostly himself. These are the grounds on which I… oppose forced nonsegregation… so long as the schools are publicly operated, the only choice is between forced nonsegregation and forced segregation... the fact that I must make this choice is a reflection of the basic weakness of a publicly operated school system. Privately conducted schools can resolve the dilemma. They make unnecessary either choice. Under such a system, there can develop exclusively white schools, exclusively colored schools, and mixed schools. Parents can choose which to send their children to. The appropriate activity for those who oppose segregation and racial prejudice is to try to persuade others of their views; if and as they succeed, the mixed schools will grow at the expense of the nonmixed, and a gradual transition will take place. So long as the school system is publicly operated, only drastic change is possible; one must go from one extreme to the other; it is a great virtue of the private arrangement that it permits a gradual transition."[39]

Here, Friedman argues that although he "deplores" racial segregation, he believes that it is fully within the rights of individuals within a given community to send their sons and daughters to

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[37] Friedman, "The Role of Government in Education," 3.
[38] Friedman, "The Role of Government in Education," 5.
[39] Friedman, "The Role of Government in Education," 7.

segregated learning centers should they so choose. According to Friedman, forcing integration onto a community is an inherent injustice committed by the state, coercion by the government, an overreach into the personal lives of private citizens, though providing a framework to exclude students from public institutions on the basis of the color of their skin does not meet that definition in his mind. Providing state funds to private schools, and allowing those schools to admit whichever students they choose, would solve the problem, he argues. Parents would then be afforded the right to choose which schools to send their children too, segregated or mixed race. Then, according to Friedman, should mixed race schools prove to be more effective at educating than segregated ones, naturally parents would make the choice to send their children to desegregated institutions. According to Friedman, it is the nature of the public school system that forces communities to choose between two extremes, segregated or unsegregated schools, without providing a third option.

This analysis neglects to discuss historical inequalities within communities, particularly African American communities. Friedman makes no mention of socio-economic factors brought on by a century of oppression preceded by two further centuries of slavery. He fails to ask how these factors might impact the system of education, and does not take into account cultural norms and traditional standards, both of which were hugely important for the integration efforts of the New Orleans school system, among others that were forcibly integrated throughout the United States. Granted, he feels that it is not within the government's sphere of responsibility to address the social and economic inequality due to the historical oppression black communities, but it should be anticipated that without some intervention, or what Friedman would call "coercion", these problems will not right themselves, as these communities are not being driven purely by market forces. Some communities in the United States were so attached to the tradition of segregation that they were willing to endure hardship in order to preserve it. If a community felt that the long term ramifications of integration would do more harm than good, as many white communities in the South did, then it should be expected that they would take the necessary steps to prevent it, even if it meant short term strife, as will be evidenced through primary resources in further sections. Thus, assuming that these communities placed such emphasis on the ultimate performance of students in mixed race schools without considering the cultural dynamics of the communities, leads Friedman to fallacy. His purely economic focus fails to consider the broader impacts of segregation, instead placing emphasis on performance indicators. Furthermore, the narrow focus on student outcomes without considering other factors that might be impacting a student's performance is also misguided, as it fails to account for other problems within the community that need to be considered alongside a student's behavior in school.

Criticizing Market Based Education Reform

As market based education reforms became popular in the United States, scholars began examining how and why they were implemented, and the impact they have had on local communities. These market based reforms did not develop purely as a result of supporters of market fundamentalism like Friedman. Social movements developed within communities seeking to improve racial equality played a role as well. White backlash against forced integration lead to a massive "white flight" from public schools, a term coined to describe the

removal of white students from integrated schools by their parents. This anti-integration sentiment resulted in a huge increase in white attendance to private schools, while abandoning minority children in public schools. Those schools were then increasingly defunded as policies such as Friedman's market based strategy for education became more and more popular, often resulting in segregation of whites and blacks vis-a-vis neoliberal education policy. Additionally, as the public schools predominantly serving minorities were now underfunded, these communities began to lack access to quality education, leading to their support for other viable alternatives.[40] The same phenomenon can be observed in analyzing the events surrounding the desegregation of public schools, and the shift towards private education in New Orleans as well.

   Market based reforms, often championed as "school choice policy", though pushed for since the Nixon presidency, never gained serious ground until the 1990s. It was not until then that evangelical right lobbied for increased funding to Catholic Schools, conservative research organizations supporting small government and laissez-faire policy, and black civil rights leaders fighting for increased local control found a common goal in organizing school choice policy throughout the United States. It is telling that even the National Association for the Advancement of Colored People, a prominent liberal lobbying organization focused on supporting minorities, came out in support of conservatives in the development of charter schools. Communities truly believed that these types of privatization schemes would help schools to desegregate, improve academically, and be more responsive to the needs of their respective communities. They lacked the economic freedom to send their children to private schools, and as public schools were defunded, school choice began to look like a desirable alternative. Access to a public school is typically determined by families' geographic locations. Thus, without the freedom to send their children to potentially better performing schools, social movements developed within black communities in support of neoliberal economic policy.[41] Ashleigh Campi writes that,

> "[w]hen the school choice movement got underway in the late 1980s, the dismal state of public schools lent the movement's promise of schooling alternatives great appeal… some black leaders framed voucher and charter reforms in familiar idioms of the black liberation movement… [f]raming education as a place for philanthropic community initiatives to empower blacks and Latinos, these groups depart from the traditional Civil Rights approach, which situates education in a broader social justice struggle and demands state action to redress the intersecting causes of racial inequality."[42]

This understanding of privatization as a means of community control highlights how neoliberalization of American education could be seen as a benefit by poor communities, even though they are generally not groups that are typically associated with right wing economic policy. Rather, they sought market based reforms out of desperation, not out of commitment to

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[40] Ashleigh Campi, "The Unstable Alliance for School Choice: Social Movements and American Neoliberalism," Polity 2018 50:3, p. 401-407.
[41] Campi, 408-409.
[42] Campi, 419-420.

market fundamentalism, writing that it was in the context of "narrowed political possibilities that the justice-through-markets vision of school choice gained salience among black parents… suggesting that their support of choice politics hinges on the aspiration of empowerment, rather than the outcomes of reform."[43]

It is well documented that a rise in charter schools is leading to increased racial segregation in the classroom, though this may be due to the fact that charters are most prevalent in urban areas with considerably larger populations of minorities than most rural or suburban communities. When considered in a national context, charter schools have a significantly higher percentage of black students than traditional public schools (32% vs. 16%), though the pattern shifts dramatically depending on the municipality being considered, due to the scope of the analysis. Still, this illustrates a trend towards African American parents moving their children away from public schools and into charters, though the opposite is true in certain communities too, where white students are pulled from the traditional public schools and black students remain. One reason is that new charter schools tend to be founded in racially homogenous neighborhoods, so naturally this is reflected when considering the demographics of their students, and charters are free to make enrollment decisions independently from one another, creating a situation where demographics are not being considered on a wide enough scale to effectively combat racial segregation due to a lack of effective coordination. These schools tend to segregate students by both race and class in almost every large city in the United States, and that instead of school choice policy that offers parents a real choice out of high-poverty, and racially isolated schools, charter schools simply worsen the patterns of isolation that are already prevalent among traditional public schools. Additionally, it is not uncommon for charter schools not to offer free or reduced price lunch programs for students from impoverished backgrounds, thus limiting their ability to attend. The end result is that a minority of charters are overwhelmingly white, while the rest are overwhelmingly black. This is a troubling trend that points towards a lack of regulation regarding charter school operation and enrollment.[44]

An examination of charter schools in Arizona, however, illustrates a different tendency than the national trend, though one that is no less troubling. Arizona charter schools typically exhibit 20% higher white enrollment than nearby public ones. In some cases, towns that are populated predominantly by minority groups do have higher minority enrollment in charter schools due to the lack of white students in the area, but an analysis of enrollment in more racially diverse areas clearly shows that charter schools disproportionately serve white populations when compared to their publicly operated counterparts. When this is paired with a political push to defund remaining public schools, it is primarily minority communities that are being hardest hit. Furthermore, Arizona charters with the highest attendance of minorities tend to be vocational schools or schools that only serve students who have been expelled from another institution. Though most of the charter schools located in Arizona incorporate some form of random selection into their enrollment process, more subtle forms of exclusion seem to be implemented. One example is the practice of requiring parents to sign formal "involvement"

[43] Campi, 422-423.

[44] Erica Frankenberg, Genevieve Siegel-Hawley, Jia Wang, "Choice without equity: Charter school segregation," *Educational Policy Analysis Archives*, 2011, p. 5, 19, 36, 46.

agreements compelling them to participate in some manner in the school's learning programs serves as an informal sorting mechanism, excluding families that were unwilling or unable to participate. Yet again, these issues could potentially be solved by stricter regulations on charters.[45]

Another concern lies in whether charter schools are strategically choosing their locations in order to have better access to students they predict will perform better academically. Charters are typically subject to less bureaucracy than public schools, meaning they can hire teachers without proper credentials and certifications and deny students entry, unlike the first-come first-serve basis under which public schools operate. Despite these advantages, poor performance can result in revocation of their charter. Thus, because charters are run like businesses, they are incentivized to take steps to ensure desirable outcomes in a competitive and accountability-driven environment created through neoliberal education policy.

Using GPS data to plot the positions of Chicago charter schools shows that they are more likely to encircle "high need" areas rather than being located within them. Chicago charters are legally required to better serve impoverished communities, but the language of the laws governing them is vague, using terms like "expanded learning experiences for at-risk pupils" without clearly defining what constitutes an "at-risk" pupil, or outlining what steps a charter must take to serve them. The vagueness in this legal language makes it possible for charters to strategically choose their location in order to better guarantee that they do not admit a disproportionate number of "at-risk" students who are more likely to perform worse academically. Furthermore, lower-income families are less likely to send their children to schools that are far away, and a family's distance from a perspective educational institution can act as a disincentive to send their child there. The fact that charters are not legally obligated to ensure public transportation to and from the communities they are meant to serve only compounds this.[46]

This demonstrates one of the ways in which Friedman's argument falls short in its claim that schools' performances alone will determine where parents send their children to learn. He fails to consider spatial relationships, where schools are being placed in relation to the communities they are meant to serve. If schools remain free to use their physical location as a deterrent in order to disincentivize undesirable students from attending, no amount of favorable outcomes will help grant them access, especially considering how lack of school provided transportation will disproportionately impact students from low-income families. Based on the point of view taken by Friedman in his widely available publications, this utilization of geography to filter out students who are likely to negatively impact a schools' performance evaluations should not be considered an injustice. In fact, he openly supported the right of privately operated schools to admit whoever they see fit, regardless of race, class or gender, a practice that most people today do indeed find "deplorable".

In addition to where schools are located, the ways in which educators are approaching accountability has changed as the United States furthers market based alternatives to public

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[45] Casey D. Cobb and Gene V. Glass, "Ethnic Segregation in Arizona Charter Schools," *Education Policy Analysis Archives*, 2009, p. 2, 5, 27.

[46] Jennifer LaFleur, "Locating Chicago's charter schools: A socio-spatial analysis," *Education Policy Analysis Archives*, 2016, p. 4-14.

education. The 1970s saw accountability for educational outcomes begin to be standardized, measured by achievement tests and how efficiently schools managed their resources. In March of that year, President Nixon said in a statement to congress that "school administrators and school teachers alike are responsible for their performance and it is in their interest as well as in the interests of their pupils that they be held accountable," bringing performance and accountability into the public eye.[47] Shortly afterwards Nixon's deputy commissioner in the Office of Education, and later Reagan's secretary of education, gave a major policy speech on education in which he declared that Washington "wants to be sure that every dollar invested in an educational program will produce a payoff that can be measured and that can be proved," furthering the cause.[48] Following these two statements, a large volume of academic work was produced regarding accountability in education, as scholars began focusing on how best to improve our public schools. This suggests that these events marked the turning point which expanded the discussion surrounding accountability and standardized testing on a national scale, and an emphasis on efficiency and outcomes rose to the forefront. These themes are typical of neoliberalization efforts. Furthermore, "[b]y employing technocratic language and metaphors, and pursuing an ethos of efficiency and productivity, proponents of the accountability movement were able to shift attention away from social issues, and narrowly focus the aims and purposes of public education on the relentless production and evaluation of auditable outcome data." This data would make it easier to track teachers' effectiveness based on criteria that were set by decision makers that were not local stakeholders, forcing educators to operate with a greater degree of inflexibility.[49]

Once Reagan was elected president in 1980, and arguments surrounding market culture and values became even more interlinked with discussions surrounding issues like public education than they had been when Milton Friedman published *The Role of Government in Education*, an increased push for privately operated alternatives to public education was an expected consequence. Thus, as regulation was rolled back, and with the Reagan administration set on shrinking government, the state withdrew from public services and individuals were "increasingly made responsible for managing personal financial risk related to areas such as...education."[50] Considering the era's growing political effort to shrink government, which includes the defunding of American public education, while simultaneously strengthening school choice policy through voucher programs and charter schools, it becomes clear how education as a market could be seen as a desirable alternative. Rather than relying on municipal governments to organize and manage schools to serve communities, entrepreneurially minded individuals became increasingly able to find business opportunities within the education sector. Those business opportunities only grow as public schools are defunded to the point of closure. Families are no longer paying for their neighbor's children to attend school. Each family unit becomes more responsible for their own children's education. In order for this to be so, education is necessarily reframed, shifting from a socially provided

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[47] Richard Nixon, "Special Message to the Congress on Education Reform," 1970.
[48] Terrel Bell, "The New Look of Federal Aid to Education," 1970.
[49] John Ambrosio, "Changing the Subject: Neoliberalism and Accountability in Public Education," *Educational Studies: Journal of the American Educational Studies Association* 49 (4), p. 319.
[50] Ambrosio, 321.

service to a consumable service that is attained like other. This trend further promotes the notion of the entrepreneurial self, as individuals are forced to consider how they must interact with the market to ensure access to once socially provided services. Furthermore, it means that families are able to send their children to the school of their choice, rather than students being required to attend the public school in their district. Once again, it becomes clear that this shift results in a greater degree of risk being placed upon students coming from lower socio-economic backgrounds, many of which are minorities. Without the proper regulations in place to ensure that charter schools, or private schools to which students can attend with vouchers, are readily accessible to the communities that were once served by public institutions, we cannot ensure that families and students living there will have proper access to a quality education.

In addition to the potential to negatively impact poorer communities, the shift towards market based alternatives to public schools combined with increased calls for accountability creates a contradictory situation. On the one hand, the state must create an infrastructure to standardize curricula and assessment procedures, which necessitates a larger role played by the state in education. On the other hand, the state must also decentralize public education, and withdraw funds from its operation and management in order to promote privatization schemes. Charter schools are a natural amalgam of these two driving forces. Although the receive public funds, they operate as deregulated and privatized organizations. The accountability driven environment then provides parents with the data they necessary to interact with the education market as informed consumers, free from coercion by the state. As charters have become increasingly popular alternatives in municipalities all over the country, the public schools that remain are forced to compete in an uneven playing field, as they are still required to abide by the rules and regulations that charters are free to disregard. Despite this reality, school choice is still often supported by poor communities, as it provides a glimmer of hope in the face of already struggling public institutions. Thus, "[b]y enlisting the support of low-income families, many of whom are people of color, for school choice programs, neoliberals have been able to fragment progressive opposition to vouchers and charter schools, and thereby weaken popular resistance to the privatization of public education."[51]

Another area that needs consideration is the potential instability brought on by neoliberalization of public schools. While charter schools have more flexibility in how they operate, their charters may be revoked should optimal results not be met. An increased degree of accountability might increase the likelihood of more desirable outcomes, but it can also lead to a school's closure. Since 1992, 15% of all charter schools that have opened in the United States have since closed, with nearly half of them being attributed to financial concerns. Since they operate with a consumer market the failure and subsequent closure of a charter is predictable, and even necessary under the neoliberal system. Parents are able to choose the product that best meets their needs, and the products that come up short will not succeed in the marketplace. However, when the product considered is the education of a communities' children, and a school closure could mean a disruption in that process, the consequences can be more severe. Based on data surrounding closures, public schools are a more stable, long

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[51] Ambrosio, 326.

term solution to community education. Thus, although charters might sometimes provide more desirable outcomes while they are in operation, they are far more likely to close and negatively impact the students they serve.[52] There is mounting evidence that transferring between schools is disadvantageous for students, and often results in lower academic achievement and lower rates of degree completion. When this is compounded with the fact that charters are serving some of the most under-priviliged communities in the country, school closures can be particularly harmful. When a school closes, and the students and their families are tasked with finding another institution, lower-income families are less able to deal with the hardship. Parents in situations such as these are less likely to have the relevant information and statistics on which schools produce the most desirable outcomes, and are less likely to live in an area near one of the better performing schools in the first place. They are less likely, still, to be able to provide transportation to a school that is not near the family home.[53]

Critical race theory suggests that government institutions can benefit some with harming others, and the power to create and enforce laws in the United States has historically been maintained by white elites. This has certainly been the case in Louisiana, and more specifically, New Orleans. In order to consider the impact of charters accurately, we must first accept that neoliberal education schemes are not occuring in a race-neutral arena. The policies that are crafted in order to facilitate the transition away from publicly operated schools may be written in colorblind language while simultaneously negatively impacting minority communities. Critical race theory requires us to examine the relationships between these policies, societal power, and the disadvantaged populations that are being impacted by them. In the wake of the desegregation efforts of the 1950s and 60s, the argument emerged that law had become colorblind despite the historical damage and cultural conditions that came before never being properly addressed. Bell's theory of interest convergence suggests that institutional efforts to achieve racial equality tend to take place only when the interests of the minorities and the interests of whites converge. Hurricane Katrina ushered in a situation in which market based education reform could be favorable to all parties involved, but only after decades of intentionally disenfranchising black communities through poorly funded public education. Even so, many of the greater socio-economic challenges were not met in tandem with the investment in charter schools. Thus, such schemes still underserved the most vulnerable populations in low income black neighborhoods. Hence, those communities are more likely to experience hardships, and the schools that serve them are more likely to close, causing further disorder.

Accountability and the Louisiana School System

In this section I would like to draw attention to a particular study that encapsulates many of the ideas and themes that are explored in the rest of this work. Sociologist Joseph Cleary Jr.

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[52] Paino et al, 751; "The State of Charter Schools: What We Know—and What We Do Not— about Performance and Accountability," 2011, Washington, DC: Center for Education Reform, (https://www.edreform.com/wp-content/uploads/2011/12/StateOfCharterSchools_CER_Dec2011-Web-1.pdf).

[53] Jeffrey Grigg, "School Enrollment Changes and Student Achievement Growth: A Case Study in Educational Disruption and Continuity," Sociology of Education 85 (4), 2012, p. 388-404; Shana Pribesh and Doug B. Downey, "Why Are Residential and School Moves Associated with Poor School Performance?" Demography 36 (4), 1999, p. 521-534.

set out to compare a Louisiana public school in a poor neighborhood with a charter school in a wealthier one in order to highlight problems associated with market based education reform. He requires the reader to approach this comparison by first considering a comparison of two neoliberal themes; the "homo oeconomicus", a rational economic actor driven by his own self-interest, and the "manipulatable man", a concept that places less trust in an individuals' economic rationality, requiring them to be coerced by some managerial structure to behave in a desirable fashion. Unlike the homo economicus, the manipulatable man theory suggests that individuals are lazy, selfish, and in need of constant prodding in order to behave in a manner that is consistent with traditional liberal values. With these concepts in mind, Cleary asks three questions:

(1) How do perceptions about professional autonomy compare and contrast between educators at a poor high school and educators at a wealthier high school?
(2) Does student socioeconomic status relate to an educator's sense of professional autonomy, and if so, how?
(3) How do educators of each school navigate and respond to perceived encroachment on their professional autonomy?

The two schools in question are Fryburg High School, a Louisiana public school with 1040 students, 73% of which are from low-income families, and Bridgton Road Magnet High School (henceforth referred to as BRMHS), a magnet school with 1224 students, 31% of which are from low income families. 79% of Fryburg students are African American and 12% are white, while 41% of students at BRMHS are African American and 44% are white.[54]

In Louisiana, school boards monitor schools' effectiveness, and do so with increased scrutiny when desirable results are not meant. When this is the case, the board may intervene by utilizing improvement plans that outline how a school must adjust operations in order to achieve more desirable academic outcomes. Fryburg's students perform more poorly than those at BRMHS, so the school is regularly subject to these structured adjustments, thus increasing the workload for school administrators. Free from this burden, teachers and staff at BRMHS are able to dedicate more time towards what they feel the school needs to operate properly. School boards also monitor funds being received by schools to ensure that they are being spent in previously agreed upon ways. Cleary explains that public schools with greater numbers of students from low-income families receive funds in the form of Title I Grants, additional funding for struggling institutions, which have greater degrees of restriction than other forms of funding. These funds are also accompanied by an increase in administrative labor in order to adhere to the regulations surrounding performance reporting. This kind of corporatisation takes the time and energy of school staff that could be better spent ensuring that the school is running properly.[55]

Fryburg High School serves a much higher number of students from low-income families and relies heavily on Title I funds. Cleary explains that "Fryburg and [other] schools that receive Title I funds are forced to conform to 'new forms of vigilance, surveillance, "performance appraisal" and of forms of control generally'… Such measures 'continually encourage [them] to

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[54] Joseph Cleary Jr, "Neoliberalism inside two American high schools," *British Journal of Sociology of Education*, 2017, p. 326-330, 336-338.
[55] Cleary, 332-333.

be "perpetually responsive"'.[56] Speaking of schools using terms like these is typical of neoliberalization. Placing emphasis on an institution's ability to efficiently respond to performance appraisals is evidence of an outcome oriented mindset that might fail to include more nuanced considerations that could be impacting a schools performance. Meanwhile, BRMHS has a significantly lower number of students from low-income families, and thus does not rely on Title I grants to operate. Rather, most of BRMHS's funding comes from endowments from their alumni foundation. This gives them greater autonomy and eliminates the additional administrative tasks required to receive the funds.

Prior research of a similar nature supports these ideas. Hugh Lauder, a scholar of British education writes that "[p]erhaps the most striking pattern shows a connection between the number of agents exerting influence on decision-making processes and the socio-economic status of a school," and Sandra Glass, yet another academic focused on education, argues that the socioeconomic status of a school's student body, not its public or private status, is the best way to predict levels of educator autonomy.[57] Thus, as Fryburg educates a greater number of low-income students, they are subject to increased oversight from outside authorities, resulting in a greater number of agents exerting influence on the school's decision making process, forcing them to adjust their behavior and bogging them down in additional administrative duties.

The demographics of the student population at either school not only impacts administrative labor, outside intervention, and funding, but also the overall academic performance reported by the institutions, as it is well documented that household income is a good predictor of a student's academic achievement. This gives BRMHS an advantage yet again, as they are able to screen students based on their GPA as part of the enrollment process, and require students to maintain a high GPA in order to continue attending, both of which are luxuries not afforded to Fryburg High School. This allows high-achieving students the opportunity to leave Fryburg for BRMHS, and unlike Bridgton Road, Fryburg may not remove underperforming students. This essentially guarantees that BRMHS will continue to outperform Fryburg, ensuring a more hands-off policy for BRMHS and further exacerbating the existing inequality between the two institutions, as the better performing students continue to flow from Fryburg to BRMHS.

There are a number of other details that are worth mentioning from Cleary's analysis. The principal of Bridgton Road Magnet High School reported that "an 'unspoken relationship, has developed between her school and the local board office over the past six years" which has granted her a greater degree of autonomy in determining how the school should operate.[58] One example of this privilege is exemplified by BRMHS's exemption from the weekly tests that Louisiana state regulations require. This occurred when teachers determined the tests to be unhelpful for their curriculum, and the state allowed them to cease the practice. Additionally, a physical description of Bridgton Road Magnet High School sheds further light on its privilege, as it reportedly features "two theaters, brand new science laboratories, anew 'TV production area',

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[56] Cleary, 337.
[57] H. Lauder, C. Brown, R. Lupton, F. Castle, and A. Hempel-Jorgensen, "Politics and Professionalism: The Question of Teacher Autonomy in Relation to Grouping Practices," presented to the BERA Symposium on the HARPS Project, Bath, UK, 2016; Sandra Glass, "Markets and Myths: Autonomy in Public and Private Schools," *Education Policy Analysis Archives*, 1997.
[58] Cleary, 338.

beautiful manicured grounds, and a main building that looks more like a private liberal arts college than an urban public high school".[59]

Although Fryburg High School and Bridgton Road Magnet School are subject to entirely different starting points, they are expected to produce similar outcomes. BRMHS is all but guaranteed to outcompete Fryburg because it inherits a group of incoming students that are far more academically advanced than those attending Fryburg. This inheritance seems to play a more significant in BRMHS's success than the productivity and competence of its educators. This leads to Fryburg's leadership being treated more like the "manipulatable man", while the treatment of BRMHS's leaders more resembles the "homo economicus". This kind of double standard can be attributed to education policy that features two seemingly contradictory characteristics of neoliberalism simultaneously: an emphasis on independent decision making on the one hand, and a top-down method of corporatization that undermines autonomy on the other.

If Friedman's vision of a country where private schools replace all public schools, communities like the one served by BRMHS will continue to have access to better resources, while communities like the one served by Fryburg High School will struggle with lack of access to funding, as it admits a greater degree of low-income students. It would then be expected that BRMHS would continue to produce more desirable outcomes than Fryburg, thus making it a more attractive institution to parents of prospective students while Fryburg would still be stuck with the "leftovers" and unable to educate as efficiently as BRMHS. Thus, it is clear that a call for better regulations be implemented in order to ensure that charter schools are not held to a different standard than public ones. Should they continue to play by two sets of rules, the social problems outlined here will continue to remain unaddressed.[60]

PART III

Segregated Schooling and New Orleans

New Orleans has a long history of blacks and whites living together neighborhoods that were more racially mixed than most other urban centers in the South. When it came to integrating public transportation, and public libraries, efforts unfolded relatively smoothly when compared to other Southern cities. When it came to schooling, however, it turned out to be an entirely different case altogether. Integrating New Orleans public schools proved to be an incredibly difficult task, one which resulted in white families removing their children from integrated institutions en masse. The days that followed saw racially motivated violence and riots break out throughout the city. The arguments used by New Orleanians to oppose this forced integration in many ways resembles the arguments of Milton Friedman, Friedrich von Hayek, and the other early neoliberal scholars, though the underlying causes of their outrage are best explored by examining the history of education and race in New Orleans.

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[59] Cleary, 333.
[60] Cleary, 340.

In 1896 the Supreme Court case Plessy v. Ferguson upheld the constitutionality of racial segregation, allowing states to keep facilities separated by race, as long as those facilities were of an equal quality.[61] This set the standard under which New Orleans public schools would operate for more than 50 years. In 1942 a dock worker living in the Ninth Ward, a man named Wilfred S. Aubert Jr, began working with the Ninth Ward Civic and Improvement League to lobby for the improvement of Macarty, his neighborhood's only public school that served black students. Shortly afterwards, a probe led by Louisiana Weekly investigated the school and found that the school was old and unmaintained, and that it was overcrowded, leaked in the rain, and poorly located to serve the community. A representative from the newspaper is quoted as having criticized the institution by saying that, "[w]e house our Negro children in buldings we shouldn't put pigs in."[62] Macarty was a ramshackle building that was only meant to accommodate 1,200 students but it was found to be serving 2,500 students each day. Students needed to share books, and without enough desks for everyone to sit, some were forced to stand in the back of the classroom. While it operated at 240% of its maximum capacity, white schools in the same neighborhood never exceeded 100%. Without the means to properly educate all of the students it was meant to serve, Macarty was forced to conduct half-day sessions in order to ensure that all attendees received at least some semblance of a full day's education, a system called "platooning". At the time, New Orleans operated just 34 schools across the city for black students, while maintaining 87 for an equal number of white students.[63]

This reality was not lost on the parents of Macarty students. Their school was indeed separate, but it was far from equal to nearby white schools. This neglect motivated Aubert to become involved in bolder action; a class action lawsuit with the aid of the NAACP. The move was hugely popular among Macarty parents, as 95% of the parents in attendance at the first meeting agreed to volunteer for the cause. During the court case, the Macarty parents argued that black students were afforded, under the Fourteenth Amendment to the United States Constitution, the "right and privilege of receiving instruction in courses of studying including the use of modern sanitary schools and school facilitates, such as are provided by the defendants for white children," while the school board's attorneys argued that the claims were untrue.[64] Despite the case being allowed to move forward, the NAACP decided to shift their focus and argue against the constitutionality of segregation itself. Naturally, the New Orleans Parish school board was unwilling to entertain notions as radical as these, claiming that "[s]uch a departure from tradition and custom, quite apart from the fact that such action by the Board would be illegal, could result only in chaos and confusion and further, quite probable would cause a very serious worsening of race relations in the community as a whole."[65] This required the NAACP to file a second case against the New Orleans Parish school board, Earl Benjamin Bush v. Orleans Parish School Board, but before the case could be brought to completion the ruling of *Brown v.*

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[61] Plessy v. Ferguson, 163 U.S. 537, 1896.
[62] *Louisiana Weekly*, November 11th, 1945.
[63] *Louisiana Weekly*, January 24, 1942; Office of Planning and Construction, "Distribution of Negro Student Population, 1950-51," Orleans Public School Board Collection (hereinafter OPSB), Earl K. Long Library, University of New Orleans.
[64] Rosana Aubert v. OPSB, Civil Action No. 215, U.S. District Court for the Eastern District of Louisiana, box 43, folder 4.
[65] OPSB, statement, November 26, 1951, box43, folder 21.

The Board of Education determined in 1954 that racially segregated classrooms were indeed unconstitutional. It should be noted that the success of *Brown v. The Board of Education* would be measured differently by the NAACP and the black plaintiffs they represented. The NAACP was far more concerned with mixed classrooms, hoping for a balanced population of white and black students in schools, thus ensuring that segregation had been effectively ended. The Ninth Ward parents, on the other hand, were always more concerned with improving their children's education, and not necessarily whether or not they sat in class with white students.[66]

Immediately after the ruling Louisiana State Senator William Rainaich began efforts to keep schools segregated. He claimed that integration would "plunge the white school children of Louisiana into moral and intellectual chaos and would seriously jeopardize their health."[67] This wild claim of student health was based on a petition put forward by the White Citizens Council of Plaquemines Parish. It contained 15,000 signatures defending segregated schools, and even went so far as to cite medical statistics that referred to higher rates of venereal diseases among black students than white ones. In a concerted effort to stop integration, and with the overwhelming support of his white constituents, Rainaich repeatedly championed bills that would result in the firing of school administrators who helped further integration efforts and banned interracial athletic events. Then, in defiance of the Supreme Court ruling to integrate schools, the Louisiana State Senate passed a bill allowing schools to be officially deemed to be either Negro or White.[68]

Despite the legal attempts to preserve classroom segregation, The Orleans Parish School Board decided to issue a survey to parents of students at public schools, asking them to choose which statement they felt better represented their opinion: "I would like to see the schools closed rather than integrated, even in small amounts;" or "I would like to see the schools kept open, even though a small amount of integration is necessary."[69] The board assumed that white parents would undoubtedly choose a small amount of token integration rather than being faced with mass school closures. To their dismay, when the results came back over 80% of white parents had voted in favor of closure over integration. Meanwhile, 95% of black parents voted in favor of integration. The school board, however, only considered the white votes in making their decision. Despite the results of the survey, and the ruling of the court, the Orleans Parish School Board decided to take no action at all. New Orleans was free to continue segregating their schools for years until in 1959, under further pressure from the NAACP, the city was finally ordered once again to present a plan to finally desegregate the city's schools. Once again, the city failed to do so.[70]

In response to the city's refusal to take action, Judge J. Skelly Wright of the United States District Court for the Eastern District of Louisiana, the very same judge who had initially

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[66] Juliette Landphair, "Sewerage, Sidewalks and Schools," Louisiana History: The Journal of the Louisiana Historical Association Vol. 40, No. 1, Winter, 1999, p. 35-62.

[67] *The Times Picayune,* August 31, 1960, p.1.

[68] Mary Lee Muller, "The New Orleans Parish School Board and Negro Education," University of New Orleans, 1975, p. 44; Morton Inger, "Politics and Reality," New York, 1969, p. 101-102.

[69] Louisiana State Advisory Committee to the United States Commission on Civil Rights, *The New Orleans School Crisis* Washington, D.C, 1951, p. 4.

[70] Alan Wieder, "The New Orleans School Crisis 1960: Causes and Consequences," Phylon, Vol. 48, No. 2 (2nd Qtr., 1987), p. 127.

ordered that public schools be desegregated in the first place, released yet another order. It read as follows,

> "It is ordered that, beginning with the opening of school in September 1960, all public schools shall be desegregated in accordance with the following plan:
>
> > A. All children entering the first grade may attend either the former all-white public school nearest their homes or formerly all-negro public school nearest their homes, at their option.
> >
> > B. Children may be transferred from one school to another provided such transfers are not based on consideration of race."[71]

White parents immediately began to panic. Nearly 7,000 black students and 4,000 white ones would be impacted by the judge's order, and half of the white schools in New Orleans were situated closer to black communities than the schools that black students had previously been required to attend. Judge Wright agreed to postpone the start of integration until November, expecting that racial mixing would take place at a slower rate than it would have had it occurred at the beginning of the school year. Wright hoped that parents might have been less willing to withdraw their children from class if school was already in session.[72]

Two schools were chosen to be the first integrated schools in the city of New Orleans, William Frantz Elementary and McDonough 19. Black students would be allowed to apply for transfer to either of these schools beginning in October of 1960. This timeframe, however, left enough of a delay for the school board to implement a pupil placement plan that would limit desegregation to only a token few black students. Students would be forced to undergo a rigorous examination process in order to determine their mental health, intelligence, and home life before they would be granted admission to either McDonugh or William Frantz Elementary. First, each applicant was to be considered by the superintendent's office on the bases of distance from the school and availability of transportation. Classroom capacity was taken into account as well. Second, the applicants' intelligence was to be a factor, and the results of their achievement tests would be considered. Third, the superintendent's office would consider how any incoming pupil might impact their new academic program, how they might affect white students' ability to learn, what the psychological impact might be on the incoming black students, and how their household life might interfere with their new classroom environment. Fourth, and finally, the office of the superintendent would submit the application to a final review team to determine ultimately whether the student would create any ill will amongst the school's local community. It must be remembered that the criteria being considered was applied to six year olds, of whom's intelligence, academic achievement, and psychological profile could hardly be quantifiable at such a young age. Rather, the entire process was orchestrated to be able to give the office of the superintendent the freedom and power to maintain control of the

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[71] Louisiana Advisory Committee to the United States Commission on Civil Rights, p. 5.
[72] Muller, 56; Robert Crain, "The Politics of School Desegregation," Aldine Publishing Co, New York, NY, 1969, p. 258-259.

integration process, and limit it as they saw fit. In the end only 5 students made it through the rigorous selection procedure, all of them girls.[73]

While the office of the superintendent was seeking their own novel ways to keep schools from truly integrating, the State Senate was busy with their own endeavors. Before the token integration occurred they had attempted to pass thirty bills, most of which were essentially identical to the bills that the court had already deemed to be unconstitutional. Among them were drafts that would grant power over public schools to the state rather than the municipality, drafts that would grant the governor the ability to close integrated schools as he pleased, drafts that would grant the State Senate power to cut funding for desegregated schools, and even a bill that would have resulted in the loss of credentials for any teachers who willingly taught in desegregated classrooms. In a final act of defiance, the day before the schools were set to undergo token integration, the State Senate sent telegrams to the principles of McDonough and William Frantz elementary letting them know that opening the schools on the following day would be considered in contempt of state legislature, and they would be arrested in accordance with state law. The principals, however, promptly received second telegrams, this time from the Federal Government, requiring them to open and proceed with the desegregation process. In the end, both schools would obey the Federal Government.[74]

Consider, for a moment, how the situation that unfolded in the Louisiana State Senate closely resembles the arguments used by Milton Friedman and the early neoliberals in their defense of the individual against state coercion. The newspaper wrote favorably of Jimmie Davis, then governor of Louisiana, claiming that he was valiantly defying the federal government by "refusing to capitulate" in order to protect New Orleans' local autonomy.[75] "The state of Louisiana, he said, was entitled to use 'every legal means' to resist the 'usurpation of its powers' by the U.S. supreme court."[76] Indeed, wielding the power of the federal court, Judge Wright threatened that any State Senators who attempted to interfere with integration on the planned day, or even seek control of the New Orleans public school system, could expect a federally issued restraining order. This was seen as a gross overstep of the powers of the federal government, and the newspapers claimed that his actions were unprecedented in the history of Louisiana politics. Still, the legal battle to protect segregated classrooms was not unanimous. A state representative from New Orleans was quoted as having said that, "[t]here are times when we must act not as men, but understand the laws of the United States," suggesting that the law was clear and should be followed accordingly.[77] Thus, there was some opposition to the anti-statist messages of the pro-segregation senators. This episode helps to illustrate the tension between the state and the federal government, a tension which encourages a philosophy supporting states' rights over the rights of the collective, a distrust of centralized authority, and an emphasis placed on the individual and the community rather than being forced to take action due to outside influence. The nature of the debate was certainly not a far cry from

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[73] *Southern School News*, December 1960, May 1961; Crain, 260-261.
[74] Inger, 101-102; Alan Weider, "A School Principal and Desegregation", *Equity and Excellence 22*, Nos. 4-6, Summer 1986, p. 125-129.
[75] *The Times Picayune,* November 14, 1960.
[76] *The Times Picayune,* November 14, 1960.
[77] *The Times Picayune,* November 14, 1960.

Friedman's descriptions of state coercion of the individual, and would have made the individuals involved more receptive to neoliberalism once it came to the forefront of the American political sphere.

When the girls entered William Frantz Elementary and McDonough on November 14th, 1960 they officially marked the end of segregation for the New Orleans public school system, though this was to be in name only. White parents flocked to the schools to recover their children from the perceived racial injustice and government overreach. By mid-day, nearly all white students had been removed from both McDonough and William Frantz. With the white students removed, crowds gathered outside chanting slogans like "segregation forever" and cheering each time a white student was brought out onto the street. Once the school day had ended, and the black girls were escorted outside by their U.S. Marshal bodyguards, the crowd erupted again, only this time they did so in anger as they faced the living symbols of what they considered to be persecution against the white community by the state. The girls faced jeers and enraged taunts as they made their way through the crowd after the first day at their new schools.[78]

The White Citizens Council began taking action almost immediately. A prominent member of the New Orleans elite, and Plaquemine Parish District Attorney, Leander Perez, led the public outcry. "Don't wait for your daughter to be raped by these Congolese," he said, calling for the public not to "wait until the burrheads are forced into your school. Do something about it now."[79] Perez was wealthy and influential in New Orleans, and the mob violence that took place in the days that followed can arguably be attributed, at least in part, to this unbridled call to action. A black teenager was stabbed by a group of white boys. A white man was shot by a group of black men. Fire hoses were turned on demonstrators, both white and black, and more than fifty people were arrested in just the first day after the small group of black girls began attending the 2 white schools.

White parents, however, were quickly being presented with a viable alternative. State Senator Russel Long, son of the widely known former governor of Louisiana Huey P. Long, suggested that the only way out of the integration dilemma would be a mass shift of whites to a system of private schools, owned and operated by the white community. Long released a sweeping statement:

> "Parents themselves, not the state, would have to set up any system of private education… if I were one of you I would be urging that the state, parish and city governments should be moving to reduce their reliance upon public education and offer all reasonable co-operation to parents who wish to provide for the education of their children in private schools… the existence of separate schools for white children is something that parents are going to have to do for themselves. Your right and your ability to do it for [your children] is being undermined by the usurpation of the power of the federal government… After all,

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[78] *The Times Picayune,* November 16, 1960; *The Times Picayune,* November 16, 1960; *Time Magazine*, November 28, 1960.
[79] *The Times Picayune,* November 16, 1960.

private education existed long before public education… [and] it can still be provided."[80]

Long went on to continue criticizing the federal government in challenging local traditions and exercising control over issues that he felt should concern none but the people of New Orleans, stating that "revolutionary changes" were being forced upon them by "outside agitators" and "without regard to the consent of the governed."[81] He urged white parents to lobby in order to sell their communities' public school buildings to private groups in order to gain control of the process. Leander Perez was one of the first to take the initiative. He donated an empty building and set aside his own funds to operate a private school that would admit white students only. Perez went on to found 4 additional white only private schools.[82]

This championing of the market as a way to circumvent perceived state overreach is very much in line with the tenets of neoliberalism, as are themes like government overreach and individual choice, both of which were championed by Senator Long. These are the foundations on which the privatization movement in New Orleans were built, and they would define the state of New Orleans education for years to come. It must not be forgotten that Milton Friedman claimed, just a few years before these events occurred, that replacing public schools with private ones would be more desirable than forced integration. In the end, the forced integration of New Orleans' public schools would produce a city with essentially two distinct systems of education; one private for the white community, and a public one for the black community that would be increasingly defunded as whites continued to leave.

Despite token integration occurring in 1960, the New Orleans School Board, the office of the superintendent and the State Legislature were able to effectively keep integration from occurring at no more than a snail's pace for another decade. By 1965 only 873 black students were attending white schools in all of New Orleans. In response, Senior Judge of the United States District Court for the Eastern District of Louisiana Frank B. Ellis ordered that integration efforts be sped up, ensuring that two grade levels be integrated each year until all grade levels at white schools would be open to black students by 1970. By that point only 35% of students in the New Orleans public school system were white, and the rate at which white parents pulled their children from integrated schools was only increasing. By 1972 racial tensions at integrated schools were reaching a boiling point. At one school, a white student tossed a molotov cocktail towards a group of black students, who responded in kind by roaming the halls and beating white students with their belt buckles. In the same year a melee broke out over another school's confederate mascot. These events signified the death throes of integration efforts of the New Orleans public school system. White flight continued, and total white attendance at New Orleans public schools fell from 40,000 students in 1965 to 20,000 students enrolled in 1975. In 1977 the courts declared New Orleans public schools to be fully desegregated despite 81% of all students enrolled being black.[83]

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[80] *The Times Picayune,* November 17, 1960.
[81] *Times Picayune,* November 17, 1960.
[82] Wieder, 131.
[83] Brian Thevenot, "School Integration 50 Years Later," *The Times Picayune*, May 16th, 2004.

White families were not only withdrawing their children from mixed schools, they were fleeing mixed neighborhoods entirely. The Ninth Ward saw a nearly 80% drop in white population, and other neighborhoods followed suite. Most of these families moved to nearby suburbs, leaving the population of the city center mostly black, and its schools horribly underfunded. Louisiana had hardly increased the state education budget enough to combat inflation, and New Orleans public schools struggled to stay afloat. By 1985 the students they served were more than 90% black, almost all of whom were from low income families as de facto segregation had resulted in a huge concentration of poverty within New Orleans inner city neighborhoods. An unintended consequence of mass desegregation was the creation of a new group of middle class blacks, many of whom opted to leave poor black neighborhoods and send their children to private schools like their white counterparts. The black families that remained no longer cared as much about integration as they did with receiving proper funding for their children's schools. In 1988 a black member of the Orleans Parish School Board stated, "[i]t's not about diversity anymore, it's about whether or not our school have the same resources… Some parents can't even get the basics that they need… It's about equity."[84] Thus, any real community driven efforts at classroom integration were essentially halted, and the New Orleans public school system remained in its dismal state for almost two additional decades.[85] Rather than being concerned about the racial distribution of whites and blacks in classrooms, communities began to place emphasis only on whether or not the education system functioned as intended, and privatization schemes were often seen as valid remedies.

New Orleans was not the only U.S. city that was struggling to solve public education woes. In 1983 the National Commission on Excellence in Education released *A Nation in Crisis*, a study arguing that inner city public education was in a dire state, and in desperate need of remedy. Dropout rates, poor student achievement, and mismanagement were running rampant throughout many of America's urban schools. Gerald Holden, a member of the commission, stated that, "[o]ur decentralized educational system has never and never will be able to make significant across-the-board changes within a five-to-ten-year time frame in response to a national challenge if the leverage of relatively small but vital federal contribution is not brought to bear, in terms of both planning and financing."[86] The report found that strong federal leadership would be necessary, and that state governments would be unable to adequately respond to the crisis in urban schools without outside assistance. The sitting president, however seemed committed to doing just the opposite. Throughout the 1980s, efforts were being made in Washington to slash the federal education budget. In 1981 the Reagan administration cut the budget for federal aid to education by 6%. The following year it was reduced by another 16%, and the year after that by a staggering 33%. This trend would continue for virtually every year of Reagan's presidency. One of Reagan's central aims was "to curb the size and growth of the federal establishment and to demand recognition of the distribution between the powers granted

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[84] Ellenese Brooks-Simms quoted in Brian Thevenot, "School Integration 50 Years Later," *The Times Picayune*, May 18th, 2004.

[85] City of New Orleans Office of Policy Planning, 'Florida Area Profile," 5; "Lower Ninth Ward Profile," 5.01.

[86] The National Commission on Excellence in Education, *A Nation at Risk: The Imperative for Education Reform*, 1983, p. 15.

to the federal government and those reserved to the states or to the people."[87] He claimed that his goal was to return responsibility to state and local governments, especially when it came to social services, in order to prevent the federal government from becoming "excessively or improverly involved" in local affairs.[88] Decentralizing and defunding education were major selling selling points of his plan. Reagan did not, however, completely dis-include the federal government from playing a role in American education. Rather, he asserted that "collecting data, conducting research, and disseminating reliable information about the condition of education is the central element of the federal role in education," reflecting neoliberal ideology's tendency to lean towards efficiency and outcomes.[89] These initiatives also closely resembled those supported by Milton Friedman in "The Role of Government in Education," as he believed that individuals must be provided with accurate information on which schools exhibited the strongest performance so as to make an informed decision and achieve the most desirable outcome for their children, and that publicly funded education was a misguided project that should be replaced by various kinds of privatization schemes. Despite strong evidence supporting the need for federal assistance in state school systems, the Reagan administration chose instead to adhere to strict neoliberal guidelines, committed to shrinking government and cutting aid, rather than providing the much needed resources to America's failing inner city schools. Additionally, using language that demonized outside authority and championed local autonomy was reminiscent of the stance taken by Barry Goldwater during his presidential bid. Goldwater, however, had used the same arguments in favor of maintaining segregated schools in the name of states' rights and federal overreach. The same language was also used by Louisiana State Senators in arguing against the ethicality and legality of *Brown v. the Board of Education* and forced integration.[90]

Pre-Katrina Education in New Orleans

Prior to Hurricane Katrina nearly half of New Orleans public schools were rated as Academically Unacceptable by the Louisiana Department of Education. The school board and school administrators and teachers' unions exercised almost total control over the public school system, a situation often referred to by scholars as a cartel system or an employment regime. According to scholars of New Orleans education policy Matthew Thomas and Peter Burns, an arrangement such as this,

> "serves the financial and material interests of school employees and is characterized by corruption, patronage, nepotism, and bloated and mismanaged budgets…[it] excludes other stakeholders such as the local corporate community; it often neglects the needs of children in the school system; it aims above all to

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[87] Ronald Reagan, "President Reagan's Inaugural Address," *Congressional Quarterly Almanaac,* Vol. 38*,* 1981, p. E-12.
[88] Executive Office of the President, *Fiscal Year 1982 Budget Revisions, March 1981*, p. M-1.
[89] U.S. Department of Education, *Justifications of Appropriation Estimates for Committees on Appropriations, Fiscal Year 1988, vol. 2*, p. 248.
[90] Deborah A. Verstegen and David L. Clark, "The Diminution in Federal Expenditures for Education during the Reagan Administration," *The Phi Delta Kappan* Vol. 70, No. 2, Oct., 1988, p. 134-138.

maintain the status quo; and it buffers the existing arrangement from political interference. This kind of regime opposes reform because its members know that change equals a redistribution of resources in a system that benefits them."[91]

Not only that, but the New Orleans public school system had been notoriously unable to fix the long standing problems that faced the cities' schools. A situation such as this can easily be used as a rallying cry for those who wish to push neoliberal education reform, as they might argue that government mismanagement is disincentivizing efficiency, allowing for cronyism, and promoting a bloated and ineffective bureaucratic style of management. Neoliberals tend to argue that this is against the spirit of the American ideal that celebrates a society built on entrepreneurship, local autonomy, and individual agency rather than state management of communities' affairs. The reality that the New Orleans public school system was in such bad shape only helped to bolster those in favor of privatization schemes, such as charter schools. In 1998 school performance had become so poor that then Mayor Marc Morial threatened to take over the entire system to implement sweeping reforms, but instead helped to found the Greater New Orleans Education Foundation. Fearing a loss of community control to what former Senator Long would have referred to as "outside agitators" during integration efforts, the foundation was made up of local business leaders who helped to raise money with the goal of restructuring the school system, this time in the image of the marketplace. The Louisiana Federation of Teachers was quick to criticize the foundation, claiming that the move was merely "a scheme to allow big business interests… with little experience running a K-12 school to tap into public funds," for their own gain."[92] Privatization was their answer to a problem that had been caused by decades of racial tensions, neglect from the government, an unwillingness to integrate, and bad education policy. Rather than pushing for serious policy changes, they felt that business elites could do the job. It should be noted that 75% of the Greater New Orleans Education Foundation was white while the student population in question was more than 80% black.[93]

      With privatization efforts ongoing, the state superintendent decided to award Alvarez and Marsal, a New York consultancy firm, with a $16.8 million deal to restructure remaining public schools in order to increase operational efficiency and produce more desirable outcomes. The firm's founder was a Louisiana native, and many of the executives were paid more than $425 an hour on their prior assignments. Alvarez and Marsal had previously been hired to do the same within the St. Louis school system where they closed nearly 20% of public schools, reduced the operating budget by over 15% and laid off more than 1,000 employees. The jobs lost were almost entirely held by black teachers and administrators, and the schools that closed were almost entirely located within majority black neighborhoods. The Louisiana contract was meant

[91] Matthew Thomas and Peter Burns, "Reforming New Orleans: The Contentious Politics of Change in the Big Easy," Cornell University Press, 2015, pg. 62.

[92] Louisiana Federation of Teachers, "Weekly Legislative Digest," April 4, 2003, "http://www.lft.aft.org".

[93] Frank Donze, "Morial Charts School Reforms: Effort Patterned on NOPD Rescue," *The Times Picayune*, March 26, 1998; Rhonda Nabonne, "School Board Unveils Plan for Reform: Business Group Spearheads Push," *The Times Picayune*, February 9, 1999; Lolis Eric Elie, "School Draft Needs Work," *The Times Picayune*, March 8, 1999; Dorothy Shipps, "Pulling Together: Civic Capacity and Urban School Reform," American Educational Research Journal 40, no. 4, 2003, p. 866.

to last three years, and Alvarez and Marsal were granted the power to hire, fire, discipline and transfer employees as they saw fit. The company was required to report to a board that was organized to oversee the project, most of whom were local business elites. Top administrators of the New Orleans public school system were not part of the team. In the end, though, it would matter little, as New Orleans was hit by a catastrophic category 5 hurricane just a few months later. The aftermath of Hurricane Katrina would see a vast overhaul of the New Orleans school system, and would result in the permanent closing of every New Orleans public school just over a decade later in favor of charter schools.[94]

Post-Katrina Education in New Orleans

In the wake of Hurricane Katrina the efforts to privatize New Orleans schools increased dramatically, and for good reason. Nearly two-thirds of all existing school structures were damaged, many of them beyond repair. It would require a huge state investment to re-open many of the damaged schools, and even with the influx of federal funds, the monumental nature of the task seemed daunting to most Louisiana policy makers. Two months after the storm the State legislature passed Act No. 35 which granted the state power to restructure any schools that were deemed to be in crisis. Before the storm this had only occurred a total of 4 times in the history of the Louisiana. After Katrina, the state legislature took control of more than 110 schools, all of which were targeted for privatization efforts. In the years that followed, New Orleans would go from having only 6 charter schools to having 50 by 2009. This made New Orleans the city with the highest percentage of charter schools in the entire country.[95]

Charter schools became the centerpiece of the New Orleans school recovery effort. They were sold to policy makers as a quick and easy method of opening schools in a timely manner. Supporters of the market based reforms argued that it would require far less bureaucracy, fewer budgetary concerns, and the drive for profit making were meant to result in a more efficient education system where industrious individuals would quickly develop business plans to get schools off the ground rather than waiting on the government to act. Leslie Jacobs, then on the Board of Louisiana Primary and Secondary Education is quoted as having said, "[w]hen you have a damaged home, at some point you have to sit back and assess whether it makes more sense to build anew rather than renovate. If it's two feet of whatever you can renovate. If it's eight feet of water you likely have to rebuild, and this district has been underwater for a very long time."[96] Attitudes like these were commonplace in the wake of Katrina, and help to illustrate why a drastic overhaul of the education system seemed like a valid strategy, and to some perhaps the only valid strategy.

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[94] Brian Thevenot, "Hatchet Men: The Company Hired to Solve New Orleans Public Schools' Financial Woes Is Proud of Its Rock-Ribbed Reputation," *The Times Picayune*, June 26, 2005; Brian Thevenot, "Power Struggle Leads to Power Sharing: Everyone, No One Ends Up in Charge," *The Times Picayune*, May 5, 2005.

[95] "The State of Public Education in New Orleans: Five Years After Hurricane Katrina," Tulane University Cowen Institute for Public Education Institutes, July 2010; Early Torregano and Patrick Shannon, "Educational Greenfield: A Critical Policy Analysis of Plans to Transform New Orleans Public Schools," *Journal for Critical Educational Policy Studies 7*, no. 1, 2009, 329.

[96] Sarah Ritea, "Algiers charter schools plan gets good grades; financially, it may be the only way to go," *The Times Picayune*, October 7, 2005.

The post-Katrina charter school movement, however, was not grassroots in nature. Rather, it was supported and sponsored by a variety of sources, many of them being private interests and right wing charity groups. Just two weeks after the storm occurred, while the majority of the city was still flooded, the Heritage Foundation, a right wing think tank, helped to develop more than 30 policies for the Louisiana State Legislature. Among them were the suspension of wage-laws in disaster stricken areas, the creation of a flat-tax free-enterprise zone, and the implementation of charter schools to replace damaged public ones.[97] In this way, market based education reform was rolled into policy packages that contained other typical neoliberal initiatives. Additionally, other major charities supported the reforms as well, such as Wal-Mart's Walton Foundation, and the ExxonMobil Foundation, both of whom pledged millions of dollars to New Orleans schools should they transition from traditional public ones to charters.[98] The willingness of the state to work with wealthy private interests, many of them charities that are owned and operated by some of the most powerful corporations in the world, speaks volumes about the Louisiana's attitude towards public education. Furthermore, in line with the arguments outlined by Wendy Brown and Michel Foucault, this behavior has been repeatedly normalized to the point where private involvement in social education has become championed as a good thing, and re-shaped citizens' notions of how a public education system should operate.[99]

Even so, this is not to say that positive gains were not made. Conditions in schools did improve overall, as did graduation rates and student performance in many school districts. However, it must be remembered that much of the city of New Orleans was gentrified in the wake of the storm, with many of the city's poorest fleeing the devastation never to return. This exodus, and the subsequent gentrification process, resulted in socio-economic conditions shifting towards factors that generally indicate better student performance. Thus, the introduction of charters did not necessarily produce the results. Additionally, because the school system was in such terrible shape to begin with, just minor gains resulted in measurable improvement, and the fact that the community was forced to rely on wealthy organizations whose charities can be used to serve their own ends is in itself a travesty. Worse yet, many of the decision makers and policy drivers who arrived after Katrina were not New Orleans natives. Many were transplants from cities like Boston, New York and Chicago, and most were white. Many black educators and administrators were hugely displaced by the storm itself, and the rise in prominence of New Orleans charter schools also resulted in a decrease in black ownership of the New Orleans education system. These themes are in line with critical race theory.[100]

Then, too, it is important to remember that the process of neoliberalization was not a democratic one, and was seen as an assault by many of the black working class communities in the city. The new charters were no longer beholden to locally elected representatives, and were

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[97] Stephen Johnson, "Hurricane Katrina and Education Politics," *The Heritage Foundation Education Report*, December 16, 2005.

[98] Naomi Klein, "How Power Profits From Disaster," *The Guardian*, July 6th, 2017.

[99] Naomi Klein, "The Shock Doctrine," Metropolitan Books, New York, NY, 2007, 410.

[100] Erica Frankenberg and Chungmei Lee, "Charter Schools and Race: A Lost Opportunity for Integrated Education," *Education Policy Analysis Archives*, 11(32), 2003, p. 36; Baris Gumus-Dawes, Thomas Luce, and Myron Orfield, "The State of Public Schools in Post-Katrina New Orleans: The Challenge of Creating Equal Opportunity," 2013, p. 20.

privately operated with the specific goal of extracting profit from the community using admission filters, geographic placement, and other tactics that were discussed previously. Thus, while the Orleans Parish School Board once maintained control over the cities' schools, the charter movement resulted in a system of education without a localized governing body. The board that sets rules for Louisiana charters is a state-wide organization rather than a municipally controlled one, leaving the local communities with less ownership over their own children's education. There was some resistance made by these communities, but a combination of a lack of an organized movement, the fact that the public school system was grossly underfunded and unpopular in the State Legislature, and the political climate of the time meant that they found little success. Some historic buildings, such as ones that represented civil rights victories, were kept from being demolished, but they were ultimately unable to keep the processes of neoliberalization at bay. Finally, as one might have expected, the communities served by charters with the highest ratings, those of A or B, were almost all predominantly white neighborhoods, while the schools served by the lowest rated charters, those with a C, D or F rating, were predominantly black.[101]

The New Orleans public school system now incorporates the central tenets of the school choice movement that was outlined by Milton Friedman in his work *The Role of Government in Education* during the height of the civil rights era. As a market based system, the schools are operated more as businesses than social services, and the communities they serve are approached as consumers in a marketplace. As the popularity of chaters grew in the wake of Hurricane Katrina, the amount of funding allocated towards traditional public ones was cut again and again, as it was in the wake of the privatization efforts during forced integration. Because these charter schools are owned by private individuals who are incentivized solely to maximize their profits, their own financial interests do not always line up with the interests of the community at large. As discussed several times previously, filtering out students that could impact the school's performance is one way this is achieved. Simultaneously, this pushes the most at-risk students, who are generally the most expensive to educate and produce the least desirable outcomes, into remaining public schools that are increasingly being defunded. Sociologist Joshua Akers encapsulates the complexity of these struggles in writing that,

> "[a]pproaching the dismantling of the public education system in New Orleans as a moment in which the complex entanglements of social reproduction and social structure converge with the economic and political opportunism following Katrina provides a richer understanding of the uneven and variegated process of neoliberalism, and demonstrates how the terrain of the conjunctural is contested by numerous actors dislodged in the formation of an ascendant social warrant. The contest over public education is an integral site in urban struggles."[102]

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[101] Adrienne D. Dixson, Kristen L. Buras and Elizabeth K. Jeffers, "The Color of Reform: Race, Education Reform, and Charter Schools in Post-Katrina New Orleans," Qualitative Inquiry 2015, Vol. 21(3), p. 288–299; Della Hasselle, "Nearly half of New Orleans' all-charter district schools got D or F grades; what happens next?" *The New Orleans Advocate*, November 23rd 2019.

[102] Joshua M. Akers, "Separate and Unequal: The Consumption of Public Education in Post-Katrina New Orleans," *International Journal of Urban and Regional Research*, Volume 36.1 January 2012, p. 33.

Another important consequence of the New Orleans charter movement has been the eradication of traditional boundaries that accompanied public education, where school zones determined which public school a family was required to send their children. These parents, who have now been transformed into consumers, are forced to navigate a system they are unfamiliar with and may not fully understand. We must understand that neoliberalism is to be considered along with local contexts and pre-existing situations. In New Orleans that means that the market based education movement is hybridized with the city's social, economic and racial histories. With that taken into account, and understanding that neoliberal school reforms are structured in a way that rewards parents who are able to operate as competent consumers, those that are most able to do the best research and make the most informed decisions, it can be understood that the reforms will necessarily negatively impact the most impoverished families and communities, most of which are black. In that sense, the charter movement is yet again in line with critical race theory, as it benefits white communities while creating new challenges for the black ones.[103] Alice Huff does an excellent job of summarizing the impacts neoliberal education reform has had on the city of New Orleans. She writes that,

> "As a spatial strategy, neoliberal school reform in New Orleans largely protects and expands class and race advantage. It creates fertile ground for the influence of venture philanthropy on city planning; it undermines democratic mechanisms of governance; and it systematically erodes civic capacity as a basis for the kind of collective action that might challenge the aforementioned developments. New Orleans."[104]

Thus, numerous parallels can be drawn when considering market based education reform in New Orleans along with the charter school movement in other cities in the United States. Although the movement in New Orleans was hugely impacted by a devastating natural disaster, most of the same grievances still apply, and some of them have been indeed worsened.

Conclusion

As discussed previously, neoliberalism is a particularly difficult term to define. Certainly what scholars understand as neoliberalism differs, and what the term represents has changed with the ebb and flow of history. Though it was born out of a sort of defiance in the face of totalitarian governments and authoritarian dictators, it quickly became a rallying cry for the richest and most powerful American businessmen, as they saw it as an ideological tool that might protect their interests from an encroaching system of social services and publicly operations funded by their own tax dollars. Under the guidance of Milton Friedman, and his colleagues at the Chicago School of Economics, neoliberalism became something more

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[103] George Lipsitz, "Learning from New Orleans: The social warrant of hostile privatism and competitive consumer citizenship," Cultural Anthropology 21(3), 2006, p. 451–468.
[104] Alice Huff, "Reforming the city: Neoliberal school reform and democratic contestation in New Orleans," The Canadian Geographer, 2013, 57(3), p. 316.

concrete, something that its disciples felt could be approached as more of a science than a more abstract philosophical idea. In fact, Friedman and the other Chicago School economists were vital in the furthering of neoliberalism as an ideology, and its ultimate integration into the American education system and its adoption as a system of policy packages by presidents Reagan, Clinton, Bush, Obama, and certainly Trump.

Neoliberalism as an ideology is notoriously unpopular with most academics, and is used almost entirely in a negative sense in most recent and relevant publications regarding American education. Historians like Kim Phillips-Fein and Wendy Brown have written extensively about how they feel the anti-statist and pro-market attitudes that are commonly associated with neoliberalism are undermining our social institutions and reshaping our understanding of what should or should not be subject to market forces, respectively. Both of these concepts were also explored by Michel Foucault, most presciently, as they were not popular topics among academics at the time of his writing. The consensus is that these ideologies and policy packages are having a real impact on our way of life, and most critical race scholars have determined that neoliberalism is a driving force in American education policy, and on that is built on the notion that individual self interest and free market operation are the most just and efficient principles on which to build our education policy.

Certainly much of the reason for this is due to Milton Friedman's 1955 publication entitled *The Role of Government in Education* which is still used as much of the basis of American market based education reform. Friedman's notion of privately managed schools, free to operate without interference from the government has been soundly criticized again and again as being insensitive to cultural specificities within given localities, and as resulting in inequity that is both racial and class based in nature. A lack of coordination between schools, and a lack of proper regulation means that as charters become more prevalent, market based education reforms will continue to perpetuate many of the same issues that black communities have faced since desegregation.

Though intention of *Brown v. Board of Education* was the racial mixing of America's schools, the reality is that any gains were quickly undone in New Orleans through various local measures and political schemes, privatization of the white communities' schools systems being perhaps the most pronounced. Although the *Brown* removed "the most obvious and crass forms of aprtheid-style public segregation," it left the "fabric of de facto economic, residential and educational segregation largely untouched."[105] The privatization and subsequent defunding of public schools effectively negated the efforts of the court to desegregate the New Orleans school system, as critical race theory describes. The actions taken in the wake of *Brown* were used to ensure superior educational opportunities and facilities for white students, while gutting the then "desegregated" systems that served almost exclusively black students. The colorblind language used by the Reagan administration in defending their policy initiatives highlighted concepts like personal and economic freedom, and state and local autonomy, but those same principles were being used to prolong the racially motivated societal order that was still in place in New Orleans. Furthermore, critical race scholars often argue that token actions taken in the name of racial equality tend to serve the interest of elite whites, while the lower class white

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[105]Gillborn, 28.

populations are typically used as a kind of buffer to bear the brunt of whatever societal, economic or cultural issues are caused by a given change. The two schools chosen for integration in New Orleans were in white, working class neighborhoods, and resulted in widespread social upheaval leading to riots, violence and death. Had the New Orleans school board chosen schools in upper class neighborhoods for integration, perhaps the response would not have been so ferocious.

New Orleans charters are still free to shape their student populations based on which groups will be the cheapest to educate, resulting in more profit for school operators by producing the most desirable outcomes, and ensuring that the charter's rating remains high. This results in the funneling of special needs, poorer and often black students out of the best performing schools and into ones that perform more poorly. Without public education functioning as an effective social safety net these communities have truly become trapped between a rock and a hard place. As the school operators continue to cherry pick the best students, those in most need are being concentrated into the worst schools, most of them located in predominantly black neighborhoods. Even students from poor families who may have a chance of being admitted into better schools are often left without a means of reaching them, as many are located too far to travel. This situation in many ways echoes the realities that black communities faced during the civil rights era, when the fight to secure quality education was being fought in the open, through protest and community organizing. Today, with the lack of a well defined movement against charter schools, the lack of a clearly defined alternative, and with less community ownership over local education, it seems that charter schools are here to stay. Even so, it is important for academics to continue to highlight the intersections between neoliberalism, education and race. Sociologist Alice Huff writes that the tenets of neoliberalism "teach us to ignore the larger context of our interdependence, and… limit the spaces where we might practice this interconnectedness socially and politically," and that their adoption "stunt[s] moral imagination, shut[s] down collective inquiry, and erode[s] our willingness to engage" in a discourse that highlights social services and community protection over the values of the marketplace.[106] Thus, it is imperative that action be taken to properly regulate America's charter schools to ensure may not be left entirely to their own devices, less they continue to exclude students based on race and social class, and to serve the owners and operators first, and the community second. Scholarly pursuits like the ones outlined in this work, and this work itself, should be understood as a call to action against a privatized and poorly regulated system of American education, and it is my hope that should enough attention be given to this particular topic, that the necessary political proceedings will be undertaken to ensure that social, racial, and class based equity is given serious consideration in our nation's schools.

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[106] Huff, 315.

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