

PUBLIC EDUCATION IN THE UNITED STATES: THE PRODUCTION OF A NORMATIVE
CULTURAL LOGIC OF INEQUALITY THROUGH CHOICE

by

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A dissertation submitted to the Graduate Faculty in Anthropology in partial fulfillment of the
requirements for the degree of Doctor of Philosophy, The City University of New York

2013

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This manuscript has been read and accepted for the Graduate Faculty in Anthropology in satisfaction of the dissertation requirement for the degree of Doctor of Philosophy.

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Abstract

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Public Education in the United States: The Production of a Normative Cultural Logic of Inequality Through Choice is a historically informed ethnography that examines how choice emerged in the post-*Brown v. Board of Education* era as a key principle of reform and management in public education and became central to how rights, freedom, and citizenship were structured, constrained, and imagined. Scholarship within education studies has identified choice as a predicament of neoliberalism *as* privatization. Yet as my research examines, the inequalities associated with privatization mechanisms like charter schools are an exaggerated indexical representation of a much deeper and older problem. My research extends the historical trajectory through which we understand neoliberal restructuring and traces the ideological and material contours of a post-*Brown* realignment between the state, the structuring of rights, and the market—a realignment that extends beyond the realm of the private. This dissertation is based on eighteen months of ethnographic fieldwork in New York City's Community School District (CSD) 3, one of the most racially and economically diverse districts in the nation's largest school system. CSD 3 is also one of the most

segregated districts in New York City and one of the districts that provides the most choice-based programs and policies. In my ethnography, I examine the ways that low-income and middle-income parents navigate and negotiate selecting a public non-charter elementary school for their child. I trace how situated claims to universal rights *as* choices facilitate the continuance of a tiered citizenship and the production of what I term a “*normative cultural logic of inequality*.” My research interrogates how this logic narrates inequality in education as resulting from “bad” yet “fair” choices that are qualified by a lack of individual initiative, informed decisions, and capacities of parental care. My findings suggest that rather than these explanations, the differential accumulation of living in what Ruth Wilson Gilmore has termed the *forgotten or abandoned places* of a racial state are central to understanding how similar desires---of wanting the very best for one’s child---result in very different outcomes.

Acknowledgements

The project of this dissertation and of graduate school has spanned many years, and there are many to whom I am indebted, not all of whom I will be able to mention in these pages. I returned to the CUNY Graduate Center in 2009 after having left the program in 2004. I was not sure if school was the right place for me, and I do not know if I would have stayed this time if my path back to graduate school had not intersected with Ruth Wilson Gilmore's arrival to CUNY. As my advisor, Ruth Wilson Gilmore provided patient and careful mentoring that was critical to the development, focus, and theoretical grounding of my project. Michelle Fine provided encouragement and critical guidance for me to navigate the expansive literature on education, social reproduction, and inequality. Both Ruth Wilson Gilmore and Michelle Fine provided important examples of activist scholars whose location in the academy did not curtail their engagement beyond the university. Dana Davis helped me broaden my grasp of literature on neoliberalism, gender, and race. Leith Mullings ensured I was well-versed in literature on history of social inequality in the United States and its raced, classed, and gendered dimensions. Neil Smith and Ida Susser helped me locate how my project engaged the question of the urban, the public, and more specifically, the question of New York City. Many thanks to Ellen DeRiso, whose combined brilliance and dedication ensures that the concerns and dilemmas of Cultural Anthropology students are addressed and aided. My fellowship at the Center for the Humanities at the CUNY Graduate Center provided critical support over the past three years. The Center for Place Culture and Politics (CPCP) provided me a political home at CUNY. Participating as a CPCP fellow during the 2011-2012 academic year was particularly important to this project. Specifically, I have valued and appreciated the support, feedback, and friendship of Susan

Fischer, Laura, Liu, Samantha Majic, Robyn Spencer, Jeanne Theoharis. Jeanne Theoharis also provided critical guidance at different stages of this project.

At CUNY, I have had the good fortune of being accompanied by Nicole Burrowes, Stephanie Campos, Edwin Mayorga, Andrea Morell, Soniya Munshi, Nandini Sikand, and Laurel Turbin. I am pretty sure I would not have survived without your support, solidarity, and friendship.

This dissertation grows out of many years of collective work and learning with others at the Center for Immigrant Families who include (among many others): Marilyn Barnwell, Priscilla Gonzalez, Donna Nevel, and Perla Placencia. I have learned so very much from our shared journey.

My metaphor for dissertation writing is that the process can be likened to an individually designed house of mirrors, where each mirror you encounter represents an insecurity from a different area or time of your life. Your job is confronted each mirror, and successfully exit. I have been blessed by the support and love of an incredible circle of family and friends each of whom was critical to at least one mirror-confrontation. These wonderful people include: Marcella Bencivenni, Mildred Beltre, Nicole Burrowes, Trishala Deb, Scott Dolan, Stephanie Ettiene, Jessica Green, Abbie Illenberger, Alan Levine, RJ Macanni, Corinna Mullin, Soniya Munshi, Donna Nevel, Ileana Mendez Penate, Perla Placencia, Paula Rojas, Andrea Ritchie, Antina von Schnitzler, Angela Soto, Eric Tang, and Laurel Turbin. Beyond the mirrors, you have been my extended family, and I have learned so much with and from you—about myself, about the world, and about changing both for the better. My mother and father (Neera and Rattan Aggarwal) and my sister and brother-in-law (Punam and Bernard Ibrahim) have been patient,

loving, and supportive of this seemingly bizarre path of mine. The story of our shared lives is very much at the center of this project.

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Chapter 1: Introduction

Introduction

Like most immigrants, my father has a lot of stories about coming to the United States. And, like most kids of immigrants, there are a few stories—either due to their relevance, repetition, or both—that have stuck with me more than others. One story that informs this dissertation is about my father’s first trip to a U.S. grocery store. Unlike the tales that we are often told of grateful immigrants arriving in the land of plenty, when my father went to the grocery store, he was not only confused, he was perturbed. He had gone to the store intending to buy milk. Yet when he got there, he was confronted by an array of choices that included a variety of types, sizes, and prices. As a child, my father had witnessed the atrocities of British rule that were followed by the contradictions that accompanied independence. In many ways, these experiences prepared him to be a well-trained skeptic who considered the range of milk options he encountered to be neither freeing nor liberating. Rather, they did not make sense and according to him, there was something illogical to having so many options for something so basic. Frustrated, he eventually settled on dried milk: it never went bad, it was cheaper, and you could control the proportion of water added. Having figured out how to avoid the dairy shelf in the grocery store, my father has stuck with this strategy throughout his life in the United States. Moreover, he found the grocery store trip to be instructive of a key lesson that was critical to surviving in the United States: a range of options is not natural, and does not guarantee access to the best nor to what is needed. Rather, choice assumes and mobilizes something else: difference and freedom.

But this isn’t a story about milk or about India. It is a story, or rather, an ethnography---a study informed by many stories and the meaning that is made of them--about choice and choices,

how they are structured, and what they came to represent in the second half of the twentieth century in the United States. This particular ethnography focuses on tracing the ways that the emergence of choice, as a key logic and principle of reform within public education in the post-*Brown v. Board of Education* era, was critical to the political, economic, and ideological restructuring of education and, more generally, of citizenship. Indeed, at the center of my project is the question of what thinking *through* choice in education can illuminate more broadly about rights, freedom, and citizenship in the United States---what they mean, and how they have been imagined and fought for. To be sure, the questions that this dissertation examines are at once old and new; and, perhaps that is one of the attempted contributions of my work: to historically situate the contemporary inequalities confronted in education with hope that by better understanding the terrain, the course of struggle might shift.

Looking Backwards to Tell the Sky: Public Education in the United States, Neoliberalism, and Inequality

Drawing on W.E.B. DuBois' *Black Reconstruction*, anthropologist Damien Schnyder suggests that rather than understanding the contemporary moment in education as one of newness or innovation, we might benefit by taking pause to identify the cadence of racial capitalism that signals historical repetition.¹ Schnyder argues that it is necessary to locate the strategies represented by charter vs. traditional public schools within an older temporal framework. He argues that the embeddedness of carceral logic in traditional public schools, exemplified by truancy policies and policing, can be understood as an extension of the southern plantation model. On the other hand, corporatist reform, represented by charter schools and the

¹ "Schnyder, Damien M. 2012. "Criminals, Planters, and Corporate Capitalists: The Case Of Public Education In Los Angeles." *Black California Dreamin'*. 107-126.
<http://escholarship.org/uc/item/63g6128j>

policies that facilitate their growth can be understood as indicative of the strategies employed by northern industrialists. Rather than oppositional strategies, Schnyder writes, both “work in tandem, to limit black mobility and attempt to deradicalize the dissemination of black forms of knowledge production.”²

Building upon Schnyder’s approach of extending the historical trajectory through which we understand the present, I argue that neoliberal restructuring in education can be traced back to the post-Brown period. Within education scholarship, the neoliberal turn is often associated with the publication of the 1983 report, *A Nation at Risk: The Imperative for Educational Reform* (NAR) that was published by the Reagan Administration’s National Commission on Educational Excellence. Indeed, as Lesley Bartlett, Marla Frederick, Thadeus Gulbrandsen, and Enrique Murillo argue, NAR marks a significant shift in the role of education and public schools in relationship to economic growth and capitalism. They posit that while education has long been theorized through a political economy lens, beginning in the 1980s, “[t]he goal of social equity through education, codified as *Brown v. Board of Education* in 1954, the Elementary and Secondary Education Act of 1965, and desegregation policies, was gradually eclipsed by economic uses of schools.”³ As they elaborate, since NAR, public education has become increasingly marketized: “[b]y marketization, we signify the intensified injection of market principles such as deregulation, competition, and stratification into schools.”⁴ Similarly, Crouch

² Schnyder, Damien M. 2012. "Criminals, Planters, and Corporate Capitalists: The Case Of Public Education In Los Angeles." *Black California Dreamin'*. 107-126. <http://escholarship.org/uc/item/63g6128j> p. 108.

³ Bartlett, Lesley, Marla Frederick, Thaddeus Gulbrandsen, and Enrique Murillo. 2002. "The marketization of education: Public schools for private ends." *Anthropology & education quarterly* 33, no. 1: 5-29. p. 5

⁴ Bartlett, Lesley, Marla Frederick, Thaddeus Gulbrandsen, and Enrique Murillo. 2002. "The marketization of education: Public schools for private ends." *Anthropology & education quarterly* 33, no. 1: 5-29. p. 1

and Elder identify the repositioning of parents as consumers, and rights as choices, as a key element of neoliberal restructuring of education in England.

At the same time, within scholarship that examines the political and economic policies more generally associated with neoliberal restructuring, the 1973 U.S.-backed coup in Chile is understood as a turning point and a pivotal moment in which Milton Friedman and the “Chicago boys” unleashed their experiments of what David Harvey has termed “accumulation by dispossession.” As Harvey explains, accumulation by dispossession is characterized by a process in which:

[a]ssets held by the state or in common were released into the market where over accumulating capital could invest in them, upgrade them, and speculate in them. New terrains for profitable activity were opened up... Once in motion, however, this movement created incredible pressures to find more and more arenas, either at home or abroad, where privatization might be achieved.⁵

Charter management companies are an apt illustration of accumulation by dispossession as it works in the United States. However, in this dissertation, I examine how the predicaments of rights and citizenship often associated with neoliberal restructuring extend beyond problems of privatization and do not necessarily indicate a new *flexibility of citizenship*,⁶ but rather, an old one.

In the chapters that follow, I trace how the current inequalities in education can be understood as resulting from the continued structuring of a tiered citizenship determined by race and class. As such, I suggest that neoliberalism can be understood as realignment between the

⁵ Harvey, David. 2003. *The New Imperialism*. Oxford University Press. p. 158

⁶ Ong, Aihwa. 1999. *Flexible citizenship: The cultural logics of transnationality*. Duke University Press.

state, the market, and rights that dates back further than the 1970s or 1980s. Specifically, I trace the emergence of this realignment back to the post-Brown era when the structuring of universal rights as choices ensured the extension of a limited citizenship that was supposed to be rectified through Brown.

As I examine in Chapter 2, the U.S. Supreme Court determined in Brown I (1954) that separate but equal schools could never be equal. One year later, Brown II (1955) addressed the question of what desegregation would look like: would it be carried out under a centralized system, what would implementation look like, and what would enforcement mean? As has been well documented, Brown II, qualified by the now famous words, “with all deliberate speed,” granted power to individual states to determine localized desegregation plans.

The same year as Brown II, a 42 year old Milton Friedman published an article, “The Role of Government in Education,” in a journal called *Economics and the Public Interest*⁷. As a response to Brown, Friedman mapped out a vision for how public education should be organized. Central to his vision was addressing the question of how to preserve a particular version of freedom. The answer, he advised, could be found through the principles of decentralization, individual rights, and choice. While forced segregation, he admonished, was ethically wrong, state enforced desegregation presented its own problems: namely, the curtailment of individual rights to freedom of association,⁸ choice, and preference. As I examine in this dissertation, in the

⁷ Friedman, Milton. 1955. "The Role of Government in Education." in *Economics and the Public Interest*: 123-44.

decades that followed *Brown I* and *Brown II*, Friedman's vision of *individual choices as rights* greatly informed how restructuring occurred at the municipal, state, and federal levels.

Moreover, as critical race theorist Derrick Bell argues, *Brown* is indicative of his theory of *interest-convergence* in which "Black rights are recognized and protected when and only so long as policy makers perceive that such advances will further their interests that are their primary concern."⁹ In particular, Bell argues, *Brown I* came at a critical moment in the U.S.'s global crusade against communism. Indeed, the growing Civil Rights movement drew increased global attention to the contradictions of Jim Crow to U.S. claims to freedom and democracy. As such, Friedman's remedy of choice as a "third alternative" to the state's redistribution of resources through the desegregation of public schools was based on preserving the co-constitutive relationship between individual freedom and capitalism that grounds the United States' liberal democracy.

Choice has, at different historical moments, also represented a progressive demand that signified desegregation and educational justice. However, it is using Friedman's framework of choice as a "third alternative" to state-enforced desegregation that I attempt to trace a particular genealogy of choice that emerged post-*Brown* and understand how this "third alternative" guaranteed the continued production of inequality in public education.

As I outline in Chapter 2, there were a number of policies and legal mechanisms post-*Brown* through which Friedman's iteration of choice was renovated and revised. In the decade following *Brown II*, for example, segregation academies were created throughout several Southern states

⁸ Hannah Arendt made a similar argument in 1959: Arendt, Hannah. 1959. "Reflections on little rock." *Dissent* 6, no. 1: 45-56.

⁹ Bell, Derrick. 2004. *Silent Covenants: Brown v. Board of Education and the Unfulfilled Hopes for Racial Reform: Brown v. Board of Education*. Oxford University Press. p. 49

through a variety of mechanisms that included but were not limited to vouchers. During the same time, communities in the North were organizing against their own segregated school systems and, as Adina Back¹⁰ and James Foreman Jr.¹¹ document, choice became a platform through which communities mobilized against the way inequality was circumscribed within student assignment policies. In New York, led by the movement for community control of schools, the rallying cries for choices outside of segregated and unequal—yet legally sanctioned—schools culminated in one of the largest and most controversial boycotts of public schools to date, which resulted in the de-centralization of the City’s school system. In Boston, as Jeanne Theoharis documents,¹² the steady activism of Black mothers including Ruth Balston and Ellen Jackson led to a 1974 court-mandated bussing policy intended to desegregate public schools. This policy was met with a hostility of resistance from white communities that continues to be remembered today, nearly forty years later.¹³ The same year, the Supreme Court determined in *Milliken v.*

¹⁰ Back, Adina. 2003. "Exposing the ‘whole segregation myth’: The Harlem Nine and New York City’s school desegregation battles." *Freedom North: Black freedom struggles outside the South 1940-1980*. Jeanne Theoharis and Komozi Woodard, eds. New York: Palgrave Macmillan.

¹¹ Forman Jr, James. 2004 "Secret History of School Choice: How Progressives Got There First, The." *Geo. LJ* 93: 1287.

¹² Jeanne Theoharis, 2003. “Boston Against Bussing.” *Freedom North: Black freedom struggles outside the South 1940-1980*. Jeanne Theoharis and Komozi Woodard, eds. New York: Palgrave Macmillan.

¹³ See, for example: Seelye, Katharine Q. “4 Decades After Clashes, Boston Again Debates School Busing” *The New York Times*, October 4, 2012. As the article points out, state-enforced desegregation through bussing considerably impacted the percentage of white students in Boston public school system. As Seelye reports, “[the] dictates to achieve racial balance.../prompted “white flight” from the public schools. From 1967 to 1974, the percentage of white students in the city’s public schools plunged to 52 percent from 72 percent. By 1977, black students outnumbered whites; by 2009, Latinos outnumbered blacks. Today, Latinos account for 42 percent of the public school population; blacks account for 35 percent and Asians 8 percent. Whites make up about 47 percent of the city population but only 13 percent of the public school population.”

Bradley that localities with high rates of racial concentration could not be required to desegregate unless their school zone or county lines could be proven to be drawn with the explicit intention of segregation.

In the wake of *Milliken* and of the Boston controversies, a more overt market-based approach to school choice policies was articulated through the development of magnet schools, which provided for voluntary integration plans through which districts expanded the options available to parents to choose a school outside of their residential zone. As such, the burden was placed on parents (rather than on school districts) to make choices that would result in integration. As magnet schools grew in the 1980s and 1990s, vouchers also reemerged—decades after they were used to construct segregation academies—as an integral part of the Milwaukee Parental Choice Program. As several scholars have documented, this program resulted in an increase in segregation. Yet vouchers continued to be central to state-driven education reforms throughout the 1990s, and were also initially part of the 2001 No Child Left Behind Act (NCLB).¹⁴ Like in Milwaukee, proponents of NCLB claimed that public education had failed poor Black and Brown communities and was in need of reform. NCLB, they promised, would increase accountability and democracy through choice, standards, and “get tough” measures.¹⁵

In the last decade, we have witnessed the devastating impacts on schools and communities when, in cities like New York and Chicago, NCLB’s provisions for accountability and choice were expanded to their greatest potential. In particular, the centralized governance

¹⁴ These were later revised as public school-to-public school transfer options.

¹⁵ Yet as Michelle Fine and Jessica Ruglis demonstrate in their research, NCLB---and particularly its guidelines for expanding high-stakes tests---further entrenched the “circuits of dispossession and privilege” through which the futures of poor youth of color were structurally severed by schools, and also fortified the ideological foundations through which these structured circuits appeared natural and just. Fine, Michelle, and Jessica Ruglis. 2009. "Circuits and consequences of dispossession: The racialized realignment of the public sphere for US youth." *Transforming Anthropology* 17, no. 1: 20-33.

structures of Mayoral Control in each city—and the private-sector agendas of each mayor--- facilitated a rapid and patterned coupling: historically under-resourced public schools in low-income Black and Latino communities were closed (and labeled failures) and charter schools were built and opened in their place. In 2009, Race to the Top required that in order for states to be eligible to compete for “education stimulus” funds, they must remove caps on charter schools as well as on any provisions that prohibited merit pay for teachers based on students’ performance on high stakes tests. As such, Race to the Top ensured the continued growth of charter schools and the continued dispossession of public schools. Indeed, as several scholars and activists have pointed out, a resounding sound bite of charter school advocates has been “choice,” and the growing public-private entities have co-opted calls for accountability made by poor and working class communities. Yet, as I attempt to trace throughout the chapters that follow, while the contemporary terrain of inequality in education may appear to be particularly marked by privatization and a charter-iteration of choice, if seen from a different perspective it becomes clear that patterns of inequality and consumerism marked by privatization are embedded in deeper contours that extend back more than a few decades.

As such, a key question that my dissertation explores is how state-based education reforms in the wake of *Brown* rearticulated Friedman’s version of choice as a “third alternative” to state-enforced desegregation and, in doing so, guaranteed the continued production of inequality in education. In particular, I trace how the continued construction of a tiered citizenship post-*Brown* was 1) guaranteed through the legal structuring of universal rights as choices; and, 2) managed ideologically through the production of a *normative cultural logic of inequality* which positions inequality as inevitable if democracy and freedom are valued. Ideology, as Stuart Hall explains, requires one to:

...give an account, within a materialist theory, of how social ideas arise. We need to understand what their role is in a particular social formation, so as to inform the struggle to change society...By ideology, I mean the mental frameworks—the languages, the concepts, categories, imagery of thought and the systems of representations—which different classes and social groups rely in order to make sense of, define, figure out and render intelligible the way society works. The problem of ideology, therefore, concerns the ways in which ideas of different kinds grip the minds of masses, and thereby become a “material force.”...the theory of ideology helps us to analyze how a particular set of ideas comes to dominate the social thinking of a historical bloc, in Gramsci’s sense; and thus, helps to unite such a bloc from the inside, and maintain its dominance and leadership over society as a whole. It has especially to do with the concepts and languages of practical thought which stabilize a particular form of power and domination; or which reconcile and accommodate the mass of people to their subordinate place in the social formation.¹⁶

Following Hall, this dissertation attempts to give an account of *choice* as ideology and trace the particular, complicated, and often-contradictory role it has played within the post-civil rights social formation in the United States.

In *Freedom Dreams*, historian Robin D.G. Kelley quotes poet Keorapetse Kgositsile, who writes:

When the clouds clear

¹⁶ Hall, Stuart. 1986. “The Problem of Ideology-Marxism without Guarantees” in *Journal of Communication Inquiry*. Volume 10, Number 28. p. 29 Kelley, Robin DG. 2003. *Freedom dreams: The black radical imagination*. Boston: Beacon Press. p. 11.

We shall know the colour of the sky.¹⁷

In an effort to contribute to knowing the color of the sky, this dissertation makes a sometimes unpopular argument: privatization is not the sole culprit for producing inequality in education, and those striving to protect the public are not always allies in struggles for justice. But in order to understand the questions that inform this dissertation, and its intent, it is first useful to understand the specific context from which these questions emerge.

Context

Community School District 3 in New York City stretches from 57th Street to 122nd Street along the west side of Manhattan. The blocks that the District encompasses include many communities. One of them is a small place called Manhattan Valley, a neighborhood that encompasses the blocks that extend from 96th Street to 100th Street, and from Broadway to Central Park West. Most people have not heard of Manhattan Valley, and as I explore in Chapter 3, it is at once a neighborhood and an in-between place where even some life-long residents are often unsure what name to call their home. I came to know this neighborhood through a social justice organization that I helped to build called the Center for Immigrant Families (CIF).

CIF was founded in 1998, in the wake of the implementation of three laws passed in 1996 under the Clinton Administration (the Illegal Immigration Reform and Immigrant Responsibility Act, the Personal Responsibility and Work Opportunity Act, and the Anti-Terrorism and Effective Death Penalty Act). Together, these laws clamped down on poor and working class communities of color. New categories for criminalization (such as moral turpitude) were created, and women, in particular, were billed as particular protagonists in the dominant logic of reform. At that time, many important efforts sought to challenge the constitutionality of these laws (or

¹⁷ Kelley, Robin DG. 2003. *Freedom dreams: The black radical imagination*. Boston: Beacon Press. p. 11.

aspects of them). Yet many of these efforts also---albeit unintentionally---rearticulated the dominant logic of state-driven reform which positioned poor women of color and immigrant women as problems to be fixed: i.e.: if we were just *tweaked* a bit here or there, if we just learned English, if we were better mothers, or if only we were able to make more responsible decisions, then things might be okay. But this strategy never seemed to serve us. And for many of us, our stories were never pristine enough to make it into the press releases that sought to portray “good immigrants.” Instead, we remained as we were: perpetual outsiders who were to blame for problems that ranged from broken health and education systems to the loss of jobs and falling wages.

So, at CIF, we believed it was critical for us to start from another place: with who we were and our stories of migration. For us, these stories entailed more than when our families or we came to the United States, and to New York City. They were also stories of survival, stories of loss, stories of harm---and also, stories of joy. As an organization, CIF also drew much inspiration from indigenous and women of color (U.S and Third World) movements, particularly those rooted in popular education and storytelling. At CIF, our stories became integral to our organizing, to the deep community we built, and to our vision for change. As we shared our migration stories—of why our families and we came to New York City, of what we expected and what we found—we identified a common thread throughout our different experiences. It was a thread that centered on education: the hope for it, and the realities that members faced in the local public elementary schools in Manhattan Valley. In Chapter 4: Broken Choices, I outline some of the organizing through which CIF worked to dismantle public school segregation in our school district. But that is part of the ethnography that comes later.

During the same time period, a new (or rather an old) governance structure was introduced for New York City schools: Mayoral Control, which recentralized the New York City School system. Specifically, it was through Mayor Michael Bloomberg's 2002 Children First initiative that the New York City school system was restructured for the first time since 1969 when, as a result of the struggle waged by the movement for community control of schools, 32 school districts were created.¹⁸ As part of the recentralization of the City's school system, local school boards were reconfigured as Community Education Councils (CECs) and essentially stripped of many of the powers that they once held. However, important to this story, the local councils continued to control zoning policy. As such, CECs are still able to determine which blocks—and even more intricately, which buildings—are granted access to which schools.

Prior to the establishment of Mayoral Control, the number of charter schools in New York had been slowly growing. But once Bloomberg assumed control of the City's schools, he took full advantage of the provisions included in NCLB to identify and close “failing” schools. Indeed, in the past eleven years, Bloomberg has closed over 166 schools in blanket sweeps and has supported the opening of charter schools in their place.¹⁹ Most often, these coupled

¹⁸ As several have documented, what was won as a result of the struggle was far from what was fought for; as former Young Lord Richie Pérez recounts, “Responding to growing militancy in communities of color, a plan to ‘decentralize’ the NY City school system was drafted by the Lindsay administration; it called for the establishment of local community school boards with limited powers. This was not the ‘community control’ that our communities had fought for; and ultimate power remained in the hands of the central Board of Education, and the teachers' and supervisor's unions.” Richie Pérez. 2000. “A Young Lord Remembers” http://www.virtualboricua.org/Docs/perez_00.htm . Also see: Ravitch, Diane. 2000. *The great school wars: A history of the New York City public schools*. Johns Hopkins University Press; Podair, Jerald E. 2002. *The strike that changed New York: Blacks, whites, and the Ocean Hill-Brownsville crisis*. Yale University Press; Taylor, Clarence, and Milton Arthur Galamison. 2000. *Knocking at our own door: Milton A. Galamison and the struggle to integrate New York City schools*. Lexington Books.

¹⁹ According to a recent press release issued by the United Federation of Teachers, since assuming Mayoral Control of the City's schools back in 2002, Bloomberg has closed 166

occurrences took place in neighborhoods where public schools have historically been under-resourced and long neglected by the state and where communities have historically been limited in their political and economic power. As a result, schools were closed despite wide-spread protests waged by parents, teachers, and students and for several years, headlines in newspapers throughout the City lauded Bloomberg for “turning around” poorly performing schools and “getting tough” on education. Yet as the number of charter schools started to grow rapidly in New York City, stories started to spread about corruption within City Hall that included inside deals between Mayor Bloomberg and the CEOs of charter management companies, the harsh disciplinary policies of charter schools, and suspect tactics employed by charter schools to keep their test scores up—tactics that included, for example, excluding English Language Learners, students with special needs, or other students whose difference qualified them and their anticipated test scores as liabilities. Based on this context, scholars and activists alike increasingly recognized the steady growth of a creeping privatization in education that became even more overt with the development of structural adjustment-like policies such as Race to the Top.²⁰ By 2009, when Mayoral Control was up for evaluation and possible extension, there was

schools, despite continued protests by parents, teachers, and students. Callaci, Dorothy, “Bloomberg seeks to close 26 more schools”

New York Teacher. January 17, 2013.

²⁰ *Race to the Top Fund* (also known as the “Education Stimulus”) was part of the Obama Administration’s *American Recovery and Reinvestment Act* of 2009. Race to the Top (RTTT) allocated a \$4.35 billion increase in federal funding for education. However, according to Fabricant and Fine (2012), these monies were not evenly distributed among states. Rather, states were required to compete against one another for funding. Further, RTTT tied securing funds to significant policy changes. According to RTTT guidelines, states were eligible to compete for funds as long as they were able to meet a set of requirements. For example, New York State was ineligible to apply to RTTT until it did away with particular provisions which limited the number of charter schools that could exist at one time, and which barred student’s test scores from determining teachers’ salaries. In order to be able to compete for funding, New York State raised the cap from 200 state-wide charter schools to 460, and also did away with provisions that prevented merit pay programs for teachers. Between 2010 and 2012, New York State received

what seemed to be an agreed upon understanding among educational justice activists in New York City: Mayoral Control had and would continue to do much damage to the City's schools, students, and families.

But at the time, the state of the movement in New York City was indicative of at least two symptoms of what has come to be called the nonprofit industrial complex.²¹ The first had to do with silo-based organizing, or the tendency to isolate the issues we address in our organizing in ways that do not reflect the ways that, for example, education and housing overlap. The second had to do with the question of political purpose and the question of what has come to be termed "winnable" versus what might be, and our inability to bring the two together. On one side there were those educational justice activists who wanted to be present at the negotiating table at all costs and advocated some tweaking of what existed; and, on the other side were those who wanted a whole new system but who were lacking in tilled ground. Mostly what we lacked was the capacity for sight, to be able to see ourselves as a movement, broad and wide and capable.

Yet there was also a third factor at play, which had to do with what Ruth Wilson Gilmore, reflecting on her ethnographic practice, has termed stretch, resonance, and resilience.²² According to Gilmore, stretch has to do with how we broaden questions to inculcate vision and demonstrate the complexities of what we might want versus what we are only fighting against; resonance has to do with the capacity of scholars and activists to tap into "the type of grassroots organization that 'renovates and makes critical already-existing activities' of both action and

nearly \$700 million from Race to the Top monies. Fabricant, Michael, and Michelle Fine. 2012. *Charter Schools and the Corporate Makeover of Public Education: What's at Stake?* New York: Teachers College Press.

²¹ INCITE! Women of Color Against Violence. 2007. *The Revolution Will Not be Funded: Beyond the Non-Profit Industrial Complex*. Cambridge: South End Press.

²² Gilmore, Ruth Wilson. 2008. "Forgotten places and the seeds of grassroots planning." *Engaging Contradictions: Theory, politics, and methods of activist scholarship*. Hale, Charles, ed. University of California Press. 31-62.

analysis to build a movement (Gramsci 1971: 330-331)”,²³ and resilience has to do with the capacity of our organizing frames to be flexible rather than brittle, to hold metaphors that provide historical depth. During the same time as Mayoral Control was approaching evaluation and charter schools were steadily growing, I found myself having conversations with parents and some progressive friends about why the privatization of education was not necessarily a good thing. They all reasoned that public education had long failed the communities they were part of and as such, they questioned if privatization was necessarily be a bad thing: could it *really* be any worse, and was not some change needed? Their responses were indicative of the poor job being done by many of us to provide ways of interpreting state-driven reforms that had stretch, resonance, and resilience; moved beyond dogmatic and diagnostic sounding slogans; and attended—as Bloomberg and charter corporations claimed to do—to communities’ concrete needs and desires for better schools.

Moreover, in the district in which CIF was grounded, charter schools were growing in Harlem but not in Manhattan Valley, where the schools remained non-charter public schools. As such, the segregated structures we were fighting did not fit into the critique that the primary problem in education had to do with privatization and charter schools. What we confronted was a particular brand of liberal exclusions that characterized the Upper West Side and Manhattan Valley. Within our context, the mystifying piece was that the same sector of parents that was dedicated to preserving the segregated structures which served their families was, at the same time, decidedly pro-public and anti-charter. We agreed at CIF that protecting the public was, of course, needed---but at what expense? Indeed, the contradictions we confronted were indicative of Michelle Fine and Lois Weis’ observation that “changes in law, policy, and institutional

²³ Gilmore, Ruth Wilson. 2007. *Golden gulag: Prisons, surplus, crisis, and opposition in globalizing California*. University of California Press. p. 184

practices on the ground are realigning educational goods once considered public toward limited access primarily for the children of elites and a few token working-class children of color.”²⁴ In the chapters that follow, I work to track these shifts, locate them historically, and understand their multi-scalar impacts.

Ida Susser has observed that one of the things that sets anthropological inquiry—and particularly U.S. urban anthropological inquiry—apart is its focus on documenting and analyzing changes at the local level in order to track changing dynamics at that national level.²⁵ As such, my research focuses on Community School District 3, and, in particular, on Manhattan Valley. I draw upon the work of scholars of education, anthropologists, and urban sociologists whose work examines the relationship of schools and urban space as well as the relationship between schools, the state, and social reproduction.²⁶ To be sure, the literature on education and

²⁴ Weis, Lois, and Michelle Fine. 2012. "Critical Bifocality and Circuits of Privilege: Expanding Critical Ethnographic Theory and Design." *Harvard Educational Review* 82, no. 2: 173-201. p. 187

²⁵ Susser, Ida. 1982. "Urban Anthropology in the USA." *RAIN* 52: 6-8.

²⁶ See, for example: Anyon, Jean. 1997 *Ghetto Schooling: A Political Economy of Urban Educational Reform*. New York: Teachers College Press; Apple, Michael W. 1982. *Education and Power*. Boston: Routledge; Bowles, Samuel; Gintis, Herbert. 1976 *Schooling in capitalist America : educational reform and the contradictions of economic life*, New York : Basic Books; Ferguson, Ann Arnett. 2000. *Bad Boys: Public Schools and the Making of Black Masculinity*. Ann Arbor: University of Michigan Press; Fine, Michelle. 1991 *Framing Dropouts*. Albany: SUNY Press; Foley, Douglas. 1990. *Learning capitalist culture : deep in the heart of Tejas*. Philadelphia : University of Pennsylvania Press; Leacock, Eleanor Burke. 1969. *Teaching and Learning in City Schools: A Comparative Study*. New York: Basic Books'; Lereau, A. 2003. *Unequal Childhoods: Class, Race, and Family Life*. University of California Press.; Lipman, Pauline. 1998 *Race, Class and Power in School Restructuring*. Albany: State University of New York Press; Macleod, Jay. 2009. *Ain't No Makin' It : Aspirations and Attainment in a Low-Income Neighborhood* Boulder: Westview Press; Noguera, Pedro A. 2003. *City Schools and the American Dream: Reclaiming the Promise of Public Education*. New York: Teachers College Press; Ogbu, John. 1987. Ethnoecology of Urban Schooling. in Mullings, Leith, ed. *Cities of the United States : Studies in Urban Anthropology*. New York : Columbia University Press; Rury, John L. and Jeffery E. Mirel. 1997. The Political Economy of Urban Education. *Review of Research in Education*. 22 (49); Spring, Joel. 1972. *Education and the Rise of the Corporate State*. Boston: Beacon Press; Weis, Lois. 1990. *Working Class Without Work*. New York:

inequality is expansive, and encompasses a wide spectrum of theoretical vantage points that explain the massive and persistent inequalities that pervade public schools in the United States. Much of this literature draws attention to the impacts of institutional structures, policies, and practices on students and school communities and, as such, demonstrates the dialectical relationship between what occurs within schools and their larger political, economic and social context. Within the context of Manhattan Valley, my work approaches schools from the outside-in: as central community institutions within urban landscapes. As such, I attempt to provide a *thick description*²⁷ of what universal access and rights mean to low-income and middle-income families within one of the school districts in New York City that provides the most choice for parents about which public school they might send their child. I build upon the ethnographic work of anthropologists and scholars of education including Maria Cucchiara, Michelle Fine, Steven Gregory, Pauline Lipman, and Kenneth Saltman²⁸ who have examined the links between public schools and urban renewal strategies. Moreover, I also significantly draw upon the work of anthropologists who have illustrated how local struggles are not limited to the site of the

Routledge; Willis, Paul. 1977. *Learning to labor : how working class kids get working class jobs*. New York : Columbia University Press.

²⁷ Geertz, Clifford. 1973. "Thick Description: Toward an Interpretative Theory of Culture." In *The Interpretation of Cultures*. New York: Basic Books.

²⁸ Maria Cucchiara, Michelle Fine, Steven Gregory, Pauline Lipman, and Kenneth Saltman

Cucchiara, Maia. 2008 Re-branding urban schools: urban revitalization, social status, and marketing public schools to the upper middle class. *Journal of Education Policy* 23(2): 165-179; Fine, Michelle. 1991 *Framing Dropouts*. Albany: SUNY Press; Gregory, Steven. 1999. *Black Corona*. Princeton: Princeton University Press ;Lipman, Pauline. 2009. The Cultural Politics of Mixed-Income Schools and Housing: A Racialized Discourse of Displacement, Exclusion, and Control. *Anthropology & Education Quarterly* 40(3): 215-236; Saltman, Kenneth J, ed.: 2007 *Schooling and the Politics of Disaster*. New York: Routledge.

actual institutions whose policies or practices are being contested.²⁹ Rather, for schools and other local institutions these struggles are not only in dialogue with and impactful upon the larger context in which they are located, they are also representative temporally, indicative of the history of many communities and their futures.

That my ethnography is located in New York City is not happenstance. The Cultural Anthropology Program at the Graduate Center of the City University of New York was built based on a vision of an inter-disciplinary and critical space of engagement, inquiry, and commitment to the realm of possibility and justice that the city and the public represent. Moreover, within the field of anthropology, it has also provided an important model of a rigorous approach to U.S. and urban anthropology that replaces anthropology's "other" with inequality.

As such, my research also draws upon and enters into dialogue with a trajectory of anthropological inquiry that focuses on New York City and includes, for example, the work of Julian Brash, Steven Gregory, Leith Mullings, Jagna Wojcicka Sharff, and Ida Susser. In their ethnographic work, these scholars have provided critical and new ways of understanding the myriad dimensions of political and economic restructuring: how these processes accumulate in

²⁹ Anyon, Jean. 1997 *Ghetto Schooling: A Political Economy of Urban Educational Reform*. New York: Teachers College Press; Gregory, Steven. 1999. *Black Corona*. Princeton: Princeton University Press; Ferguson, Ann Arnett. 2000. *Bad Boys: Public Schools and the Making of Black Masculinity*. Ann Arbor: University of Michigan Press; Jones, Delmos. 1993. The Culture of Achievement among the Poor: The Case of Mother and Children in a Head Start Program. *Critique of Anthropology* 13(3):247-266; Holland, Dorothy, Donald Nonini, Catherine Lutz, Lesley Bartlett, Marla Frederick McGlathery, Thaddeus Guldbrandsen and Enrique G. Murillo. 2007. *Local Democracy Under Siege: Activism, Public Interests and Private Politics*. New York: New York University Press; Macleod, Jay. 2009. *Ain't No Makin' It : Aspirations and Attainment in a Low-Income Neighborhood* Boulder: Westview Press; Susser, Ida. 1982. *Norman Street*. Oxford: Oxford University Press; Weis, Lois. 1990. *Working Class Without Work*. New York: Routledge; Willis, Paul. 1977. *Learning to labor : how working class kids get working class jobs*. New York : Columbia University Press.

people, families, and places as well as how they are understood, negotiated, survived, and sometimes contested. Their scholarship, along with that of other urban social scientists including Miriam Greenberg and Neil Smith has, in the tradition of Engel's *Great Town*³⁰, identified how difference is not only socially constructed, but also spatially produced and ideologically negotiated.

I have attempted to draw upon this trajectory of scholarship throughout my dissertation. For example, as I explore in Chapter 3, the contradictions illustrated by the new and unexpected contestations over public schools in Manhattan Valley are particularly pronounced because they stand in stark contrast to the ways the neighborhood been understood, imagined, and portrayed just a couple of decades ago. Manhattan Valley had been indicative of the development of what Manuel Castells has termed an "urban ideology" that was constructed in direct relationship to the development of the suburbs, white flight. As I document, Manhattan Valley was portrayed as a place where social problems were rampant and as a center of racialized crime and violence³¹. The neighborhood, like much of the City, has since changed and undergone waves of gentrification. Yet due to the large public housing stock in the neighborhood, parts of Manhattan Valley have remained strikingly similar over the past decades, creating a situation in which unintended neighbors negotiate a critical and shared resource: public schools.

Tracking Choice: Citizenship, Neoliberalism, and the State

Building upon Gilmore's concepts of stretch, resonance, and resilience, this dissertation seeks to provide a more capacious framework through which to understand inequality in education: one that can bend enough to hold the contradictions that informed our organizing in

³⁰ Engels, Friedrich. 1993 (1845). *The condition of the working class in England*. Oxford University Press.

³¹ Susser, Ida. 2012. *Norman Street* (Updated Edition). Oxford University Press. p. 8

District 3 against a locally entrenched non-charter system of segregation; one that has the capacity to provide an expansive historical lens to the immediate and present day manifestations of inequality in education; and, one that speaks to the continued relevance of race, class, and gender to understanding the ways in which inequality is both articulated and explained. As such, I draw upon and attempt to contribute to scholarship on neoliberalism and choice.

In recent years, anthropologists have addressed the call for greater conceptual and methodological precision in studies about neoliberalism.³² In particular, anthropologists have highlighted the importance of attending to concrete practices, political subjectivities, and place-based specificities in analyzing neoliberal reforms and restructuring.³³ Drawing on on Brenner, Peck and Theodore's³⁴ concept of path-dependent neoliberalism, anthropologists have been central to illuminating the ways that already-existing political and economic structures as well as cultural contexts impact what neoliberalism looks like in different places as well as the political subjectivities from which it might be contested.

³² Collier, Stephen, Monica DeHart and Lisa Hoffman. 2006. Notes on the Anthropology of Neoliberalism. *Anthropology news*. 47 (6); Kingfisher, Catherine and Jeff Maskovsky: 2008. "Introduction: The Limits of Neoliberalism." *Critique of Anthropology* 28 (2):115-126.

³³ Davis, Dana-Ain. 2006. *Battered Black Women and Welfare Reform: Between a Rock and a Hard Place*. Albany: SUNY Press; Holland, Dorothy, Donald Nonini, Catherine Lutz, Lesley Bartlett, Marla Frederick McGlathery, Thaddeus Guldbrandsen and Enrique G. Murillo. 2007. *Local Democracy Under Siege: Activism, Public Interests and Private Politics*. New York: New York University Press; Maskovsky, Jeff: 2006. Governing the "New Hometowns": Race, Power, and Neighborhood Participation in the New Inner City. *Identities: Global Studies in Culture and Power*. 13 (1); Morgen, Sandra and Lisa Gonzales. 2008. The Neoliberal American Dream as Daydream. *Critique of Anthropology* 28 (2): 219-236; Ong, Aihwa: 2007. *Neoliberalism as Exception: Mutations in Citizenship and Sovereignty*. Durham: Duke University Press.

³⁴ Peck, Jamie, Nik Theodore and Neil Brenner, 2009. "Neoliberal Urbanism: Models, Moments, Mutations" in *SAIS Review*: pp.49-66

Anthropologists have also significantly studied the ways in which neoliberal political and economic restructuring has been tied to a reconfiguration of power at multiple scales. More specifically, post-structural anthropologists have traced the ways that technologies of the state work to cultivate, regulate, and govern political subjects. As Chris Shore and Susan Wright outline this literature, often grouped as anthropology of policy, they posit that policies---“as instruments for shaping individuals---or to use Foucault’s terminology as a political technology”³⁵ are central to understanding the ways in which neoliberalism replaced the welfare state in the post-war period. An anthropology of policy has focused largely on tracing the ways that power governs through policies. As Shore and Wright explain, “[w]e use ‘governance’ to refer to the more complex processes by which policies not only impose conditions, as if from ‘outside’ or ‘above,’ but influence people’s indigenous norms of conduct so that they themselves contribute, not necessarily consciously, to a government’s model of social order.”³⁶ For example, in her study, *The Will to Empower*,³⁷ Barbara Cruikshank argues that in response to the social movements of the 1950s and 1960s, the Community Action Programs that developed as part of the Johnson Administration’s War on Poverty are illustrative of the ways in which political technologies—and as she terms it, *technologies of citizenship*—work through rather than against people. Specifically, she traces the ways in which these technologies (or programs) which claim to empower and help poor people are illustrative of the contradictory ways that these technologies

³⁵ Shore, Chris and Susan Wright, eds. 1997. *Anthropology of Policy: Critical Perspectives on Governance and Power* New York: Routledge Press. p. 4

³⁶ Shore, Chris and Susan Wright, eds. 1997. *Anthropology of Policy: Critical Perspectives on Governance and Power* New York: Routledge Press. p. 5

³⁷ Cruikshank, Barbara. 1999. *The Will to Empower: Democratic Citizens and Other Subjects*. Ithaca: Cornell University Press.

join choice, personal responsibility, and entrepreneurship with an increased policing and regulation of political subjects who become identified as social problems.³⁸

Anthropologists who trace the intersectional inequalities embedded in welfare reform and their very real consequences upon the lives of low-income women and women of color have simultaneously provided a critical mapping of the structural dimensions of neoliberal policies. For example, the scholarship of Dana-Ain Davis³⁹ and Sandra Morgen⁴⁰ has been critical to

³⁸ Brown, Wendy. 1995 *States of Injury*. Princeton University Press; Cruikshank, Barbara. 1999. *The Will to Empower: Democratic Citizens and Other Subjects*. Ithaca: Cornell University Press; Davis, Dana-Ain. 2009. The Politics of Reproduction: The Troubling Case of Nadya Suleman and Assisted Reproductive Technology. *Transforming Anthropology* 17 (2): 105-116; Hardt, Michael. 1999. Affective Labor. *boundary 2* 26 (2):89-100; Hayatt, Susan B. 2001. "From citizen to volunteer: neoliberal governance and the erasure of poverty" in *The New Poverty Studies*. Judith Goode and Jeff Maskovsky, eds. New York: NYU Press; Kingfisher, Catherine and Jeff Maskovsky: 2008. "Introduction: The Limits of Neoliberalism." *Critique of Anthropology* 28 (2):115-126; Ong, Aihwa: 2007. *Neoliberalism as Exception: Mutations in Citizenship and Sovereignty*. Durham: Duke University Press; Rabo, Annika. 1997. Free to make the right choice? Gender equality policy in post-welfare Sweden. in Shore, Chris and Susan Wright, eds. 1997. *Anthropology of Policy: Critical Perspectives on Governance and Power*. New York: Routledge Press; Rose, Nikolas. 1996. Governing "advanced" liberal democracies, in Barry, Osborne, Rose(eds.) *Foucault and Political Reason*. Chicago: University of Chicago Press; Shore, Chris and Susan Wright, eds. 1997. *Anthropology of Policy: Critical Perspectives on Governance and Power* New York: Routledge Press.

³⁹ Brown, Wendy. 1995 *States of Injury*. Princeton University Press; Cruikshank, Barbara. 1999. *The Will to Empower: Democratic Citizens and Other Subjects*. Ithaca: Cornell University Press; Davis, Dana-Ain. 2009. The Politics of Reproduction: The Troubling Case of Nadya Suleman and Assisted Reproductive Technology. *Transforming Anthropology* 17 (2): 105-116; Hardt, Michael. 1999. Affective Labor. *boundary 2* 26 (2):89-100; Hayatt, Susan B. 2001. "From citizen to volunteer: neoliberal governance and the erasure of poverty" in *The New Poverty Studies*. Judith Goode and Jeff Maskovsky, eds. New York: NYU Press; Kingfisher, Catherine and Jeff Maskovsky: 2008. "Introduction: The Limits of Neoliberalism." *Critique of Anthropology* 28 (2):115-126; Ong, Aihwa: 2007. *Neoliberalism as Exception: Mutations in Citizenship and Sovereignty*. Durham: Duke University Press; Rabo, Annika. 1997. Free to make the right choice? Gender equality policy in post-welfare Sweden. in Shore, Chris and Susan Wright, eds. 1997. *Anthropology of Policy: Critical Perspectives on Governance and Power*. New York: Routledge Press; Rose, Nikolas. 1996. Governing "advanced" liberal democracies, in Barry, Osborne, Rose(eds.) *Foucault and Political Reason*. Chicago: University of Chicago Press; Shore, Chris and Susan Wright, eds. 1997. *Anthropology of Policy: Critical Perspectives on Governance and Power* New York: Routledge Press.

exposing the ways that the consistent coupling of choice and personal responsibility by welfare “reform” policies has only worked to increase the criminalization of poor people while simultaneously constraining and constricting the actual choices that poor people encounter in their lives. These scholars have shed critical light on the processes through which poor and working class women and women of color—particularly those who are mothers—are constructed as social problems.

By examining how inequality operates in relationship to choice within the context of universal access and full citizenship rights in the post-*Brown* era, this dissertation seeks to build upon and extend these parameters of study. Unlike health care, welfare, and housing, public education in the United States is one of the few free and universally accessible public goods to which access is not determined by income or other categories of difference. As such, a key argument at the center of my research is that choice structured by a capitalist state not only works to discipline, regulate, and constrain citizenship for poor people, it also works dialectically to facilitate a particular version of freedom for others.

Methods

I set out to understand how low-income and middle-income mothers navigate choosing an appropriate elementary school for their child, and I used a range of ethnographic methods outlined below. My research focuses on women as mothers⁴¹ as a subset of parents for two reasons. First, as outlined above, institutional and social policies focusing on education, inequality, and social reproduction have long-identified women as mothers as agentive to social

⁴⁰ Morgen, Sandra and Lisa Gonzales. 2008. The Neoliberal American Dream as Daydream. *Critique of Anthropology* 28 (2): 219-236

⁴¹In this study, I define mothers as women who are caretakers of children.

problems, either their cure or their cause.⁴² Second, women as mothers have historically been central protagonists in public schools struggles that have ranged in scale, scope, and political orientation. However, as demonstrated by anthropologists as well as others who have explored the race and class dimensions of motherhood and related concepts of family, political unity or similarity cannot be presumed when it comes to struggles forged around similar identities.⁴³

Building upon scholarship that has demonstrated the need for intersectional analyses⁴⁴ as well as

⁴² Carby, Hazel V. 1982. Schooling in Babylon in *The Empire Strikes Back: Race and Racism in 70s Britain*. London: Routledge; Gregory, Steven. 1999. *Black Corona*. Princeton: Princeton University Press; Kelley, Robin D. G. 1997. *Yo' Mama's Disfunktional!: Fighting the Culture Wars in Urban America*. Boston: Beacon Press; Herrnstein, Richard J. and Charles Murray. 1996. *The Bell Curve*. New York: Simon and Schuster; Kingfisher, Catherine. 1999. Rhetoric of (Female) Savagery: Welfare Reform in the United States and Aotearoa/New Zealand. *National Women's Studies Association Journal* 11(1): 1 -20; Mullings, Leith. 1997. On our own terms : race, class, and gender in the lives of African American women. New York: Routledge; Stack, Carol. 1974. *All Our Kin*. New York: Basic Books; Wilson, William Julius. 1987. *The Truly Disadvantaged*. Chicago: University of Chicago Press.

⁴³ Connolly, Deborah. 2001. *Homeless Mothers: Face to Face with Women and Poverty*. Minnesota: University of Minnesota Press; Glenn, E., Chang, G. and Forcey, L. (eds.), 1994. *Mothering: Ideology, Experience and Agency*. California: Routledge; Lutrell, Wendy. 2008. The two-in-ness of class. in *The Way Class Works: Readings on School, Family, and the Economy*, in Weis, Lois, ed. New York: Routledge; Mullings, Leith. 1997. On our own terms : race, class, and gender in the lives of African American women. New York: Routledge; Ragone, H, and F.W. Twine, eds. 2000. *Ideologies and Technologies of Motherhood*. New York: Routledge; Rapp, Rayna. 1987. Urban Kinship in Contemporary America: Families, Classes, and Ideology. In Mullings, Leith, ed. *Cities of the United States : studies in urban anthropology*, New York : Columbia University Press; Stack, Carol. 1974. *All Our Kin*. New York: Basic Books; Vincent, Carol. 2010. The Sociology of Mothering. in *The Routledge International Handbook of Education*, Apple, Michael W, Stephen J. Ball, and Luis Armando Gandin (eds.). New York: Routledge.

⁴⁴ Boris, Eileen. 1989. The Power of Motherhood: Black and White Activist Women Redefine the "Political." *Yale Journal of Law and Feminism*. 2 (1); Brenner, Johanna. 2000. Democracy, Community, and Care. in *Women and the Politics of Class*. New York: Monthly Review Press; Brodtkin, Karen. 2000 Global Capitalism: What's Race Got to Do With It? *American Ethnologist* 27(2):237-256; Carby, Hazel V. 1982. Schooling in Babylon in *The Empire Strikes Back: Race and Racism in 70s Britain*. London: Routledge; Crenshaw, Kimberley. 1991 Mapping the Margins: Intersectionality, Identity Politics, and Violence against Women of Color. *Stanford Law Review* 43 (6): 1241-1299; Collins, Patricia Hill. 1990. *Black Feminist Thought*:

those who have charted the ways that women have historically operationalized their identities as mothers, my research examines raced and classed articulations of motherhood that emerge in the context of struggles over who public elementary schools will serve and prioritize. As such, my research examines how similar desires—of wanting the very best for one’s child—are mapped onto differential political power.

As outlined above, my research is heavily informed by my work in the community I studied. However, I began my preliminary fieldwork in the fall of 2010 and continued in this capacity throughout the spring of 2011. Throughout my preliminary fieldwork, but especially during the 2011-2012 academic year, I attended twelve public elementary school tours, twenty District 3 Community Education Council meetings, and seven public forums on school choice. After I obtained IRB approval from CUNY in the summer of 2011, I began interviews with parents. Later, in January of 2012, when I was granted approval from the New York City Department of Education IRB, I also conducted interviews with teachers and district officials. I continued my fieldwork through the summer of 2012 and thus followed the kindergarten admissions process over the course of one academic year, beginning when parents start to tour schools in the fall.

Knowledge, Consciousness and the Politics of Empowerment. New York, NY: Routledge; Davis, Dana-Ain. 2006. *Battered Black Women and Welfare Reform: Between a Rock and a Hard Place*. Albany: SUNY Press; Davis, Dana-Ain. 2009. The Politics of Reproduction: The Troubling Case of Nadya Suleman and Assisted Reproductive Technology. *Transforming Anthropology* 17 (2): 105-116; Harrison, Faye V. 1995 The Persistent Power of "Race" in the Cultural and Political Economy of Racism. *Annual Review of Anthropology* 24: 47-74 Gilmore, Ruth Wilson. 2007 *Golden Gulag : Prisons, Surplus, Crisis, and Opposition in Globalizing California*. Berkeley : University of California Press; Mullings, Leith. 1997. On our own terms : race, class, and gender in the lives of African American women. New York: Routledge; Smith, Andrea. 2006. Heteropatriarchy and the Three Pillars of White Supremacy. In *The Color of Violence: The INCITE! Anthology, INCITE! Women of Color Against Violence*, eds. Pp. 66-73 Cambridge: South End Press

I conducted thirty semi-structured interviews with parents, educators, administrators, and activists. I interviewed middle-income parents, the majority of whom were mothers and newer residents to District 3. I also interviewed and conducted two focus groups with ten mothers at the Bloomingdale Family Head Start Center,⁴⁵ where I also coordinate a parent organizing program called the Parent Leadership Project.⁴⁶ I conducted focus groups with the mothers at the Head Start center because I believed that as a group of parents who were excluded from many of the public schools, it was important that I alone did not hold their stories. Through the focus group, low-income mothers shared their stories with one another. As such, the method of the focus group allowed me to collect important data and simultaneously presented another possibility: to fortify a community of support, and through the sharing of experiences based on *situated knowledge*⁴⁷, potentially identify new and emergent patterns among participants' stories that could be acted upon collectively.

All of the mothers at the Head Start center are low-income and qualified for Head Start services based on the 2012 federal income eligibility requirements (which cap income at \$15,130 for a family of two; \$19,090 for a family of three; \$23,050 for a family of four; and increases by

⁴⁵ have changed the names of all parents and teachers in this study, with the exception of: 1) those who serve in elected or paid positions within Community School District 3 or its related Community Boards; 2) those whose work positions them as public advocates, writers, or experts on public education or public school choice. I have also given pseudonyms to the public schools in my study. I have not given a pseudonym to the Bloomingdale Family Head Start Center.

⁴⁶ The Parent Leadership Project (PLP) grew out of over a decade of collaboration between the Center for Immigrant Families (a social justice community organizing center in the New York City uptown neighborhood of Manhattan Valley) and the Bloomingdale Family Program (a head start center with three sites in the same neighborhood). In 2010, the two organizations decided to combine their resources to address the reality of segregated and unequal public schools that their constituencies have long confronted.

⁴⁷ Haraway, Donna. 1988. "Situated knowledges: The science question in feminism and the privilege of partial perspective." *Feminist studies* 14, no. 3: 575-599.

\$3,960 for each additional family member). Most of the mothers at the Head Start center who I interviewed were the biological mothers of their children, but some of the women were also grandmothers and aunts of the children they mothered. In addition to the social and economic categories that describe them, these mothers also participated in a particular community of mothering and parenting that was specific to the Head Start center where their children went to pre-school. The Bloomingdale Family Program was founded in 1960 when a group of families came together to create the first free and racially integrated pre-school in New York City.

According to their website:

For the first five years, Bloomingdale's parent volunteers — assisted by workers from the Parks Department and the Health Department — operated a free preschool for 70 children in space provided by the Children's Aid Society, and ran large summer programs for children of all ages in Riverside and Central Parks. Families came from Manhattan Valley's deteriorated tenements, from the apartment buildings on West End Avenue and Riverside Drive, and from the massive public housing project east of Amsterdam Avenue. Monthly fund-raising events —bake sales, craft fairs, potlucks and rummage sales — provided funds for materials and school supplies. Mothers and fathers from very different ethnic and economic backgrounds became involved in their children's learning as they worked together to keep the program going.

In 1965, the Ford Foundation's Fund for the Advancement of Education awarded Bloomingdale a grant for a three-year demonstration project "to develop, study, and document new ways of involving parents in the education of their children and in the life of the community." At that same time, steps were being taken in Washington to design a new program called Head Start. The Bloomingdale experiment was adopted as a model

for the new Federal program... Bloomingdale began sponsoring summer Head Start programs in 1965, and has operated a year-round Head Start program since 1969.⁴⁸

In addition to its remarkable history, the particular context of the Bloomingdale Family Program is relevant for another reason. Almost every teacher at the Head Start center is a former parent of the program. The community of women at the center has raised their children together. As co-workers and neighbors, they have also remained in one another's lives. They have been each other's *co-madres*, confidants, friends, and aunties to each other's children. They take up collections for one another when family members pass away and have supported one another in fighting off evictions and the Administration of Children's Services. They also gather to celebrate their children's graduations, weddings, and own journeys into parenthood. Together, they have built a community that is indicative of Carol Stack's ethnographic account of the Flats over forty years ago.⁴⁹ Indeed, like the extended kin systems of exchange and care that Stack documents, the community of women at Bloomingdale operate much like an extended family: there are differences that arise among its members (some of these differences are short lasting while others are more entrenched) and some members get along with each other more than others do; not many leave; and, there is a sense of shared responsibility for and towards one another. And it is within this context, bounded also by income, where children are understood to represent more than one family's future, and more than one or two parents' responsibility. Over the course of more than a decade, I have participated in this community and have come to know it well. As such, I recognize the need to account for the different relationships I hold with the groups of

⁴⁸ <http://www.bloomingdalefamilyprogram.org/history.html>

⁴⁹ Stack, Carol B. 1975. *All our kin: Strategies for survival in a black community*. New York: Basic Books.

parents whose experiences I attempt to document. I use the term “accompany” to describe my relationship to the women at the Head Start center in order to demonstrate both the non-objective nature of this relationship and to identify the solidarity that informs it.

Indeed, my dual location within my research site brought about many challenges, many of which are not unique to my research or me but rather, allow me to enter into dialogue with a long tradition of engaged anthropologists.⁵⁰ I draw on anthropologist João H. Costa Vargas’ term “observant participation” to mark the ways in which my research is informed by my participation in collective efforts to dismantle the realities of school segregation that I was studying. According to Vargas, this reversal of the traditional anthropological method of participant observation allows for (and requires) the “active participation in the organized group, such that observation becomes an appendage of the main activity.”⁵¹ Further, in my particular case, a good number of middle- and upper-middle income parents as well as school administrators, teachers, and district officials were wary of speaking to me given my organizing

⁵⁰ See, for example, Davis, Dana-Ain. "What did you do today?: Notes from a politically engaged anthropologist." *Urban Anthropology and Studies of Cultural Systems and World Economic Development* (2003): 147-173; Gwaltney, John Langston. 1993. *Drylongso: A Self Portrait of Black America*. New York: The New Press; Harrison, Faye. V. ed. 1997 (1991). *Decolonizing Anthropology: Moving further toward an : Anthropology for Liberation*. 2nd ed. Arlington, Virginia: Association of Black Anthropologists and American Anthropological Association; Hale, Charles, ed. *Engaging Contradictions: Theory, politics, and methods of activist scholarship*. University of California Press; Hurston, Zora Neale. 1990 (1935). *Mules and Men*. Harper Perennial; Hymes, Dell. Ed. 1972. *Reinventing Anthropology*. New York: Vintage Books; Mullings, Leith. 1997. *On our own terms : race, class, and gender in the lives of African American women*. New York: Routledge Sanford, Victoria and Angel-Ajani, Asale eds. *Engaged Observer: Anthropology, Advocacy and Activism*. Rutgers University Press. 228-238; Susser, Ida. "The Anthropologist as Social Critic." *Current Anthropology* 51, no. 2 (2010): 227-233.

⁵¹ Vargas, João H. Costa. "Activist scholarship: limits and possibilities in times of black genocide." *Engaging Contradictions: Theory, politics, and methods of activist scholarship*. Hale, Charles, ed. University of California Press.

work; many eventually did. Most challenging was my own capacity to shift from understanding my research site as an organizer to understanding my research site as a researcher. As organizers, we work to transform the structures that produce a given set of conditions. As a researcher, my job was to understand and document the dimensions of the same conditions and the structures that produce them. It did, however, mean that I had to learn to listen to the stories of parents and administrators whose efforts to protect segregated structures we had organized against. It also meant that I had to be poised to question instead of answer, and to probe instead of know, in order to expand and extend the historical, theoretical, and metaphorical frameworks that might differently animate how we understand and analyze the immediate and pronounced material manifestations of a highly stratified education system.⁵²

As such, one of my central methodological goals focused on accounting for the limitations of anthropological knowledge as well as its potential. In his book, *Yo' Mama's Disfunktional*, historian Robin D.G. Kelley reminds us of the shortcomings that characterize the ways that social scientists have attempted to document and understand the lives of poor Black urban communities. As he points out, irrespective of ideological dispositions, in their search for social problems, researchers all too often fail to account for the human: the ways that people's lives, including those of poor people, extend beyond deficits, delinquencies, or adaptations and also encompass joy, art, humor, laughter, and irony. Kelley juxtaposes the ways in which social scientists have constructed the "ghetto" to the ethnographic work of anthropologist John Langston Gwaltney. As Kelley writes, Gwaltney's *Drylongso: A Self-Portrait of Black America* "is one of the few works on urban African Americans by an African American anthropologist

⁵² Gilmore, Ruth Wilson. 2008. "Forgotten places and the seeds of grassroots planning." *Engaging Contradictions: Theory, politics, and methods of activist scholarship*. Hale, Charles, ed. University of California Press. 31-62.

that appeared during the height of ghetto ethnography.” Yet more than his identity or social position, Kelley argues that it was Gwaltney’s predicament of blindness that was central to his ability to see: “Because Gwaltney is blind, he could not rely on the traditional methods of observation and interpretation. Instead—and this is the book’s strength—he allowed his informants to speak for themselves about what they see and do.”⁵³

Yet Charles R. Hale also reminds us that an “[u]nqualified endorsement of the deconstructive critique of positivism does not leave the activist scholar well positioned to carry forward his or her project...” as the struggles that our research is intended to serve must necessarily engage with positivist claims that are also linked to oppressive power. In order service the disruption of that power, Hale notes, it is critical to engage its terms.

In a similar vein, Dana-Ain Davis reflects on the importance of the role of the engaged observer. As she writes:

I conduct research examining the lives of those who are most silenced in the public sphere: namely battered women, low income women and poor women and girls of color--especially those who are Black...And although these groups live at the center of public policy, their voices often go unheard.⁵⁴

While collective action is one means by which those, like the women that Davis references, are able to make their voices heard, engaged and accountable research is another complementary vehicle through which we might also amplify the visibility and voices of those most centered and simultaneously marginalized by social and economic policies.

⁵³ Kelley, Robin DG. 1998. *Yo'mama's disfunkcional!: Fighting the culture wars in urban America*. Boston: Beacon Press. p. 21

⁵⁴ Hale, Charles. 2008. “Introduction.” *Engaging Contradictions: Theory, politics, and methods of activist scholarship*. Hale, Charles, ed. University of California Press.

In my own research then, drawing upon the different insights offered by Kelley, Hale, and Davis, I attempt to provide an ethnographic account of what is often not captured in the course of struggle that attends to both the human capacity for meaning-making and the very real structures that determine whether these meanings are accepted on their own terms.

Finally, I learned throughout the course of my fieldwork to be keenly aware of the ways in which my prior relationships—of solidarity, friendship, and care—with CIF members and with the mothers from the Head Start center informed a particular emotional messiness, or what Renato Rosaldo has termed *emotional force*⁵⁵ and what Michelle Fine has demonstrated as a reflexive stance in her own ethnographic work.⁵⁶ Indeed, as I review my field notes, I am struck by the number of times I reference feeling slightly sick to my stomach. I was participating in as many school tours as possible; attending district meetings and hearings on re-zoning and other policies; working closely with the mothers at the Head Start center, and conducting research in order to situate my work historically. But it was not due to a busy schedule that I was aware of feeling queasy. It was for historical repetition and particularly, by carefully watching the sharply palpable slow yet steady violence that permeates public schools in New York City, one that despite the care, dreams, and hopes of parents, continues to structure a differential value to the human lives of very small children.

In the following chapters, I try to give an account of what this differential value to life means, how it works, and the material and ideological structures that ensure its maintenance. I begin with an examination of *Brown* and what it represents ideologically in relationship to the

⁵⁵ Davis, Dana-Ain. 2006. Knowledge in the Service of a Vision: Politically Engaged Anthropology." *Engaged Observer: Anthropology, Advocacy and Activism*. Sanford, Victoria and Angel-Ajani, Asale (eds.) Rutgers University Press. 228-238.

⁵⁶ Rosaldo, Renato. 1989. *Culture & truth: The remaking of social analysis*. Boston: Beacon Press.

project of American exceptionalism. Following Chandan Reddy's theorization of amendments as "frames [that] conserve and reactivate the force of their textual bodies, even while displacing the origins of that force and restructuring its appearance, through the bestowal of meaning upon the original body,"⁵⁷ I trace how rather than indicative of a post-racial democracy, Friedman's articulation of choice became an amendment to state-sanctioned segregation. After exploring its historical, legal, and ideological dimensions, I examine what this amendment means in the contemporary period. The joined contexts of Manhattan Valley and of Community School District 3 in New York City illuminate particular contradictions that undergird choice as amendment to Jim Crow that are central to this dissertation.

The first has to do with how the how the continued separation, by race and income, of public school students is positioned against a particular imaginary of "southern exceptionalism." As I explore, this active imaginary informs false distinctions between de facto and de jure segregation, distinctions that do not account for the intentional labor involved from various levels and sectors of government to "devise and protect" institutional and structural segregation.⁵⁸ The second contradiction has to do with an argument made by advocates of school choice policies: that continued inequality in education results from the "bad" yet "fair" choices made by low-income parents of color. As such, this line of reasoning argues that choice furthers democracy, and only requires its participants to be informed. Yet as I attempt to demonstrate through my ethnographic account, the choices of many—regardless of how knowledgeable or

⁵⁷ Fine, Michelle. 1991. *Framing dropouts: Notes on the politics of an urban public high school*. SUNY Press.

⁵⁸ As Lassiter importantly notes, "Although the framework of southern exceptionalism leads to distorted interpretations of the past, it is important to historicize the idea of southern distinctiveness as a cultural, political, and legal construction that has been very real in its consequences. Lassiter, Mathew D. 2009. "De Jure/De Facto Segregation: The Long Shadow of a National Myth" *The Myth of Southern Exceptionalism*. Lassiter, Mathew D. and Joseph Crespino, eds. Oxford University Press. p. 27

ambitious they might be—remain broken, and the fault lines have to do with race and class rather than aspirations. As my findings illustrate, these fault lines become obscured as particular narratives—of multiculturalism, community and neighborhood, civic engagement and parental involvement, and integration—which share a common premise of inclusion, emerge within the contestations that arise as parents of diverse backgrounds make situated rights claims to the contingent futures of their children. The third contradiction of choice that this dissertation examines has to do with a second claim made by advocates of choice: that there are forms and practices of care parenting—and in particular, mothering—that are more appropriate than others and in particular, that facilitate higher levels of student achievement. Within literature on school choice and related social policies, women as mothers and mothers as parents are among the implied protagonists within educational reforms; and the ways they care for their children are circumscribed as both the cause as well as potential solution to inequity. As I trace through my ethnography, the structural power that anchors the continued production of inequality in education becomes obscured within the register of liberalism. As a result, poor and working class mothers of color are eschewed as irrational, non-normative and simultaneously become identified as the foci of power, as problems to be fixed. Specifically, my research explores how this dual-subjectivity is articulated in dialectical relationship to a heteronormative and middle-class version of motherhood and appropriate care. However, while my findings also indicate that the concerns of all parents are not equal, it is not due to inappropriate or lacking care. Rather, I examine how differences in areas—not levels—of care indicate a *differential politics of care* that is based on a profound and intimate knowing that low-income mothers share about the ways that the historical accumulation and continued structuring of inequality through race and class makes the futures of their children decidedly insecure.

Chapter 2: The Myth of Freedom and the Logic of Choice

[Myths] represent in narrative form the resolution of things, which can't be resolved in real life. What they tell us about is about the "dream life" of a culture. But to gain a privileged access to the dream life of a culture, you had better know how to unlock the complex ways in which narrative plays across real life. Once you look at any of these popular narratives, which constantly in the imagination of a society construct the place, the identities, the experience, the histories of the different peoples who live within it, one is instantly aware of the complexity of the nature of racism itself.—Stuart Hall (The Origins of Cultural Studies)

Introduction

It's a Tuesday afternoon in February, and Tasha has arrived early for a weekly workshop for parents held at the Head Start center where her four year old child goes to pre-school. The workshop is focused on public school access for low-income parents, and this is Tasha's first time attending one of these meetings. There's a drip in the classroom sink which, alternating with the "bloop" of the small fish tank, provides a percussion-like background as the women trickle in and begin to sit on the small wooden chairs made for the three year olds who occupy the room during the day. The women are mothers from the Bloomingdale Family Head Start Center, and they have been meeting together since October. This Tuesday, the rose colored tiles that cover the floors take on a darker hue, as there is not much sun that makes it through the cinder block glass windows.

Outside is Columbus Avenue, and the thick glass provides a barrier between the small children inside and the 'big kids' outside who attend the two middle schools across the street. The middle schools are housed in one building, Booker T. Washington, which takes up an entire block between 107th and 108th Streets. Delta is the honors middle school program for the district. The other school, Creating Opportunities for Rigorous Education (CORE), otherwise known as

Booker T., serves a “general” student population. According to Insideschools.org, “A single middle school serving two different student populations, Booker T. Washington School (M.S. 54) at times seems to have a split personality.”⁵⁹ The mental health prognosis results from the structures inside the school that ensure that students who occupy different race and class positions are separated from one another. Their separation is rationalized based on their supposed academic ability that is measured by their performance on standardized tests. As such, the two groups of students who see each other every day, rarely meet. They do not even eat lunch together. More recently, their interactions outside of the building have been further elided after complaints from Delta students and their parents resulted in different dismissal times for the two schools. The character of Columbus Avenue—once known for the activity of so-called gangs that Booker T. students were rumored to be affiliated with—has been changing over the past years as gentrification moved further north. Yet there are still security cameras in the classrooms for the pre-school children, which provide a veneer of safety. And it is the precariousness, or lack of security, for the futures of their children that has brought these mothers together.

Nicole and Edith regularly arrive early for the weekly meeting. This Tuesday, as they wait for other parents to come, they start sharing updates with one another about the public elementary school tours that they have recently attended. Like Tasha, both women have four year-old children who are getting ready to exit the Head Start center. After listening to their detailed assessments, Tasha interjects, “Wait a minute, can I ask a question?...What are these meetings *about*?” The women share what they do together every week: the members of the group work to help each other find good schools for their children, and make sure all schools are good and serve the community. They learn about their rights and they go on school tours together.

⁵⁹ <http://insideschools.org/middle/browse/school/122>

“Going together is better,” Nicole adds, “because *the schools in the district are racism and discrimination*. They do not want the families who are not rich and white—they *do not want our children*.” Tasha responds, “So...what’s new...I mean haven’t they *always* done that? I mean, I mean, you know...that’s the way it’s always been...So are they doing something *different* now?”

Tasha’s right, and she’s also not alone. In conducting outreach as a community organizer, I met many parents who asked similar questions: *Why care? What’s new? Isn’t that the way it’s always been?* Rather than indicative of an apathetic disposition, Tasha’s comments can be better understood as reflective of Ruth Wilson Gilmore’s observation that “for African Americans there is nothing new in realizing, once again, second-class status (Du Bois [1935] 1992; Sykes 1988; Fields 1990). But while repetition is part of the deadly drama of living in a racial state, the particular challenge is to work out the specific realignments of the social structure in a period of rapid change.”⁶⁰ Yet despite Gilmore’s insights, as well as those of Tasha and other parents I encountered, current scholarship and activism on educational justice suggests otherwise.

Within education scholarship there has been a general consensus among many scholars and activists that the growing inequalities in education are a predicament of neoliberalism; one that many contend can be traced back to the 1983 report, *A Nation at Risk: The Imperative for Educational Reform* (NAR) that was published by the Reagan Administration’s National Commission on Educational Excellence.⁶¹ Michael W. Apple, for example, argues that NAR

⁶⁰ Gilmore, Ruth Wilson. 2007. *Golden gulag: Prisons, surplus, crisis, and opposition in globalizing California*. University of California Press. p. 215

⁶¹ NAR was released on the heels of the 1970’s fiscal crisis and just a few years after 1979, which Harvey argues represents a critical turning point that ushered the “dramatic consolidation of neoliberalism as a new economic orthodoxy.” (Harvey, David. 2003. *The New Imperialism*. Oxford; New York: Oxford University Press. p. 22) According to the United States Department of Labor, by 1982, the year preceding the report’s publication, unemployment had reached 10.8% nationally, and in 1980, inflation had hit 13.5% as a yearly average, the highest it had been since 1947. (United States Department of Labor; Bureau of Labor Statistics. *Labor Force*

marked a neoliberal turn in U.S. education policy, one which has been characterized by the development of a market ideology and audit culture that has permeated how public education is understood, managed, and organized. As such, he posits that NAR was central to the production of a new political rationale in which democracy has become increasingly equated with a marketplace and citizens have become positioned as consumers. Like Apple, Lesley Bartlett, Marla Frederick, Thadeus Gulbrandsen, and Enrique Murillo also argue that NAR signaled a shift in the role that public education plays in relationship to the economy, one that that they also contend is increasingly based on market principles. As they write, “[t]he goal of social equity through education, codified as *Brown v. Board of Education* in 1954, the Elementary and Secondary Education Act of 1965, and desegregation policies, was gradually eclipsed by economic uses of schools.”⁶² Utilizing a similar line of reasoning, over the past decade a growing number of scholars and activists have argued that 1) prior to NAR the goal of public education in the United States—and specifically post-*Brown*—was meant to further democracy and egalitarianism; and 2) post-NAR, public education was infiltrated by market principles of consumerism and deregulation that have resulted in increasing educational inequalities.

Statistics from the Current Population Survey. Unemployment Rate. Bureau of Labor Statistics Data, n.d. <http://data.bls.gov/timeseries/LNS14000000>.) Within this context, as noted by Michael W. Apple, education became a key dumping ground through which these realities were explained and rationalized. (Apple, Michael. 2001. “Comparing Neo-liberal Projects and Inequality in Education.” *Comparative Education* 37, no. 4: 409–423.)

⁶² Bartlett, Lesley, Marla Frederick, Thaddeus Gulbrandsen, and Enrique Murillo. 2002. “The marketization of education: Public schools for private ends.” *Anthropology & education quarterly* 33, no. 1: 5-29. p. 5

Several have questioned the intention behind *Brown I*. As critical race theorist Derrick Bell argues, *Brown* is indicative of an interest-convergence in which “Black rights are recognized and protected when and only so long as policy makers perceive that such advances will further their interests that are their primary concern.” (49) In particular, Bell argues, *Brown I* came at a critical moment in the U.S.’s global crusade against communism. Indeed, the growing Civil Rights movement drew increased global attention to the contradictions of Jim Crow to U.S. claims to freedom and democracy.

More recently, several scholars and activists have drawn heavily upon David Harvey's elaboration of accumulation by dispossession⁶³ to interrogate public education as a terrain of neoliberal restructuring and specifically as a sector in which increasingly privatized agendas curtail universal rights to the public good of education. Pauline Lipman's research, for example, has provided a critical mapping of the political economy of federal, state, and municipal education reforms⁶⁴. As her work illustrates, state-driven education reforms since the 1980s have been tied to the development of governance structures, exemplified recently by Mayoral Control, that have been pivotal to the increased growth of charter schools. These reforms, she argues, have simultaneously stripped parents of their rights to participate in any relevant decision making about the schools that their children attend. Moreover, her work has interrogated the ways that state-driven education reforms have rhetorically relied on the language of choice, accountability, and freedom to push forward corporate agendas, a pattern which Lipman, drawing on Harvey, contends is indicative of neoliberal tendencies.

Yet while the inequalities produced through privatization mechanisms like charter schools and governance structures such as Mayoral Control are critical to address, they are in many ways, an exaggerated indexical representation of a much deeper and older problem. That

⁶³ As Harvey explains, accumulation by dispossession is characterized by a process in which "Assets held by the state or in common were released into the market where over accumulating capital could invest in them, upgrade them, and speculate in them. New terrains for profitable activity were opened up... Once in motion, however, this movement created incredible pressures to find more and more arenas, either at home or abroad, where privatization might be achieved." (Harvey, David. 2003. *The New Imperialism*. Oxford; New York: Oxford University Press. p. 158).

⁶⁴ See, for example, Lipman, Pauline, and David Hursh. 2007. "Renaissance 2010: The Reassertion of Ruling-Class Power Through Neoliberal Policies in Chicago." *Policy Futures in Education*. Volume 5, no. 2. pp. 160–178. and Lipman, Pauline. *The New Political Economy of Urban Education: Neoliberalism, Race, and the Right to the City*. 2011. *Critical Social Thought*. New York: Routledge.

is, while the formal rights of parents as a constituency have been squashed with the recentralization of school systems (for example, in Chicago and New York City) the present-day impacts as well as prior realities of parents' rights have been significantly different based on race and income.⁶⁵

In this chapter, I examine how rather than a problem of neoliberalism alone or of privatization, constrained rights and the persistency of inequality points to a more general re-alignment post- *Brown v. Board of Education* (1954) between the state, the structuring of rights and markets, and extends beyond the realm of the private.⁶⁶ Drawing upon the work of civil rights historians who have challenged the notion of “southern exceptionalism,” I first examine the construction of *Brown* as representative of a historical break—one which was supposed to indicate racial transcendence, and ~~that~~ plays a specific role in continued production of a narrative of American exceptionalism. Second, I trace how rather than indicative of a historical break that signaled a post-racial period, choice—as a key principal of reform and management in public education—emerged in the post-*Brown* period to provide a palatable discourse through which the avoidance of desegregation has been rationalized against the specter of Jim Crow. Specifically, I interrogate how the structuring of universal rights as choices in the post-*Brown* period is

⁶⁵ These differential impacts on rights and political power are often left unaddressed except, ironically, by neoliberal reform advocates whose marketing of solutions has depended on a recognition of the ways that poor Black and Brown communities have been historically underserved by public education.

⁶⁶ As Jim Carl elaborates in his exploration of the role of choice in educational reforms in England and the United States: “In choice literature, much of the writing assumes a framework in which politics and markets are mutually exclusive categories. This belies the fact that the two domains cannot be separated from each other. . . . Contrary to the claim that parental choice “rolls back the state” and therefore debureaucratizes and depoliticizes education, “choice” did not reduce central state control of schooling in England or the United States but, rather, reconstituted it at different levels.” (Carl, Jim. 1994. “Parental Choice as National Policy in England and the United States” in *Comparative Education Review*. Volume 38, No. 3. p. 297)

characterized by a contradictory relationship between inclusion and inequality. As Uday Singh Mehta explains, this relationship is indicative of liberalism's *strategies of exclusion* which, as I demonstrate, rely upon particular portrayals of *Brown* as central to the project of American exceptionalism. Following Chandan Reddy's theorization of amendments as "frames [that] conserve and reactivate the force of their textual bodies, even while displacing the origins of that force and restructuring its appearance, through the bestowal of meaning upon the original body,"⁶⁷ in the following sections I examine how choice in the post-*Brown* era became the amendment to state-sanctioned segregation and, as such, has provided for the continuity of a tiered citizenship despite the extension of universal rights and citizenship in education.

Brown v. Board of Education: A Story of America

When the Supreme Court decided that separate but equal schools could never be equal, public education became one of the few universally accessible and public goods in the United States. As such, those on various sides of political spectrums have since claimed that public education is the "cornerstone" of American democracy, the "great equalizer" that guarantees a color-blind and meritocratic democracy and equal access to the American Dream. As Gloria Ladson-Billings notes, *Brown v. Board of Education* is the most common Supreme Court case listed in state school curricula, and there is a general consensus among high school teachers, judges, and law professors that *Brown* is one of the most important cases that students should be required to learn about throughout school.⁶⁸ Beyond the classroom, she asserts, the reification of *Brown* within U.S. political, legal, and popular culture has been critical to the production of a national narrative of racial transcendence and American exceptionalism:

⁶⁷ Reddy, Chandan. 2011. *Freedom with Violence: Race, Sexuality, and the US State*. Duke University Press. p 15

⁶⁸ Ladson-Billings, Gloria. 2004. "Landing on the Wrong Note: The Price We Paid for *Brown*" in *Educational Researcher*. Volume 33, Number 7. pp 3-13

Brown has taken on a mythic quality that distorts the way many Americans have come to understand its genesis and function in society. Our tendency is to view *Brown* as a “natural” occurrence in the nation’s steady march toward race relations and progress (Crenshaw, 1988). This notion of progress is coupled with a view of America as a nation endowed with inherent “goodness” and exceptionality.”⁶⁹

Brown is often positioned by official texts as a turning point in U.S. history, one where the wrongs of exclusion were made right. Yet as critical race theorist Derrick Bell points out, it is essential not to isolate *Brown* but rather, to understand it as historically and politically situated. As he explains, *Brown* is indicative of his interest-convergence theory in which “Black rights are recognized and protected when and only so long as policy makers perceive that such advances will further their interests that are their primary concern.”⁷⁰ In particular, Bell argues, *Brown*

⁶⁹ Ladson-Billings, Gloria. 2004. “Landing on the Wrong Note: The Price We Paid for *Brown*” in *Educational Researcher*. Volume 33, Number 7. p. 3 Further as Bell notes, W.E.B. DuBois’s commentary on *Brown* was insightful: “[n]o such decision would have been possible without the world pressure of communism” that rendered it “simply impossible for the United States to continue to lead a ‘Free World’ with race segregation kept legal over a third of its territory.” Bell, Derrick. 2004. *Silent Covenants: Brown v. Board of Education and the Unfulfilled Hopes for Racial Reform: Brown v. Board of Education*. Oxford University Press. p. 49, 67. Mary L. Dudziak makes a similar argument in her book, Dudziak, Mary L. 2000. *Cold War Civil Rights: Race and the Image of American Democracy*. Princeton University Press. As she writes, “In addressing civil rights reform from 1946 through the mid-1960s, the federal government engaged in a sustained effort to tell a particular story about race and American democracy: a story of progress, a story of triumph of good over evil, a story of U.S. moral superiority. The lesson of this story was always that American democracy was a form of government that made the achievement of social justice possible, and that democratic change, however slow and gradual, was superior to dictatorial imposition. The story of race in America, used to compare democracy and communism, became an important Cold War narrative.” Dudziak, Mary L. 2000. *Cold War Civil Rights: Race and the Image of American Democracy*. Princeton University Press. p. 13

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came at a critical moment in the U.S.' global and domestic crusade against communism and responded to the growing attention that Black freedom struggles in the U.S brought to the contradictions of racial segregation and Jim Crow to U.S. claims of democracy and freedom.

Indeed, *Brown* is indicative of the founding stories that Nikhil Pal Singh demonstrates, in his historiography of the "long civil movement"⁷¹ that American exceptionalism relies upon.

These stories, he observes, centralize the overcoming of persecution through democratic tolerance and universalism achieved by racial and ethnic inclusion⁷² and as such, become critical

Mary L. Dudziak makes a similar argument in her book, Dudziak, Mary L. 2000. *Cold War Civil Rights: Race and the Image of American Democracy*. Princeton University Press. As she writes, "In addressing civil rights reform from 1946 through the mid-1960s, the federal government engaged in a sustained effort to tell a particular story about race and American democracy: a story of progress, a story of triumph of good over evil, a story of U.S. moral superiority. The lesson of this story was always that American democracy was a form of government that made the achievement of social justice possible, and that democratic change, however slow and gradual, was superior to dictatorial imposition. The story of race in America, used to compare democracy and communism, became an important Cold War narrative." Dudziak, Mary L. 2000. *Cold War Civil Rights: Race and the Image of American Democracy*. Princeton University Press. p. 13

⁷¹ Singh identifies the long civil rights movement as "[b]racketed by Roosevelt's New Deal and Johnson's Great Society...[and] as the product of a dual phenomenon: the Keynesian transformation of the liberal capitalist state during the 1930s and the emergence of black social movements that were urban, national, and transnational in scope and conception." Singh, Nikhil Pal. 2005. *Black Is a Country: Race and the Unfinished Struggle for Democracy*. Harvard University Press. p. 6 Jacquelyn Dowd Hall also uses the same term. Jacquelyn Dowd Hall "The Long Civil Rights Movement and the Political Uses of the Past" *The Journal of American History*; Mar 2005; 91, 4

⁷² Rajeswari Sunder Rajan also examines the rationale and mechanisms through which sameness gets adjudicated to reproduce difference in her examination of the persistence of inequality despite inclusionary legal rights for women and "minority women" in the context of a post-colonial Indian state. As she documents, the very inequalities that are supposed to be overcome through the inclusion of rights and legal protections are thus reproduced, as difference is at once naturalized, incorporated, and denied. To be sure, Rajan is not suggesting that rights or citizenship do not matter; as she writes, "'formal legal definitions of citizenship' do matter 'profoundly' to immigrant people, as Stuart Hall insists (1993, 360) ---so much so that it is precisely in response to its exclusionary or hierarchize tendencies that "citizenship" is claimed by the disempowered as a matter of legitimate national identity and equal rights." (20) Rather, as she notes, it is precisely the predicament of what she terms of the "double politics" of universal rights that "is informed by a (constitutive) but also provides the goal and the (historical) grounds

narratives through which the continued inscription of racial division and exclusion are both obscured and rationalized.⁷³ As a result, he argues, a contradictory universalism provides a scaffolding of exclusions within the liberal democracy of the United States, and is persistently characterized by whiteness as baseline for citizenship, and blackness as its contradiction.⁷⁴ As we shall see, undergirded by stories like *Brown*, which depict overcoming and racial transcendence, education is one of the major arteries which have, in the second half of the twentieth century, consistently pumped new life into the notion of American exceptionalism and simultaneously into the continued production of differentially valued life despite the inclusionary structuring of rights.

An Overcoming History

On July 17th, 2009, at a celebration marking the 100th anniversary of the National Association for the Advancement of Colored People (NAACP), President Obama addressed an audience that had gathered to mark the occasion. The following excerpt from Obama's speech,

of struggle in its name" (Sunder Rajan, Rajeswari. 2003. *The Scandal of the State: Women, Law, Citizenship in Postcolonial India*. Duke University Press. p. 23).

Similar to Rajan, Singh documents the dialectical relationship between exclusion and inclusion, universality and particularity, as it has been articulated in U.S. black freedom struggles: "This is the more crucial point: black freedom struggles have not only been about obtaining market access, equal citizenship, or integrating black people into common national subjectivity. Rather, they represent the counter-statements of political subjects who have struggled to widen the circle of common humanity. To put it another way, if American universalism has been marked by its persistent degeneration into racial exclusion, black political life has been marked by the opposite movement: the generation of new universals form the forcible enclosures of racial stigma."(Singh, Nikhil Pal. 2005. *Black Is a Country: Race and the Unfinished Struggle for Democracy*. Harvard University Press. p. 44)

⁷³ Singh, Nikhil Pal. 2005. *Black Is a Country: Race and the Unfinished Struggle for Democracy*. Harvard University Press. p. 19-20

⁷⁴ Singh, Nikhil Pal. 2005. *Black Is a Country: Race and the Unfinished Struggle for Democracy*. Harvard University Press. p. 21-22

while lengthy, is demonstrative of a particular story of rights and racial democracy on one hand and a recognition of the continuance of inequality structured by race, on the other. The story is familiar. It is a story that is revisited every May, as the anniversary of the landmark Supreme Court decision nears and newspapers across the country publish “news” reports that disclose findings of the unfinished project of *Brown*. It is also a story that that portrays public education in the United States as the node through which the civil rights movement articulated its vision and demands for justice, even as within such popular narrations, the radical critique of Black freedom struggles is simultaneously obfuscated.⁷⁵

There's a reason the story of the civil rights movement was written in our schools. There's a reason Thurgood Marshall took up the cause of Linda Brown. There's a reason why the Little Rock Nine defied a governor and a mob. It's because there is no stronger weapon against inequality and no better path to opportunity than an education that can unlock a child's God-given potential. And yet, more than half a century after *Brown v. Board*, the dream of a world-class education is still being deferred all across the country. African American students are lagging behind white classmates in reading and math -- an achievement gap that is growing in states that once led the way in the civil rights movement. Over half of all African American students are dropping out of school in some places. There are overcrowded classrooms, and crumbling schools, and corridors of shame in America filled with poor children -- not just black children, brown and white children as well.....

⁷⁵ Jeanne Theoharis and Komozi Woodard (eds.) 2003. *Freedom North: Black Freedom Struggles Outside the South, 1940-1980*. New York: Palgrave Macmillan.
Singh, Nikhil Pal. 2005. *Black Is a Country: Race and the Unfinished Struggle for Democracy*. Harvard University Press.

.....We've got to say to our children, yes, if you're African American, the odds of growing up amid crime and gangs are higher. Yes, if you live in a poor neighborhood, you will face challenges that somebody in a wealthy suburb does not have to face. But that's not a reason to get bad grades -- that's not a reason to cut class -- that's not a reason to give up on your education and drop out of school. No one has written your destiny for you. Your destiny is in your hands -- you cannot forget that. That's what we have to teach all of our children. No excuses. No excuses.⁷⁶

As outlined by Obama above, a primary way that the achievement gap—or inequality in education—is understood focuses on the role of personal responsibility, hard work, and perseverance. More generally, this narrative references the aspirations, values, and practices of poor and working-class young people of color and their families, the post-racial power of bootstraps, and the promise of a particular type of freedom with no guarantees: “*No one has written your destiny for you. Your destiny is in your hands -- you cannot forget that.*”

Obama's articulation of education as a contradictory site that is at once equal and yet not equal, the guarantor of the freedom to make one's own future as well as the institution through which futures are differentially prescribed, is not new. Rather, it points to the ways that since 1954, the universal structuring of rights in education, positioned as a historical break, has been central to the ways that inequality in education has come to be explained as a byproduct for which no actors (state or otherwise) are culpable, but as the historical residue of the aberration of state sanctioned apartheid *and* as a necessary consequence of liberal freedom (understood as individual liberty) and juxtaposed against equality. Indeed, as Derrick Bell notes, “Brown...served to reinforce the fiction that, by the decision's rejection of racial barriers posed

⁷⁶ <http://www.politico.com/news/stories/0709/25053.html>

by segregation, the path of progress would be clear. Everyone can and should make it through their individual ability and effort.”⁷⁷

Civil rights historians including Jacquelyn Dowd Hall, Mathew Lassiter and Joseph Crespino, Clarence Taylor, and Jeanne Theoharis and Komozi Woodard, among others, have provided critical historiographies that have challenged this version of freedom based on individual liberty, which are positioned against the popular narration of where, when, and how racial exclusion is understood to have taken place and that centralize the Little Rock Nine’s defiance, as Obama notes, of a governor and a mob. In doing so, their work has interrupted dominant depictions of how Black freedom struggles are remembered and imagined. More generally, these scholars also ask us to critically question how particular depictions of Black freedom struggles impact how we interpret what these struggles fought for and their continued relevance despite the inclusionary structuring of rights.

Central to the work of these scholars is dislodging what Lassiter and Crespino name the *myth of southern exceptionalism*, or the ways that a supposedly backwards South rampant with racism is positioned against an enlightened and civilized North, free of Jim Crow and legal segregation.⁷⁸ Indeed, as these scholars note, portrayals which dump the culpability of racist violence on working class whites⁷⁹ only reify an imagined white innocence through which the rest of the nation, thus exonerated, is poised to fulfill the vision of the American Creed, and overcome the aberrational horrors enacted by others. Theoharis and Woodard, for example,

⁷⁷ Bell, Derrick. 2004. *Silent Covenants: Brown v. Board of Education and the Unfulfilled Hopes for Racial Reform*. Oxford University Press. p. 7

⁷⁸ Lassiter, Mathew D. and Joseph Crespino (eds.). 2009. *The Myth of Southern Exceptionalism*. Oxford University Press

⁷⁹ See, for example, Jeanne Theoharis, “Boston Against Bussing”, in Jeanne Theoharis and Komozi Woodard (eds.) 2003. *Freedom North: Black Freedom Struggles Outside the South, 1940-1980*. New York: Palgrave Macmillan.

observe that popular portrayals of U.S. history emphasize legal segregation in the South. However, they note, what is often overlooked is the fact that in the North and the West, “schools, housing and jobs operated on strict racial hierarchy with whites at the top and blacks at the bottom. And many public spaces, while not explicitly marked for “whites only,” practiced that just the same.”⁸⁰ Yet through portrayals that only emphasize segregation as a plague of the South, the structured racial injustice in the North becomes naturalized “as not a racial system like the South’s but one operating on class and culture with racial discrimination as a byproduct.”⁸¹ Moreover, they note that dominant versions of history also position the South as a place of history, while the North is associated with the present, progress, and industry, thus further entrenching an imagined disjuncture where stories that do not depict images of “fire hoses and police dogs, church bombings and bold proclamations defending segregation “now and forever””⁸² hold little resonance.

Integral to the project of these civil rights historians is drawing attention to the ways that prevalent historical imaginaries are structured around ill-conceived and false distinctions between de facto and de jure segregation that do not account for the intentional labor involved from various levels and sectors of government to “devise and protect” institutional and structural segregation in the North.⁸³ Indeed, as Lassiter elaborates, the false distinction between de jure

⁸⁰ Jeanne Theoharis and Komozi Woodard (eds.) 2003. *Freedom North: Black Freedom Struggles Outside the South, 1940-1980*. New York: Palgrave Macmillan. p. 3

⁸¹ Jeanne Theoharis and Komozi Woodard (eds.) 2003. *Freedom North: Black Freedom Struggles Outside the South, 1940-1980*. New York: Palgrave Macmillan. p. 3

⁸² Jeanne Theoharis and Komozi Woodard (eds.) 2003. *Freedom North: Black Freedom Struggles Outside the South, 1940-1980*. New York: Palgrave Macmillan. p. 10

⁸³ Jeanne Theoharis and Komozi Woodard (eds.) 2003. *Freedom North: Black Freedom Struggles Outside the South, 1940-1980*. New York: Palgrave Macmillan. P. 10

Further, as Lassiter importantly notes, “Although the framework of southern exceptionalism leads to distorted interpretations of the past, it is important to historicize the idea of southern distinctiveness as a cultural, political, and legal construction that has been very real in its

and de facto segregation is particularly powerful in its ability to frame racism, racist violence, and exclusion against an imagined white innocence:

A broad spectrum of white actors seized upon the “de facto” rationale through a “color-blind” discourse that defended neighborhood schools and segregated housing as the products of private action and free market forces alone, a sphere in which government had not caused, and therefore had no right or obligation to remedy, racial inequality.⁸⁴

Further, Lassiter cautions, rather than an analytical or descriptive category, de facto segregation needs to be interrogated as a political and cultural construct, the persistent use of which continues to inform present-day analyses of inequality:

As a constitutional matter, “de facto segregation” does not mean “segregation in the North and west” or “segregation caused by housing patterns” or “institutional racism” or “segregation in arenas without Jim Crow laws” or “subtle segregation” or other commonly deployed synonyms. As a legal doctrine, “de facto segregation” means “innocent segregation”---spatial landscapes and racial arrangements that exist beyond the scope of judicial remedy, attributable solely to private market forces in the absence of any historical or contemporary government responsibility.⁸⁵

consequences. Lassiter, Mathew D. “De Jure/De Facto Segregation: The Long Shadow of a National Myth” in Lassiter, Mathew D. and Joseph Crespino (eds.). 2009. *The Myth of Southern Exceptionalism*. Oxford University Press. p. 27

⁸⁴ Lassiter, Mathew D. “De Jure/De Facto Segregation: The Long Shadow of a National Myth” in Lassiter, Mathew D. and Joseph Crespino (eds.). 2009. *The Myth of Southern Exceptionalism*. Oxford University Press. p. 27

⁸⁵ Lassiter, Mathew D. “De Jure/De Facto Segregation: The Long Shadow of a National Myth” in Lassiter, Mathew D. and Joseph Crespino (eds.). 2009. *The Myth of Southern Exceptionalism*. Oxford University Press. p. 28

By centralizing innocence and locating segregation in the past—or in the past of the South alone—the de facto myth informs how the continued raced and class based separation of public school students has come to be rationalized and explained. And, at present, even as students continue to be separated based on race and income, they read the official narrative of the civil rights movement as told through U.S. history books, a narrative which explains that theirs is not a structured violence, but simply the residue of histories that have already been made and rights that have already been won and, as Obama notes, are dependent on the capacity of individuals to enact the freedom to make one's own destiny.

Yet as feminist legal scholar Dorothy Roberts explains, freedom—within liberalism and in particular, within the U.S. Constitution—is defined as an individual's liberty to choose. As Roberts outlines, choice comes to take on a double character that has to do with freedom and rights, a coupling that is critical to what she terms the *priority paradigm*, or, the prioritizing of individual liberty over equality by claiming the former is inherent to human freedom. The *priority paradigm*, Roberts asserts, simultaneously relies on a race-neutral and color blind policy as well as on what she posits is a false binary between freedom and social justice, which assumes the inevitability of inequality within a free society.⁸⁶

Robert's paradigm is illustrated by the infamous Moynihan Report, *The Negro Family: The Case for National Action* (1965). While the Moynihan Report is well known and rightly critiqued for its racist depictions of the so-called “tangle of pathology” and “dysfunctionality” that supposedly plagued the Black family, less discussed is the report's introduction, which states:

⁸⁶ Roberts, Dorothy E. 1995. "Priority Paradigm: Private Choices and the Limits of Equality, The." *U. Pitt. L. Rev.* 57. p. 371.

Liberty and equality are the twin ideals of American democracy. But they are not the same thing. Nor, most importantly, are they equally attractive to all groups at any given time nor are they always compatible, one with the other. . . . The ideal of equality does not ordain that all persons end up, as well as start out equal. In traditional terms, as put by Faulkner, “there is no such thing as equality per se, but only equality to: equal right and opportunity to make the best one can of one’s life within one’s capability, without fear of injustice or oppression or threat of violence.”⁸⁷

Individual liberty is thus associated with human freedom—the right to choose what to make of one’s life—and is positioned against equality or social justice which, as Wendy Brown notes, becomes associated with an *encumbrance* on freedom:

Liberty, which denotes the sovereignty of the liberal subject, marks the freedom to do what one desires, the freedom to discover and pursue one’s interest where the law does not interfere. Insofar as liberalism premises our liberty on a relatively unencumbered possibility of acting. . . liberal liberty’s opposite is encumbrance, constrained by necessity barriers to deliberate, choosing or acting.⁸⁸

As I explore in the next section, the post-*Brown* structuring of universal rights as choices was based on this understanding of individual liberty, unencumbered by structural constraints, as indicative of human freedom and democracy. As we shall see, rather than a new predicament of neoliberal or private restructuring, the post-*Brown* period signaled the possibility of two paths. The first required the state to redistribute resources. The second allowed for freedom to be reconciled otherwise.

⁸⁷ Roberts, Dorothy E. 1995. "Priority Paradigm: Private Choices and the Limits of Equality, The." *U. Pitt. L. Rev.* 57. p. 371.

⁸⁸ Brown, Wendy. 1995. *States of Injury: Power and Freedom in Late Modernity*. Princeton University Press. (p. 154)

Going North: The Right to Choose, The Right to Exclude

“Choice works, and it works with a vengeance... Choice in education is the wave of the future because it represents a return to some of our most basic American values. Choice in education is no mere abstraction. Like its economic cousin, free enterprise, and its political cousin, democracy, it affords hope and opportunity.” --- Ronald Reagan, 1989 (Workshop on Education convened by the White House)

In 1955, one year after *Brown*, Milton Friedman put forth a vision for the restructuring of public education and central to his plan of how schools should be organized was an argument that choice, rights, and freedom are inextricably linked. That Friedman’s prescription came one year after the *Brown* decision was not chance. In fact, Friedman’s plan was framed as a response to *Brown* which, he argued, presented the problem of reconciling desegregation with other constitutional rights—such as the freedom of expression or freedom of speech—which, when it came to educating one’s child, might overlap with exclusionary practices. He outlines this relationship between choice, freedom, rights, and exclusion in a lengthy footnote, which is worth reading in its entirety:

Willingness to permit free speech to people with whom one agrees is hardly evidence of devotion to the principle of free speech; the relevant test is willingness to permit free speech to people with whom one thoroughly disagrees. Similarly, the 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. I deplore segregation and racial prejudice; pursuant to the principles set forth at the outset of the paper, it is clearly an appropriate function of the state to prevent the use of violence and physical coercion by one group on another; equally clearly, 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, whether about racial prejudice or the party to vote for, so long as the action of any one individual affects mostly himself. These are the grounds on which I oppose the proposed Fair Employment Practices Commissions; and they lead me equally to oppose forced nonsegregation. However, the same grounds also lead me to oppose forced segregation. Yet, so long as the schools are publicly operated, the only choice is between forced nonsegregation and forced segregation; and if I must choose between these evils, I would choose the former as the lesser. 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. An example that comes to mind as illustrating the preceding argument is summer camps for children. Is there any objection to the simultaneous existence of some camps that are wholly Jewish, some wholly non-Jewish, and some mixed? One can--though many who would react quite differently to negro-white segregation would not--deplore the existence of attitudes that lead to the three types: one can seek to propagate views that would tend

to the growth of the mixed school at the expense of the extremes; but is it an appropriate function of the state to prohibit the unmixed camps?⁸⁹

Friedman's rationale was simple: if schools were forced to compete for parents-as-consumers, they would be forced to improve and reflect consumer demand; and parent-as-consumer satisfaction would be guaranteed, not only through the quality of education provided, but also through *the types* of schools that a family could select. Privately run schools would thus expand the number of options available to families while also avoiding the messiness presented by state-enforced desegregation which, as he points out, denies the right to exclude based on culture, religion, or other "preferences." Anticipating that not all parents would be able to pay tuition fees, Friedman suggested a flexible parent-consumer plan designed around a voucher system that would move public dollars to private schools. As he explains, instead of only funding public schools, public monies could be used to fund privately run schools, which would operate independently, and provide a "third alternative" to forced segregation and forced desegregation.

Central to Friedman's theory of re-structuring education was expansion of choice. Instead of being locked into a particular public school, he argued that if rights to education were accompanied by choices, the ability of families to select an appropriate school for their child would not be constrained by differences based on income, race, or residence. According to his plan, parents who were unhappy with a particular school would have the freedom to withdraw their child and reinvest in a range of options—private, public, religious, or even segregated—that better suited their needs. Guaranteeing rights *with* flexibility, he posited, would thus provide an important third alternative to forced segregation or forced desegregation. In the wake of *Brown*, Friedman's theory of choice, more so than his specific voucher plan, became a central organizing

⁸⁹ Friedman, Milton. 1955. "The Role of Government in Education." in *Economics and the Public Interest*: 123-44.

component of state-driven education reforms that claimed to address race and class based inequality in education and to expand rights, accountability, and freedom.

In the section that follows, I provide a brief historical overview of how choice, as a central guiding logic to education reforms, has been central to maintenance of what critical race theorist Cheryl Harris has termed *whiteness as property*, and to the right to exclude, in the post-*Brown*-era. This overview attempts to provide a critical genealogy of choice that traces neoliberal restructuring back further than is generally recognized. Indeed, as we shall see, choice in the post-*Brown* period was critical to a realignment of the market, the state, and the structuring of rights that occurred well before the 1980s and much earlier than charter corporations arrived on the scene.

As Michael Fabricant and Michelle Fine, and James Foreman Jr. have documented, more than a mechanism of oppression, the concept of choice has been a contested terrain that has represented decidedly different visions of different blocs historically. For example, as Foreman Jr. argues, in the context of civil rights and Black power movements, choice symbolized a radical turn away from reform and a strategy for self-determination that was articulated through the development of Freedom Schools and through the movement for community control of schools.⁹⁰ Further, Forman Jr. explains, it has not only been the political right that has mobilized behind voucher-based movements, but also Black nationalists. Likewise, Fabricant and Fine explain that while current conversations about public education highlight the ways that the

⁹⁰ Forman Jr, James. 2004 "Secret History of School Choice: How Progressives Got There First, The." *Geo. LJ* 93: 1287; Fabricant, Michael, and Michelle Fine. 2012. *Charter Schools and the Corporate Makeover of Public Education: What's at Stake?* New York: Teachers College Press.

ideology of choice is central to the growing charter school movement, choice has a much longer history that has been rooted in progressive educational reform:

Historically, “choice” has been in conversation with concerns about equity, access, and accountability... While the most popular conservative policy banner for is educational choice has been vouchers, it is also true that the value of choice and participation has been at the heart of progressive educational reform. Small school and alternative school educators and advocates argued for “choice within public school systems” (Meir, 2005). Choice also has been the framework for building racial integration, bringing together youth from across racially segregated district lines (Anand, Fine, Perkind, Surrey, & Kinoy, 2001; Orfield 2001).⁹¹

⁹¹ Like Fine, Deborah Meir was also leaders in the small schools movement. *Small schools* is a term used to refer to an educational justice movement that started in the 1970s and was led by progressive educators who sought to disrupt what they assessed to be factory style schooling that warehoused students through the model of large, comprehensive high schools. They called for the creation of small, innovative schools, that were intended to cultivate progressive pedagogy and curricula, nurture community within the school and grow relationships among students, teachers, families, and the school’s surrounding community. As Fabricant and Fine elaborate above, the small schools movement fought for choice in terms of how schools operated. Yet, as Michael Klonsky and Susan Klonsky (also veterans of the movement) note in their book *Small Schools: Public School Reform Meets the Ownership Society*, the small schools movement was hijacked within the context of restructuring ushered by the 2001 No Child Left Behind Act. As Meir reflects, today, the small schools movement “may now seem like a forerunner of today’s charter schools. We thought that a series of small schools, democratically designed by educators for and with communities, would produce better schools than those designed and implemented from a distance by way of bureaucratic rules and regulations.... We believed that if we built schools rooted in a vision of education where communities, parents, teachers, and students could learn together from their experiences, we might produce schools that better educated all Americans. For this purpose we argued that schools needed to be smaller than most American schools were becoming.... We argued that these small, innovative schools should accept all students but bureaucratically be relatively autonomous –that is, we were coupling autonomy, equity, and democracy. Now we see this braid has come undone. “Reformers” in the charter school movement fight for autonomy, but not for equity or democracy.” (x) Klonsky and Klonsky, *Small Schools: Public School Reform Meets the Ownership Society*.

The history of choice post-*Brown* that I provide below is not a comprehensive one. Rather, it is an attempt to widen the scope through which we understand contemporary inequality in education and in particular, the way neoliberal restructuring in education is inextricably connected to a long history of racial capitalism.

In the Aftermath of *Brown*: The Continuation of Separate Schooling

In 1954, although the Supreme Court determined that separate but equal schools in the United States could never be equal, the question still remained as to how and when desegregation would be carried out and if localities would be granted any sort of “relief” in developing and implementing desegregation plans. The following year, the Supreme Court addressed this question in *Brown II* (1955) and determined that localities could move forward to desegregate, qualified by the now famous words, “with all deliberate speed.” Yet *Brown II* provided no clear guidance or definitions as to what the requirements of desegregation were, or how it should take place. In the decade following *Brown II*, states and localities were thus able to develop their own plans for how desegregation was to be carried out. The ambiguity of “with all deliberate speed” had very different meanings for Black and white communities, and as William M. Gordon notes, the phrase “soon took on the mantle of black humor: Blacks, it was noted, wanted ‘speed,’ while Whites wanted to be ‘deliberate.’” As such, implementation was left open to localities, a caveat that Cheryl Harris notes enabled the structure of white supremacy to remain intact through “a new a heretofore unknown approach to rectifying violations in constitutional rights—an approach that invited defiance and delay.”⁹² Moreover, Harris contends that by ceding the

⁹² Harris, Cheryl. 1993. “Whiteness as Property.” *Harvard Law Review* 106(8): 1707-1791. p. 1755

control and management of desegregation plans to those who already held local power, *Brown II* also left in place the architecture of what she terms *whiteness as property* (1754):

The origins of whiteness as property lie in the parallel systems of domination of Black and Native American peoples out of which were created racially contingent forms of property and property rights....whiteness shares the critical characteristics of property even as the meaning of property has changed over time. In particular, whiteness and property share a common premise—a conceptual nucleus—of a right to exclude.⁹³

As such, she posits, *Brown* can be understood to have played the contradictory role of claiming to dismantle inequality as manifested through state-sanctioned segregation, while guaranteeing the maintenance of *whiteness as property*.

Indeed, in response to *Brown I*, and given the room left open for interpretation that *Brown II* provided, several states, including for example, Virginia, South Carolina, Arkansas, Alabama, Mississippi, Georgia, North Carolina, and Louisiana, developed what came to be known as Freedom of Choice plans. These plans, while they utilized a variety of means and mechanisms—which included local student assignment plans, the development of publicly funded all white schools, and the development of a voucher system that funded private-all white schools—were unified in that they centered Friedman’s vision of choice as a third alternative to forced desegregation. State support of Freedom of Choice plans was central to their ability to function.⁹⁴ For example, in the well-known case of Prince Edward County, Virginia, a series of

⁹³ Harris, Cheryl. 1993. “Whiteness as Property.” *Harvard Law Review* 106(8): 1707-1791. p. 1714

⁹⁴ Indeed, as Helen Hershkoff observes, “many governmental entities throughout the South provided buildings, donated educational supplies, and gave each other such support. The movement’s rhetorical commitment was to “individual freedom in choosing public or private schooling.” Hershkoff, Helen and Adam S. Cohen. 1992. “School Choice and the Lessons of Choctaw County” *Yale Law & Policy Review*, Volume 10, Number 1. pp. 1-29 (p. 2, 3)

state laws cut off funds to the local school board and forced all public schools to close for five years between 1959 and 1964. The schools that developed in the wake of the closing of the public schools were voucher-supported and all-white, and have since come to be known as segregation academies. Black families and other families of color were forced to determine if, and how, children would go to school. Many children went without schooling; other families sent their children to live with relatives in nearby counties or far away; and, some developed their own schools. Often, siblings were separated⁹⁵ and as Kara Miles Turner documents, the short and long term impacts on what has come to be termed the “lost generation” were inter-generational in scale and included economic, social, emotional, and health dimensions⁹⁶.

In 1964 in the case of *Griffin v. County School Board*, the Supreme Court determined that voucher-driven segregation academies were unconstitutional and found that, “there has been entirely too much deliberation and not enough speed in enforcing the constitutional rights which we held in *Brown v. Board of Education*” and ordered that “relief needs to be quick and effective.”⁹⁷ Despite this ruling, counties like New Kent in Virginia were able to reconstitute choice to continue to serve the ends of segregation. In the case of New Kent County for example, the county devised a plan that included two public schools: one white and one Black.

⁹⁵ As Kara Miles Turner documents, “The closing of the schools permanently affected some children’s relationships with friends and family members. Rita Moseley and her brother were separated as Rita was sent to live with two elderly ladies in Blacksburg, Virginia, so she could continue her education. The siblings were one year apart in age, and “very close.” By the time she returned to the area, her brother had moved out of the state. She has gone more than ten years without seeing him at times: “As far as being close, we lost that.” Turner, Kara Miles. 2004. “Both Victors and Victims: Prince Edward County, Virginia, the NAACP, and “Brown” *Virginia Law Review*, Volume 90, Number 6. pp. 1667-1691 (p. 1687)

⁹⁶ Turner, Kara Miles. 2004. “Both Victors and Victims: Prince Edward County, Virginia, the NAACP, and “Brown” *Virginia Law Review*, Volume 90, Number 6. pp. 1667-1691

⁹⁷ Turner, Kara Miles. 2004. “Both Victors and Victims: Prince Edward County, Virginia, the NAACP, and “Brown” *Virginia Law Review*, Volume 90, Number 6. pp. 1667-1691 (p. 1689)

As Alexander and Alexander note, the local school board contended that it had fulfilled its obligation, under *Brown II*, by adopting a plan by which every student, regardless of race, could “freely choose the school he or she would attend,” and claimed that it was not culpable for the way that families’ choices resulted in separate schools and minimal integration.⁹⁸ According to Gordon, however, “testimony in the case revealed that the county's Black students were "counseled" out of choosing the White school, while school and community pressures guaranteed that no White families would send their children to the Black school.”⁹⁹ The case was eventually brought before the Supreme Court, and the 1968 *Green v. County School Board of New Kent County* decision resulted in guidelines which stated that the supposed neutrality of Freedom of Choice plans was no longer satisfactory. Although the decision did not prohibit Freedom of Choice plans, it mandated that other methods of desegregation—that were both speedier and more effective—should be first considered and devised.

Yet despite the Court’s ruling to discourage Freedom of Choice plans, as Helen Hershkoff documents, separate schooling in the South continued post-Green. As she explains, the curtailment of Freedom of Choice plans within public schools was met with alternative strategies for continued segregation that included the accelerated growth of private segregation academies accompanied by the increased use of vouchers.¹⁰⁰ As Hershkoff illustrates, in just six years—between 1966 and 1972—private school enrollment in Choctaw County, Alabama “rose

⁹⁸ Alexander, Klint and Kern Alexander. 2004. “Vouchers and the Privatization of American Education: Justifying Racial Segregation from Brown to Zelman.” *University of Illinois Law Review*. 1131

⁹⁹ Gordon, William M. "The implementation of desegregation plans since Brown." *The Journal of Negro Education* 63, no. 3 (1994): 310-322.

¹⁰⁰ Hershkoff, Helen and Adam S. Cohen. 1992. “School Choice and the Lessons of Choctaw County” *Yale Law & Policy Review*, Volume 10, Number 1. pp. 1-29

from an estimated 25,000 to 535,000....[and] according to one account from this time, “[i]t seem[ed] that every little town had its private school.”¹⁰¹ Moreover, Hershkoff contends that far from being relegated to a historical archive, the infrastructures and ideologies developed during the 1960s and 1970s have continued to shape the present day racial structuring of unequal schools.

During the same time that white communities in the South sought to protect their entrenched power through evading desegregation, Black and Latino communities in the North were also waging fights against separate and unequal schooling. In New York City, the struggle for decent and desegregated schooling in the North had been steadily mounting since the late 1950s when, in 1958, a group of nine Harlem mothers went to jail for boycotting public schools that they understood would harm their children. Ironically perhaps, the mothers’ campaign for desegregated school was called “Freedom of Choice for Junior High Schools.” As I explore further in Chapter 5, the mothers’ campaign of defiance against a locally entrenched and legal system of segregation in New York City became a precursor for the movement for community control of schools, a movement that also had deep roots in Black and Brown power movements.¹⁰² Likewise, as Jeanne Theoharis documents through a detailed account of the often

¹⁰¹ Hershkoff, Helen and Adam S. Cohen. 1992. “School Choice and the Lessons of Choctaw County” *Yale Law & Policy Review*, Volume 10, Number 1. pp. 1-29 (p 6)

¹⁰² Yet as James Foreman Jr. argues, the movement for community control of schools also represented a progressive articulation of school choice that advocated decentralization. As Foreman Jr. explains: “As demographic minorities in moth northern districts, blacks and Hispanic could not gain control of the entire city system.. But given the high levels of residential segregation, if the system were broken into smaller autonomous districts, some of those would be controlled by minorities. Community control assumed that these districts would be more responsive to community and local parental pressure...In this respect the community control movement expanded upon the free school commitment to participatory democracy....community control was not purely a school choice movement in the ways that we think about choice today. These schools were not outside of the state system, nor were they chose by students But at the same time, the community control movement helped advance a notion forwarded by the free

overlooked leadership of political activist Ruth Batson, the same conditions that propelled nine mothers to keep their children home from school in Harlem also required a response in Boston. In particular, Theoharis asks her readers to take a closer look at the organizing work that led to the 1974 ruling by federal district court Judge W. Arthur Garrity which ordered Boston's public schools to be desegregated through bussing. As she documents, the struggles waged by local communities against segregated schools during the 1950s and 1960s, led in particular by Black mothers including Ruth Balston and Ellen Jackson as well as formations including the Black Student Union, were critical to Judge Garrity's decision that a mandatory desegregation plan be implemented through the bussing of students across district lines. Like their counterparts in New York City, Boston organizers utilized a variety of tactics that included boycotts; the development of freedom schools and of independent integrated and all-Black schools; and advocacy of open enrollment policies that was accompanied by community-driven bussing efforts.

From *Milliken* to Magnets to Vouchers: Choice as the Remedy to Structured Inequality

In 1974, the same year that the controversies that emerged from the Boston bussing plan drew national attention, the Supreme Court issued the *Milliken v. Bradley* decision and offered yet another iteration of choice. According to the Court's decision in *Milliken*, localities could not be required to desegregate if the results of zone/county lines resulted in segregation. As such,

schoolers and later adopted by charter school advocates in inner cities---namely, that when disenfranchised community groups took control of their own children's schools, they were more likely to create nurturing and successful educational environments. Community control advocates wanted power, not simply participation, and they typically sought authority over four key areas: personnel, budget, curriculum, and pupil policy. (1306) Further, as I explore in Chapter 3, while rooted in radical politics, the movement's call for local control and democracy opens up the possibility for new contradictions and more specifically, oddly parallels calls coming from the South for state and county rights.

Milliken provided legal protection for what had come to be understood as de facto segregation, stating that unless segregation was explicitly outlined as an intentional and affirmative policy, the state was not culpable.¹⁰³

In the wake of *Milliken* and also in the aftermath of white resistance to mandatory desegregation experiments, another version of choice was proposed through the creation of the Federal Magnet Program. Magnet programs first emerged in the 1970s and are federally supported programs that operate as either entire schools or as programs within schools. While they are able to be implemented at various grade levels, the majority of magnet programs and schools are implemented within elementary schools. Their goals, as Kimberly C. West explains, are “designed to attract students away from their neighborhood schools much as magnets attract metal objects. A distinctive school curriculum organized around a special theme or method of instruction creates the magnetic field that draws students. As originally conceived, magnet schools were designed to accomplish two ends: (1) to enhance students' academic performance through a distinctive curriculum, and (2) to enhance the school's racial and social diversity.”¹⁰⁴ More specifically, Magnet schools have been targeted for implementation in urban areas where municipal governments have identified the need to make public schools more attractive to white

¹⁰³ As Cheryl Harris notes, the majority Supreme Court vote (5 to 4) “did not contest the factual determination that the government at all levels had ‘participate[d] in the maintenance’ of racially discriminatory policies in the Detroit school system, nor did it reject the findings of the court below that private sectors such as real estate and lending institutions had engaged in exclusionary practices that created residential segregation and reinforced school segregation. It reinterpreted all of these facts, however, to be neutral and, therefore an inadequate predicate for intervention in an unfortunate but unrectifiable inequity.” Harris, Cheryl. 1993. “Whiteness as Property.” *Harvard Law Review* 106(8): 1707-1791. p. 1757

¹⁰³ West, Kimberly C. 1994. “A Desegregation Tool That Backfired: Magnet Schools and Classroom Segregation” *The Yale Law Journal*, Volume 103, Number 8. pp. 2567-2592 (p. 2567)

¹⁰⁴ West, Kimberly C. 1994. “A Desegregation Tool That Backfired: Magnet Schools and Classroom Segregation” *The Yale Law Journal*, Volume 103, Number 8. pp. 2567-2592 (p. 2567)

parents and as a way to circumvent mandatory student assignment plans.¹⁰⁵ The concept of choice employed by Magnet schools is distinct from Southern segregationists' usage and also different from how Northern desegregationists used the term. Indeed, central to the way that Magnet schools are designed and promoted is a market-driven concept of choice that is supposed to create voluntary incentives and a "demand" for certain schools that results in desegregation outcomes, or more specifically, the reduction of racial isolation. Moreover, the onus is placed on the choices that parents make, rather than on the school assignment plans and policies employed by school districts or municipal governments. As such, Heather K. Olson Beal and Petra Munro Hendry note, Magnet schools and programs have been limited in their stated goals of reducing racial isolation:

Rather than improving education for all students, magnet programs have been critiqued for diverting scarce resources to an elite group of children rather than to school populations at large (Andre´-Becheley 2004; Eaton 1996; Eaton and Crutcher 1996; Raywid 1985)...Critics also suggest that magnet programs "skim" the best and brightest students from nonmagnet schools (Goldhaber 1999; Moore and Davenport 1989; Rossell 1979), thereby only improving education for an elite group of students selected either by examination or by demonstration of student interest in the educational program. Magnet programs have also been criticized for implementing screening procedures to avoid difficult students (Blank et al. 1983).¹⁰⁶

¹⁰⁵ Carl, Jim. 1994. "Choice as National Policy in England and the United States" in *Comparative Education Review*, Volume 389; Number 3.

¹⁰⁶ Olson Beal, Heather K.; Hendry, Petra Munro. 2012. "The Ironies of School Choice: Empowering Parents and Reconceptualizing Public Education" in *American Journal of Education*. Volume 118, Number 4. pp. 521-550 (p.526)

Further, as several scholars have documented, while some Magnets have contributed to desegregation efforts, others have been ineffectual in reducing segregation, and still others have, in fact, exacerbated segregation. Despite these critiques, Magnet schools have continued to be widely used and grew rapidly particularly throughout the 1980s and 1990s.

In 1990 another experiment in school choice—the Milwaukee Parental Choice Program—gained national attention as it revisited the concept of a voucher program. The Milwaukee program was backed by Wisconsin’s Republican governor Tommy Thompson, who also became widely known in the 1990s for his nationally replicated welfare-to-work (or workfare) programs that outsourced city public sector jobs to welfare recipients who were required to work for a nominal stipend instead of gaining access to education programs. In addition to state-based support, the Milwaukee voucher program was also supported by the Bush Administration and by the Bradley and Heritage Foundations, two conservative policy organizations that were entrenched at the time in lobbying for voucher programs nationally.¹⁰⁷ As Jack Dougherty documents in his book, *More Than One Struggle*, the voucher program had local roots in an unlikely coalition of Black progressive activists and white conservatives that advocated for the program. Within the Black community, Dougherty notes, support for the voucher program grew out of the heterogeneity of Black Freedom movements in Milwaukee and

¹⁰⁷ As Walter C. Farrell Jr. and Jackolyn Mathews document, the Heritage Foundation had, in 1981, provided President Reagan with a 1,000 page Mandate for Leadership (Heatherly 1981) that advocated for vouchers and tuition tax credits as central pieces for the Reagan Administrations’ educational reforms As they note, “...the foundation reasoned that since urban public education was in a state of academic and social decline, inner city minority parents could be attracted to a private school voucher option funded with public dollars that would presumably provide their children with access to high-quality private education long enjoyed by those who were predominately middle class and White.” Farrell, Walter C., Jr.; Mathews, Jackolyn E. 1990. “School Choice and the Educational Opportunities of African American Children.” in *Journal of Negro Education*. Volume 59, Number 4. Pp. 526-537 (p. 520)

the diversity of analyses that these movements espoused. Some, for example, believed that integrated education had not, and would not, serve the needs and well-being of Black families. And prior to the city-wide voucher program, a group of Black activists had, in the 1980s, called for the creation of a separate Black school district. This demand was then revisited through the voucher program, which provided low-income city students with a \$2,446 voucher that was required to be accepted as full tuition at “approved nonsectarian private schools.”¹⁰⁸ By 1995, Republicans had gained control of the Wisconsin state legislature, and raised the voucher amount to \$4,600 while also expanding the range of schools included in the program, which by 2004, included religious schools. Yet even as the voucher program continued to expand (by 2003 it served over 11,000 children), the majority of participants in the program were almost exclusively Black and Latino. As such, the Milwaukee voucher program has been critiqued for increasing segregation.¹⁰⁹ Moreover, Walter C. Farrell and Jackolyn E. Mathews find, in their study that examines the particular impact of the voucher program on Black students, that “no consistently significant improvement in academic achievement” can be claimed for students in voucher programs compared to students in public schools.¹¹⁰ Rather, their findings indicate that as a result of the voucher program, Black students were often subjected to inferior schools with fewer resources and poorer facilities.

¹⁰⁸ Dougherty, Jack. 2004. *More than one struggle: The evolution of Black school reform in Milwaukee*. University of North Carolina Press. p. 190

¹⁰⁹ Alexander, Klint and Kern Alexander. 2004. “Vouchers and the Privatization of American Education: Justifying Racial Segregation from Brown to Zelman.” *University of Illinois Law Review*. 1131.

¹¹⁰ Farrell, Walter C., Jr.; Mathews, Jackolyn E. 1990. “School Choice and the Educational Opportunities of African American Children.” in *Journal of Negro Education*. Volume 59, Number 4. Pp. 526-537 (p. 527)

As demonstrated by the above examples, despite research that has challenged the effectiveness of choice to ameliorate inequity in education, in the post-*Brown* era, state-based education reforms have continued to rely on choice-based policies to articulate what Friedman called a third alternative to forced segregation or forced desegregation. In particular, these policies have positioned themselves as advancing freedom through choice. In 2001, the No Child Left Behind Act (NCLB) joined these claims of freedom with calls for increased accountability. Like the voucher movement in Milwaukee, NCLB advocates made particular reference to the ways that public education has historically abandoned low-income communities of color.¹¹¹ Indeed, central to the promises made by the Bush Administration was that NCLB would close the *achievement gap* for low-income and students of color by increasing accountability, opportunity, and choice through guidelines that allowed for local governments to penalize schools, teachers, parents, and students for poor academic outcomes. Moreover, NCLB also required that the data used to determine student achievement be disaggregated and as such, a common sound bite of the Bush Administration was that NCLB would bring an end to the “soft bigotry of low expectations.”¹¹² Vouchers and choice were key components of NCLB and while the provisions for vouchers that were initially written into NCLB were later removed as the legislation worked its way through various committees, the concept of choice remained: students at schools that failed to demonstrate Adequate Yearly Progress (through the measure of high-

¹¹¹ As several scholars have noted, NCLB, echoed the rationale for reform advanced by *A Nation at Risk*, which claimed that the “rising tide of mediocrity that threatens our very future as a Nation and a people” could be fixed through reforms that focused on four key areas, central among which was the development of uniform and measurable standards. To be sure, standards were presented as an appeal to excellence, to the promise of the American nation, and to the promise of meritocracy offered by the dominant narrative of public education.

¹¹² See, for example: Bush, G. W. (2004). President’s remarks in Minneapolis., Minnesota. <http://www.whitehouse.gov/news/releases/2004/10/20041030-8.html>

stakes tests) for two consecutive years were offered a chance to transfer to a better performing public school in their district.¹¹³ However, as Monty Neill and Roslyn Arlin Mickelson and Stephanie Southworth¹¹⁴ note, the transfer option simply did not work and was not a feasible plan that could be sustained with the infrastructure of many school systems.¹¹⁵ In New York City, findings indicate that the combination of a lack of infrastructure and confusing bureaucracy made the transfer provision ineffective at best while in many cases, it actually exacerbated problems.¹¹⁶ During the early years of NCLB's implementation, students who transferred were

¹¹³ NCLB has drawn a range of critiques of NCLB from scholars as well as from K-12 parents, students, and educators. In 2012, at least thirty-three states were granted NCLB waivers, which many cite in an indication of the legislation's failure.

¹¹⁴ Mickelson, Roslyn Arlin and Stephanie Southworth. 2005. "When Opting Out is not a Choice: Implications for NCLB's Transfer Option from Charlotte, North Carolina" in *Equity & Excellence in Education*, Volume 38 p. 1-15

¹¹⁵ As Neill writes, NCLB transfer provisions did "not guarantee that classroom seats will be available. In Chicago, 240,000 students are in schools "in need of improvement," but the district says it has only 1035 spaces. In part, this is because a majority of Chicago schools are not making AYP...The Bush administration has said overcrowding does not matter. NCLB does not invest in building new schools in failing districts, nor does it make rich districts open their doors to students from poor districts. The transfer regulations are designed to manufacture a demand for alternative school placements and ultimately to transfer funds and students to profit-making private school corporations through vouchers. For those left behind, the next step is to "reconstitute" the school. Among the list of options in the law are to turn it into a charter school or privatize its management. These marketplace "solutions" to the difficult and complex problems of schooling will not improve the public school system, but may lead to dismantling it." Neill, Monty. "Making lemonade from NCLB lemons" in *Rethinking Schools*, Fall 2003.

¹¹⁶ As the *New York Daily News* reported in 2008: "A centerpiece of the controversial No Child Left Behind act - the chance to transfer out of a failing school - goes almost entirely unused by city students, statistics show. Less than 2% of the 181,000 children eligible to transfer to higher-performing schools under NCLB actually did this year, according to education department figures...Only 9,200 students even applied to leave their failing schools and of those just 3,090 ultimately enrolled in a different school. Some parents of kids in failing schools told the Daily News they weren't even aware they could transfer out and some were turned away from better schools that are already overcrowded....while school choice has been held up as a hallmark of the law, the percentage of children transferring nationwide is just as low as it is in New York City. Last school year, only 120,000 kids transferred out of 5 million eligible - just 2%....Additionally, under the mayor's "fair student funding" formula, schools earn \$2,000 for every child they accept under NCLB." Melago, Carrie, "Left in dark over No Child Left Behind" *New York Daily News*, February 3, 2008.

often labeled “NCLB kids,” and as one interviewee, a teacher in a high-performing school that received transfer students, put it, the “NCLB kids,” who happened to be poor students of color, were not only labeled as such by teachers and administrators but were also understood to be a liability to their classrooms and to the school.

Despite over sixty years of failed reforms, the logic of choice as the panacea to inequality and preserver of freedom persists. On one hand, choice is supposed to be indicative of what one interviewee termed the freedom of individualism that is as “American as apple pie.” On the other hand, what often goes less recognized is the other side of this freedom: the right to exclude. Friedman recognized this twinned nature of choice. Robert’s *priority paradigm* provides a useful framework through which to understand the continuity of state-sanctioned exclusion in the post-*Brown* era through the utilization of choice policies.¹¹⁷

Moreover, as several have observed and as former NAACP General Counsel Robert L. Carter reflects, *Brown II* provided a sacrifice of the potential of *Brown I* by “favor[ing]...a remedy more palatable to whites.”¹¹⁸ As Derrick Bell further observes, based on a logic of compassion toward a white south, *Brown II* actively encouraged white resistance to

¹¹⁷ In New York City, Mayor Michael Bloomberg took advantage of the NCLB provisions after assuming control of the City’s school system in 2002, expanded the use of high-stakes tests to 1) measure students’ progress and determine their promotion in grade levels; and 2) determine if a school was “failing” and if it should be closed. As explained in Chapter 1, in the eleven years of his reign over the City’s school system, Mayor Bloomberg has closed 166 schools. He has claimed that these actions have increased accountability---which might be thought of as the fraternal twin of “choice.” To be sure, both accountability and choice were fought for by progressives in the wake of *Brown*, especially when the state did not act to effectively desegregate public schools; and both accountability and choice have been hijacked by the right and re-presented in the form of school vouchers, charter schools, and inter-district choice policies that are void of any calls for equity or a redistribution of resources.

¹¹⁸ Bell, Derrick. 2004. *Silent Covenants: Brown v. Board of Education and the Unfulfilled Hopes for Racial Reform*. Oxford University Press. p. 95

desegregation.¹¹⁹ As I have attempted to trace through this section, *Brown II* provided the legal infrastructure through which choice came to represent a key strategy-- that could be renovated and repurposed—to evade the redistribution of resources that would result if desegregation was carried out.

Yet when education became universally accessible and mandatory, the post-*Brown* realignment required more than a legal infrastructure. It also required an ideological shift, where political and economic questions related to resources were repositioned. Cheryl Harris contends that the framework for this repositioning was found within the way harm was defined by the logic espoused by the Court in *Brown I*. Resting upon an interpretation of Kenneth Clark’s testimony and famous doll study, harm was identified as internally located, or psychological, and segregated schools resulted in the production of Black students *believing* they were inferior and *feeling* inferior. As a result of this definition of harm, Harris argues, the Court failed to recognize the material harm of unequal educations coded by race and constructed through a difference in resources.¹²⁰ *Brown I* and *Brown II* failed to require any redistribution of resources and the systemic production and historical accumulation of racialized material inequalities remained intact.

As I outline in the next section, this definition of harm, as having to do with how people felt and how they believed themselves to be inferior, became central to the ideological production of a new common sense. In particular, this common sense reasoned that in the

¹¹⁹ Bell, Derrick. 2004. *Silent Covenants: Brown v. Board of Education and the Unfulfilled Hopes for Racial Reform*. Oxford University Press. p. 95

¹²⁰ As Harris notes, “*Brown I* held that, parity of resources aside, the evils of state-mandated segregation was the conveyance of a sense of unworthiness and inferiority.” (Harris, Cheryl. 1993. “Whiteness as Property.” *Harvard Law Review* 106(8): 1707-1791. p. 1750)

aftermath of *Brown*, with universal civil rights secured, inequality resulted from the capacity of students and families to make good use of these rights to overcome adversity.

Uday Singh Mehta argues that the nexus of capability, rights, and freedom is central to understanding what he has termed the *exclusionary strategies* inherent to liberalism.¹²¹ According to Mehta, what makes liberalism's claims to universalism unique, when compared to other political theories which also claim to be universal in application, is its invocations of equality. As Mehta outlines, liberalism claims a particular transcendence of race, history, and culture through an appeal to universal human traits or anthropological characteristics: "Central among these anthropological characteristics or foundations for liberal theory are the claims that everyone is naturally free, that they are in the relevant moral aspects equal, and finally that they are rational."¹²² Within this framework, Mehta argues, the contradictions of inequality, within liberal regimes which claim universal equality, are resolved by designating that different groups of people must be endowed with different capacities to be free, equal, and rational.¹²³ While Mehta examines how this formulation justifies the political project of colonialism, as I explore in the next section, his insights about the contradictory relationship between freedom and equality within liberalism can also be extended to understand how, in the post-*Brown* era, the continued production of a tiered citizenship through education has come to be rationalized as resulting from: 1) different capacities of students and their parents to comprehend the value of education; and 2) what has come to be termed "racial isolation."

¹²¹ Mehta, Uday Singh. 1999. *Liberalism and Empire: A Study in Nineteenth Century British Liberal Thought*. University of Chicago Press. p. 60

¹²² Mehta, Uday Singh. 1999. *Liberalism and Empire: A Study in Nineteenth Century British Liberal Thought*. University of Chicago Press. p. 63

¹²³ Mehta, Uday Singh. 1999. *Liberalism and Empire: A Study in Nineteenth Century British Liberal Thought*. University of Chicago Press. p. 63

From Desegregation to Racial Isolation

The usage of the term racial isolation in education literature can be traced back to the 1966 report, *Equality of Educational Opportunity*, often referred to as “The Coleman Report.” According to The Civil Rights Act of 1964, within two years of its passage, a national survey was to be conducted and a report issued to the President and to Congress on the “availability of equal educational opportunities for individuals by reason of race, color, religion, or national origin in public educational institutions at all levels in the United States, its territories and possessions, and the District of Columbia” (Section 402 of the Civil Rights Act of 1964). This requirement was met, and the project was headed by James Coleman. According to the report’s introductory statement, issued by U.S. Commissioner of Education, Harold Howe II:

In carrying out the survey, attention was paid to six racial and ethnic groups: Negroes, American Indians, Oriental Americans, Puerto Ricans living in the continental United States, Mexican Americans, and whites other than Mexican Americans and Puerto Ricans often called "majority" or simply "white." These terms of identification are not used in the anthropological sense, but reflect social categories by which people in the United States identify themselves and are identified by others.¹²⁴

As Howe elaborates, the survey sought to address four key questions: 1) the extent to which the above identified groups are segregated from one another in public schools; 2) the extent to which educational opportunities offered to students of different racial and ethnic groups are equal based on the assessment of a number of determining criteria of “good educational quality” that included physical facilities of schools, programs and curricula, and educational resources including text books; the socio-economic demographics and educational backgrounds

¹²⁴ Coleman, James S. "Equality of educational opportunity." *Integrated Education* 6, no. 5 (1968): 19-28.

of teachers, students, and students' families; and "the attitudes the pupils have toward themselves and their ability to affect their own destinies, as well as their academic aspirations;" 3) the extent to which students' learning is impacted by the above and as measured through standardized achievement tests; and, 4) the relationship between student achievement and the types of schools that they attend.

The study found throughout the South as well as the North and the West, white children and children of color attended different schools, and that the physical conditions of their schools as well as the curricula, programs, and educational background of teachers varied significantly. But the variation was not random. It correlated with race and more particularly, with which racial group was concentrated in schools: in schools where white children were racially concentrated, the schools were better equipped with text books, science labs, and so on. The opposite was true for schools where Black students were racially concentrated. In addition to resources, the authors of the report also examined student performance and academic achievement. Significantly, they found that standardized tests, which were the measure for student achievement, "do not measure intelligence, nor attitudes, nor qualities of character. Furthermore, they are not, nor are they intended to be 'culture free.' Quite the reverse: they are culture bound. What they measure are the skills which are among the most important in our society for getting a good job and moving up to a better one, for full participation in an increasingly technical world."¹²⁵

Given their assessment, the authors identified an "initial deficiency" that particularly characterized the fates of Black students' educational achievement as one that is rooted in their cultures, communities, and families: "Whatever may be the combination of nonschool factors---

¹²⁵ Coleman, James S. "Equality of educational opportunity." *Integrated Education* 6, no. 5 (1968): 19-28. p. 20.

poverty, community attitudes, low educational levels of parents---which put minority students at a disadvantage in verbal and nonverbal skills when they enter the first grade, the fact is the schools have not overcome it."¹²⁶ This analysis is greatly informed by the work of Pierre Bourdieu's concept of social capital, which posits that the intersection of an individual's personal history within a given social structure impacts how different groups of people, organized by race and class and other socially constructed differences, interact with institutions, and vice versa. As such, Bourdieu's theory of social capital argues that social reproduction can occur in the absence of intentionality or culpability. The authors of the Coleman Report thus concluded that while a school's physical resources and conditions made an impact on minority children's achievement levels, more significant was their racial and class isolation:

It appears that the pupil's achievement is strongly related to the educational background and aspirations of other students in the school....Analysis indicates...that children from a given family background, when put in schools of different social composition, will achieve at quite different levels. This effect is again less for white pupils than for any minority group other than Orientals. Thus, if a white pupil from a home that is strongly and effectively supportive of education is put in a school where most pupils do not come from such homes, his achievement will be little different than if he were in a school composed of others like himself. But if a minority pupil from a home without much educational strength is put with schoolmates with strong educational backgrounds, his achievement is likely to increase.¹²⁷

¹²⁶ Coleman, James S. "Equality of educational opportunity." *Integrated Education* 6, no. 5 (1968): 19-28. p. 21.

¹²⁷ Coleman, James S. "Equality of educational opportunity." *Integrated Education* 6, no. 5 (1968): 19-28. p. 22

The Coleman Report, then, reframes the problem of inequality in education as being rooted in the “initial deficiency” that poor children of color start out with: namely, the ways that poverty impacts the cultures—defined as the practices, attitudes and aspirations and values—of their families. This deficiency, they argue, creates a gap in the educational achievement of students delineated by race and class. Further, they argue that this gap, based on social capital, is exacerbated if students of color are surrounded by one another. The report thus claims that the concentration of students of color results in the replication of harm first identified in *Brown I* where students believe less in their own individual worth and ability to control their own destinies. As a result of these beliefs, the authors claim, the educational aspirations and motivations of students of color are greatly impacted. The report thus claimed that the types of schools students of color attended made a greater impact to their achievement levels than did the types of schools attended by white children; and that for students of color, exposure to white students, who arrive with more social capital, would improve their educational achievement levels.

The Coleman report claimed that the problem of racial isolation—not resources—was to blame for the inequalities that persisted in public schools. This shifted the question of resources raised by desegregation movements to social problem of culture and assimilation. Within this framework, integration—which would have been the result of desegregation—became positioned as an end in and of itself. While integrated schools would be the recognizable result of desegregation, the fight against separate and unequal schools had little to do with the osmosis-based effect of integration claimed by the authors of the report. Rather, it had to do with a system of political and economic apartheid that was manifested through policies of social exclusion. Yet by repressing these questions and foregrounding an isolated concept of culture and of social

capital, the authors re-inscribe whiteness as citizenship and Blackness as its aberration. And as I explore in Chapter 5, the ideological repositioning of segregation as resulting from differential capacities and aspirations for excellence delineated by race and class has remained relatively consistent over time. To be sure, the comments made by Richard Khahlenberg, a leading educational policy advocate, in a May 21, 2012 *New York Times* article illustrate the present day thrust of this argument:

While the news media routinely shower attention on high-poverty schools that work, research shows that middle-class schools are 22 times more likely to be high performing than high-poverty schools.

Poor children can learn to high levels, but they are much more likely to do so if they are surrounded by peers with big dreams, a community of parents who are in a position to volunteer in class and know how to hold school officials accountable and talented teachers with high expectations.¹²⁸

Conclusion:

As I have attempted to demonstrate in this chapter, rather than a new predicament, the problems associated with neoliberalism in education can be traced back to a post-*Brown* realignment between the state, the market and the structuring of universal rights as choices. Reframed as such, *Brown* is illuminated as a founding story that is indicative of American exceptionalism and which its continued production relies upon. Yet as Stuart Hall reminds us, “[myths] represent in narrative form the resolution of things, which can't be resolved in real life,” and a closer look at the myths that dominate in a given society reveal the complexity of racism

¹²⁸Kahlenberg, Richard D. “Integrating Rich and Poor Matters Most” *New York Times*, May 21, 2012

therein.”¹²⁹ Indeed, the “myth” of *Brown* narrates the overcoming of persecution through inclusion and provides a palatable discourse through which inequality in education is rationalized against the specter of Jim Crow through the utilization of the “myth of southern exceptionalism.” Moreover, by failing to redistribute resources, *Brown I* and *Brown II*, along with the experiments and legal iterations of choice that followed allowed for the continuance of *whiteness as property* and particularly, of the right to exclude.

As Chandan Reddy observes, amendments are “frames [that] conserve and reactivate the force of their textual bodies, even while displacing the origins of that force and restructuring its appearance, through the bestowal of meaning upon the original body.”¹³⁰ As I have documented in this chapter, choice—as a key principle and logic of reform—in the post-*Brown* era is the amendment to state-sanctioned segregation that fused freedom (defined as individual liberty) with culture. Thus, while the production of a tiered citizenship post-*Brown* was no longer structured by Jim Crow, the continuity of constrained freedom for many is narrated as resulting from the differential capacities to make the most of a freedom with no guarantees. While this chapter has examined the genealogy of choice in education from a historical perspective, the following chapters interrogate what choice means in the contemporary period within the context of the most racially and economically diverse—yet most segregated and unequal—school districts in the nation’s largest school system.

¹²⁹ Hall, Stuart. 2006. The Origin of Cultural Studies. MEDIA EDUCATION FOUNDATION . [www.MEDIAED.org http://www.mediaed.org/assets/products/414/transcript_414.pdf](http://www.mediaed.org/assets/products/414/transcript_414.pdf)

¹³⁰ Reddy, Chandan. 2011. Freedom with Violence: Race, Sexuality, and the US State. Duke University Press. p 15

Chapter 3: Choice, Limited Permanence, and Unintended Neighbors

Introduction

Tasha, Nicole, Edith, along with other mothers from the Head Start center had organized a community forum to discuss an alternative admissions policy for their District's public schools. The policy that the mothers were advocating, Controlled Choice, was developed in the early 1980s as a way to voluntarily desegregate schools. According to proponents of the plan, Controlled Choice offers a student assignment system that is different from both mandatory assignment plans and from open enrollment plans. As the panelists—who included civil rights lawyers, policy practitioners, and local leaders---explained, specific district-wide criteria (or controls for diversity) are established which each school is required to meet. The controls are based on the “differences” that are understood to make the most difference in a given district, thus making the plan place-specific. Yet as history tells us, almost anything can be used for anything, and much is context dependent especially when it comes to the contradictory history of choice as reform in education. For example, as outlined in the previous chapter, in the post-*Brown* era, Freedom of Choice throughout many Southern states resulted in the development of segregation academies. At the same time, parents---and in particular, mothers----in the North waged fights that focused on increasing choice-as-access as a means of desegregating their schools. Likewise, Controlled Choice has been used by school districts across the country to desegregate their school systems. Yet the policy was also recently lauded by former Washington D.C. public schools Chancellor Michelle Rhee as a way to combat racial isolation and its related “achievement gap.” Thus, while several districts have used Controlled Choice as a policy to facilitate the re-distribution resources among schools, Rhee's recent advocacy stance in favor of Controlled Choice draws heavily upon the Coleman Report's articulation of the harms of racial

isolation. Like their predecessors decades earlier, the mothers from the Head Start center advocated the policy as a way to desegregate their schools by increasing choice-as-access.

The forum was held in the auditorium of PS 33 on a summer evening in June 2012. PS 33 takes up the blocks between 95th and 96th Streets on West End Avenue. The public school sits at what might be considered the middle of New York City's Community School District 3, which runs from 57th to 122nd Street along the west side of Manhattan.

It was a hot evening on a day when school had not been in session, and the air conditioner in the auditorium was not working. A reporter from the *New York Times* had caught wind of the forum. Having arrived with a camera person, the presence of the *Times* reporter made an already-charged atmosphere more so. In the months preceding the forum, the national newspaper had run a handful of articles that drew attention to the race and class inequalities of District 3 schools, and many in attendance were not excited about the prospect of yet another article that indicted the District's schools.

As the panelists' presentations drew to a close, the audience was quick to respond. The first with their hands up voiced concerns about what a Controlled Choice policy would mean for the schools their children attend, and more specifically, for the education of their children. One mother, for example, put it quite simply: "It [desegregation] might be the right thing to do, but why would I sacrifice the educational achievement of my child?" This mother's question speaks to the success, as outlined in the last chapter, of the Coleman Report, to provide an ideological foundation that positions low academic achievement levels associated with low-income students of color as resulting not from the material conditions of their schools, but rather from their limited capacities.

Christine Anechino, the president of the Community Education Council (CEC) for District 3, also spoke that evening. As she put it, in a raised and irritated voice that caused nearly everyone in the auditorium that evening to pause and listen:

We are a *neighborhood* school. We have *community*, and that is one of the things that makes our school strong. This will take away that community... *Who you really need to be fighting is the DOE*, not the District.

Christine's advice about the "DOE" (the New York City Department of Education) references at least one contradiction of choice that this dissertation examines which has to do with the continued relevance of the "myth of southern exceptionalism." As I explore in the previous chapter, dominant portrayals of a Jim Crow South have shaped an imaginary that informs false distinctions between de facto and de jure segregation---distinctions that do not account for the intentional labor involved from various levels and sectors of government to "devise and protect" institutional and structural segregation.¹³¹

According to Christine and many other members of District 3's CEC, the problem of inequality that permeates New York City's public schools could be resolved by more local control. Moreover, a resounding critique made by educational justice advocates of the centralized governance structure of Mayoral Control is that local school boards in New York City (or Community Education Councils as they are now termed) have been stripped of their power. As such, advocates argue that Mayoral Control has significantly reduced local democracy. At the same time, scholars and activists alike have examined the ways that Mayor Michel Bloomberg's expansion of charter schools has furthered inequity in public education. A

¹³¹ Lassiter, Mathew D. "De Jure/De Facto Segregation: The Long Shadow of a National Myth" in Lassiter, Mathew D. and Joseph Crespino (eds.). 2009. *The Myth of Southern Exceptionalism*. Oxford University Press. p. 27

correlating logic has thus emerged that ties together Mayoral Control, a reduction of local democracy, an increase in privatization, and inequality. District 3's CEC has taken a strong stand against charter schools, which have grown largely in the northern section of the District, above 110th Street. In the last two years, the District 3 CEC has even formed a special committee dedicated to fighting charters, and several CEC members have taken public stands against charter schools, which they claim advance inequality through privatizing public education.

However, inequality and segregation in District 3 are not limited to charter schools; and local control in this particular context has translated to the continued construction of a segregated school system¹³² through non-charter public schools. To give more context, for example, Christine's child attends PS 81, a public school located on West 70th street, where Black and Latino students account for 16% of the student body, where 11% of the students receive free or reduced price lunches, and where 3% of the students are English Language Learners (ELLs). As InsideSchools.org reports:

PS 81 is one of the most sought-after schools in the district.... The school boasts big, bright classrooms, a gym with soaring windows, a music room, a wheelchair-accessible playground, two art rooms and a well-equipped library. On our visit the 2nd-grade chorus practiced in the auditorium, accompanied on piano by the music teacher, a Manhattan

¹³² This is, at least in part, due to the fact that one of the powers that the CECs still hold has to do with zoning policies. As we shall see, in the case of segregated district like District 3, the ability to determine zone lines actually makes a significant difference. Further, some CECs have more power than others. That is, in addition to being segregated and unequal, District 3 schools are also populated by a number of public school parents with a great deal of economic and political power. As such, the District 3 CEC has been able to successfully lobby the New York City Department of Education for a number of "requests," that serve the interests of middle income families. These have included, for example and as I explore in greater detail in Chapter 4, the creation of a new public school that would specifically accommodate the overflow of middle-class families from one particular and highly-sought after school (and despite the fact that there were empty seats in nearby schools).

School of Music-trained musician whose daughter was a PS 81 student.The staff is learning to incorporate a wealth of new technology from SMART boards to Flip video cameras. Students present group science projects using document cameras-overhead projectors that do not require transparencies-and use laptops in media class to make graphs, practice typing skills and supplement classroom work.

Many of the facilities and resources cited by InsideSchools.org are made possible by parent contributions to the school, which amount to about half a million dollars annually.¹³³ To be sure, the community that Christine referred to was a particular one that was bounded by race and class.

Nearby is another community, also bounded by race, class, and a public housing project. Nine blocks south, at 61st Street, is P.S. 14, where the student population is comprised 87% Black and Latino children, where 78% of the students receive a free or reduced lunch, and where 8% of the students are English Language Learners. P.S. 14 is known to serve the families of the adjacent public housing unit, the Amsterdam Houses, a small remnant of low-income housing that was built when the surrounding blocks were razed in one of the most famous iterations of Robert Moses' Slum Clearance Project¹³⁴.

¹³³ Spencer, Kyle "Way Beyond Bake Sales: The \$1 Million PTA," New York Times, June 1, 2012. As the article details, "This year, the PTA at P.S. 199 on the Upper West Side spent close to \$100,000 on a science and technology teacher...And in recent years, at P. S. 199, the PTA has financed sundry enrichment classes, automatic toilet flushers and September bedbug detection for every classroom. Last year, the school raised close to \$500,000."

¹³⁴ In a recent round of posts on a popular parenting website, Urbanbaby.com, commentators who identify themselves as parents spoke of the predicament they faced in finding good public schools for their children. As the following comments demonstrate, there is a strong association between families from the Amsterdam Houses (a public housing unit), P.S 14, and educational achievement:

Commentator 1: 14 was screwed by the lousy zoning. Many school zones in Manhattan contain some housing projects and still manage to have decent school. But Amsterdam houses complex is too large and at the beginning it was pretty much what there was for 14. Even as expensive condos rose in the zone, the makeup of the school is such that none of the other residents of the

Yet the particular zone demarcations that have historically ensured that all children of the Amsterdam Houses attend a separate school are understood to simply result in segregated outcomes. Moreover, as the U.S. Supreme Court dictated in *Milliken*, district or county lines that result in segregation are not unconstitutional unless there is a clear and explicit intentional policy that identifies segregation as a said goal.

Within this context, the demand for more local control echoes the post-*Brown* call for states' rights to determine—and evade---desegregation plans. Yet this echo is obscured in the contemporary context, and demands for local control are assumed to be progressive as they position themselves against Bloomberg, against privatization, and against City Hall. Moreover, in New York City, calls for local control also signal the legacy of the movement for community control of schools, which fought for a particular version of local control and choice that was articulated by the movement as a node through which to advance self-determination. While the movement for community control had radical roots in within many communities, and significant overlap with Black and Brown power movements in New York City, the form of struggle through which the movement fought did not, as we shall see, preempt the locally entrenched structures of segregation that characterize District 3.

Indeed, in the context of District 3, more local control has also meant more segregation. As we shall see, the structuring of segregation is not limited to residential zone lines but rather, is facilitated through the District's multivalent policies of choice. Chapter 4 examines the dimensions of these polices in action as parents of different race and class positionalities make

catchment are going to give it a chance. If you are wondering why, hang out by the yard during recess for 15 minutes.]

Commentator 2:...i [sic] know nothing about this issue, but the make-up of the student body is more likely to effect those scores than the school itself...as 81 candidates populate 14, the scores at 14 would likely go up... <http://www.urbanbaby.com/topics/51827216>

situated rights claims to public schools. This chapter, however, provides the reader with an understanding for context in which these rights claims are made and how, within District 3, the “problem” of charter schools has come to represent a local and contemporary articulation of the “myth of southern exceptionalism” which posits that inequality and continued segregation in public education results from the private realm, and not from the public.

Community School District 3

District 3 is the size of many county districts across the country, with a total student population of 22,087 and a K-5 elementary school population of 8,850. With gentrification, the District’s population has significantly changed over the past decade, but still remains made up of a majority Black and Latino and low-income students¹³⁵. Unlike many school districts in New York City, District 3 also has a sizable portion of white and middle class students who subscribe to the public schools. As such, District 3 is the most racially and economically diverse districts in New York City. It is also the most segregated and unequal. As we shall see in the chapters that follow, inequality is appended to segregation not because of racial isolation per say¹³⁶. Indeed, as

¹³⁵ Poverty and income levels are based the number of students who receive free or reduced lunch. However, to receive free or reduced lunch you have to fill out a form, and many families do not end up filling out this form for a number of reasons. Specifically the District’s total public school population has shifted in following ways: In 2003 38% of its students were Black; 36% Latino; 20% White and 5% Asian (with 64% of its students receiving free/reduced lunch). In 2010 is 29% were Black; 36% Latino; 27% White; and 7% Asian (with 53% of its students receiving free/reduced lunch). The shifts in numbers can be attributed to two primary factors: 1) an increase in the number of middle class and white families attending public schools; and 2) an increase in the number of charter schools in the northern section of District 3 that primarily serve Black children (charter schools are not reflected in the District’s Profile). Data is from New York State District Profile Accountability and Overview Reports for years 2005-6; 2007-8; and 2010-11.

¹³⁶ Indeed, as outlined in the previous chapter, the term racial isolation can be traced back to the 1966 Coleman Report, which argued that the post-Brown continuance of unequal educational outcomes delineated by race had to do with the inability of poor students of color to learn together. Specifically, the authors of the report argued, that poor students of color who are surrounded by one another suffer from curtailed aspirations and a lack of social capital. These

the table below illustrates, the racial separation of students is accompanied by a concentration of economic wealth that is re-circulated throughout particular schools in the form of assistant teachers, enrichment programs, technology, tutorial services, and more. As might be expected, these additions contribute significantly to students' learning environment and academic performance.

factors, the report cites, were of greater influence in the shaping of students' educational outcomes than were the resources, facilities, quality of teachers, or curriculum at a given school.

Table 1: Overview of District 3 Non-Charter Elementary Schools¹³⁷

School (2010-2011)	% White	% Black	% Latino	% Asian	% Other	% Low-income	% English Language Learners
81	72	4	12	11	1	11	3
15	67	10	16	7		12	3
89	53	16	25	6	1	24	2
77	3	30	65	2	2	92	22
11	1	75	21	2	1	81	9
48	28	22	45	5	0	55	10
54	6	18	72	3	1	79	22
98	51	14	26	9	0	35	6
25	3	72	23	2	1	78	8
22	1	63	35	1	1	87	16
14	7	39	48	6	0	78	8
605	0	67	30	2	0	87	14
301	60	13	13	15	0	18	2
33	15	26	53	5	0	68	16
52	1	81	17	0	0	93	8

¹³⁷ Information obtained from New York State District Report Card Accountability and Overview Report 2010-2011.

In 2010, District 3 won an 11.3 million dollar magnet grant, a central objective of which is to reduce “minority group” or “racial” isolation. Indeed, as the District itself notes in its Federal Magnet Grant Application¹³⁸:

For decades the areas comprising District 3 could be viewed as 2 separate communities, with clear ‘borders’ – the southern section, the Upper West Side, consisting of predominantly white, middle class residents, clamoring for high quality public schools and dedicating their own resources, where necessary, to ensure that they were available at the schools; and the northern section, South Harlem, consisting of predominately minority (Black and Hispanic), financially struggling residents, also seeking high quality public schools, but lacking the resources to have the necessary impact on a large, bureaucratic school system to make this happen. The legacy has been a 2-tiered public school system¹³⁹.

¹³⁸ That the District used this language to obtain federal monies is ironic. Drawing on my own experience as an organizer, the District has (for years) denied the segregated and unequal nature of its public schools. Rather, officials have often claimed that segregation simply results from the lack of information poor parents of color have about schools, their inability to assess quality schools, or their supposed propensity to be intimidated by institutions outside of their realm of familiar or outside of their neighborhood.

¹³⁹ Eight schools were included in the magnet grant and targeted for integration efforts; seven are elementary school and one is a middle school. As part of the magnet grant, each year for a period of three years, a number of magnet seats are set aside each school included in the grant. All of the schools included in the grant, with the exception of one, PS 15, are located above 100th Street and have high percentages of low-income students of color, English Language Learners, and Special Needs students. Unlike the others schools included in the grant, PS 15 (which is located o 78th Street) has too few students of color as well as a declining rate of students who receive free or reduced lunch. According to the grant: PS 15 is the proposed magnet higher performing school. This school will maximize the opportunity for students in PS 77 and PS 117 (the low-performing schools) to attend a higher performing. Between the 2005-2006 and 2010-2011 school years, the percentage of students of color at PS 15 shrunk from 54% (which was still on the low end) to 33%; and the free/reduced lunch students also shrunk during this time period, from 49% to 12%.

In addition to being segregated, District 3 is also among the schools districts in New York City that provides the most choice, or options for public school parents as to where they might send their children to elementary school. There are 29 elementary schools in District 3, which break down in terms of programs as follows.

- PS 216 (West 77th Street): City-wide gifted and talented program, for children who test at the 97th percentile or above on the gifted and talented test
- PS 20 (West 84th Street): Gifted and talented program and general education
- PS 98 (West 89th Street): Gifted and talented and general education
- PS 33 (West End Avenue at 96th Street): Dual language and general education programs
- PS 42 (West 92nd Street): Spanish Dual language, French Dual language, and general education programs
- PS 15 (West 78th Street): Spanish Dual language, Magnet, and general education programs
- PS 77 (West 105th Street): Magnet and general education programs
- PS 52 (West 121st Street): General education program
- PS 180 (West 120th Street): General education program
- PS 185 (West 112th Street): Magnet and general education program [co-located with Harlem Access Charter School]
- PS 14 (West 61st Street): Magnet and general education programs

P.S. 15 was included as a “feeder” school, the implied logic being that families who would normally subscribe to the school would make the choice to go elsewhere, if seats were opened up, and if the quality of programs in other schools improved; and the open seats would then be filled with low-income students and students of color who are over concentrated in other schools, including the other magnet schools. (Community School District 3 Federal Magnet Grant Application)

- PS 81 (West 70th Street): General education program
- PS 605 (West 111th Street): Magnet and general education programs
- PS 301 (West 77th Street): General education program
- PS 512 (West end Avenue at 61st Street): General education program
- PS 89 (West 93rd Street): District-wide choice program
- PS 66 (West 67th Street): Special Music for “musically gifted children”
- PS 48 (West 97th Street): Gifted and Talented, Spanish dual language, and general education programs
- PS 54 (West 109th Street): Gifted and Talented, Spanish dual language, and general education programs
- Harlem Access Charter School (West 112th Street): General education
- French Academy Charter School (West 120th Street): French dual language
- High Dreams Charter School (West 115th Street): General education
- Tomorrow’s Hope Charter School (West 122nd Street): General education [co-located PS 27]
- Uptown Academy 1 Charter School (West 118th Street): General education [co-located with PS 11]
- Uptown Academy 4 Charter School (West 113th Street): General education [co-located with PS 117]
- Uptown Success (West 84th Street): Charter School
- PS 11 (West 117th Street): General education program [co-located with Uptown Academy 1)

- PS 117 (West 113th Street): Magnet and general education programs [co-located with Uptown Academy 4]
- PS 27 (West 122nd Street): Magnet and general education programs [co-located with Tomorrow's Hope Charter School]

As such, seats are not uniformly administered through any single criteria. Rather, each school and each program within a school develops its own particular criteria for admissions. Thus, while a popular and important critique of charter schools is that they are not bound by a public charter to equally serve all students in the surrounding area, the same it appears, is true for choice programs. Choice programs in District 3 include dual language programs, Gifted and Talented programs, Magnet School, District-wide choice programs (meaning that none of their seats are allocated through catchment/residential zones), charter schools, and general education programs. While admission to gifted and talented programs is determined by a standardized testing instrument, criteria for admission to the other schools and programs within schools are determined by each individual school. Further, within the system of choice that operates in District 3, families are not always guaranteed admission to their zoned school. Rather, all families are required to sign up for and attend a school tour and submit an application along with appropriate documentation before the March 1 deadline. After that, they join other families as they anxiously await a letter that will arrive at the beginning of April from the New York City Department of Education.

But this sense of anxious waiting was not always the case in District 3. As I explore in the next chapter, for years, a number of the District's schools were under subscribed, and at least 50% of entering Kindergarten seats were not filled by zoned children. They were filled based on admissions decisions made by individual school administrators. Over the last number of years,

and specifically in the wake of the financial crisis, there has been an in-pouring of families who had previously opted-out of public schools.

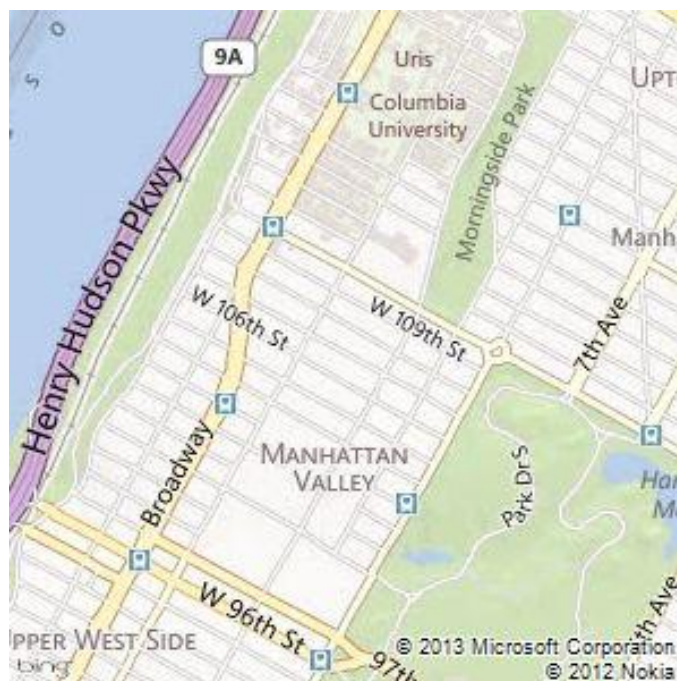
This migration has been particularly pronounced in one neighborhood of the District: Manhattan Valley. As such, the choice policies of District 3 coupled with the re-investment from middle class and predominately white families has resulted in new and unexpected contestations over who public schools will serve and prioritize. As we shall see, some history of Manhattan Valley is important to understanding the shape and form that these contestations take; also central to the story of these particular contestations---and what they represent----is understanding the predicament posed by the area's large public housing stock.

Manhattan Valley

Manhattan Valley is a neighborhood that encompasses a small stretch of land in Upper Manhattan between Broadway and Central Park, from 96th Street to 110th Street¹⁴⁰.

¹⁴⁰ Further, according to a New York Times article, "Geographically and conceptually, the Upper West Side splits at 96th Street. That's where the subway lines branch and where traffic gets on and off the Henry Hudson Parkway. The land dips into a little valley near the Hudson River, at what used to be called Stryker's Bay. The area's reputation dips, too. Just a few years ago, the streets were filled with vagrants, panhandlers, drug dealers and peddlers. There is still an east-west barrier created by Broadway, with areas to the east decidedly more commercial and downscale than those to the west. On the west side of Amsterdam Avenue between 100th and 101st Street there is a 158-unit, 20-story public housing building." Cohen, Joyce, "A Family Enclave that Some call SoCo," *New York Times*, March 23, 1997.

Figure 1: Manhattan Valley



Sandwiched between the Upper West Side and Harlem, Manhattan Valley could be described as a liminal neighborhood, and a place where borders are less defined by street blocks than by people. Once a working class neighborhood, Manhattan Valley was comprised of low-income Latino (largely Puerto Rican, and later Dominican), African American, Haitian, and white residents. With the exception of the latter, significant portions of these communities still remain, and have also been joined by low-income immigrants from Mexico, Ecuador, and Bangladesh¹⁴¹.

The area was once referred to as the Bloomingdale District, a name that referenced the Dutch town of Bloemendaal which means “valley of flowers.” Originally land of the Lenape people, Manhattan Valley and the Upper West Side were slow to develop, even after Broadway (originally called Bloomingdale Road, and then the Boulevard) was built from 23rd to 114th

¹⁴¹ Additionally, north of 110th street there is a large and growing community of French-speaking African immigrants (a fact that gains greater relevance in the next chapter, which examines the development of an almost exclusively middle class and white French dual-language program.)

Streets. Beginning in the 1800s, the area became known for the Bloomingdale Insane Asylum and began being referred to as the Bloomingdale District. Towards the end of the 1880s, more charity-based institutions were opened in the area, including Leake and Watts Orphan Asylum, the Hebrew Home for the Aged, and the Catholic Old Age Home and the Home for Aged Indigent Respectable Females. During this time the two main avenues, Columbus and Amsterdam, were largely comprised of tenement apartments. While few refer to the area as Bloomingdale anymore, the local public library on 104th Street is still called the Bloomingdale Public Library, the local head start center is named the Bloomingdale Family Head Start Program, a public school for “musically gifted” children on 108th Street is still named the Bloomingdale Music School, and P.S 77 on 105th Street also still has the name “Bloomingdale School” written in large letters outside of its building¹⁴².

According to historian Gilbert Tauber, the naming of Manhattan Valley can be attributed to reports issued by the City in the 1970s that detailed crime and poverty in the area¹⁴³. For some, the name Manhattan Valley links too closely this history, qualified by poor and working class communities, high crime rates, drugs, and abandoned buildings. As Ida Susser observes, it was also during this time that the development of what Manuel Castells has termed an “urban ideology” was constructed in direct relationship to the development of the suburbs, white flight, and an imaginary that portrayed the “inner city” as a place where social problems were rampant. As such, the cities like New York and neighborhoods like Manhattan Valley became known not

¹⁴² In addition, Strauss Park, the small park that sits in the middle of Broadway at the intersection of 106th Street (a park now strongly associated with the Upper West Side) was once called Bloomingdale Square.

¹⁴³ Albercht, Leslie, “From Bloomingdale to SoHa: One UWS Neighborhood's Quest for a Name” May 1, 2012 <http://www.dnainfo.com/new-york/20120501/upper-west-side-morningside-heights/from-bloomingdale-soha-one-uws-neighborhoods-quest-for-name>

for the political processes of abandonment by the City and State that shaped their production, but as centers of racialized crime and violence¹⁴⁴.

Like many other gentrifying neighborhoods in New York City, real estate developers have attempted to rename the area with acronyms that have included, for example, SOHA (South of Harlem) or SOCO (South of Columbia University). But one of the names have not stuck. It appears that the urban ideology that was associated with the name Manhattan Valley was, perhaps, too strong.

Part of the problem of naming also has to do with the fact that not so many years ago, Manhattan Valley was not so different from what is now called the Upper West Side. As is well documented, the Upper West Side was the testing ground for urban renewal projects in New York City, and the Slum Clearance and Community Development and Redevelopment Program significantly reshaped the area between the 1950s and 1970s¹⁴⁵. The program was part of the federal Housing Act of 1949, which called for the “elimination of slums by using public capital to acquire, demolish, and clear blighted areas.”¹⁴⁶ As such, the Slum Clearance and Community Development and Redevelopment program promoted reinvestment from the private sector through subsidized incentives. More specifically, the program granted eminent domain to local governments along with critical funding as well as tax incentives that covered two-thirds to three-quarters of the costs of land acquisition.¹⁴⁷ While funds were made available to both state

¹⁴⁴ Susser, Ida. 2012. *Norman Street* (Updated Edition). Oxford University Press. p. 8

¹⁴⁵ Between 1950 and 1957, New York City lost over 750,000 white middle class inhabitants to the suburbs.

Dodson, Dan W. 1960. "Family and Agency Equity in Urban Renewal." *Journal of Educational Sociology* Volume 34, Number 4. Pp. 182-189.

¹⁴⁶ Tattenbaum, “Renewal for the 1990s: An Analysis of New York City Redevelopment Programs in Light of Title I of the Housing Act of 1949,” 221.

¹⁴⁷ Tattenbaum, “Renewal for the 1990s: An Analysis of New York City Redevelopment Programs in Light of Title I of the Housing Act of 1949.”

and local governments, in New York State, the majority of federal dollars were allocated to the redevelopment of New York City¹⁴⁸ where Robert Moses headed Mayor William O'Dwyer's Committee on Slum Clearance¹⁴⁹.

Under Moses' leadership, by 1956 ten sites were identified and approved for clearance by the federally run New York City Urban Renewal Authority. The approved sites were targeted for redevelopment that would "eradicate rampant deterioration and to stimulate private investment."¹⁵⁰ Of the ten sites identified, two were located on what is now called the Upper West Side. The most famous site was the African American neighborhood known as San Juan Hill¹⁵¹, which stretched from 59th Street to 66th Street between Amsterdam and West End Avenues, and is now Lincoln Center. The second site targeted by the program was known as Manhattantown, and took up the blocks between 97th to 100th Streets, between Central Park West and Amsterdam Avenue. Like San Juan Hill, the blocks that made up Manhattantown's so-called "slums" were razed and replaced with larger apartments (and fewer) that were intended to appeal to middle class residents¹⁵². And like San Juan Hill, the residents pushed out of Manhattantown

¹⁴⁸ According to Tattenbaum, the by 1957 \$267 million was allocated to New York City while only \$133 was allocated to other areas of New York State. Ibid.

¹⁴⁹ Significant was the way that Moses ran the program. As Tattenbaum notes: In other cities, slum areas were condemned, residents were relocated, buildings were demolished, and vacant lands were turned over to developers. Moses, however, claimed that he could not obtain firm commitments from builders unless the slums were turned over to the developers with the buildings still standing and residents still living there. As a result, Moses allowed the developers to collect rent on occupied buildings, thus undermining incentives to demolish and reconstruct sites quickly." Tattenbaum, "Renewal for the 1990s: An Analysis of New York City Redevelopment Programs in Light of Title I of the Housing Act of 1949," 232

¹⁵⁰ As quoted in Wilson, "Urban Revitalization on the Upper West Side of Manhaattan: An Urban Managerialist Assessment," 38.

¹⁵¹ The name, San Juan Hill invokes the name of an all-Black cavalry unit from the Spanish-American War.

¹⁵² There were 4212 Manhattantown apartments that were demolished. The new buildings only had 2662 units.

were largely African American. According to a New York Times article that documents a reunion of the residents who once inhabited the area prior to its demolition:

From about 1905 until the 1954s, West 98th and 99th Streets constituted a vibrant, predominantly African-American community that was something of a miniature Harlem, with its own Renaissance. Philip A. Payton Jr., a real estate entrepreneur who wanted to end housing segregation, owned or managed most of the buildings on those blocks. The singer Billie Holiday lived there for a time, as did Arthur A. Schomburg...Other residents included the author Rosa Guy and the actor Robert Earl Jones, the father of James Earl Jones¹⁵³.

The apartments that were built in what was once Manhattantown were named Park West Village, and by the late 1980s and early 1990s, the apartments went co-op. To be sure, with the destruction of San Juan Hill and Manhattantown, Moses' vision, of a "reborn west side, marching north from Columbus circle, and eventually spreading over the entire dismal and decayed west side,"¹⁵⁴ was realized with the support of the federal government.

In the years that followed, the Upper West Side continued to undergo processes of major racial and economic transformation.¹⁵⁵ As Ida Susser documents,¹⁵⁶ in New York City between

¹⁵³ Schweber, Nate," "A Community Erased by Slum Clearance," New York Times, October 9, 2011.

¹⁵⁴ Salwen, *Upper West Side Story: A History and Guide*, 274.

¹⁵⁵ A 1969 article appearing in New York Magazine describes the west side as "eastly polygot society that is as ethnically diverse and economically varied as any area in the United States, with the possible exception of Honolulu. It is a neighborhood, or series of neighborhoods where certain recently renovated brownstone blocks have already taken on the hushed tone of affluence, while around the corner young Puerto Rican men, wearing sleeveless underwear and religious medals, spend most of their Saturday's rubbing Simoniz wax into six-year-old automobiles....It is an area that houses, besides many Russian, German, Polish, black and Puerto Rican residents, substantial numbers of Japanese, Chinese, Mexicans, Haitians, Irish, English, Dominicans, Norwegians, Swedes, Czechoslovaks, Austrians, Italians, Canadians and Midwestern Americans." [2].

1960 and 1970, there was a large out-migration of white residents and a large in-migration of communities of color, the majority of who were Black and Latino. At the same time, a number of corporations and industries were steadily moving out side of the City and as a result, there were increasingly fewer jobs. Yet in the wake of the financial crisis of the 1970s part of the concerted recovery effort made by the City was to support the growth of retail and infrastructure of services that would attract a wealthier population. These efforts were relatively successful, and by 1980, the median family income for the Upper West Side rose by \$8,000 annually.¹⁵⁷ Indeed, as Susser notes,

As the United States and the global economy have changed, so too have the streets and housing and the lived experience of New Yorkers. Over the past forty ears, since the 1975 fiscal crisis, New York City has been transformed from a bustling economy dependent on manufacturing to a global center for finance capital and real estate investment (Castells 1989; Sassen 1991; Harvey 2008) Understanding this dramatic shift release clearly that gentrification is not an inevitable fact of urban life (Smith 1990)¹⁵⁸.

Since the 1990s, the Upper West Side has continued to undergo significant waves of gentrification. Real estate investors and historians alike have described this period as a “renaissance,”¹⁵⁹ characterized by the development of a number of luxury buildings and a steady increase in upper-income residents. By 2006, the area accounted for the largest increase in homeownership throughout Manhattan, and 46% of surveyed households registered within the

¹⁵⁶ Susser, Ida. 1982. *Norman Street Poverty and Politics in an Urban Neighborhood*. Oxford University Press.

¹⁵⁷ For example, as Wilson notes, by 1980, the median family income in the neighborhood rose by nearly \$8,000 annually. Wilson, “Urban Revitalization on the Upper West Side of Manhattan: An Urban Managerialist Assessment.”

¹⁵⁸ Susser, Ida. 2012. *Norman Street (Updated Edition)*. Oxford University Press. p. 4

¹⁵⁹ CitiHabitats, “The Upper West Side.”

top quintile of New York City incomes (\$100,552+). Low-income households were either increasingly contained in rent regulated apartment buildings, public housing projects, or home-steaded buildings. Many poor and working class families also migrated out of the neighborhood or outside of the City.¹⁶⁰

Like the Upper West Side, various waves of destruction, re-development, and displacement have also moved through Manhattan Valley, though with a different character and pace. As Tauber, notes, throughout the 1970s and 1980s much of Manhattan Valley become known for crime, drugs, and abandoned buildings. Ceclia, for example, who is now 34 years old, grew up on 106th Street between Columbus Avenue and Amsterdam Avenue. Cecilia still lives in the same building that her mother moved to in 1977, the year that she was born. As she recalls:

There were a lot of burnt down buildings in the late 70s and throughout the '80s...so there was also a massive infiltration of drugs...the streets were lined with crack viles. I mean, you couldn't walk down the street without the crack files crunching under your feet...and, um...a lot of strung out, a lot of strung out people.

Likewise, according to a *New York Times* article from 1990, Leah Schneider, who had lived in Manhattan Valley since 1965 and directed the Manhattan Valley Development Corporation

¹⁶⁰ With the ongoing renewal processes and the rising cost in real estate in Manhattan, most working families and families of color would go down two paths. First, many were forced to search for more affordable situations in the neighborhood or outside of the neighborhood (and further away from the center of the city). Second, longtime residents organized to motivate investment in long-time communities as the foundation of renewal. Although some success was attained, by the end of the 1980s, the city had started rolling back its financial support of these groups, leaving many unable to sustain their efforts to counter gentrification. Wilson, "Urban Revitalization on the Upper West Side of Manhattan: An Urban Managerialist Assessment."

noted that , "Years ago, people wouldn't step foot in Manhattan Valley," Ms. Schneider said. "In the '70s, it looked like the South Bronx."¹⁶¹

Thus, while the 1990s are described as a time of renaissance for the Upper West Side, the “redevelopment” of Manhattan Valley did not occur at the same pace. To be sure, while many long-time community members describe gentrification within the neighborhood as aggressive—especially since the mid-1990s¹⁶²---the gentrification of the area has also taken shape at a slower pace and with a different character when compared to Harlem, its adjacent neighbor to the north. Since the 1990s, as a result of Clinton Administration’s Upper Manhattan Empowerment Zone, big box retailers were granted incentives to set up shop along 125th Street and the city moved independent vendors out; buildings were granted to developers at below market cost with the condition that some units were set aside for middle to low income residents. In Manhattan Valley, however, gentrification was at once occurring, looming, and never quite there. As a 1990 article from the *New York Times* indicates:

For the last 10 years, Manhattan Valley, a quick dip between the Upper West Side and Harlem, from 100th Street to 110th Street and Central Park West to Broadway, has been

¹⁶¹ Nieves, Evelyn, “Manhattan Valley’s Long Awaited Boom Ends Up Just a Fizzle,” *New York Times*, December 25, 1990.

¹⁶² During our interview, Cecelia recalled the first time she fully recognized that gentrification had hit her neighborhood. She had earned a scholarship to attend Barnard College and as part of her studies she was able to participate in a study abroad program. She recalls that upon returning home from being away for a six months, she was struck by the placement of an *Onion* newspaper kiosk:

“The shock I think came...the shock was mid to late ‘90s while I was in college cause yeah, I had the chance to travel in college for like six months and then, when I came back—I’ll never forget this...I remember seeing one of those newspaper, what do you call them? with the *Onion* newspaper. I knew about the *Onion*...so when I saw it on the corner of my block I was like, oh my God, what—what’s this?!---what’s happening here. This is the beginning. This is like the canary in the mine, you know, the *Onion* newspaper---yeah, its like that signaled the beginning of some major transformations to me in ’96 and ’97.”

poised for a revival.... As young professionals began to discover the closest thing to the Upper West Side, real-estate developers murmured phrases like "building boom" and "up and coming area." Meanwhile, long-time residents, mostly Hispanic, worried that an influx of white-collar workers would send rents far beyond their means, and watched warily for signs of gentrification. A bodega would close, a fruit stand would open and hushed, urgent warnings would be issued to watch out for the invading yuppies. But if Manhattan Valley has been a TriBeCa in waiting, then the wait continues.....¹⁶³”

A significant factor in understanding the particularity of gentrification that characterizes Manhattan Valley has to do with the public housing that was built, ironically, as part of the Urban Renewal Projects. As a result, the neighborhood of Manhattan Valley has a significant public housing stock, as the map on the next page illustrates.

¹⁶³ Nieves, Evelyn, “Manhattan Valley’s Long Awaited Boom Ends Up Just a Fizzle,” New York Times, December 25, 1990.

Figure 2: Public Housing in Manhattan Valley 2012



Public Housing included in Figure 2:

- WSUR SITE C 589 Amsterdam Avenue
- WSUR SITE B 74 West 92nd Street
- WSUR SITE A 120 West 94th Street
- WSUR BROWNSTONES 125-143 WEST 93RD STREET
- WSUR BROWNSTONES 22-70 WEST 91ST STREET
- WSUR BROWNSTONES 15-42 WEST 90TH STREET
- WSUR BROWNSTONES 47-51 WEST 89TH STREET
- WISE TOWERS 124-141 WEST 91ST STREET
- WISE TOWERS 111-117 WEST 90TH STREET
- THOMAS APARTMENTS 102 WEST 91ST STREET
- WISE REHAB PROGRAM 48-54 WEST 94TH STREET
- DOUGLASS REHAB 239-251 WEST 103RD STREET
- DOUGLASS REHAB PROGRAM 244 WEST 104TH STREET
- DOUGLASS HOUSES: 17 BUILDINGS + 2 ADDITIONS (100th-104th Streets AMSTERDAM AVENUE-MANHATTAN AVENUE)

- DE HOSTOS APARTMENTS 201-205 WEST 93RD STREET + 690-696 AMSTERDAM AVENUE
- AMSTERDAM HOUSES: 13 BUILDINGS + 1 ADDITION (61st Street – 64th Street, AMSTERDAM AVENUE – WEST END AVENUE)
- 154 WEST 84TH STREET

The most populous and well known of the area's public housing is the Douglas Houses, which span three avenues and four blocks (not including some recent additions that have been made) from Manhattan Avenue to Columbus Avenue to Amsterdam Avenue between 100th and 104th Streets. As such, the Douglas Houses, along with other public housing units, account for a sizable portion of the stretch of land referred to as Manhattan Valley¹⁶⁴.

Nancy is 44 years old and born and raised for most her life in Manhattan Valley. Her mother moved to New York from the Dominican Republic in the 1960s. When Nancy was six years old, she and her mother moved to the Douglas House, where Nancy's mother still remains. As Nancy describes, growing up, she was well aware of the anomaly presented by public housing on the gentrifying Upper West Side:

I guess the other thing about those projects is...I mean, they are like beautifully situated, you know? Like they are close to the train, close to two lines, which is rare---like the projects are always out in the middle of fuck nowhere. They are right next to the park, so I grew up with this incredible view of Central Park, you know [laugh]?they are like,

¹⁶⁴ According to the New York City Housing Authority: "The Frederick Douglass Houses has 17 buildings, 5, 9, 12, 17, 18, and 20-stories tall. The 21.76-acre Manhattan complex contains 2,054 apartments housing some 4,588 residents. Completed May 31, 1958, it is located between West 100th and West 104th Streets, from Manhattan to Amsterdam Avenues. Frederick Douglass Addition is a 16-story building with 135 apartments housing an estimated 306 people. Completed June 30, 1965, the .55-acre Manhattan development is on Amsterdam Avenue between West 102nd and West 103rd Streets. The construction of the Douglas Houses was completed in 1958, the same year that the New York City Planning Commission completed its study on "housing deterioration and social unrest on the West Side."

spacious: I would walk through these like, tree-lined...you know...[laugh]....tree-lined path on my way to and from school and, like I remember I would be like, ‘oh this is---I mean I appreciated it growing up---I appreciated that there was all this space and that there was this big ass great lawn, there was all this grass, and we were super set back from the sidewalk—it felt kind of grand. And I’d be walking home with my member’s only jacket, bouncing my ball [laugh]!

In addition to being appreciative of the space the Douglas Houses offered, they were also indicative, for Nancy, of a “limited permanence,” as she terms it, contained by the boundaries of the projects. As she reflects, the blocks radius that she grew up in has not changed as much. She contrasts this to the other areas of the neighborhood, outside the borders of the Douglas Houses, where she notes that places are “completely unrecognizable....crazy crazy crazy different....and completely another version of itself.”

Yet amidst a neighborhood that is changing---slower than other neighborhoods might be—yet changing every day, within the public housing projects, unlike Cecilia, Nancy is still surrounded by many of the same people:

The part I go back to, which is the projects, doesn’t change so much, so it always feels the same there, more or less...you know what I mean? I’d say 100th to 103rd is not so changed...like 100th to 103rd on Manhattan Avenue is not so different although the people in those buildings are probably different, but physically it doesn’t look so different....Well, cause the populations is still there. Well part of what it is is that the population in the projects is fairly immoveable. Though it too is changing.

Although there’s other parts of the area feel like my neighborhood, really, it’s like the projects, that feels like my neighborhood the most---and that’s where I go, and there’s a

certain amount of it that's still what it is, and yeah, so again, I mean I think there's a certain amount of---it's not like it's protected, it's not like it's [not] constantly in danger and I think now more than ever, although I think it's always been cause there was always those rumors that Trump was going to buy the lawns and that rumor surfaces every five years or so and then there's the reality that NYCHA has sold off projects and again, it's prime real estate—and a lot of it, you know? ----so there's that, but other than that, there's a certain amount of stability in that too, because you know, my mom's neighbors, my mom's floor, it's the same thing the ones who haven't died are still there.....

Thinking about my mom and her neighbors, I feel that there's a lot of people who've been there for a long time, some of those kids go away, some of those kids are still there and are not kids anymore....There's sometimes there's a few generations that are kind of around, but I kind of always see---you know, me and my sisters go and see my mom---we see other people going to see their parents, so there is this sense of like people just don't leave and people who do leave come back—so there's this sense of permanence but only a limited—only a lifetime limited sense of permanence. So it'll be interesting as people kind of die out, what's going to happen. Yeah, there's a lot of old ladies around...I think that's kind of the other thing, that population is really aging, so it'll be interesting to see what happens.

But the people have not yet gone, and the limited permanence remains, for now.

Manhattan Valley is comprised of Census Tracts 185, 187, 189, 191, 193, and 195. According to the 2010 Census, the total population for the area 50,724, which breaks down by race and income as outlined in the tables below:

To be sure, as the following tables and maps indicate, there are still high “pockets” of low-income households in Manhattan Valley. The first map is based on income¹⁶⁵, and the second map is based on educational attainment.¹⁶⁶ Further, as the table below demonstrates, some areas of Manhattan Valley have experienced significant change over the last decades, while other areas have, as Nancy points out, have been less quick to change.

Table 2: Income Manhattan Valley 1970-2000¹⁶⁷

Income (By Percent)				
Census Tract	1970	1980	1990	2000
185				
Under \$10K				7
Under \$12K	34			
Under \$12.5K		19	11	
\$12K-\$15K	15		36	
\$10K-\$25K				16
\$15K-\$25K	38	40		

¹⁶⁵

[http://project.wnyc.org/acs2011/income.html?fb_action_ids=10151723298644688&fb_action_types=og.likes&fb_source=timeline_og&action_object_map={%2210151723298644688%22%3A333931356714332}&action_type_map={%2210151723298644688%22%3A%22og.likes%22}&action_ref_map=\[#12.00/40.7310/-73.9809](http://project.wnyc.org/acs2011/income.html?fb_action_ids=10151723298644688&fb_action_types=og.likes&fb_source=timeline_og&action_object_map={%2210151723298644688%22%3A333931356714332}&action_type_map={%2210151723298644688%22%3A%22og.likes%22}&action_ref_map=[#12.00/40.7310/-73.9809)

¹⁶⁶ <http://visual.ly/educational-attainment-manhattan-new-york-city>

¹⁶⁷ Social Explorer Tables (SE), Census 1970, 1980, 1990, 2000, U.S. Census Bureau and Social Explorer

\$25K-\$50K	11	33	10	27
Between \$50K-\$100K		8	43	31
More than \$100K				27
187				
Under \$10K				11
Under \$12K	60			
Under \$12.5K		50	20	
\$12K-\$15K	8			
\$10K-\$25K				24
\$15K-\$25K	21	28	14	
\$25K-\$50K	8	16	32	21
Between \$50K-\$100K		7	34	29
More than \$100K				27
189				
Under \$10K				27
Under \$12K	81			
Under \$12.5K		65	39	
\$12K-\$15K	8			
\$10K-\$25K				51
\$15K-\$25K	7	28	19	
\$25K-\$50K	2	6	29	24
Between \$50K-\$100K		1	13	17

More than \$100K					8
191					
Under \$10K					9
Under \$12K		59			
Under \$12.5K			47	18	
\$12K-\$15K		12			
\$10K-\$25K					19
\$15K-\$25K		22	32	12	
\$25K-\$50K		6	17	32	23
Between \$50K-\$100K			4	34	33
More than \$100K					26
193					
Under \$10K					22
Under \$12K		84			
Under \$12.5K			71	36	
\$12K-\$15K		7			
\$10K-\$25K					41
\$15K-\$25K		8	22	15	
\$25K-\$50K		1	6	35	24
Between \$50K-\$100K			0	15	26
More than \$100K					9
195					

Under \$10K				12
Under \$12K	67			
Under \$12.5K		51	19	
\$12K-\$15K	9			
\$10K-\$25K				24
\$15K-\$25K	17	29	20	
\$25K-\$50K	8	15	28	20
Between \$50K-\$100K		4	33	29
More than \$100K				27

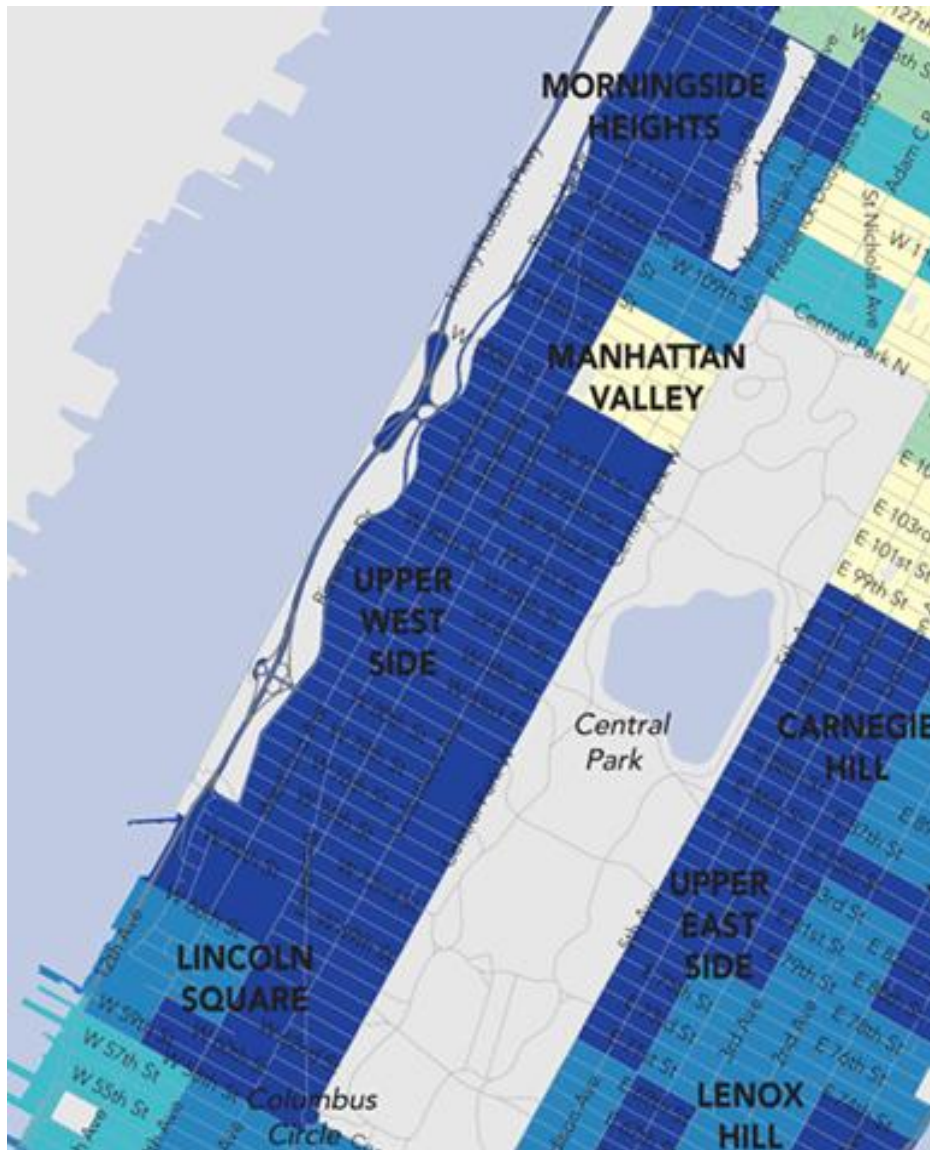
Table 3: Educational Attainment Manhattan Valley 1970-2000¹⁶⁸

Educational Attainment (By Percent)				
Census Tract	1970	1980	1990	2000
185				
Less than High School	7	2	6	3
High School	24	21	12	9
Some College	69	76	43	48
Graduate School			41	40
187				
Less than High School	25	17	15	12
High School	35	25	13	8
Some College	40	59	39	42
Graduate School			34	38
189				
Less than High School	39	33	46	40
High School	44	43	20	19
Some College	41	23	26	30
Graduate School	17		8	11
191				

¹⁶⁸ Social Explorer Tables (SE), Census 1970, 1980, 1990, 2000, U.S. Census Bureau and Social Explorer

Less than High School	24	15	13	13
High School	36	26	11	10
Some College	41	59	42	39
Graduate School			34	38
193				
Less than High School	49	42	35	30
High School	40	43	18	16
Some College	11	16	35	37
Graduate School			12	17
195				
Less than High School	25	20	24	18
High School	34	26	8	8
Some College	41	53	35	35
Graduate School			33	39

Figure 4: Educational Attainment Manhattan Valley 2012



For Nancy's mother, Milagros and her friends and neighbors, part of living with limited permanence means mapping how to survive in a changing place that has been their home. As

Nancy notes, this includes figuring out how to continue to buy food, where to use food stamps or Medicaid in the neighborhood, or identify the food banks and the various days of operation (and go with one another to keep company on line)¹⁶⁹. Another part of the work of daily survival for those who remain involves finding schools that will educate their children, grandchildren, and other young people who they care for. In some ways, Manhattan Valley is indicative of what Brett Williams¹⁷⁰ has termed “stalled gentrification.” As Williams explains,

Gentrification allows ethnographers a rare glimpse of the interplay of class and culture in everyday life. But because dramatic displacement generally follows, we seldom find the chance to observe this process in detail. In the last few years however economic hard times have stalled gentrification, so that people who may not have intended to be neighbors have come to share problematic communities. They bring to these communities different resources, visions of neighborhood, expectations for neighbors, and patterns of everyday interaction.

While Williams was writing in the 1980s, her articulation of un-intentional neighbors and the problems that arise with different understandings of community and differences in resources is applicable to the case of Manhattan Valley, and particularly useful in understanding the contestations that arise over one particular shared resource: public schools.

Conclusion

¹⁶⁹ According to Nancy, the new Whole Foods that opened up on Columbus Avenue and 97th Street takes food stamps, unlike other Whole Foods in the city, “I guess they had to because they had to serve the population in some way...I mean, I know my mom lamented, ‘oh you know the last...cheap supermarkets are gone...but they do take your food stamps even though obviously your food stamps are going to go a lot faster.”

¹⁷⁰ Williams, Brett. 1985 Owing Places and Buying Time: Class, Culture, and Stalled Gentrification. *Journal of Contemporary Ethnography*. 14(3): 251-273 (p. 251)

Much of the literature on public school segregation has focused on the significant race and class stratification that is delineated between urban and suburban boundaries. This scholarship has illuminated the relationship between white flight, the development of the suburbs during the second half of the 20th Century, and the related disparities in resources as well as educational outcomes that result. As such, however, segregated schools have come to be understood as the by-product of segregated communities. Yet as Ansley T. Erickson notes, “the de jure-de facto dichotomy treats segregation in housing as developing independently from segregation in schools and casts schools in a reactive rather than participatory role in making segregation¹⁷¹.” In particular, urban schools have come to be depicted---in popular culture, media portrays, and academic scholarship---as fixed, under-resourced sites filled with Black and Brown youth of the “inner city.” Yet as the case of Manhattan Valley and District 3 demonstrate, in recent years, more middle income families have started subscribing in increased numbers to the public schools, schools which they once avoided and opted out of. Within this context, District 3 school present not the “problem” not of an urban-suburban divide, but rather, a problem of families of diverse economic and racial backgrounds all being in one district together.

After the June forum at PS 33, a series of follow up meetings were held, and heated discussions continued about whether a Controlled Choice policy was necessary for District 3 and what it might mean. At one meeting, held on a cold Saturday afternoon in early January 2013 in an un-occupied classroom of Community Action School on 93rd Street, the question of travel was being discussed. According to many present, if desegregation was to happen, parents and children might have to travel. Many contested that this would be particularly difficult for small

¹⁷¹ Erickson, Ansley T. 2012. “Building Inequality: The Spatial Organization of Schooling in Nashville, Tennessee, after Brown” in *Journal of Urban History*. Volume 38, Number 2. Pp: 247-270 (p. 248)

children. Others argued that many parents already did travel on a regular basis, and that given the infrastructure of the District (with several subway and bus lines) as well as its vertical geography, travel would not pose a great obstacle.

Mark Diller is the president of Community Board 7 and a former PS 15 parent. While many of the middle class parents I interviewed chalked the fact that they housing purchases landed them inside the zone lines of highly sought after schools as luck, Mark was more forthcoming about the impact that school zone lines made on his real estate decisions. As he put it, “I gave up a dining room for the PS 15 zone.” At the January meeting Mark, along with other parents from several sought-after schools, voiced concerns that in addition to creating an unnecessary and aggravating burden for young children, travel would also create untenable financial burdens for low-income families.

Stephanie is a thirty year old African American woman. Her only child, who currently attends the head start center, is getting ready to attend kindergarten next year. Stephanie wants to make sure that her child is not the only Black child in her classroom. She recalls the taunting that she and her sister were subjected to in school, she notes, because the shades of their skin differed from one another. These memories make Stephanie worried for her daughter, who she describes as a much quieter child than she was. At the same time, Stephanie wants to make sure that her daughter is exposed to the diversity that New York City and District 3 offer. As a child, Stephanie attended PS 33, and she wants her daughter to go there too. According to Stephanie, unlike many of the other schools she has visited, PS 33 represents a wide world, a world that she wants her daughter to be part of. But Stephanie is worried. She doesn't live in the zone, and is

concerned that her child might not get in¹⁷². When she first learned that many schools require that a family live within the residential zone of the school, Stephanie's response was quick and certain, "Don't tell me to stay in my neighborhood!"

Like Stephanie, the mothers at the Bloomingdale head start center who I accompanied throughout my research were clear that they also did not want to be "kept" in their neighborhoods, or restricted in terms of the options they might have to find and enroll their children in what they deemed to be good schools. While it's true that they would have to bear the brunt five to ten extra dollars a day in public transportation costs, none of the mothers at the head start center mentioned this as a concern. And when, at group meetings, I mentioned that it might be a consideration that was worth assessing, the sentiment among the mothers was unanimous: they would do what they could to find a good school for their children: if that meant having to riding a bus or a train each morning---and paying for transportation costs---it was worth it.

Moreover, the mothers believed that while cloaked in concern, the comments made by Mark and others about the extraordinary burden that travel would place on low-income parents, was actually just a polite way to avoid the messy alternative of desegregation throughout the District. As Carla, a mother of four whose youngest child attends the head start center puts it, "They like to think they know what's in our pockets."

¹⁷²When Stephanie attended PS 33, this wasn't a problem. So many of the district's schools were under-enrolled that at least fifty percent of incoming Kindergarten classes were comprised of non-zoned children. That is no longer the case. Further, Stephanie is also worried that because she is English-dominant and African American, there is little chance she would get into the Spanish dual-language program, where (as I explore in depth in the next chapter) the seats reserved for English-speakers are comprised of almost all white children. Stephanie wants her child to learn Spanish and there is also the fact that out-of-zone children have a greater chance at being admitted to the school via the Spanish dual-language program.

Carla's comment points to how these two distinct articulations of community—what it is, who is part of it, and the geographies within which it is bound-----are not the result of misinterpreted needs, merely divergent yet equal perspectives espoused by a heterogeneous representation of public school parents, nor are they indicative of plural society in which different perspectives are hashed out. Indeed the differences espoused by these two groups would not be remedied by greater local autonomy nor are they the product of privatization. Rather, they point to the way in which community, as Steven Gregory writes, is “a power-laden field of social relations whose meanings, structures, and frontiers are continually produced, contested, and re-worked in relation to a complex range of sociopolitical attachments and antagonisms¹⁷³.” As such, the new contestations over non-charter public schools in District 3 can be understood as critical sites through which distinct and competing definitions of neighborhood, community, and claims to the *public* unfold. As I explore in the next chapter, these divergent definitions become critical to undergirding the production of a normative cultural logic of inequality in education within District 3.

¹⁷³ Gregory, Steven. 1999. *Black Corona*. Princeton: Princeton University Press. p. 11

Chapter 4: Broken Choices

Introduction

In 2011, two Black mothers, Kelly Williams Bolar and Tanya McDowell, were arrested within months of one another. Both women were charged with felonies of fraud and grand theft for “stealing” the educations of their children. The women did what former *New York Daily News* education reporter, Meredith Kolodner, attests that parents of all backgrounds do regularly: make use of an address where they do not reside full time in order to access a public school that they deem to be desirable. McDowell lived in Connecticut, was homeless, and used the address of a friend. Bolar lived in Ohio, was newly divorced, and working more hours. After her home was broken into, she grew increasingly worried about the safety of her daughters. For almost a decade, she had worked for her local school district as a classroom aide and, with her insider’s knowledge, she believed that her father’s house—which was located in another school district—would give her children access to a better education. Further, as she reflects, using her father’s address could not be easily castigated as a falsehood, as her claim to his address was grounded in the day-to-day practice of inter-generational care that defined her family: “I had taken care of my father and he had taken care of me. I knew that he would be home to look after the girls... This is a family house. I help my father pay the bills, I help mow the lawn, I cook and clean for him. The girls have their own room here, I have my own room here.”¹⁷⁴

In both cases, the local school districts spent months, along with thousands of public tax dollars, investigating the two mothers in order to prove their criminality.¹⁷⁵ And, in both cases,

¹⁷⁴Hing, Julie. “Kelley Williams-Bolar’s Long, Winding Fight to Educate Her Daughters,” *Colorlines*, May 16, 2012.

¹⁷⁵ According to a newscaster on *Good Morning America*, a prosecutors charged that they had caught Bolar “red handed, on video, living in the wrong district.” (*Good Morning America*, January 26 2011) http://www.youtube.com/watch?v=s_gwvE6DkTw. Further, at the time of her

city officials tallied the per pupil yearly cost to estimate a \$15,000 price tag, per child, of “stolen” goods. According to several officials, the rationale for the extensive investigations and prosecutions was simple and urgent: it was necessary to make a public example out of the wrongdoing in order to deter others from doing the same. In response to the controversies raised by the media coverage that both cases received, the Mayor of Norwalk, Richard Moccia, attempted to qualify the charges brought against McDowell, stating, “This is not a poor, picked-upon homeless person. This is an ex-con....She has a checkered past at best ... This woman is not a victim.”¹⁷⁶ School officials also questioned McDowell’s status, stating that there was insufficient evidence to verify her claim of homelessness.¹⁷⁷

Yet these attempts made by city and school officials to shift public sentiment against the two women did not hold, and could not do the ideological work intended. On February 22, 2012, when McDowell was served a five (reduced from twelve) year sentence by the Bridgeport Superior Court, several bloggers referenced the tears, anger, and outrage that they were overcome by when they learned the news; reflexive gestures that are indicative of crises whose productions are exposed. The crisis, in this case, extends beyond the particular school districts that decided that McDowell and Bolar did not belong. Rather, it points to the role that that public

arrest, Bolar was studying to become a teacher. But with the felony charges, her degree---which she was only a few credits shy of receiving---would be null and void, since you can’t teach in a public school with a criminal record.

¹⁷⁶ Leonard, David. “NO WAY OUT: Mother Jailed for 'Stealing' Child's Education,” *Ebony*, March 2, 2011.

¹⁷⁷ School officials also questioned McDowell’s homeless status, stating that there was insufficient evidence to verify her claim. See, for example, Torrance Stephens. “Black Homeless Mother Arrested for Enrolling Her 6-Year-Old in Public School,” *RollingOut.com Digital Urban Voice*, April 27, 2011 <http://rollingout.com/politics/black-homeless-mother-arrested-for-enrolling-her-6-year-old-in-public-school>. According to the federal *McKinney-Vento Act* (1962), public schools are required to serve homeless students and as such, families that claim homeless status are not required to provide documents proving their residence.

education is supposed to play in relationship to citizenship, equality, and democracy in the United States, a relationship that was supposed to be rectified by *Brown v. Board of Education* (1954). The cases of McDowell and Bolar triggered momentary ruptures to how inequality has been understood in relationship to the symbolic bootstraps represented by public education in the United States. Yet every day, parents-- particularly mothers¹⁷⁸ --of different race, class, and education backgrounds also work and struggle to secure “good educations” for their children. And every day, low-income mothers of color, like McDowell and Bolar, and also like the Harlem Nine—a group of mothers who, in 1958 were brought to court for *not* sending their children to school¹⁷⁹ --are all too well aware of the savage inequalities¹⁸⁰ that pervade public schools. Deeply embedded within the stories of these women is the “fatal coupling of difference and power,”¹⁸¹ along with love, as they attempt to fasten the futures of their children.

While all futures are, of course, contingent, some are less secured. A recent study from the Robert Wood Johnson Foundation affirmed what many have known to be true for a very long time: premature death is significantly determined by access to education, which is stratified by race and class.¹⁸² These findings also verify Ruth Wilson Gilmore’s definition of racism as “the

¹⁷⁸ I define mothers as female caretakers of children.

¹⁷⁹ Back, Adina. 2003. Exposing the “Whole Segregation Myth” The Harlem Nine and New York City’s School Desegregation Battles *In Freedom North: Black Freedom Struggles Outside the South, 1940-1980* Jeanne Theoharis and Komozi Woodard, eds. Pp. 65-92. New York: Palgrave Macmillan.

¹⁸⁰ Kozol, Jonathan. 1991. *Savage inequalities : children in America's schools*. New York: Crown Publishers.

¹⁸¹ Hall, Stuart. 1992. Race, culture, and communications: Looking backward and forward at cultural studies. *Rethinking MARXISM*. 5 (1):10–18. Gilmore, Ruth Wilson. 2002. Fatal Couplings of Power and Difference: Notes on Racism and Geography. *Professional Geographer*. 54 (1): 15-24

¹⁸² Tavernise, Sabrina. “Longevity Up in U.S., but Education Creates Disparity, Study Says,” *The New York Times*, April 3, 2012.

state-sanctioned or extralegal production and exploitation of group-differentiated vulnerability to premature death.”¹⁸³ In such a formulation, education becomes representative of life while unequal, or segregated, education becomes representative of differentially valued life.

Proponents as well as critics of school choice would argue that the cases of Bolar and McDowell might be considered anomalies or exceptions to an otherwise equitable system, which *could* increase equity and democratic participation and thereby work for many, if not most. Beginning from this theoretical standpoint, one approach by anthropologists and sociologists, who examine why school choice programs have fallen short of their said goals to advance racial and economic integration, has focused on how parent participation in school selection processes correlates with race and class. For example, Stephen J. Ball and Carol Vincent distinguish between what they term *hot* or *grapevine* knowledge and official or *cold* knowledge.¹⁸⁴ The latter, they note, is information that is made available about schools from websites, brochures, and other forms of public dissemination. *Grapevine* or *hot* knowledge, they write, is essentially what it sounds like: information that is “based on affective responses or direct experience,” or what might otherwise be qualified as gossip or rumors. Ball and Vincent find that middle-class parents utilize both the *hot* and *cold* knowledge more than low-income parents, and, as a result, are able to make more informed choices and obtain greater access to schools. Similarly, Heather K. Olson Beal and Petra Munro Hendry observe that “[n]umerous studies conclude that white, higher-income, and more formally educated parents rely more on social networks, whereas

¹⁸³ Gilmore, Ruth Wilson. 2007. *Golden Gulag: Prisons, Surplus, Crisis, and Opposition in Globalizing California*. University of California Press. p. 28.

¹⁸⁴ Ball, Stephen J. and Vincent, Carol. 1998. ‘I Heard It on the Grapevine’: ‘Hot’ Knowledge and School Choice. *British Journal of Sociology of Education*. 19 (3): 377-400

lower-income and less formally educated parents rely primarily on school-based information.”¹⁸⁵

As such, these scholars argue that inequality in education continues despite choice, and is attributable to the ways that parents are unevenly equipped with information, the differences in their social networks and access to social capital, and how their “savvy-ness” or know-how is contoured by race and income. Inequality in education thus comes to be positioned as the consequence of “bad” or uninformed yet “fair” and democratic choices.

But Bolar and McDowell had done their homework, had researched their options, and had attempted to secure the best educations possible for their children. They were not uninformed. Chapter 2 examined how choice emerged as a key principle of reform and management in the post-*Brown v. Board of Education* (1954) era and provided a palatable discourse through which the avoidance of desegregation has been rationalized against the specter of Jim Crow while simultaneously furthering instead of minimizing inequality. *Chapter 4: Broken Choices* examines what this continuity looks like in the contemporary period. In the sections that follow, I trace how particular narratives—of multiculturalism, community and neighborhood, civic engagement and parental involvement, and integration—which share a common premise of inclusion emerge as parents of diverse backgrounds make situated rights claims to the contingent futures of their children. Within the context of universal rights that are structured as flexible through the principle of choice, these narratives become central to guaranteeing a freedom of a particular kind while simultaneously ensuring the continuity of a tiered citizenship and the production of a *normative cultural logic of inequality*.

¹⁸⁵ Olson Beal, H. K. & Hendry, P. M. 2012. The ironies of school choice: Empowering parents and redefining democracy. *American Journal of Education*, 118 (4): 521-550.

Familiar Stories and Resonant Desires

The Black and Latina working class mothers of Manhattan Valley, who met regularly as they organized to change the conditions of their public schools, would not have found McDowell and Bolar's stories to be uncommon. This was, after all, one of the primary reasons that they came together on a regular basis to meet in a basement community room of Section Eight housing on 104th Street that, with donations of furniture, computers, and children's books, had been transformed into a make-shift office. The women came weekly, and sometimes more often, after work or between shifts (inside or outside of the home) with their kids in tow. The community room was connected to one of several community gardens that dotted the neighborhood of Manhattan Valley, built during the 1980s by low-income residents. As the neighborhood changed, the gardens became more regulated. In the summer, when they could gain access from the local garden association to the locked fence that supposedly kept undesirables away from the green space, the children were able to play outside while the women met. When they couldn't get access to the garden, they propped open the heavy metal swing-hinge door with a folding chair to let in fresh air and catch a glimpse of the trees and flowers outside. Most days, though, the children played in a space in the back, sat on their mother's laps, or ran in the hallways of the building or on the sidewalk corridor outside that separated the community room from the garden. Inside, a picture of Audre Lorde with her arms raised hung on one wall with a quote underneath, "When I dare to be powerful, to use my strength in the service of my vision, then it becomes less and less important whether I am afraid."

When the women congregated, they shared a meal and their stories of trying to gain access to the district's public elementary schools.¹⁸⁶ As Edna, who has worked at a Head Start center in the neighborhood for over twenty-five years often reflects, "stories are like roaches." The point being, if there is one or a few that are told, there are undoubtedly many; and, if you pay attention, you might discover a pattern. To be sure, their stories were not stand-alone experiences of race or class bias nor were they isolated interpretations of gate keeping or gate making. Rather, their stories—being told that a school was "not for them"; being asked for photographs when they tried to register their children in a school; being told that they could not sit by their children (as other mothers in the school did) because too many mothers of children who received free breakfast were supposedly eating their children's food; their children being asked by school officials to verify where they slept at night; and, home visits made by school social workers that were meant to confirm a family's residence (visits that these mothers were certain were not random)—indicated patterns of exclusion.

Having shared their own stories, these mothers wove together elements of their experiences and performed what they called "cafeteria theatre."¹⁸⁷ Witnessing the mothers'

¹⁸⁶ Manhattan valley is part of New York City's Community School District 3, which runs from 57th Street to 122nd Street on the West Side of Manhattan and, encompasses a range of communities differentiated by income, race, and immigration status. District 3 is the size of many county districts across the country; with a total student population of 22,062 and a K-5 elementary school population of 8,850.

¹⁸⁷ This was the group's version of "street theatre," but because they performed it in school cafeterias (along with other locations) they took to calling it "cafeteria theatre." Based on the work of Brazilian artist activist Augusto Boal's theatre of the oppressed methodology, the group developed composite stories from each of their own stories and went out and reenacted them. A central goal to the reenactment of stories is to be able to collectively reflect on instances of injustice, and through the medium of theatre, practice working through what a person or group might do differently in the same situation. In this way, would be audience members participate as what Boal termed spect-actors and rehearse together how they could transform their lived conditions.

stories encouraged other parents to share their own, thus affirming Leslie Marmon Silko's observant warning that stories aren't just entertainment.¹⁸⁸ The women documented and publicized what they identified as the "mechanisms of exclusion"¹⁸⁹ that kept them, along with other low-income and families of color, relegated to certain schools. In response to the increased visibility they were able to bring to the segregated realities of their schools, a special meeting was called by the local Community School District and the New York City Department of Education (NYCDOE) to discuss a uniform admissions policy that was on the table.¹⁹⁰

The meeting was held on a spring evening in 2005 at PS 33, a public elementary school located at 96th street, which had historically been a dividing line between "uptown" and "downtown" schools in the District. The school auditorium was packed. New York City public schools Chancellor Joel Klein was also in attendance. Sections of the auditorium were taken up by parents, mostly mothers, and some schools sat together in blocks. Rows of Brown and Black parents were countered by rows filled with mostly all white parents. Anger and irritation grew increasingly palpable after Klein announced that the "system was inequitable and needed to changed."

Tony is a Puerto Rican parent who served on the District 3 Community Education Council¹⁹¹ at the time. Like McDowell and Bolar, Tony knew well the impact that an education

¹⁸⁸ Silko, Leslie Marmon. 1977. *Ceremony*. New York: Penguin.

¹⁸⁹ Center for Immigrant Families. 2004. *Segregated and Unequal: The Public Elementary Schools of District 3 in New York City*. Self-published.

¹⁹⁰ At the time, due to the large numbers of families who opted-out of public schools, only 50% of elementary school seats were filled by "zoned" children. Assignment to the remaining seats was left to the discretion of school administrators.

¹⁹¹ Community Education Councils (CEC) are Community School Boards reconstituted after the re-centralization of the New York City public schools system in 2002. The CECs are stripped of

could make. Years ago, he missed the chance, by a difference of two points on an entrance exam, to attend Bronx Science High School. He believes that this lost opportunity shaped much of his life. Tony recalls that when it came to his own daughter, he put to work the practices that many did not want to give up, “It wasn’t brain surgery – I did it too – we toured four schools...and I was on the border of Districts 5 and 3, but in 5 --- and I was able to get myself into the District because of the lobbying process.” Tony remembers the meeting that was held at PS 33 as being “hot...very hot...,” and indicative of what he calls the problem of “progressives with limits.” In his book *Amazing Grace*, education scholar activist Jonathan Kozol also notes that the Upper West Side, where civic responsibility and the notion of the public are revered, is a site filled with the contradictions of liberalism when it comes to citizenship and public schools. The notion of “limits” comes in when addressing the question of how the resources of the public might be distributed.¹⁹² As Tony recollects:

The real bottom line of the circumstance was always this – the people who had access to the ‘better’ schools wanted to keep that access....It makes sense if all you are thinking about is your child. There was this one mother [at the meeting]...One parent got up there and said, ‘well we have plenty of diversity at our children’s school’ – they were straight racists, she got up there and said, ‘we have plenty of diversity at my child’s school – I’m from France, we speak French.’---I let her have it --- I was really polite and articulate – I said: *Ma’am, this is New York City – God bless that you are here – but diversity does not mean another white European....*

most rights previously held by Community School Boards, except for the right to determine zone lines.

¹⁹² Kozol, Johnathan. 1995. *Amazing Grace: The Lives of Children and the Conscience of a Nation*. New York: Crown, 1995.

Another mother who got up to speak that evening was visibly pregnant. She declared that she had recently bought a condo in the neighborhood, and that local District policies were not going to determine the fate of her unborn child, nor deny her the right to choose what was best for her child. Like others she sat next to, she had identified the need to make sure that her rights, and those of her (unborn) child, would be protected.

In some ways, this mother was just like her Black and Brown counterparts sitting in other sections of the auditorium. They all wanted the very best for their child, and they all seemed to take very seriously their roles as mothers in supporting their children. Yet for this mother, rights were predicated on access for her child being secured through her recent housing purchase; and this *was* different from the other mothers in the auditorium who came with each other, their stories, and a row full of placards, some of which read: “Education Is A Human Right, Not A Luxury” or “End Segregation Now” or “ALL Children Deserve A Decent Education.”

Fast forward five years, and the group of mothers who had organized together on 104th Street now had children who were entering or soon completing high school. Some, whose children had left the school system already, are grandmothers. Many of them still remain active struggles surrounding the District’s schools. Indeed, as Hilda explains, “We are like a family...We don’t fight *just* for our own children...” But many have also taken up an extra job to make ends meet, have gone to school themselves, or are attending to other family needs that require their time and energy. Meanwhile, the policy for uniform admissions that they won had been done and undone; and, in the same time period, New York City (and the world) had been hit by a devastating and long-reaching financial crisis. Edna, who remains at the Head Start center, reflects, “it is worse now than it was before, when we started.”

What Does Worse Look Like? Going Public at the School Fair

It was a warm Saturday morning in October 2011, and the cafeteria at P.S 54 on 109th Street was bustling. It was the yearly school fair for prospective elementary school parents in District 3 that is, as outlined in the last chapter, the most economically and racially diverse—yet most segregated---school district in the nation’s largest school system. District 3 is also one of the districts in New York City that provides the most choice when it comes to admissions policies for elementary school seats. According to Robin Arinow, who provides private consulting services to parents on how to select a school (public and private) for their child, “This is exactly what makes District 3 unique --- its number of choice programs, and the ability of parents to move beyond their zoned school.”¹

The elementary school fair is designed to provide an opportunity for schools to showcase their programs to prospective families. At the fair, each school had a table or two allocated to them where they had laid out different promotional materials, usually including colorful placards and informational brochures. There were long lines at some tables, while others seemed to lack interested “clienteles.” Unlike most days at P.S 54, a school comprised of 94% students of color and a 79% free and reduced lunch rate,¹⁹³ the parents who filled the cafeteria at the fair were mostly white. More striking, however, was that a number of parents made similar comments as they explained themselves to each other and to school representatives. The refrain that bound their divergent lives together went something like this: these parents were first time public “customers,” some had older children who were attending private schools, and some had their child enrolled in a private pre-K. But one thing was true for many of them---they had not considered public schools before, and they were making a switch.

¹⁹³ New York State School Report Card Accountability and Overview Report 2010-2011

I first met Rebecca, who is white and in her mid-30s in line at the table for PS 15, a highly sought after school in District 3. I later met her at her apartment, in the heart of the Upper West Side of Manhattan, for an interview. Rebecca has two children, the eldest of whom will be entering Kindergarten next year. Reflecting on her experience at the school fair, she recollects, “I had just come here to speak to PS 15. I had no idea that there were all of these other schools that I could also apply to. I had no idea I had so many options.” Rebecca and her husband had recently moved back to the U.S. after spending some time in London. She shares that it was a last minute transfer for her husband’s job that brought them back to New York. When they found out they would be moving, she called her mother, who quickly found them an apartment in the zone for PS 15. Rebecca jokes that her mother should have gone into real estate, as she was able to find them a beautiful duplex that resembles their previous home in London.

When they first moved back, Rebecca and her husband were not decided on public school. After shopping around and interviewing for pre-schools, they had settled on Calhoun, one of the most sought-after private schools in New York City, for their eldest child. Rebecca thinks their chances for admission to Calhoun were bettered because they had a friend on the board. Being close to home was critical for Rebecca, “I refused to leave a ten block radius for my three year old because I thought that was insane.”¹⁹⁴ Her daughter’s first year at Calhoun was rocky. Part of the problem, according to Rebecca, was her child’s teacher, “There are probably three or four good teachers, but for that kind of money I want extraordinary teachers.” In addition to not being happy with the services they were paying for, they had also been impacted by the financial crisis, and as their second child was getting to be pre-school age, they were

¹⁹⁴ During our interview Rebecca noted that “[i]n New York, you either talk about schools or real estate.”

reconsidering if they could sustain \$70,000+/year in tuition fees. After much deliberation, they decided to go public.

The phenomenon of parents who would have otherwise opted for private schools and are making the public school switch is not particular to District 3. As Meredith Kolodner explains, “the numbers jumped city-wide in the years following the financial crisis” as a \$30,000-\$40,000 per pupil cost became increasingly hard for many families to bear. In February 2010, *Bloomberg News* reported that private elementary schools saw a significant decline of 4.4 % and, according to Jack Zarin-Rosenfeld, a spokesman for the NYCDOE, “public schools in the city, the most populous in the U.S., last year had their first increase in enrollment since 2002, mostly in kindergarten.”¹⁹⁵

In District 3, this meant that the number of Kindergarteners increased from 1330 District-wide during the 2005-2006 school year to 1536 for the 2009-2010 school year.¹⁹⁶ But it wasn't

¹⁹⁵ Lorin, Janet Frankston. “Private School Demand Dips as New Yorkers Skip \$30,000 Tuitions,” February 26, 2010.

<http://www.bloomberg.com/apps/news?pid=newsarchive&sid=aWxqqQj3nfXo> Additionally, according to a *Washington Post* article (Schulman, Robin. “The Big Apple’s Little Boom,” *The Washington Post*, March 30, 2008), there has been an increase in the number of white and affluent children in the New York City public school system, and particularly in Manhattan: “The number of children younger than 5 in Manhattan has increased about 30 % since 2000, said William H. Frey, a demographer at the Brookings Institution. The increase is driven by white toddlers, whose numbers have gone up by 60 %, according to the 2000 census and the 2006 American Community Survey, he said. For the first time since the 1960s, young white children outnumber their black or Hispanic counterparts in Manhattan, demographers say. “It's surprising,” Frey said. “It's a selective part of the white population, a lifestyle of people who want to have children and can afford to live in the city.” The article goes on to note, based on an interview with Andrew A. Beveridge, a demographer at Queens College, that the median household income for this group of children was \$280,000 in 2005. Such trends represent a reversal of middle-class flight to the suburbs and, as Beveridge notes, affluent couples are deciding to have children and live in the city.

¹⁹⁶New York State District Report Card Accountability and Overview Report 2005-2006 and 2009-2010. During this same time period the white student population rose by 3% and the students eligible for free and reduced lunch dipped by 4%.

just a bulge in numbers that characterized these years. While a greater investment in public schools may sound like a desirable scenario, it exacerbated a problem: the would-be private school parents were not looking for just any school, they were looking for excellent schools for their children that would justify the shift from private to public. They defined quality in particular ways, and the school choice policies of District 3 facilitated their preferences. As Yael Kalban from the Department of Education's Office of Portfolio Planning explains, "[y]ou see the increase in students and in retention rates right around the same time as the financial crisis..." However, she notes, the increase wasn't across the board at all schools in the District, but at particular schools. Most often, the rise in numbers and greater "demand" was at schools where students scored high on their standardized tests, but not always. Kalban points out that there was a notable avoidance of schools with high percentages of Black and Latino students, free and reduced lunch students, and English Language Learners.

In her study of downtown Philadelphia, Maria Cucchiara¹⁹⁷ explores how such patterns are indicative of more than individual preferences or biases. Rather, Cucchiara's research illuminates how public schools were at the center of urban renewal plans that were driven by public-private partnerships between municipal governments and businesses associations. In particular, she finds that school choice policies were a central component of local initiatives that focused on re-branding certain schools as "neighborhood schools," and by extension, particular urban neighborhoods, to professional and middle-class families. These schools then, she observes, came to be representative of a particular type of urban life,

¹⁹⁷ Cucchiara, Maia. 2008. Re-branding Urban Schools: Urban Revitalization, Social Status, and Marketing Public Schools to the Upper Middle Class. *Journal of Education Policy*. 23 (2): 165–179.

invok(ing) images an idealized, old-fashioned community, where families know other families, walk to and from school, participate in evening and weekend events at the school, and view Grant as the center of neighborhood life. In some ways, this image was reminiscent of a suburban school....¹⁹⁸

Utilizing Miriam Greenberg's concept of *urban imaginary*, which refers to the ways that cultural representations of cities are intentionally produced to work in tandem with global capital and labor needs¹⁹⁹, Cucchiara asserts that the re-branding of Philadelphia's downtown public schools is undergirded by a parallel *academic imaginary*, driven by similar alignments and with similar goals in mind. Critical to the construction of an *academic imaginary*, she finds, is: 1) the ability of the school to create "institutional distance from the rest of the school district"; 2) the ability of the school to claim that it is unique; and 3) the ability of the school to make middle-class parents feel that their voices and participation is valued.

As the following sections demonstrate, similar factors are central to understanding how a tiered citizenship continues to be structured within District 3's public elementary schools as parents of diverse backgrounds make situated rights claims to schools for their children. Yet, as we shall see, segregation and inequality become obscured, as the factors identified by Cucchiara are combined with inclusionary narratives of multiculturalism, community and neighborhood, civic engagement and parental involvement, and integration; and as such, segregated realities come be understood rather as democracy, choice, and rights.

¹⁹⁸ Cucchiara, Maia. 2008. Re-branding Urban Schools: Urban Revitalization, Social Status, and Marketing Public Schools to the Upper Middle Class. *Journal of Education Policy*. 23 (2): 165–179. p. 171.

¹⁹⁹ Greenberg, Miriam. 2008. *Branding New York: How a City in Crisis was Sold to the World*. New York: Routledge.

The Curious Case of PS 42: Multiculturalism, Community, and If You Come, We Will

Build It

Nestled between borders of the working-class, yet rapidly gentrifying, neighborhood of Manhattan Valley and the wealthy Upper West Side, PS 42 is a school that has undergone a transformation in recent years. According to Ana and David, it is PS 42's "up and coming status" that attracted them to the school, which their five year old son, Ricardo, will soon attend. Ana is an academic and from Latin America. David is white, from the U.S., and works as a freelancer. They live on 112th street, far outside of PS 42's zone, in one of the new housing constructions that have come to dot Harlem's gentrification in recent years.²⁰⁰ PS 42 was one of three schools on what they call their "target area" or short list of schools. Ana describes their process of navigating Kindergarten admissions as "swimming through muddy waters and in the dark... You find out bits and pieces from what parents tell you, phone calls, and the luck of getting someone who knows something on the phone." Part of the problem, she notes, is that each school seems to have a different selection process. "I downloaded the application, or what's it called, the brochure, or instruction manual from the DOE—they have numbers with specific people with specific names—and I've called them up and I found that I knew more than some of these people at the DOE."

²⁰⁰ During our interview, David was quick to establish that he and Ana were lucky enough to win a housing lottery for subsidized apartments. He also shared that prior to applying to Kindergarten for their son, they had helped start a part-time co-op pre-school with some of their friends. As David recollects, "So many of our friends had their kids going to private school either a half-day or full day and what I ended up doing with another parent is that we organized a coop pre-school. We hired a teacher. It was great. We kind of started organizing this and we got a few more families...it was a half day program three days a week and we did it for a whole year because we wanted it to be kind of a community thing, kind of grassroots-y. We had input...it was a social thing because it was about being together in the project with other families that we liked and wanted to work out stuff with. So we did it for a while year. It was totally an adventure and lots of hard work and learning—a huge learning curve—but overall, it ended up being really great."

However, according to Luz, who has been a parent at PS 42 for seven years, the school was long-known as the “ghetto school” and parents like David and Ana are indicative of the new topography of the school. Luz has three children, two of whom currently attend the PS 42. She and her partner are long-time union and community organizers; Luz is Chicana and her partner is Black.²⁰¹ Luz recollects that the demographic makeup of the school has changed considerably since her younger child, Rafael, has started at the school:

When Cecilia [the eldest child] first started, the population was overwhelmingly Black and Hispanic. And in fact I think up to not very long ago there was a very racist connotation within the community and it was always termed as the bad school or the ghetto school...I think in many ways a kind of stigma around it...in the last two years its been a complete 180...just to show you in term so the numbers...when Cecilia started school Spanish was predominately the language of all her classmates in the Dual Language program. She was one of a handful of maybe five children who had both Spanish and English spoken at home because they were second generation or third generation or mixed ethnicity. And in comparison to Rafael...there is about five or a handful of children where Spanish is the primary language it’s English as the primary language [at home].....and beyond language it’s definitely class...I would say in Rafael’s class more than a handful have PhDs and are medical surgeons, are CEOs of their private companies, small but albeit private companies. With Cecilia’s [5th grade] class most of

²⁰¹ During our interview Luz noted that coming from working class backgrounds, she and her partner straddle two worlds: the world they have entry into as the result of their own access to education, and the world that shaped them and that continues to shape their extended families. She reflects that these twinned positionalities made them keenly aware of deep-seeded race and class biases of other parents who, assuming that Luz and her partner were solidly middle-class, questioned why deemed the school appropriate for their eldest child back in 2004.

the parents are restaurant workers, house cleaners, home keepers, care takers, and there is just one parent who is getting a Master's now, who is working in education.

Luz's observations about the changing demographics at PS 42 are accurate. The student body at PS 42 shifted rapidly: between 2005 and 2011, the number of students who receive free and reduced lunch dropped by approximately 20% and during the same time period, the number of white students increased by the same percent.²⁰²

According to Luz, key to the transformation of PS 42 has been the school's active recruitment²⁰³ to private pre-schools and particular parent organizations, which resulted in school tours for prospective parents that were standing room only. As *Inside Schools* reports, "Affluent, educated, and super-active parents, who once shied away from the school, are joining forces with a new, experienced, and welcoming administration to make PS 42 a top *neighborhood* school."²⁰⁴ Critical to the school's success in recruiting middle class families was a particular type of flexibility, one that allowed the administration to be responsive to the articulated desires of the new families.²⁰⁵ And, what they desired was a French Dual Language Program.

²⁰² New York State School Report Card Accountability and Overview Report 2005-2006 and 2010-2011.

²⁰³ Recruitment occurs in many different ways, and works to both affirm and deter families. For example, at a 2012 school tour for PS 48---an elementary school in District 3 undergoing similar transitions in demographics as PS 42---the principal declared, "This is not a free lunch school." Her statement, while not accurate (all schools are required to provide free lunch to students who qualify based on income), sent a clear message to the parents who were participating in the tour.

²⁰⁴ School Review: PS 42 The Lillian Weber School from *Inside Schools* (emphasis added) (<http://insideschools.org/elementary/browse/school/125>)

I attended two school tours of PS 42 (January and March 2012) where the principal---along with the parents and teachers who helped lead the tour---also emphasized the "neighborhood" aspect of the school.

²⁰⁵ Further, at a District 3 Community Education Council Business Meeting in December 2009, the principal of PS 42 stated: "Why do the charters get all the hedge funders -- let them come visit my school --- if they want a Yiddish Dual Language program, I'll give them one."

In contrast to traditional bilingual programs that are meant to transition English Language Learners to English,²⁰⁶ dual language programs re-position language learning by encouraging all students to become both linguistically and culturally bi-literate. As Sandra Del Valle²⁰⁷ notes, when dual language programs first started in the 1980s, they revived the vision put forward in the 1960s by groups like the United Bronx Parents.²⁰⁸ District 3 is known for its dual language programs and PS 42 is central to that history: it was the first school in New York City to start one. At PS 42, the Spanish Dual Language program was officially founded in 1984 by Ruth Swinny, a well-known and committed educator in District 3. However, according to Sidney H. Morison, the foundation that led to what became a model Dual Language program began well before 1984, and was rooted in 15 years of struggle by parents and educators:

The years of the late 1960s, which marked my beginnings with the school, were times of great political turmoil during which minority parents all over New York City were demanding community control of schools in the wake of the system's failure to educate their children adequately. They were also years in which Hispanic parents in the city echoed demands by language minorities across the country for bilingual education. At PS 42, a political movement of parents, supported by interested teachers, forced the removal

²⁰⁶ Despite the fact that parents---primarily Puerto Rican in New York City--fought for the language and cultural rights of their children based on a broad vision of social change, the rights they won, which were legislated through the 1968 Bilingual Education Act, qualified bilingual education as “remedial” education. As such, bilingual education was based on a cultural and linguistic deficiency model that conflated conflate English language acquisition and cultural assimilation by encouraging students to move toward being English dominant and lose their mother tongue.

²⁰⁷ Del Valle, Sandra. 1998. Bilingual Education for Puerto Ricans in New York City: From Hope to Compromise. *Harvard Educational Review*. 68 (2): 192-217

²⁰⁸ Former Young Lord, Richie Perez notes that though often overlooked, Bronx United Parents played a central role in the movement for community control. Richie Perez. “A Young Lord Remembers,” May 2000, http://www.virtualboricua.org/Docs/perez_00.htm

of an unsympathetic administration and selected a principal of their choosing, and pressed for education reform that viewed the child as central.²⁰⁹

According to Morrison, the community sought out and drew the attention of an acclaimed education Professor, Lillian Weber, after whom the school is now named. Weber brought a progressive pedagogy to the school that focused on drawing upon students' experiences and languages as "both content and support for their learning."²¹⁰ She also stressed the importance of collaboration across classrooms and amongst teachers, administrators, and parents. "In this context of inclusion, children whose first language was Spanish were encouraged to use it, and by 1970, the school's bi-lingual-bicultural program was established."²¹¹ At PS 42, the Spanish Dual Language program that began in 1995 still continues today.²¹²

The French Dual Language program was started in 2008 as part of promises made about programs that would be built and accommodations that would be made if parents from the private pre-schools considered P.S 95. They came, and it was built; and since then, parents have apparently been voting with their feet. According to a *New York Times* article highlighting the transition that has taken place at the school, "[f]amilies who lived in other districts began to apply, preferring the school on 92nd street between Columbus Avenue and Central Park West to their

²⁰⁹ Morrison, Sidney H.. 1990. A Spanish-English Dual-Language Program in New York City. *Annals of the American Academy of Political Science*. 508 (1): 160-169

²¹⁰ Morrison, Sidney H.. 1990. A Spanish-English Dual-Language Program in New York City. *Annals of the American Academy of Political Science*. 508 (1): 160-169

²¹¹ Morrison, Sidney H.. 1990. A Spanish-English Dual-Language Program in New York City. *Annals of the American Academy of Political Science*. 508 (1): 160-169

²¹² One of the things that made the Spanish Dual Language Program at PS 42 unique for many years since its founding and throughout the 1990s was that its teaching staff was comprised largely of Latino teachers. This is not the case in most dual language or bilingual programs. According to many parents, this allowed for a different quality of teaching, learning, and connection to the community. However, over the past decade, a number of the Latino teachers left the school due to a struggle with a principal who was appointed in 2001 by the District Office, despite protests from parents and teachers.

zoned option. A school that middle class parents once kept their distance from was now attracting them with French and Spanish dual-language classes, after school programs, and an active Parent Teacher Association.”²¹³

But more significant is that the two language programs within PS 42 are strikingly different: the Spanish Dual Language program is still comprised of majority Latino students while students in the French Dual Language are almost all white, and many come from English-speaking homes. This is true despite the significant French-speaking Black immigrant population in the District, and irrespective of the fact that half of the students in dual language programs are supposed to be dominant in the second language that is taught. Parents and school officials I spoke with noted that the two language programs are pitted against one another, with the French program being the favored and more resourced one amongst the two.

Teresa Arboleda is a long-time bilingual education advocate and the current President of the Citywide Commission on English Language Learners. She considers herself a supporter of all dual language programs. After all, she explains, they represent important language and cultural rights that all communities should have. However, as we finished up an interview, she encouraged me to go to the multi-lingual committee meeting happening that night at PS 42. “I’m worried the Spanish program is being short-changed,” she commented. This was also the assessment made by Ana and David on their visits to PS 42:

David: The impression I got was from my perspective, they were putting a high premium on the Dual Language program, but more so the French-English class than the Spanish Dual Language class. It just looked to me off the bat that there was much more resources

²¹³ Phillips., Anna M. “On the Upper West Side, an “F” Parents Won’t Accept,” *The New York Times*, October 14, 2011.

behind this French Dual Language Program, the teachers seemed very experienced and very kind of...I don't know how to describe it, but really quality teachers. When you walked in there was a kind of interaction and teaching style that was very engaging and I just didn't really get the same impression for the Spanish Dual Language Program...

Ana: It turned out that that most or maybe all of the parents that were present during the tour that we did were parents in the French Dual Language Program. So to add to what David said, which was also my impression that the French Program was much stronger, there's a stronger presence of the parents of the French Dual Language kids....

Yet in the midst of the so-called renaissance that PS 42 is going through and the increasing ways that, according to its principal Robin Sundick, the school is responding to “community” needs through the French Dual Language program, the school was issued an “F” on its latest report card. This assessment may not sound surprising to many long-time community members, but it has been particularly troublesome and shocking to many of its newer families. The crux of the problem, according to Sundick as well as several active parents at the school, is that the instrument used to grade schools is based on demographics of income and race.²¹⁴ They believe that this formula doesn't work for schools like PS 42 that are undergoing demographic changes. The school should be graded, they argue, based on who is taking the test, not who is in the school (which would, in this case, would mean finding cohorts for PS 42 that match only its upper grades, which are filled with more Black and Brown students who are the ones that take

²¹⁴ This instrument is a result of the disaggregated data monitoring of the No Child Left Behind Act (2001) which the Bush Administration promised would increase accountability and put an end to the “soft bigotry” of low expectations.

the tests²¹⁵). The only thing to do, according to many, is to wait out the transition, and continue marketing the school to make sure that the F grade does not deter the new families who have been migrating to the school. To be sure, PS 42 is the epitome of a “value added stock,” which, New York City public schools expert Clara Hemphill explains, are “schools that are on the way up, the have not been discovered yet.” As she posits, what makes these hidden finds great is that they will only increase in value and can’t be picked out by test scores alone, since testing doesn’t start until 3rd grade, and the Kindergarten students will not be tested for another three years.²¹⁶

Parent Power, Democratic Rights, and Community

Daniel J. McGrath and Peter J. Kuriloff observe that parental involvement is often framed by policy makers as a method of making schools more accountable to the families and communities that they serve.²¹⁷ Indeed, as Gary Anderson observes, the notion of parental involvement “taps into feelings that run deep in the American psyche. Textbook images of U.S. democracy portray town meetings, voting booths, and the public square, as well as organized struggles in support of women's suffrage, labor, and civil rights.”²¹⁸ The notion of parental involvement, which is increasingly emphasized by education reform policies, appeals to a notion of active citizenship that values democratic participation in everyday life toward the common

²¹⁵ One parent, who is also an author of several books on education and who trains New York City Teaching Fellows, has written a three-part manifesto on this subject which can be accessed here: <http://garyrubinstein.teachforus.org/2011/10/23/the-vindication-of-p-s-95-part-i/>

²¹⁶ February 7, 2012 forum on “How to Apply to Public Elementary School” organized by The New School’s Milano School International Affairs, Management, and Urban Policy and by Inside Schools.

²¹⁷ McGrath, Daniel J. and [Kuriloff](#), Peter J. 1999. They're Going to Tear the Doors Off this Place": Upper-Middle-Class Parent School Involvement and the Educational Opportunities of Other People's Children. *Educational Policy*. 13 (5): 603-629

²¹⁸ Anderson, Gary L. 1998. Toward Authentic Participation: Deconstructing the Discourses of Participatory Reforms in Education. *American Educational Research Journal*. 35(4): 571-603

good of public schools. Moreover, in the case of downtown Philadelphia, Cuccihara finds that the sentiment of “feeling heard,” often articulated as decision-making power, was central to the re-investment by middle class families in the public schools that she studied. Likewise, at PS 42, Luz notes that the new families at the school also brought their own brand of parent activism, which she believes has created an uneven distribution of political power within the school. Luz recalls, for example, that a small group of the new parents decided they would get rid of certain foods at the school—chocolate milk and red meat—that they deemed to be unhealthy. For Luz, who works in the public health field, it’s not so much a question of whether these foods are good or bad. Rather, she believes the instance is indicative of what decision making power looks like, whose voices are valued at the school, and how this aligns with race and class.²¹⁹ As this section demonstrates, in District 3 the notion of parent power and civic participation is intimately tied to class and income and is articulated through parent fundraising endeavors. A recent *New York Times* article focuses on a school that is undergoing similar demographic changes to PS 42. As the article illustrates, a controversy that revolved around the price of a cupcake at a monthly bake sale was indicative of much deeper divides:

[I]n a neighborhood whose median household income leaped to \$60,195 in 2010 from \$34,628 a decade before, the change [in the price of the cupcake] generated unexpected ire, pitting cash-short parents against volunteer bakers, and dividing a flummoxed PTA executive board, where wealthier newcomers to the school serve alongside poorer immigrants who have called the area home for years...“It’s never just about the

²¹⁹ Luz also expresses concern about what will happen to families who rely on their child being fed primarily by meals provided at school, especially if there are not good sources of protein that replace the red meat.

cupcake,” said Jeffrey Henig, a professor of political science and education at Teachers College...“The cupcake is the spark.”²²⁰

When it comes to the nexus of parent power, civic participation, and fundraising, the parent association at PS 15 is legendary in the District. Credited with “running the school,” the parents at PS 15 raise \$500,000 to \$2 million annually. And at a 2012 school tour designed for families zoned to the school, the music program was featured. The music teacher, after having led the students in demonstrating their talents, spoke to the parents:

We are really fortunate here at PS 15, and seem to have an embarrassment of riches...thanks to our parent association, which is *unstoppable*, we have been able to avoid the budget cuts and, unlike most schools, keep our music and art programs...making us one of the few schools in the City to still offer both.

Andres, who taught 3rd grade at PS 15 from 2003 to 2007 also recalls the significant role that parent-fundraising played at the school. As he recollects, parent donations were critical to securing supplies and to reducing the adult-to-student ratio in classrooms:

Andres: When the holidays would come around, you’d get this plush collection of money and gifts...like no joke...just from the families getting together and getting the money to give...I wasn’t even one of the most loved teachers, and I was getting a nice plump sum...at that time, they were floating around \$350,000 to half a million for the PA

²²⁰ Spencer, Kyle. “It’s Never Just About the Cupcake,” *The New York Times*, March 16, 2012.

(parents' association), the conversation was always: we have private school parents who want to save that money, it's so much cheaper for them to keep them happy in this particular public school and make a nice donation...and they did massive fundraising...even then we were experiencing budget cuts...and we would have School Leadership Team meetings where people would think about ways to have funds to hire an extra teacher...

UA: -But that's illegal, right?

Andres: Yeah, so they would support the school aids in Kindergarten...and provide good salaries, health insurance...which is all good, but by doing this they absolved the Department of Education from having something like that in all schools like it should have been...and that money would free up other money in the school for different things --- like having art supplies...

However, PS 15 was not always the center of this particular brand of parent power. Indeed, as Mary, who has taught at PS 15 for 24 years, recounts, the school has changed considerably during the time she has been there. She remembers that when she first started teaching at PS 15, the school was "incredibly diverse," but that now, her classroom has very little diversity and is comprised almost entirely of white and middle class students. Like Andres, she recognizes the difference that this change in the school's student population has made in terms of resources:

If I send a note home saying we need paper towels tomorrow, I will have paper towels from at least three-quarters of the families in my class. I don't have to worry about that. It's amazing in that sense. But there's a lot that as a result of that that's lost. It's lost it

color, in a sense...its lost its diverse thinking...it's lost 'my family does things this way' - --it doesn't have that anymore.

While Mary is not happy about the change in the demographics of her students and their families, and some of her colleagues feel similarly, she knows that others “are happy they are not having to deal with those children, especially the NCLB kids.”²²¹ The lack of diversity, she feels, impacts the children, how she teaches, what she teaches, and what she keeps in her classroom. In the early 1990s, Mary took her class on fieldtrip to the Marcy Housing projects in Brooklyn’s South Williamsburg neighborhood. The class was doing a unit about different schools, and she wanted to demonstrate to her class the diversity of schools in New York City. Today, Mary reflects, she would not take the children in her classroom on a similar fieldtrip, “I wouldn’t even think of doing it because it would almost become a cultural artifact---oh, its how *they* go to school. I don’t have children from housing projects anymore...” Instead, she now works to provide her students with diversity from the books they read, “It’s important to see others who are different from you,” she notes. Mary has also stopped keeping peanut butter and jelly in the classroom, and no more granola bars either. As she recollects, this used to be a necessity, when she taught the 5th grade years ago:

When I taught 5th grade I had a child who came to school late every Monday, every Monday. And I didn’t know why. And he started to lose weight, and I was like, ‘what the hell is going on?’...I didn’t know. And finally I said, ‘Najim, you gotta tell me what’s going on. You’re late every Monday.’ And he went, and got on the bus with his mother and stepsister and they went to visit his stepfather in prison. And I’m like, I wouldn’t

²²¹ “NCLB kids” is a common qualifier used to describe children who utilized the transfer option available to them under the 2001 No Child Left Behind Act (which allowed students from schools that were deemed to be failing to transfer to schools with higher rankings in terms of educational achievement levels).

know that, it doesn't come from my anything I come from in my world. But that's what they did and they had to drive the six or eight hours and so he was coming back late every Sunday night so he got to school late on Monday. And if he didn't get to school on time he didn't have breakfast. I don't know that experience so I had to learn it from the kids in my classroom, and I had to keep breakfast...there wasn't always dinner at home...I knew there was the school lunch...but then I started keeping, you know, granola bars in the drawer for him so we would get a granola bar in the morning...he was hungry so he would take something home with him because I knew if he didn't take something home with him I didn't know if he was going to eat. I don't know that experience and my kids in this class don't know that experience at all....when you're teaching a diverse student population you learn what it's like...I don't live his experience, I can't. But I'm like, okay, you know, I had to keep peanut butter and jelly in the classroom. I had to keep granola bars in the classroom....I don't have to worry about that anymore. We have communal snack. If say we need apples, it's another parent who brings a snack to the class for the week. I wouldn't have been able to do that when I taught 5th grade because I knew that there were families who couldn't bring in snack for everybody.

Yet what PS 15 may have lost in terms of race and class diversity, it seems to have made up in political power. As Mary notes:

He [Mayor Bloomberg] listens to us because our parents vote. When this whole sex scandal thing happened, the Chancellor was here the next day---because our parents vote. If, you know, there is a problem, and parents called---they call, they have no problem calling---and they get answers. Our parents have access to the press and that's another

thing. They'll call the *New York Times* and the *New York Times* will come and check things out. Our parents work *with* the *New York Times*.

The extent of the political power of PS 15 parents was demonstrated in recent years when, in 2010, the surge in their enrollment resulted in the City's longest waitlist—of 125 children—for Kindergarten seats. Despite the fact that other schools in the District didn't experience the same increase in numbers, and that, some schools, according to the NYCDOE, were even under-utilized, an active group of parents on the waitlist decided that the appropriate remedy would be a new school for their children. And so, in the midst of a financial crisis and when the City was closing number of schools, the would-be PS 15 parents were able to lobby the NYCDOE to create a new school for their families. The legend of “parent power” that got the NYCDOE to create a new overflow school that would serve families who were zoned to PS 15 is still referenced today. At a Community Education Council meeting held in April 2012, a parent who was running for an open slot on the council was being orally interviewed. When asked about his involvement in the creation of PS 301, the candidate humbly responded, “I was a voice, just a voice, I only responded to what my daughter needed.”²²²

As such, the ability of a group of middle-income and almost entirely white families to create a separate school for their children has come to be understood and narrated as the consequence not of segregation but rather, of concerned and active parents. Samantha Karl was also one of the founding parents of P.S 301. Samantha has lived in District 3 since 2007. When she and her husband moved into the PS 15 zone from downtown Manhattan, the eldest of their two children was 14 months old. She cites more space, cheaper rents, and the more family

friendly neighborhood as the major factors motivating their move.²²³ I met up with Samantha at Le Pain Quotidien, on 93rd Street and Broadway in the early afternoon of a warm summer in June, after her yoga class. She remembers that as her son grew, she would walk him by the school every day, “I would tell him, that’s going to be your school. And I’m sure everybody else did the same thing.” But the year before her son was supposed to start at PS 15 in September of 2010, Samantha started hearing rumors that there was not going to be enough space for her child at PS 15 in the fall. She started researching private schools, “knowing it would be a stretch for us....The one I liked was extremely hard to get into, and we didn’t have any connections.” After attending informational meetings about the space-squeeze at PS 15, Samantha joined the group of parents who were organizing for a new school. She reflects on what it was like to be part of the inaugural group of parents at PS 301:

I wanted to be part of something new and help create it. It’s been fantastic. We’re happy, very impressed with the principal and the way he puts a lot of thought into everything. Since we were there first, I can’t speak for all the other parents who came after us, but we were encouraged to be part of it because we were the first ones....it was like a small group of people who were creating something together. It felt really important to be involved with. Not many people get to do that.

Samantha believes that this special relationship between PS 15 and PS 301 has been critical to the ability of PS 301 to “hit the ground running.” She explains that two parents at PS 15 who lived outside of the zone were placed on the same wait list as Samantha was when they

²²³ Like many of the parents I spoke to, Samantha was reluctant to make a direct link about where they looked for housing and PS 15’s zone. Similar to Rebecca, Samantha chalks it up to luck. However, Mark Dillard, who is the President of the Upper West Side’s Community Board 7 and also works as a lawyer, was more forthcoming about the school choices that drove his real estate decisions. As he recounted, “I gave up a dining room for the PS 15 zone.”

tried to register their children's siblings. Like Samantha, they accepted offers from PS 301 and they started at the new school in fall 2010, but they also kept their older children at PS 15, and served on both schools' fundraising committees.

[They] brought their fundraising knowledge...they were our fundraising chairs for last year and this year. Without them, I don't know if we would be able to, I mean, we really hit the ground running. They knew what to do and they had done it before. So we had all the things.

Samantha and the other parents who won their overflow school kept fighting. They wanted a zone, and a zone drawn to their desires: close proximity to the school. As one parent who canvassed the neighborhood with flyers encouraging parents to support PS 301's campaign for a zone posited: for the surrounding community, it was a "win win: give us a zone, and your real estate values will go up."²²⁴ The next year, the extension of their struggle was successful. But they did not stop with a zone, the parents of PS 301 also wanted more building space in order to secure the future and growth of their school.²²⁵ The additional building space was secured when the Community Education Council of District 3 determined that West Prep, a middle school that is almost entirely made up of Black and Latino students and where more than

²²⁴ District 3 Community Education Council Meeting, November 2010.

²²⁵ According to Elizabeth Rose, Director of the NYCDOE's Office of Portfolio Planning, a new school may have eventually been needed in District 3, but not at the time that PS 301 was created. (Community District Education Council 3 Minutes for Public Calendar Meeting June 16, 2010). Moreover, PS 301 was co-located in a building that required additional facilities to be created in order to accommodate the increased number of elementary school students. The parents who successfully lobbied for the creation of PS 301 were also successful in getting their additional demands---that the necessary accommodations be made to the building--- met. (Community District Education Council 3 April 30, 2010 Memo Re: G&T Enrollment Issues and the Implementation of PS 301)

half of its student population receives a free lunch, would move almost 40 blocks north to be co-located inside of an elementary school.

The elementary school, PS 77, that West Prep was moved to had just fought off a charter-school co-location. The student population of PS 77 is similar to that of West Prep: it is comprised of almost entirely Black and Latino students, 92% of whom receive a free and reduced lunch. After winning the fight against the charter school's co-location, parents and teachers at PS 77 organized against what they saw as another attempt at a forced co-location their school. Moreover, both West Prep and P.S. 33 were part of the federal magnet grant, and parents and teachers at both schools questioned how the goal of reducing racial isolation would be met if these two schools were co-located in the same building. In several heated CEC meetings held between November 2010 and January 2011, the principals and parents of each school gave speeches that cited the importance of stability and growth to each of their schools and their students. At a the final hearing held in January 2011 in the auditorium of PS 77, the principal and PTA president of the elementary school advocated for their own rights, as a school community, to be given the same chance as PS 301 to grow. After their speeches, the co-location of West Side Academy and PS 77 was formally approved by the CEC, and PS 301 was granted the additional building space. Samantha believes that this turf war²²⁶ was to be expected:

I think that neither of them wanted us there because they wanted the space. And it was made clear at the DOE meetings where the opponents were very very vocal. I think some of the parents at 54 took that personally, like really personally so it wasn't a good start.

But their protecting their school didn't bother me. I mean, we would do the same thing

²²⁶ Moreover, both West Side Academy and P.S. 77 were part of the federal magnet grant, and parents and teachers at both schools questioned how the goal of reducing racial isolation would be met if these two schools were co-located in the same building.

probably. They're just looking out for their own schools just the same as we would.

That's how I saw it, but I don't think many people saw it like that.²²⁷

However, she notes, despite its demands for more space, the school is not growing as it expected and, in fact, there is empty space. The school's Kindergarten and 1st Grade classes for the upcoming school year will be cut from three to two classrooms per grade and currently are only enrolled at twenty children per classroom.²²⁸ As she reflects, "I think someone brought up that the zone is too small or maybe it's too small now but it will be fine later on. There's lots of new buildings, so it's hard to tell."

To be sure, there is a sense of activism, urgency, and "can-do" spirit that informs Samantha's reflections and the actions of the parents with whom she organized. However, what becomes increasingly apparent is that what drives this particular group of parents' own brand of populism is not necessarily the impetus to improve all schools or transform public education as a whole. Rather, their fight appears to be akin to what Alfie Kohn terms the "only my kid complex," which he argues fuels middle-class parental involvement in public schools.²²⁹ This complex, Kohn notes, is particularly insidious, as race and class exclusions are often presented as concern or care, a conundrum that is explored in-depth in the following chapter.

²²⁷ Further, in our interview, Samantha noted that that West Side Academy, because it is a middle school, is not mandated to serve the neighborhood's children exclusively, and that as such, unlike PS 301, it could be located anywhere, "[t]he neighborhood needed an elementary school."

²²⁸ Most elementary schools in District 3 are currently struggling to keep their numbers at the 25 student/classroom Kindergarten cap.

²²⁹ Kohn, Alfie. 1998. Only for My Kid: How Privileged Parents Undermine School Reform. *PHI DELTA KAPPAN*. April: 569 - 577

A Diversity that Serves

During the same time that the parents of PS 301 and PS 15 came together to fight for their children's education, a group of mothers at the Head Start center in District 3, where Edna works, had also started meeting together. In their case, they were worried about their children and about the problems that they might face in accessing schools for their children. Word was that the white population had grown at P.S 54 and that the new principal there—a Latina woman who had gone to the school herself and was fluent in Spanish—had had started addressing the parent body in English without providing interpretation. There were also stories spreading that Black and Latina mothers who lived in the zone were being told that they need not apply to the school. The women reasoned that if this was the case at P.S 54, then who knew what the other schools were doing?²³⁰ As they learned about their rights and about the different schools in the District, they also learned that in 2010, District 3 had won \$11.3 million dollars from a highly competitive magnet grant.²³¹ The purpose of the grant was to reduce the high rate of “racial

²³⁰ This is based on fieldwork notes (October 2011, November 2011 and April 2012) as well as a May 2012 interview with Dorothy Sheppard, the District 3 Family Advocate. Sheppard commented that the current Parent Association president at P.S. 27 has been able to “create a bridge” between the school and Columbia University parents. Part of this bridge involved reinstating a Gifted and Talented Program at P.S. 27.

²³¹ As outlined in Chapter 2, in the wake of the 1974 *Milliken* decision (a 1974 Supreme Court case which held that unless it there was an explicit and intentional policy of segregation, localities were not required to desegregate—even if drawing of zone/county lines resulted in so-called de-facto segregation) and also in response to white resistance that resulted from the mandatory desegregation experiments that were carried out (for example, in Boston), Magnet schools emerged in the 1980s as an alternative method of integration. As Jim Carl notes, magnet schools were created to make public schools more attractive to white parents and thus avoid mandatory student assignment plans. (Carl, Jim. 1994. Choice as National Policy in England and the United States. *Comparative Education Review* 38: 294-322) As such, magnets---which operate as entire schools or as programs within a given school---are designed to be a “pulling” force that attracts families away from their neighborhood or zoned schools based on innovative curriculum as well as choice based assignment policies. Thus, as schools market themselves, and families choose schools outside of their residential area, magnets are supposed to create

isolation”²³² in the District’s elementary schools by creating more choices for families to access schools outside of their residential zones.²³³

The mothers learned about the different magnet schools and the curriculum offered by each school. They also learned PS 15, one of the schools included in the grant, was also the school that got the most money from federal funds received.²³⁴ Most of the mothers were clear that they did not want their children going to PS 15. Sharon, a former Head Start parent who now worked at the center, affirmed their sentiments and shared her own stories of being less than

voluntary incentives that result in desegregation outcomes, or more specifically, the reduction of racial isolation.

²³² As noted in Chapter 2, the use of the term “racial isolation” in education literature can be traced back to the 1966 report, *Equality of Educational Opportunity* (often referred to as the “Coleman Report”), which argued that a major factor in the continuation of race-based inequality of achievement in education had to do with the ways in which poor students of color were isolated and lacked exposure to students with greater cultural capital and higher aspirations (and not a disparity in resources or facilities).

²³³ In District 3, seven elementary schools and one middle school were included in the magnet grant. Much of the work carried out in the name of the magnet grant during its first year of implementation focused on marketing schools, and according to Lainie Leber, Director of New York City Federal Magnet Grant Program, P.S.As in local movie theatres as well as New York City Transit Authority advertisements on local buses would be coming soon. However, Robin Arinow does not believe that the magnet grant will be successful in desegregating the District’s schools: “I’m not sure it’s going to make a difference to tell you the truth. When the original magnets were Gifted and Talented programs, that was attractive families, and some families believed so strongly in it that they were willing to do it versus move to the suburbs. Technology [one theme curriculum theme of the magnet schools] and all that is appealing but not enough to bring white middle class families...I really don’t know if it is enough of a draw if families don’t feel that they are being heard or included in the school.”

²³⁴ According to the District’s Federal Magnet Grant Application, PS 15 receives the largest monetary allocation: \$1,430,745 over a 3 year period. Of the eight schools included in the Magnet Grant, PS 15 is the only school that was identified as a school with too high of a population of white and middle-income students. Ironically, PS 15 was also a magnet school twenty years ago. As Lainie Leber describes it, “Twenty years ago, no one wanted to touch PS 15. It became a magnet school and everything changed...now, parents are dying to get in...The same is going to happen for the other magnet schools.” (February 7, 2012 forum on “How to Apply to Public Elementary School” organized by The New School’s Milano School International Affairs, Management, and Urban Policy and by Inside Schools.)

enthused by what she characterized as the consistent role that her daughter was asked to play as the Black child who diversified birthday parties.

But most were also curious to see what a public school like PS 15 was like on the inside. The mothers were told that there would be a special tour for potential magnet applicants at PS 15. They found this odd. The other magnet schools just told parents to sign up for a regular tour and ask for a separate magnet application if they were interested in the school. Upon finding out about the special magnet tour, Stephanie, one of the mothers at the Head Start center who had herself attended an elementary school in the District commented:

Wait a minute...let me get this straight, because I must not be understanding....They are going to give us a segregated tour?! Well, we can give them what they expect; we can all go there in costume....give them what they expect!

Stephanie didn't make the tour as her daughter was sick with asthma that day, but Edith, Carla, Laura, and Marie did. As they walked around the school on the guided tour, Edith dryly commented that "the Blackest thing in the school was the student's artwork on the walls." Carla was concerned for the fate of a young Black boy, the only child of color in his classroom, who was separated from the rest of the class and sat reading alone. He appeared to be subject to some kind of disciplinary procedure, she surmised. And while the little Black boy sat apart from the class in one classroom, on the other side of the school, the gym was bursting with excitement and play. Students were clustered at different stations where they each did different activities. "You really only see these kinds of resources in private schools," commented Carla. By the time we got to the auditorium for the question and answer session, Laura was definitely interested in sending her child to the school, as was Marie. But the magnet application was confusing. Laura noted that there wasn't anything mentioned about help with the costs of transportation. If they

wanted families from outside the small zone area to come, how were they supposed to accompany their children there without transportation assistance? But more confusing was the fact that PS 15, unlike any of the other magnet schools, had two options that you could apply to: 1) Dual Language Kindergarten; and 2) Dual Language or Monolingual Grades 3-4. After several parents asked questions, the principal, who had appeared for the question and answer session, explained: the school was only seeking Spanish-speaking applicants for the Kindergarten Dual Language program. Apparently, they didn't have enough Spanish-speaking children to make the program work, as the program relies on a certain number of children whose first language is not English. This worked for Laura, but not for Marie (who is from Côte d'Ivoire), or other families in attendance. "I guess I don't have anything for them," Marie mentioned on her way out the door.

Like the French Dual Language program at PS 42, the dual language program at PS 15 is in high-demand by middle class white and English speaking families. Susan, who directs a bilingual pre-school in the District that serves largely middle to upper income families, believes that there is a new attitude among parents towards bilingualism that is part of being a "Manhattan parent":

People think it'll make their kid smarter. They'll do anything that will give their kids a competitive edge, that'll do something for their brain.. And it's the flavor of the month....Right now the Chinese are dominating the economy, at this point in time²³⁵....Every parent wants what is good for their kid, but some conversations are very strange...

²³⁵ A variety of groups--including the Community Education Council, school principals, parents, and private consultants--- have expressed strong interest in having a Mandarin Dual Language program in the District. Part of this inclination, as Susan recognizes, is that Dual Language

Susan's assessment was echoed at a city-wide educational forum for parents on how to choose an elementary school, where Robin Arinow advised that "Dual Language is the new Gifted and Talented...and the commitment from the parent is considered to be on the same level as G and T."²³⁶ The commitment, Arinow says, is more critical than being able to master another language and is demonstrated by being able to find someone to "help with homework: a nanny, a doorman, or a grandparent." The assumption, of course, is that the same class of parents whose children attend Gifted and Talented programs are those who benefit from the labor of global "help" who are there to serve.

Conclusion: Stories Aren't Just Entertainment

But there is another set of actors that often go unnoticed within most discussions of dual language education and diversity: the children in the general education, or monolingual program. In PS 42 the monolingual program is almost entirely made up of Black children. And they go unnoticed for a reason. Unlike the other classrooms, a large sign hung within the smaller monolingual classrooms gives clear instructions. The sign was made up of a large poster board

programs are increasingly positioned as a method to ensure that children are Academicared for a global workforce and have the skills necessary to compete in an increasingly "diverse" world. (Community Education Council District 3 June 20, 2007 Dual Language Resolution, and July 14, 2010 Elementary School Admissions to Dual Language Programs in District 3 Resolution) However, those interested in the creation of the Mandarin program have not been yet been able to push forward their plan for two primary reasons. First, there is a lack of a native-speaking community of families. While there is a small and growing Asian student population, it is not clear how many are Chinese or speakers of Mandarin. Second, a large number of East Asian students in the District are adoptees to white, English-speaking families. There is, however, currently a push in the District to start a Russian Dual Language program based on the expressed desires of 65 families. It is not yet clear what percentage of these families are Russian-speaking or what percentage live in the District.

²³⁶ February 7, 2012 forum on "How to Apply to Public Elementary School" organized by The New School's Milano School International Affairs, Management, and Urban Policy and by Inside Schools.

divided into two sections. On one side was a smiley face under which the words “quiet,” “listening,” and “partner work” were listed. On the other side was a sad, frowning face. The words listed under the second face included: “talking” “not reading” “not listening” “playing” and “eyes on other people’s books.” The students in the monolingual program were doing as the sign said they should. They were working, heads down, barely talking. The Spanish and French classrooms, however, encouraged a different type of engagement from students.²³⁷ In one classroom, children were learning to count numerically in Spanish with music and dance and in other classrooms, children were sitting in circles; you could hear their voices clearly.

Ernest Green, a participant in one of the most famous desegregation efforts, was the first Black student to graduate from Little Rock High School. As he recounts, education was a critical site of struggle because it was a “key instrument of change to changing the rest of American society,” and, he notes, critical to shifting the way that second class citizenship dictated the immediate educations of non-white children and also inscribed tiered futures. Despite the pedagogical silencing of Black children at PS 42 and their erasure, as noted by Edith, at PS 15, the legacy of Black Freedom struggles are alive and well in the District, particularly through the re-occurring character of Dr. King.

Mr. Lopez is the music teacher at PS 42. Each year, on the anniversary of Dr. King’s birth, Mr. Lopez had taught his students about Dr. King and the Civil Rights Movement. Included in his telling of the story is how and why the great leader died. A few years ago though, some of the newer parents at the school raised concerns about his lesson, stating that Mr. Lopez

²³⁷ Field notes January 2012 and March 2012: The Spanish language classroom was colorfully decorated, much larger. The French language classrooms were also larger than the monolingual classrooms and they were well equipped and colorful as well. Unlike the Spanish language classrooms, their aesthetic reflected the program’s newness and had an air of minimalism and color coordination. A strange note, perhaps, but it’s striking when visiting a public school to see classrooms that are decorated differently.

was racist because his lesson cited that that Dr. King was assassinated by a white man, James Earl Ray. In response, Mr. Lopez was reprimanded by the school administration; since then, he just teaches music.

Mr. Lopez's censored story is juxtaposed against the District's telling of Dr. King and his dream. On the occasion of his birthday, almost a year to the day that Kelly Williams Bolar was arrested, students representing the magnet schools of District 3, along with school staff and elected officials, gathered in the auditorium of the Joan of Arc building on 93rd Street for celebration of magnet schools. Lainie Leber welcomed the audience:

The roots of magnet schools are firmly planted in the struggles of the Civil Rights movement. Just as Dr. King dreamed of a world where there would be equal opportunities for all people to excel and reach their greatest possible heights, from the outset, Magnet schools have provided choice and opportunity for students and their families so that they too can reach their greatest possible heights. Like Dr. King, magnet schools wish to create a world where students are valued for the unique qualities they process and diversity is not only welcomed, but sought after...King's legacy of equality, inspiration, and opportunity ring powerfully in the words and voices of our magnet school students. Dr. King's message of dreams, filled with hope and belief in the human spirit is as relevant today as it was years ago. Today, it's about honoring Dr. King, and creating a more caring and just world where the sky is the limit for all.²³⁸

The struggle over which story is told is not just about the particulars of a single history or of one movement. And whether Dr. King was killed by Ray or by other means is not the point (here). Rather, through the District's narration of his legacy, and that of Black Freedom

²³⁸ January 12, 2012, "District 3 Magnet School Students Honor Dr. Martin Luther King Jr."

struggles, equality is situated as guaranteed through the universal expansion of rights as choices and opportunities. No longer constrained through the aberration of Jim Crow, parents are free to ensure that their children are well educated and schools are supposed to celebrate diversity while also manage it. As Dorothy Sheppard, the District 3 Family Advocate reflects:

I've always said that District 3 is a microcosm of the entire city...and that speaks to the question of managing diversity, of managing these different communities, and that's a huge challenge for the city and that's a huge challenge for District 3.

And within the context of District 3's school choice policies and a supposed post-racial democracy, managing diversity, bracketed by difference, comes to be about understanding segregated education as inevitable rather than produced *and* as contingent, we are told, upon the types of choices made by parents. As such, the production of a *normative cultural logic of inequality*—and the continuity of a tiered citizenship—is undergirded by inclusionary and democratic narratives of multiculturalism, community and neighborhood, civic engagement and parental involvement, and integration. And as the case of District 3 demonstrates, the broken choices represented by the case of Bolar and McDowell, and mirrored by the experiences of the mothers from the Head Start center whom I accompanied throughout my research, are far from anomalies or exceptions. Rather, they can better be understood as the consequence of a post-*Brown* realignment between the state, the structuring of rights, and markets—a realignment which is illustrative of what Ruth Wilson Gilmore²³⁹ and Nikhil Pal Singh²⁴⁰ demonstrate in each

²³⁹ Gilmore, Ruth Wilson. 2007. *Golden Gulag: Prisons, Surplus, Crisis, and Opposition in Globalizing California*. University of California Press.

²⁴⁰ Singh, Nikhil Pal. 2005. *Black Is a Country: Race and the Unfinished Struggle for Democracy*. Harvard University Press.

of their own work: the ways that capitalism relies on the continuous production of difference and the consistent racialization of that difference to ascribe differential value to human life.

Chapter 5: Raced and Classed Motherhood and Epistemologies of Care in Forgotten Places

Contrast, if you will, the feelings of hope and joy which thrill the heart of the white other with those which stir the soul of her colored sister. as a mother of the [...oppressed] race clasps to her bosom the babe which she loves as fondly as you do yours, her heart cannot thrill with joyful anticipations for the future. For before her child she sees the thorny path of prejudice and proscriptions which his little feet must tread--She knows that no matter how great his ability or how lofty his ambition, there are comparatively few avocations in which any one of his race may hope to succeed. . . . so rough does the way of her infant appear to many a poor black other that instead of thrilling with the joy which you feel, as you clasp your little one to your breast, she trembles with apprehension and despair.

---Mary Church Terrell, the first president of the National Association of Colored Women, in her address to the 1899 Third National Congress of Mothers²⁴¹

“Too thick, he said. My love was too thick. What he know about it? Who in the world is he willing to die for?” – Toni Morrison, *Beloved*

Introduction

In 1955, one year after *Brown v. Board of Education* (1954), Mamie Till Bradley bade her son Emmett farewell as he departed to Money, Mississippi for what, unbeknownst to them, would be his last journey. Her goodbye to her son was quilted with a mother’s love, and wrapped in warning, "If you have to get on your knees and bow when a white person

²⁴¹ Eileen Boris, *The Power of Motherhood: Black and White Activist Women Redefine the Political*, YALE J. L. & FEMINISM 25, (1989) p. 36

goes past, do it willingly²⁴²." Before Emmett left home, his mother gave him a ring that belonged to his father, who had died fighting for the United States in World War II. And before he left, Emmett gave his mother his watch. Mammie Till Bradley wore her son's watch to his funeral. As she put it, "My pulse timed to Emmett's. Two hearts in sync. For all time²⁴³" In the end, Mamie's wisdom, warning, and worry were not enough to shield Emmett from premature death.

Every day, mothers in District 3 worry about their children. Some might say it is part of the job, or that it comes with the territory, and is the hallmark of a 'good parent.' Indeed, in every single interview that I conducted throughout my 18 months of fieldwork, everyone spoke about the anxiety, worry, and concern brought about by the prospect of admissions process for their young children to Kindergarten in District 3 public schools. Many of the things that parents in District 3 worry about for their children are similar, but a good deal are different. And at closer examination, the origins of what appear to be similar concerns---that might range from wanting one's child to have good self-esteem or wanting them to be safe---elucidate the deep contours of race and class that shape the dimensions of what these concerns mean to different women.

In the last chapter we saw how, in the case of New York City's Community School District 3 and within a context in which universal rights are structured flexibly through the principle of choice, narratives---of multiculturalism, community and neighborhood, civic engagement and parental involvement, and integration--which share a common premise of inclusion, emerged to undergird the production of a *normative cultural logic of inequality*.

²⁴² Bill Maxwell, "Mrs. Mobley lived with the pain of all black mothers," *St. Petersburg Times*, January 12, 2003, SECTION: PERSPECTIVE; Pg. 1D

²⁴³ Smith, Valerie. 2008. "Emmett Till's Ring," *Women's Studies Quarterly*, Vol. 36, No. 1/2.

Rooted in what Uday Singh Mehta has termed liberalism's *strategies of exclusion*, this logic informs how, within a supposed post-racial democracy, segregated and unequal education comes to be understood as inevitable rather than produced, as the consequence of freedom on one hand, and "bad" yet "fair" choices on the other. The rationale being, that if all parents have the same rights, then the problem of inequality must reside in capacities of parents to make appropriate and informed decisions for their children.

While one significant strand of literature on educational equity examines why school choice models have fallen short of their said goals to further economic and racial integration, related scholarship has focused on the role that parenting practices, values, and involvement---or what parents do to support their children's education---play in determining students' academic achievement. A common assumption as well as finding of this literature reasons that there is a strong correlation between academic achievement and parental values and that specifically, the home environments of middle-class parents encourage their children's learning, growth, and development. This literature also argues that middle-class parents bring aspects of their home cultures and parenting practices to their children's schools in the form of parental involvement and thus enhance the larger school environment and overall student achievement levels²⁴⁴. Moreover, several scholars contend that inferior parenting by poor and working class parents result in poor educational outcomes for their children, a correlation which Esther Prins and Blaire Wilson Toso note has perpetuated a "deficit model [which]

²⁴⁴ Prins, Ether and Blaire Willson Toso. 2008. Defining and Measuring Parenting for Educational Success: A Critical Discourse Analysis of the Parent Education Profile. *American Educational Research Journal*. 45 (3): 555-596. p. 563

presumes that poor parenting practices and failure to value education cause both educational underachievement and other social problems²⁴⁵.”

More specifically, the role of mothers has been highlighted by this literature and related social policies which for example, suggest interventions through the development of family literacy and parent education programs. As Prins and Toso note, embedded within these solutions is the portrayal of an “ideal mother who is immersed in supporting her children's education⁵” and one who can be credited with espousing a particular set of values that results in their children's success²⁴⁶. As such, women as mothers and mothers as parents are among the implied protagonists within educational reforms; and the ways they care for their children are circumscribed as both the cause as well as potential solution to inequity.

Yet as Chandan Reddy reminds us in his examination of Kimberly Crenshaw's work on intersectionality, the experiences of women of color---which cannot be reconciled within the liberal national state's legal and institutional accounts of how race or gender are supposed to be remedied--- come to represent a “disorganizing force,” and are often castigated as blind spots or anomalies. As Reddy posits, these intersectional blind spots are never void but full of

²⁴⁵ Prins, Ether and Blaire Willson Toso. 2008. Defining and Measuring Parenting for Educational Success: A Critical Discourse Analysis of the Parent Education Profile. *American Educational Research Journal*. 45 (3): 555-596. p. 563

²⁴⁶ As McGrath and Kuriloff note, “upper-middle-class parents, acting principally through mothers, tend to be more involved than others in the management of their children's school careers... This involvement makes more salient social class and racial differences in parents' own educational attainment and in their knowledge of the workings of schools. Mothers of higher social strata are more likely to select college preparatory classes for their children and have their children placed in higher academic tracks... These parents are more likely than less educated and working-class parents to understand the ramifications of placements in college preparatory tracks for their children's later educational and economic opportunities.” McGrath, D. J., & Kuriloff, P. J. 1999. “They're going to tear the doors off this place”: Upper-middle-class parent school involvement and the educational opportunities of other people's children” *Educational Policy* 13 (5) p. 605

power²⁴⁷. Chapter 5: *Raced and Classed Motherhood and Epistemologies of Care in Forgotten Places* examines how the structural power that anchors the production of these blind spots is obscured within the register of liberalism's *strategies of exclusion*; and how, as a result, poor and working class women of color are eschewed as irrational, non-normative and simultaneously become identified as the foci of power, as problems to be fixed. Specifically, this chapter examines the articulation of this dual-subjectivity in the contemporary period within the context of elementary school choice in District 3. In the sections that follow, I trace how this subjectivity is articulated in dialectical relationship to a heteronormative and middle-class version of motherhood and appropriate care that illustrated by Samantha's story below.

As we learned in the previous chapter, Samantha is a white mother in her early 40s who moved to District 3 with her husband and two children in 2007, when her eldest child was 14 months old. They moved into the zone for PS 15, one of the most sought-after public schools in New York City. Samantha cites more space, cheaper rents, and the more family friendly neighborhood as the major factors motivating their move. As we began our interview, Samantha recalls that as her son grew, she would walk him by PS 15 every day, "I would tell him, that's going to be your school. And I'm sure everybody else did the same thing." But in the wake of the financial crisis, with the pouring in of families who were making a private-to-public school switch, Samantha's child ended up on what would be the longest wait-list for a public school in the nation's largest school system.

Samantha decided to join others in a similar situation. Together, they managed to successfully lobby the New York City Department of Education (NYCDOE)---despite city-

²⁴⁷ Reddy, Chandan. 2011. *Freedom with Violence: Race, Sexuality, and the US State*. Duke University Press.

wide budget cuts as well as the under-utilization of other schools in the district---for a new school that would serve their families. And so, in the midst of a financial crisis and when the City was closing number of schools, the would-be PS 15 parents were able to get the NYCDOE to create a new school for their families. As explored in the previous chapter, the ability of this group of middle-class and almost entirely white families to create a separate school for their children has come to be narrated as the consequence not of segregation but rather, of concerned and active parents.

A founding parent of the new school, Samantha explains some of her concerns as a parent at PS 301:

There is no snack at our school. All the other schools have snack. No matter what we say...it's all about paranoia about bugs and mice. That's sort of how he [the principal] rolls, sometimes he makes his own decisions and no matter what anyone says. Like I tried to get the technology school and some of us at 301, we were trying to get a greenhouse built like City Choice School. So we looked on the roof and talked to the specific DOE people you're supposed to talk to and got a survey done and they estimated 2.5 million dollars---out of our range. And then somebody said, 'Why not build it in the parking lot?'---it's not as much sun, but you know, it's a space. And Tom [the principal] said no. Well, he didn't really say no, he just said well, 'I won't get in the way of you doing it, but we're not going to use it.' It doesn't fit in with his...vision---like he has his ideas of his vision, you know---and they're great, it's a great school---but for someone trying to mix it up a bit, you know, it's hard. The things I care about are the things last on his list---like healthy snacks for

the kids, healthy lunches for the kids, the green house...and a more intense science curriculum.

The parents at the head start center whom I accompanied throughout my research also talked about the worries they hold for their children's education and their schools. The only time they mentioned food, however, was when they expressed concern that they did not properly fill out the form to ensure their child's provision of a free lunch. This is not to say that they were not preoccupied about the quality of food that their children ate---it is all together possible that they were----but it is not what they spoke of.

While all parents may desire the very best for their children, as a result of the generational abandonment as well as the daily accumulation and slow and steady violence of inhabiting what Ruth Wilson Gilmore has termed the *forgotten or abandoned places* of a racial state²⁴⁸, low-income parents of color worry about different things than their middle-class counterparts. Following Michelle Fine and Lois Weis' observation that "Isolated studies of individuals, cultures, or community life white out structures, histories, and cumulative state neglect; camouflage circuits of disinvestment; and simultaneously fail to reveal the production and reproduction of privilege²⁴⁹," the second part of this chapter

²⁴⁸ Ruth Wilson Gilmore defines "forgotten" or abandoned places of the racial state as "planned concentrations or sinks—of hazardous materials and destructive practices that are in turn sources of group-differentiated vulnerabilities to premature death...²⁴⁸" As such, forgotten places are indicative of the ways that the differential production of human life is intimately tied to the ways that crises--- understood as a change capacity of the existing social order to reproduce itself---are responded to at various scales. "Forgotten Places and the Seeds of Grassroots Planning" *Engaging the Contradictions. Theory, Politics, and Methods of Activist Scholarship*. Hale, Charles (ed.). University of California Press.

²⁴⁹ Weis, Lois and Fine, Michelle. 2012. "Critical Bifocality and Circuits of Privilege: Expanding Critical Ethnographic Theory and Design" in *Harvard Educational Review*, Volume 82, Number 2. pp: 173-201 (p. 176)

examines then, examines how the concerns of all parents are not equal, but decidedly informed by what I term *differential politics of care*. Rather than inappropriate or lacking care, a *differential politics of care*---comprised of the past, the present, and a longing for the future---produces a profound and intimate knowing, one that is akin to what Black feminist Mary Church Terrell elucidated when she addressed the Third National Congress of Mothers in 1899. More than one hundred years later, the low-income mothers of color in Manhattan Valley who I accompanied throughout my research share a similar knowing. Repositioned as epistemology, *a differential politics of care* provides a framework to examine how differences in areas---not levels---of concern and can illuminate the historical continuity of a tiered citizenship and can also inform a *critical politics of sight* about how power works and how it might be transformed.

Problem Care

"Could we just have some birth control?...It would really help us out a lot." "I don't mean this in any flip way. It is many Sophie's choices"

--Both comments made by former NYC Public Schools Chancellor Cathie Black during a meeting on school overcrowding (January 13, 2011)

The notion of what might be termed problem care dates back much further than the 20th Century and has its origins in slavery, genocide, and imperialism. Indeed, as demonstrated by the comments below---separated by more than a century---made by U.S. Indian Agent, John S. Ward (1886) and those of New York City Mayor Michael Bloomberg (2011), the capacities of poor and parents of color to parent (to care for and make informed decisions about their children's education, welfare, and well-being) is questioned and tied to an assessment about what types of rights are appropriate to restrict:

The parents of these Indian children are ignorant, and know nothing of the value of education, and there are no elevating circumstances in the home circle to arouse the ambition of the children. Parental authority is hardly known or exercised among the Indians in this agency. ---United States Indian Agent, John S. Ward, 1886

*

They never had a formal education, and they don't understand the value of education....The old Norman Rockwell family is gone...--New York City Mayor Michael Bloomberg, 2011

The logic that organizes the comments of Ward and Bloomberg remains consistent, and points to a rationale about why rights need to be limited for those who are positioned as outside of rational, as outside of human. Moreover, it is a logic that signals why liberalism's *strategies of exclusion* are necessary, if not benevolent interventions and why a limitation on the rights of certain groups of people is, as Mehta notes, differentiated on the basis of their human sameness. And as we saw in Chapter 2, while *Brown* secured full inclusion and citizenship rights within public education, inclusion was coupled with choice, which guaranteed the contradictory right to exclude. As such, the realignment that took shape in the post-*Brown* era between the between the state, the structuring of rights, and markets allowed for the continuity of a tiered citizenship. Yet when education became both universally accessible and mandatory, a critical component of the post-*Brown* realignment was the establishment of an ideological foundation and a new common sense. Central to the production of this new common sense was the reconstitution of political and economic questions raised by demands for desegregation and the redistribution of resources as a *social problem* of racial isolation. The scientific findings claimed by the 1966 Equality of

Educational Opportunity Report (often referred to as the Coleman Report) were foundational to this ideological shift. As outlined in Chapter 2, the report argued that racial isolation was the primary factor in determining unequal educational outcomes and was of greater impact to academic achievement levels than were students' material learning conditions. Including, for example, the resources, facilities, and curriculum at their given schools.

One year prior to the Coleman Report, *The Negro Family: The Case for National Action* (otherwise known as the Moynihan Report), made a related argument, claiming that a correspondence between income, race, and academic achievement levels had much to do with family structure, life, and with parenting practices and values. Specifically, the Moynihan Report identified matriarchal structures and single parent, female-headed households---which supposedly typified “the Black family”---as constitutive of a “tangle of pathology.” Since their publication, the diagnostics outlined in these two reports have informed social policies of welfare and education reform that have claimed to address inequities in education, work, and urban life through reforming poor and working class women of color and the ways that they care for their children.

The framework presented by these reports, which identified racial isolation as a social problem that was rooted in culture as behavior models, was reinvigorated by William Julius Wilson in his 1988 book, *The Truly Disadvantaged*²⁵⁰. In the decades following its publication, Wilson's book sparked contentious debates within the academy and also significantly influenced social policies of the Bush and Clinton Administrations²⁵¹. At the center of Wilson's argument is a claim that as a result of the inclusionary structuring of rights

²⁵⁰ Wilson, William Julius. 1987. *The Truly Disadvantaged: The Inner City, the Underclass, and Public Policy*. University of Chicago Press.

²⁵¹ The most overt examples of which include the 1996 Personal Responsibility and Work Opportunity Act and the Illegal Immigration Reform and Immigrant Responsibility Act.

in the second half of the 20th century coupled with the migration of Black communities to Northern cities, urban Black class structures changed significantly and were increasingly stratified and mobile. According to Wilson, upward mobility for some created a particular predicament. As he argues, upward mobility and class stratification within Black urban communities was accompanied by an out-migration of middle-class Blacks from the working-class neighborhood. Thus, Wilson maintains, those who remained were left without a middle-class “social buffer,” to invest in institutions such as schools, churches, and local businesses and without “viable” role models of educational success and family stability. As a result, he posits, the fate of “ghetto” residents, as he terms poor and low-income urban communities, is dismal at best, and characterized by a “vicious cycle” that runs through the family, the community, and schools and results in the normalization of poverty, hopelessness, and pathological behavior. Wilson thus claims that contemporary social problems---of educational inequity, poverty, and crime---can be understood through a framework of social isolation²⁵².

Within education literature the work of leading education policy advocate, Richard D. Kahlenberg, represents the closest correlation to Wilson. In his 2001 book, *All Together Now*:

²⁵² As Wilson argues: “The key theoretical concept, therefore, is not culture of poverty but social isolation. internalized and thereby influence behavior... Social isolation, on the other hand, not only implies that contact between groups of different classes and/or racial backgrounds is either lacking or has become increasingly intermittent but that the nature of this contact enhances the effects of living in a highly concentrated poverty area. The concentration effects include the constraints and opportunities in neighborhoods in which the population is overwhelmingly socially disadvantaged— constraints and opportunities that include the kinds of ecological niches that the residents of these neighborhoods occupy in terms of access to jobs and job networks, availability of marriageable partners, involvement in quality schools, and exposure to conventional role models.....social isolation does not mean that cultural traits are irrelevant in understanding behavior in highly concentrated poverty areas; rather, it highlights the fact that culture is a response to social structural constraints and opportunities.” Wilson, William Julius. 1987. *The Truly Disadvantaged: The Inner City, the Underclass, and Public Policy*. University of Chicago Press. P 61

*Creating Middle Class Schools Through Public School Choice*²⁵³, Kahlenberg argues that in the contemporary post-racial democracy, class supersedes race as the most defining determinant of academic achievement. Building on the arguments made by Wilson and the Coleman Report, Kahlenberg argues that socio-economic school integration is the only possible cure for the cycle of deprivation that entraps poor children in their home lives. As he writes, “So deprived are many children from poor homes that watching television---which depresses achievement of middle-class children---has been found to sometimes raise achievement for some poor children because even the worst TV is more enriching than their home environments²⁵⁴.” Moreover, not only are poor children trapped within their homes Kahlenberg argues, they are also, trapped within schools---with one another:

High poverty schools are also likely to have large numbers of students who are slower learners and need special individualized attention. We know, for example, that because of untreated health problems, poor children are disproportionately learning disabled and in need of special education---but because their parents are less aggressive, they are less likely to get

the special tutoring they deserve....Studies find that concentrations of low-ability students make the teaching of reading particularly difficult; schools need a core of motivated and academically able students to provide a stable base for instruction²⁵⁵.”

Thus, according to Kahlenberg, poor children’s exposure to middle-class children is critical, for two major reasons. The first is related to the cultivation of social networks that will later

²⁵³ Kahlenberg, Richard.. 2001. *All Together Now: Creating Middle Class Schools Through PublicSchool Choice*. Brookings Institution Press.

²⁵⁴ Kahlenberg, Richard.. 2001. *All Together Now: Creating Middle Class Schools Through PublicSchool Choice*. Brookings Institution Press. P. 49

²⁵⁵ Kahlenberg, Richard.. 2001. *All Together Now: Creating Middle Class Schools Through PublicSchool Choice*. Brookings Institution Press. p. 59-60

translate to social capital and be critical to students' future job opportunities. The second major reason he reasons, that exposure to middle-class children is critical, has to do with the parents of students. As he argues, "Educated middle-class parents are more likely to be involved in their children's schools, to insist on high standards, to rid the school of bad teachers, to ensure adequate resources (both public and private)----in effect, to promote effective schools for their children²⁵⁶." Thus, a key assumption underlying Kahlenberg's argument has to do with the conflation of class, race, family structure and educational achievement with parental involvement on one hand, and with social isolation on the other.

Yet as Thurston Domina notes, despite the findings claimed by Kahlenberg and similar studies, "research on the link between involvement and school success has been inconclusive¹⁸." Rather, Domina finds, the identification of a causal relationship between these two categories is reliant on what kind of involvement and what kind of educational achievement criteria are prioritized. However, despite Domina's critiques as well as the ambiguity of the data, there continues to be a wide-spread belief among education practitioners, policy makers, and scholars that assumes an inherent worth in parental involvement in advancing student achievement levels and that specifically conflates the educational achievement levels of middle-class students with the

²⁵⁶ Kahlenberg, Richard.. 2001. *All Together Now: Creating Middle Class Schools Through Public School Choice*. Brookings Institution Press. p. 64

Similarly, John E. Chubb and Terry M. Moe, in their infamous book, *Politics, Markets, and America's Schools*, which advocates for the expansion of choice mechanisms and the privatization of education, also claim that parental involvement is central to student achievement. They argue, as the Coleman Report did, that schools themselves in their material composition (resources, funding, etc.) or in their organizational model (pedagogical approach, leadership model, etc.) have very little to do with student achievement. Rather, they posit, parental involvement is a central defining criteria for achievement, and parents with more formal education and higher incomes tend to be more involved.

ways that their parents demonstrate appropriate care. As Domina observes, this linkage has gained increased momentum in recent years. As he notes, fueled by sociological studies that examine the relationship of parental involvement to educational outcomes, “[i]n the past two decades, a great deal of research and policy-making activity has been dedicated to increasing the involvement of parents in schools²⁵⁷.” Within the U.S., since the 1980s, parental involvement initiatives have increasingly been woven into federal, state, and local educational reforms.

Geoffery Canada is the founder and CEO of the Harlem Children’s Zone, a charter management company that runs several charter schools in New York City. Canada’s schools have been branded as a model for school reform nationwide. A recent reform effort spearheaded by Canada involved the creation of a “Baby College” and is demonstrative of the trend identified by Domina that links middle-class parenting practices and values to higher educational outcomes: As the *New York Times* reports:

[the] nine week parenting program encourages parents to choose alternatives to corporal punishment and to read and talk more with their children....all designed to mimic the often invisible cocoon of support and nurturance that follows middle class and upper middle class kids through their childhoods. The goal, in the end, is to produce children with the abilities and character to survive adolescence in a high-poverty neighborhood, to make it to college, and to graduate...²⁵⁸.

²⁵⁷ Domina, Thurston. 2005. “Leveling the Home Advantage: Assessing the Effectiveness of Parental Involvement in Elementary School” *Sociology of Education*. 78 (3) p. 233-249. p. 234

²⁵⁸ Tough, Paul. “24/7 School Reform,” *New York Times*, September 7, 2008.

The *New York Times* article goes on to cite President Obama on his plan to replicate Canada's model of charter schools in cities across the United States. As Obama outlines: "The philosophy behind the project is simple...If poverty is a disease that infects an entire community in the form of underemployment and violence, failing schools and broken homes, then we can't just treat those symptoms in isolation. We have to heal that entire community. And we have to focus on what actually works²⁵⁹."

Failing schools and broken homes could be a chorus for the ways that social policies in the wake of *Brown* have attempted to reform poor parents, and in particular, poor mothers of color. Based on the diagnostic of the "disease" of poverty that Obama references, these reforms have been based on changing the behaviors—and thus the cultures---of low-income parents of color. To be sure, a similar tactic was utilized by welfare reform welfare-to-work programs which were based on the identification of poor people as the targets of reform rather than the structures or the conditions that create poverty²⁶⁰. Moreover, as Dana-Ain Davis documents, the behaviors and care work of poor and working class mothers of color become increasingly circumspect and regulated. Yet simultaneously, the parenting practices of middle-class mothers are simultaneously normalized, and the concerns they bring as caretakers of young children are reified and valorized. As a result, poor women of color—and specifically poor mothers of color--have been identified by policy reforms as problems to be fixed, a positioning which Patricia Hill Collins observes, ensures that the that the political and economic landscape structuring the learning conditions of students remains obscured:

²⁵⁹ Tough, Paul. "24/7 School Reform," *New York Times*, September 7, 2008.

²⁶⁰ Marchevisky, Alejandra, and Jeanne Theoharis. 2006. *Not Working: Latina immigrants, low-wage jobs, and the failure of welfare reform*. New York University Press. p. 18-19

Assuming that Black poverty in the United States is passed on intergenerationally via the values that parents teach their children, dominant ideology suggests that Black children lack the attention and care allegedly lavished on White, middle-class children. This alleged cultural deficiency seriously retards Black children's achievement. Such a view diverts attention from political and economic inequalities that increasingly characterize global capitalism. It also suggests that anyone can rise from poverty if he or she only received good values at home...using images of bad Black mothers to explain Black economic disadvantage links gender ideology to explanations for extreme distributions of wealth that characterize American capitalism²⁶¹.

Indeed, throughout the fieldwork that I conducted, the assumption that academic achievement was contingent on forms of appropriate parental care based on a middle-class and white hetero-normative model was particularly palpable. Schools---particularly those that were highly-sought after for their strong academic programs and facilities---billed the types of concerns raised by their majority middle-class parent body as correlating to a particular type of parental involvement which they credited with producing high academic achievement levels. In contrast, at schools with high concentrations of poor and working class parents of color, where resources and students' academic achievement levels were low, parental involvement was referred to as a "problem." Most often, the problem was explained as one that had to do with a lack of empowerment and priorities, poor family structures, harsh working conditions, parents'

²⁶¹ Collins, Patricia Hill. 1990. *Black Feminist Thought: Knowledge, Consciousness, and the Politics of Empowerment*. Boston: Unwin Hyman. P. 23

Alejandra Marchevsky and Jeanne Theoharis come to similar conclusions in their study of welfare and immigration and the particular ways that poor and working class Latina women have been portrayed by media and policy reforms.

limited literacy or educational levels, or a lack of understanding from parents of the impact that appropriate parental involvement might make to their children's academic success²⁶². Yet as the following section demonstrates, the concerns brought by middle-class parents are not necessarily more informed but rather, as we shall see, indicative of what Alfie Kohn has termed the “only my kid complex²⁶³.” As Kohn explains, the structural quality of the support that produce both individualized and particularized concerns held by middle-class parents are rendered invisible and as a result, the concerns that they espouse are conflated with the academic success of their children and reified as appropriate care²⁶⁴. Moreover, within a context of universal rights structured through choice in District 3, the particularized forms of involvement and care that middle-class parents demonstrate grows increasingly myopic.

Defining Harm

Located on 93rd Street between Amsterdam and Columbus Avenues in the Joan of Arc building where the District offices are also housed, City Choice School is a school of choice. As such, access to the school is district-wide and does not rely on residential zone

²⁶² In a related vein, Annette Lareau's comparative study, *Unequal Childhoods*, examines the relationship between parenting practices and student achievement. Drawing on Bourdieu's concepts of habitus and social capital, she finds that middle class and primarily (but not only) white families' child-rearing practices reinforce the dominant values embedded within the school. Lareau argues that this alignment between home culture, parenting practices and values, and schools then ensures the educational success of middle class children as well as related implications for continued social stratification. While Lareau is not advocating that this alignment is just, or fair, her argument implies subtle acceptance of inequality as originating in culture rather than in social structure and specifically, in the ways that parents care for their children and in the hopes and aspirations that they are able to inculcate. (Lareau, Annette. 2003. *Unequal Childhoods*. University of California Press.)

²⁶³ Kohn, Alfie. 1998. Only for My Kid: How Privileged Parents Undermine School Reform. PHI DELTA KAPPAN. April: 569 – 577

²⁶⁴ See also, [Weis, Lois](#) and [Fine, Michelle](#). 2012. “Critical Bifocality and Circuits of Privilege: Expanding Critical Ethnographic Theory and Design” in Harvard Educational Review, Volume 82, Number 2. pp: 173-201

lines but rather, is based on criteria determined by the school. City Choice School was first opened in the 1990s in the same building as P.S 54 on 109th Street²⁶⁵. When City Choice School first opened, it conducted outreach to low-income families in the District. According to many long-time community members, parents, and educators, the school's initial recruitment of families from a local head start center was only temporary. Soon, after establishing Title I funding for the school, City Choice School's recruitment patterns changed---and the school's policy of choice based admissions enabled these changes. Some of the parents I spoke with remembered that City Choice School students used to be separated out from the students who attended P.S 54 through separate lunch times and dismissal times. Other parents voiced suspicions about the pictures that were required with applications to the school (a practice that still continues today).

Since 2003 at least half of City Choice School's student population has been white and middle to upper class²⁶⁶. As demonstrated by the official history of the school from its website, the narratives-- of neighborhood and community and of parent activism and civic participation---that were outlined in the last chapter are strongly pronounced in the official history of City Choice School:

In the early 1990s, faced with the need to find quality elementary schools for our children, a small group of parents living on the Upper West Side began a collaboration to create a school. Many of their neighbors were deciding to bus their children to schools in other districts or to send them to parochial or private schools in order to find

²⁶⁵ P.S. 54 is a school that has historically been comprised of low-income students of color, a large number of who are English Language Learners. Today, student population is made up of 94% students of color and a 79% free and reduced lunch rate. (New York State School Report Card Accountability and Overview Report 2010-2011)

²⁶⁶ To reiterate, this is in a district where approximately 75% of the students are Black and Latino, and over half are low-income.

the quality of education they needed. Committed both to the public school system in New York and to the idea that young children are best served by quality neighborhood schools, the founding families worked with District 3 staff to build a new school. They wanted a school to which neighborhood families would choose to send their children. That is the school that was created and the one that our children attend today. Many of those founding families continue to play a role at City Choice School, as does our principal, Melanie Klein, who founded the school and has been here from the start.

These narratives are also alive and well in City Choice School's current iteration. The school is well known for its progressive pedagogy, active parent body, and high academic achievement levels. On ²⁶⁷the evening of December 14, 2011, City Choice School hosted a screening of *Race to Nowhere*, a documentary film that highlights the harms of high-stakes testing as mandated by the No Child Left Behind Act (2001). For a weeknight evening before the holidays, a time when most who have done community-based work can attest that it's particularly hard to get parents out, the turnout was strong. Approximately one hundred parents came out to see the film. Most of the audience was comprised of white women, who might be inferred to be mothers and were likely parents at the school. At the beginning of the program, a representative from the school announced that this was one of 3,000 screenings of the documentary film to date, and that similar screenings in New York City had also been

²⁶⁷ *Race to No Where* was made by a mother and first-time filmmaker, Vicki Abeles who, according to the film's website: ...began her career as a Wall Street lawyer but turned filmmaker in 2007 when she began to take note of a disturbing trend in her Bay-Area community. Everywhere, it seemed, families, teachers and children were wrestling with a silent epidemic of school stress and academic burnout. Her own kids—then in elementary and middle school—began complaining of homework-induced headaches and text anxiety. Parent education meetings were rife with tales of rampant cheating, over-scheduling and abuse of “study drugs” like Adderall and Ritalin. And then came the horrifying news of a local 13-year-old, who took her own life after receiving a poor grade on a math test.
<http://www.racetonowhere.com/rtn-story>

held at two private elite schools and a university: Dalton, New York Prep, and Bank Street College.

After the initial welcome, the audience watched the film, which depicts the emotional toll, stress, worry, and anxiety that many teenagers are overcome by as a result of the increased focus on high-stakes tests. As the *New York Times* notes, the students portrayed in the film are “[r]ushing from class to sports practice, from community work to homework, and relying increasingly on stimulants and sleep deprivation, these kids seem more pressured than the average C.E.O.”²⁶⁸ Central to the film is a strong message that a testing culture produces unnecessary stress on young people and their parents and that tests strip young people of their full human development through emphasizing rote memorization instead of for example, recognizing the importance of play or down time. In the discussion that followed the film, before comments were opened up to the audience, a panel of parents and teachers from City Choice School spoke about the importance of their pedagogical approach. The initial panelist framed the discussion:

We are not a pressure cooker school....We feel very fortunate that our teachers, our school, our administration and most of our parents have really supported a school that values play and teaches to the whole child for their social emotional growth....Yet here we live on the Upper West Side of Manhattan and we see how our students in public schools that have the pressures of tests and we really start to question, is this the right choice, is this the right decision? So we felt that this movie spoke to those questions and would help parents who are really committed to this type of education, who really *choose* that for their child.

²⁶⁸ Catsoulis, Jeannette. “The Overscheduled Child,” *The New York Times*, September 10, 2010.

The introductory speech was followed by short statements and reflections from the other panelists---all of whom, with the exception of one East Asian teacher, were white. One parent on the panel spoke about the gratification he found from “breaking out of the mold”:

My main reaction to the film was that I was one of these students. I came to school every day...and when I graduated from law school at the top of my class I swore I would never set foot in a school again...When he [the speaker’s son] was in utero, he was going to Columbia University, he had school legacy and could get a Columbia pre-K spot there...But then we just started realizing the responsibility of parenthood and I had to let my child be who he is....And we found this place...He loves learning. He loves to go to school here--- and I love to go to school here....So that’s what City Choice School is all about. It’s really paradoxically take the pressure off and create kids who love learning and parents who love the school and are part of our family---and I know Susan [the principal] really considers us all to be family and I think we should just applaud these amazing teachers and administrators...

At the center of the comments made by the panel of parents and teachers were shared concerns about the tolls of anxiety that high-stakes testing takes on their children, the importance of progressive pedagogy, and for the need for young people to be encouraged to “be who they are” and not only tracked toward college²⁶⁹. The panel’s comments were also related to the second half of the film, where famous individuals---like Steve Jobs—who didn’t go to college and yet became “high- achievers” were highlighted, and were met with huge

²⁶⁹ Annette Lareau’s 1989 study, *Home Advantage*, explores the impacts of class and race on parental involvement identifies what she calls the “dark side of parental involvement.” The stories that Lareau documents are similar to those highlighted by *Race to No Where* and highlight the emotional toll and stress that particularly characterize the lives of middle-class students and the high- performance pressures put upon them by their parents. Lareau, Annette. 1989. *Home Advantage*. New York: Falmer Press.

rounds of applause from the audience. One of the panelists, for example, a teacher at the school, likened himself to these portrayals, and spoke of his own circuitous life path. His testimonial was also met with rounds of applause.

Placed in a larger context, the concerns expressed by parents on this December evening also had much to do with a particular version of freedom---along with a strong desire to protect it. Both the film and panel discussion were focused on the harms of high-stakes testing. Harm was defined in a particular way, based on almost exclusively white and middle-class perspectives²⁷⁰. Within this context, raced and classed positionalities informed the desperate sense of anxiety conveyed that evening: one which focused on the perplexities of how to maintain the educational success *and* the well-being for their children---given the reality of high-stakes testing.

As Michelle Fine and Lois Weis note, this articulation of anxiety must be understood within a political economic context in which education has been part of a larger restructuring of domestic and global economies. This restructuring, they suggest, has created a present in which the future is increasingly less secure; and as a result, parents of diverse class backgrounds experience a heightened sense of anxiety about the fate of their children. Likewise, Cindi Katz argues that neoliberal education reforms that increasingly focus on educational “outcomes” measured through the individualized mechanisms of high-stakes tests coupled with the advent of what Sharon Hayes terms “intensive mothering²⁷¹” has resulted in particularized anxieties held by middle-class parents. As she posits, these anxieties can be

²⁷⁰ As Sylvia Mendoza notes in her review of the film for *Hispanic Outlook in Higher Education*, “No Latino families were interviewed in the movie. Perhaps this is because for many Latino students, their academic journey starts at a different place.” Mendoza, Sylvia, “Race to Nowhere: Tradeoff for the Fast-Track Student,” *The Hispanic Outlook in Higher Education*, February 27, 2011

²⁷¹ Hays, Sharon. 1996. *The Cultural Contradictions of Motherhood*. Yale University Press.

understood as a distracted response, one which attends to the symptoms of increased political and economic insecurity²⁷².

Yet strikingly missing from the conversation on the December evening, was any mention of the relationship between high-stakes testing and inequality. As several scholars and activists have demonstrated, despite claims of “evening out” difference and “closing the achievement gap”, performance on standardized high-stakes tests is heavily reliant on students’ race, class, and linguistic backgrounds due to a range of reasons which include access to fee-based tutoring services as well as the ways that structured difference align with the content of the tests. Thus, high-stakes testing can be understood as a key site through which inequality is not only able to be identified, but is also reproduced²⁷³. Moreover, scholars including Michelle Fine²⁷⁴ and advocacy organizations including Advocates for Children of New York have documented the increase in drop-out rates, lower rates of graduation, and higher rates of students being held back that result from high-stakes testing. Michelle Fine and Jessica Ruglis have also illustrated how the inequality produced through high-stakes testing extends beyond that of impacts and also includes implementation. As their research finds, high-stakes tests are

²⁷² Cindi Katz, December 10, 2012, Graduate Center of the City University of New York, lecture: “Superman, Tiger Mother: Aspiration Management and the Child as Waste”
Melissa Harris-Perry recently articulated as the risk associated with such structuring. Harris-Perry’s following comments are excerpted from her MSNBC show, where an episode that focused on Martin Gilens’ book, *Why Americans Hate Welfare*, which illustrates the long history of racial bias associated with welfare reform:

What in the world is riskier than being a poor person in America? I live in a neighborhood where people are shot on my street corner. I live in a neighborhood where people have to figure out how to get their kid into school because maybe it will be a good school and maybe it won't. I'm sick of the idea that being wealthy is risky. No, there's a huge safety net, that whenever you fail, we'll catch you, and catch you, and catch you. Being poor is what is risky. We have to create a safety net for poor people and when we won't because they happen to look different from us, it is the pervasive ugliness. We cannot do that.

²⁷³ Horn, Catherine. 2003 High-Stakes Testing and Students. *Theory Into Practice* 42(1)

²⁷⁴ Fine, Michelle. 1991 *Framing Dropouts*. Albany: SUNY Press

implemented at higher rates within schools that are comprised of predominately low-income, Black, Latino, Limited English Proficient, and special needs students²⁷⁵. As such, the futures of low-income and students of color hang precariously on the hinges of these single instruments that are supposed to measure student achievement.

The mothers at the head start center whom I accompanied throughout my research were well aware of these stakes. Like the parents at City Choice School, the mothers at the head start center also worry about the emotional toll that high-stakes testing takes on their children. They mentioned the stress that the tests brought to their children and to their households as they help their children prepare for their exams. Some of the mothers at the head start center also spoke about a different sense of worry that revolved around knowing that the tests did not really measure their children's capacities---this was especially true for parents of English Language Learners. All, however, communicated a deep sense of worry that was markedly different from the City Choice School parents. Rather than anxiety about re-claiming their children's humanness, however, the low-income mothers of color at the head start center knew that their children's human worth was decidedly not assumed or guaranteed. They were worried about the consequences of the tests on their children's life chances.

The differences between the ways that expressed by middle- and low-income parents about the impact of high-stakes testing speaks to a disjuncture. As the following section

²⁷⁵ Fine, Michelle and Ruglis, Beatriz. 2009. "Circuits and Consequences of Dispossession: The Racialized Realignment of the Public Sphere for U.S. Youth" *Transforming Anthropology* 17(1):20-33

Additionally, Jennifer L. Jennings has demonstrated how punitive measures against schools that fail to demonstrate Adequate Yearly Progress (AYP) according to NCLB guidelines, has resulted in school principals selecting students based on who they assumed would perform better on tests as a "matter of organizational survival" (Jennings, Jennifer L. School Choice or Schools' Choice? Managing in an Era of Accountability" *Sociology of Education* 83: 227-247.

demonstrates, rather than problem care, the differences in areas---not levels of concern--- point to what the ways that the bootstraps of universally accessible and public education remain materially constrained for many, while care abounds.

Snapshots and Partial Stories: Problems Despite Care

Carmen is an undocumented immigrant from Mexico. Her father dying and she wishes she could visit him. She can't, it's too risky, especially with two daughters here to take care of. Her eldest child attends P.S 54 and her youngest is still at the head start center. Carmen has been living in temporary housing, otherwise known as a shelter. Even though she will not be applying to Kindergarten for her youngest child till the following year, she comes to the group meetings at the head start center every Tuesday. One Tuesday in February, she looked a bit down. Like many of us who try to go through the daily routines of life despite the weight of worries or crises, when I asked Carmen if she was okay, she started crying. She explained that she was being transferred to a shelter in Brooklyn. But the move itself, according to Carmen, was not what was troubling her. Rather, what concerned her the most was that when she had asked if she would be provided a Metro Card to take her daughter to school, she was told no. Her daughter loved her school and her teacher, Carmen explained. But if she wasn't given a Metro Card, her daughter would have to change schools since Brooklyn to the Upper West Side was too far for a five year old to travel by herself. Carmen could not comprehend how she, as a mother, would have to explain to her daughter that she could no longer attend the school she loved and where she felt loved by her teacher.

Carla is the mother of four. She is Puerto Rican and grew up on 107th street, where she still lives with her mother and children. Carla's eldest child is in high school and her youngest is nearly a year old. Like Carmen, Carla will not be applying to kindergarten for her three year old

for another year, but also always comes to the weekly group meetings on Tuesdays. Carla says that she wants to get an early start on knowing about the schools and her rights, so that she is better prepared when the time comes. She attends almost every school tour she can and has also provides support for other members of the group who have been having a hard time with getting information about the Kindergarten application process. Carla is also dealing with the middle school application process for her next-to oldest child, a process which is also time consuming. Lately, she has been working a substitute front desk position as at a Columbia University dorm, a job that requires her to work until about 12:00 or 1:00 AM. Carla says that the job pays decent and she hopes that the work lasts. She makes no complaints about the late hours, but shares that she has recently been having a hard time sleeping at night because she is “stressed out” with worry about her children’s schools. One of the first meetings she attends at the head start center involves a go-around activity in which the women talk about why they come to the meetings. As Carla reflected that day, “I did not have the opportunity...But now I struggle for them. I want things to be different for them.”

Nicole is an immigrant from Ghana. She has two children, both boys, Bartholomew and Johnny. Like Carmen, Nicole lives in temporary housing, on a fourth floor walk-up about a half hour walk from the head start center. Bartholomew will be entering kindergarten in the fall, and Johnny will follow him in three years. Nicole is struggling to find child care for Johnny, who is not yet old enough to attend the head start center. Without childcare for Johnny, she can’t find work. Nicole was told by a social worker that if she was working she could get free child care. She said she was working. But then her food stamps got cut. She is trying to get them restored and also dealing with two other court battles. One has to do with her immigration status, which was tied to her children’s father. The other is linked: she found

out that Bartholomew and Johnny's father has been claiming them on his income tax returns even though they have never received any financial support from him. Because of this, Nicole is unable to receive any state or federal support for them. Like Carmen and Carla, she comes to the group meetings every single Tuesday. Nicole wants her children to attend a Spanish dual language program. She speaks ten languages herself, including English, and wants her children to have access to a great education. According to Nicole, the school administrators at the schools she visited were surprised by her, "They look at you, and you know what they think. But then I ask my questions. And they say, 'how does this African girl know to ask that question?!'" Despite Nicole's questions, Bartholomew is not granted admittance to District 3 schools.

Marie is also an immigrant. She is from the Ivory Coast. She has one child, a daughter, who will be attending Kindergarten in the fall. Marie has been working a few different jobs, and so it is difficult for her to come to the meetings every Tuesday. But she comes when she can. Since all school tours only take place in the morning time, it's often hard for her to make all of the ones that she wants to. But she attends the ones she can. Like many parents of District 3 school children, Marie lives just outside of the District boundaries. While she's learned about the schools in her own District, she believes that her child will get a better education in District 3. She recently got a job at a shoe store in the 70s on Broadway. She hopes that if she can prove that she works in the District, her child might have a better chance at getting admitted to a school. But she is also skeptical about her chances, and is thinking of moving out of the city. If she can, she wants to go to New Jersey, where her brother lives. "At least there, they have to take your child," she comments.

Beatriz is an immigrant from the Dominican Republic. Like Marie, she too has one child, a daughter. Beatriz raises her daughter with the help of her mother-in-law, who she lives with. They reside within the zone for P.S 54. As required, Beatriz submitted an application for her child to attend P.S. 54. Unlike Carmen, Carla, Nicole, and Marie, Beatriz only came to the weekly meetings on occasion. But in April, she received a letter (in English only) that stated that her child was on the wait list for the school, and that no further information was available. After asking someone to translate the letter for her, she tried calling the school for more information, but her efforts were to no avail. She started coming to the Tuesday meetings to see if anyone was experiencing the same situation, or if anyone could be of help. Beatriz reflects on her experience, “*Fue mala, no fue bien. Encontraba mala gente aya en la escuela.*” (It was bad, it was not good, I encountered bad people there at the school.)” Beatriz is referring to the school administrator, who is Latina, and who Beatriz and the other mothers assessed to speak Spanish, but who, according to them, refused to speak Spanish to Beatriz. Carla and some of the other members of the group had accompanied Beatriz to the school, demanding answers and access. As Carla recalls, “It was like a bother for them to speak Spanish. I’m like, I don’t even speak Spanish like, completely, but I will if I need to, and it won’t be a bother for me to explain to someone. It might be straining,, but not a bother, she [the administrator] made it seem like it was a bother.” After many phone calls and visits, Beatriz was told her child would be granted a space at the school. But at the end of June, P.S. 54 held an open house for parents whose children would be entering Kindergarten in the fall. Several mothers at the head start center planned on attending. But on the day of the open house, one of the mothers happened to see Beatriz at the morning drop off time and asked if she was coming too. Beatriz had not received a letter. She was leaving to visit her family in the Dominican Republic soon,

and was worried. She called the school and was told that her child was not registered for the fall, that there was no further information available, and that she should check back soon. She did check back. But still no information. As of August, Beatriz did not know what was going to happen. Her plan was to show up on the first day of school with her child and the necessary documentation, and hope for the best.

Monica is Puerto Rican and lives in a public housing project on Amsterdam Avenue. Even though it would be a bus ride of about thirty blocks each way every day, Monica wants her child to go to P.S. 98, where she believes he will get a good education and where he will also have the chance to learn Spanish. Monica went to P.S. 98 herself, but they didn't offer a Spanish Dual-Language Program when she attended the school. Monica is struggling to maintain her public benefits, and sometimes also works outside of the home. She manages to make it to the Tuesday meetings and school tours that can. Monica's child is placed on the wait list at P.S. 98. Like other mothers from the head start center who are in a similar predicament, she is told by the school that her child's chances for admission will be better if they call the school at least once every day. According to the school administrators, these calls will demonstrate the families who really want to be there. Monica does not have much faith in this system. She has been receiving mailings from different charter schools in the area. She has heard bad things about Harlem Success Academy, but Monica's niece attends a Kipp Charter school. According to Monica's sister, Kipp is "okay so far." Monica is worried about the harsh disciplinary measures of charter school policies, but decides to take her chances on the charter. She reasons that at least with the charter, her child will be guaranteed a spot in the fall.

A Critical Politics of Sight

Carmen, Carla, Nicole, Marie, Beatriz, and Monica are only six women and these are only their partial stories²⁷⁶. However, their stories are indicative of the care, concern, high-aspirations, and dedicated involvement of low-income mothers of color despite, or perhaps because of the daily accumulation of inhabiting the intersections of forgotten or abandoned places of a racial state. The work they put into their children's education and futures stands in stark contrast to research that rationalizes differences educational outcomes as resulting from the aspirations and values of parents and students²⁷⁷. Their stories also verify what several anthropologists²⁷⁸ have demonstrated: that limited political power is not indicative of constrained political will or stagnated aspirations. As Delmos Jones found in his mid-1970s study of a Head Start Center in New York City, a "drive for achievement is one of the most dynamic feature[s] of poverty." Jones documents how the

²⁷⁶ Moreover, these six women do not all share language or what might be termed "culture." Yet they have come to inhabit a shared identity that is born out of their material conditions and locations as mothers and, perhaps more importantly, as excluded political subjects.

²⁷⁷ For example, MacLeod, in his famous study, *Ain't No Makin' It*, examines the disparate life outcomes of two groups of young men living in similar socio-economic conditions, yet distinguished by race. One group, the 'Brothers' are mostly Black and higher achieving, while the 'Hallway Hangers' are largely white and lower achieving. A primary reason, he argues, for the disparities of their outcomes, is based on the longevity of poverty faced by each group. Central MacLeod's argument then is the notion that a community's aspirations and related achievement levels are directly and negatively impacted by how long it has lived in poverty. Such a focus on questions about the supposed impacts of long-term poverty on curtailed aspirations, only works---albeit perhaps unintentionally---to rearticulate Wilson's theory of social isolation. MacLeod, Jay. 1987. *Ain't No Makin' It : Aspirations and Attainment in a Low-Income Neighborhood* Boulder: Westview Press.

²⁷⁸ Several anthropologists have been central to challenging these implications, including for example, Gregory, Steven. 1999. *Black Corona*. Princeton: Princeton University Press; Jones, Delmos. 1993. The Culture of Achievement among the Poor: The Case of Mother and Children in a Head Start Program. *Critique of Anthropology* 13(3):247-266 ; Susser, Ida. 1982. *Norman Street*. Oxford: Oxford University Press.

parents at the head start center he studied were neither uninformed, uninvolved, nor homogenous. Rather, they held strong opinions about their children's education, and were involved in myriad ways at their children's pre-school. However they were also well aware of the fragility of the present:

The most intense confrontation over educational policy occurred around the graduation ceremony. After the children had completed Head Start, a graduation ceremony was held where the children dressed up in miniature caps and gowns and received a diploma. The administrators of the Center thought that this was a ridiculous event, a copy of a white middle-class practice. This was the parents' favorite event. It was a symbolic expression of the parents' desires for their children's achievement in education, mixed with the fear that, as one parent expressed it, 'this might be the last time I see my child in a cap and gown'²⁷⁹.

Jones finds that the parents at the head start center he studied held high aspirations for their children. However, he also finds that these high aspirations were combined with a "strong sense of fatalism" that was shaped by their own life experiences and deferred dreams. This twinned sensibility, Jones argues, informed the high value that they placed on their children's education, the principles of hard work and overcoming hardship that they instilled in their children, and the work that they engaged through tenant and block associations and their children's schools.

In many ways, the women in Jones' study, like the women I accompanied throughout my research, engage every day in what Leith Mullings describes as the often invisible yet

²⁷⁹ Jones, Delmos. 1993. The Culture of Achievement among the Poor: The Case of Mother and Children in a Head Start Program. *Critique of Anthropology* 13(3):247-266

transformative work that ensures the survival of individuals, families, and communities.

Mullings specifically documents the work that African American women have historically done to “maintain continuity and support survival through the conditions of slavery, segregation, and deindustrialization.” As she writes, “In doing transformative work, then, women seek to construct a space in which they can ensure continuity for themselves, their children, and their communities²⁸⁰.”

Rather than attempting to legitimize the lives and motherwork of poor women of color according to a white, middle-class, heteronormative version of motherhood—and against which problem care is defined--- a deeper understanding of the dimensions of the transformative work

²⁸⁰ Mullings, Leith. 1997. *On Our Own Terms: Race, Class, and Gender in the Lives of African American Women*. New York: Routledge.

Yet the African American women that Mullings documents, like the low-income mothers in Jones’s study, and also like the mothers I accompanied from the head start center in my own research--- were not heroines per say. Indeed, as several have importantly critiqued, the image of the sacrificial mother has never been a liberatory one for women and has often only displayed partial truths that have often resulted in the negation of worth of ‘other mothers’ and the image of the self-sacrificing immigrant mother vs. the welfare queen, or the Black Mammy vs. matriarch only exist in dialectical relationship to one another as stereotypes which, “Hazel Carby suggests that the objective of stereotypes is “not to represent a reality but to function as a disguise, or mystification, of objective social relations.” (1987, 22) These controlling images are designed to make racism, sexism, poverty and other forms of social injustice appear natural, normal, and inevitable parts of everyday life...African American women’s status as outsiders becomes the point from which other groups define their normality.... “Others” of society who can never really belong, strangers threaten the moral and social order. But they are simultaneously essential for its survival because those individuals who stand at the margins of society clarify its boundaries. African-American women, by not belonging, emphasize the significance of belonging.” (Collins, Patricia Hill. 1990. *Black Feminist Thought: Knowledge, Consciousness, and the Politics of Empowerment*. Boston: Unwin Hyman. P. 69, 70) Also see: Davis, Dana-Ain. 2006. *Battered Black Women and Welfare Reform: Between a Rock and a Hard Place*. Albany: SUNY Press; Boris, Eileen. 1989. The Power of Motherhood: Black and White Activist Women Redefine the “Political.” *Yale Journal of Law and Feminism*. 2 (1); Cnnolly, Deborah. 2001. *Homeless Mothers: Face to Face with Women and Poverty*. Minnesota: University of Minnesota Press; Marchevsky, Alejandra, and Jeanne Theoharis. 2006. *Not Working: Latina immigrants, low-wage jobs, and the failure of welfare reform*. New York University Press.

engaged in by low-income mothers of color can provide insights about the conditions that such work responds to. And differences in areas, not levels of care become increasingly apparent, as does the structural power that articulates the different subjectivities (making some parents focus on the availability of healthy snacks at their school while others are more concerned about their child's access to a meal at the school). More than a misunderstanding of divergent viewpoints, these different subjectivities indicate the historical continuity of a tired citizenship—one which necessitates the transformative work identified by Mullings.

Understood as such, a differential politics of care produces a profound and intimate knowing. Indeed, the slow and steady violence of inhabiting the forgotten places of a racial state accumulates temporally, materially, and emotionally. Paul Farmer writes about the relationship of this accumulation to suffering which, as he notes in certain parts of Haiti, had become a “recurrent and expected condition”----one that he believes delineated a difference in what suffering meant to different people. Indeed, as he writes, “The capacity to suffer is, clearly part of being human. But not all suffering is equal...²⁸¹” The difference, he observes, cannot be captured by individual biographies or statistical charts alone. Rather, he identifies the need for a “historically deep” understanding of collective suffering that accounts for the role of, in the case of Haiti, forced displacement and systems of slavery along with more contemporary understandings of political economy, history, and culture. In other words, generational abandonment must also be accounted for²⁸².

²⁸¹ Farmer, Paul. “On Suffering and Structural Violence: A View From Below” in Kleinman, Aurther, Veena Das, and Margaret Lock (eds.). 1997. *Social Suffering*. University of California Press. p 279

²⁸² Similarly Leith Mullings, in her analysis of what she terms the Sojourner Truth Syndrome, as a framework for understanding the relationship between health, stress, and resiliency in the lives of African American women, notes the impacts that historically deep structural violence has on the health conditions of Black women in Harlem. Indeed, as she observes, “While race may not

Repositioned as epistemology, a differential politics of care can illuminate what is necessary to transform rather than reform. To be sure, as Patricia Hill Collins notes, intersectionality not only provides a framework through which we are able to understand the multi-dimensional aspects of power, but also implies a particular knowledge²⁸³:

Epistemology constitutes an overarching theory of knowledge (Harding 1987). It investigates the standards used to assess knowledge or why we believe what we believe to be true. Far from being apolitical study of truth, epistemology points to the ways in which power relationships shapes who is believed and why....Distinguishing among epistemologies, paradigms, and methodologies can prove to be useful in understanding the significance of competing epistemologies (Harding 1987)...The level of epistemology is important because it determines which questions merit investigation, which interpretive frameworks will be used to analyze findings, and to what use any ensuing knowledge will be put²⁸⁴.

For many low-income mothers of color, part of this knowledge invokes a clear awareness of the historical continuity of a future that is not secured; an awareness that is at once filled with hope and caution, and circumscribed love and the daily work of care. As we shall see in the concluding section of this chapter, when collectivized by those castigated as blind spots or

be biological, racism has biological consequences.” (Mullings, Leith. 1997. *On Our Own Terms: Race, Class, and Gender in the Lives of African American Women*. New York: Routledge. p 87)

²⁸³ Further, as Collins explains, “Living life as a Black woman requires wisdom because knowledge about the dynamics of intersecting oppressions has been essential to US Black women’s survival.” Collins, Patricia Hill. 1990. *Black Feminist Thought: Knowledge, Consciousness, and the Politics of Empowerment*. Boston: Unwin Hyman. P. 275

²⁸⁴ Collins, Patricia Hill. 1990. *Black Feminist Thought: Knowledge, Consciousness, and the Politics of Empowerment*. Boston: Unwin Hyman. P. 252

anomalies, this knowledge can lead to the articulation of powerful political identities and transformative social change.

Conclusion

“Mothers suffer a special pain when their children are incarcerated (lost to them)²⁸⁵.” These words, as Ruth Wilson Gilmore documents, appeared on an outreach flyer for a group called Mothers Reclaiming Our Children (Mothers ROC). More than a slogan, this shared experience--this particular pain---was central to the formation of this group of “mothers and others” who had their children taken away by the state. As Gilmore documents, the organizing of these women as mothers was at once particular to their specific conditions in Los Angeles and at the same time was also shared temporally and spatially by other mothers whose “fundamental position....was and is, that children are not alienable²⁸⁶.” As such, she observes, Mothers ROC joined other mothers in Argentina, Palestine, and El Salvador where the state had deprived women of their rights to nurture, care for, and see their children grow. And it was a specific situated knowledge²⁸⁷ ---grounded in a collective pain, fury, and an appeal to shared humanity--- that transformed the everyday acts of social reproduction in which these women engaged into powerful political identities.

In 1958 a similar transformation occurred when nine Black mothers were arrested for not sending their children to school. The women lived in Harlem, and their decision to keep their children home was part of a larger effort that they were part of: a campaign called “Freedom of

²⁸⁵ Gilmore, Ruth Wilson. 2007 *Golden Gulag : Prisons, Surplus, Crisis, and Opposition in Globalizing California*. Berkeley : University of California Press. p. 196

²⁸⁶ Gilmore, Ruth Wilson. 2007 *Golden Gulag : Prisons, Surplus, Crisis, and Opposition in Globalizing California*. Berkeley : University of California Press. p. 195

²⁸⁷ Haraway, Donna. 1988. "Situated knowledges: The science question in feminism and the privilege of partial perspective." *Feminist studies* 14, no. 3: 575-599.

Choice for Junior High Schools.” Different from the ways that the same term was simultaneously being used in the South, *Freedom of Choice* for these mothers meant *desegregating* their junior high schools. Based on their shared lived experience, the mothers were unified in their understanding that their children were being kept in inferior schools with poorer resources and facilities; and their boycott was intended to dismantle what they understood to be segregated student assignment policies. Rather than being kept in their neighborhood, the mothers were clear that they wanted their children to be able to “attend junior high schools outside of Harlem so that they ‘can have the opportunity to receive all the education that is being given on the best standard possible.” Being given the best standard possible was something these mothers did not believe was possible if their children remained only relegated to Harlem junior high schools. As one mother put it, “We will go to jail and rot there, if necessary, but our children will not go to Jr. High Schools 136, 139, or 120²⁸⁸.” For certain, this mother’s declaration was informed by a knowledge that extended beyond how we might talk about educational standards today. Rather, her statement was grounded in clarity of the ways that segregated and unequal schools *harmed* children that extended beyond the logic of harm espoused by the Supreme Court in *Brown I*. The nine mothers were charged (ironically) with neglect and brought to court. Tried separately, seven of the mothers were found guilty, but two were not. The trial of these two mothers resulted in a landmark case, *Skipwith v. New York City Board of Education*, where the court found that:

The Board of Education of the City of New York can no more disclaim responsibility for what has occurred in this matter than the State of South Carolina could avoid

²⁸⁸ Quoted in Back, Adina. 2003. Exposing the “Whole Segregation Myth” The Harlem Nine and New York City’s School Desegregation Battles *In Freedom North: Black Freedom Struggles Outside the South, 1940-1980* in Jeanne Theoharis and Komozi Woodard, eds. New York: Palgrave Macmillan.

responsibility for a "Jim Crow" State Democratic Party which the State did everything possible to render "private" in character and operation.

As a result of their win in court, the mixed-income group of parents that comprised the campaign's organizing committee gained significant momentum and public attention. As Clarence Taylor documents²⁸⁹, the Harlem boycott was a seedling for a larger movement that would grow. Likewise, Jennifer de Forest notes that "the success of the boycott fueled the growing parents' movement at a critical moment in the history of public schooling in New York City and helped to set the course for the subsequent powerful movement for the community control of schools." And in 1961, just three years after the seemingly small act of nine mothers keeping their children home from school, parents in Harlem joined Black parents in Brooklyn's Bedford-Stuyvesant and Williamsburg neighborhoods for a public school boycott spearheaded by the Reverend Milton Galamison's Parent Workshop²⁹⁰. Their central demand called on the New York City Board of Education to develop substantive desegregation plans for the City's public schools. In the years that followed, the movement for community control of schools continued to grow²⁹¹.

²⁸⁹ Taylor, Clarence. 1997. *Knocking at Our Own Door*. Columbia University Press.

²⁹⁰ de Forest, Jennifer. 2008. "The 1958 Harlem School Boycott: Parental Activism and the Struggle for Educational Equity in New York City," in *Urban Review: Issues and Ideas in Public Education*. Volume 40, Number 1.

²⁹¹ Like the boycott staged by the Harlem Nine, the movement for community control of schools was grounded in a particularness informed by both identity and local conditions. This translated to distinct visions—which in some neighborhoods were articulated as language rights and in other places focused on the development of curriculum recovered a history that had been censored. Yet while the visions that grounded this movement remained distinct, the communities they came from were able to unite with common clarity that their that public schools should be democratically run institutions that reflected, served, and respected the communities that they were part of. And in 1968, ten years after the nine Harlem mothers staged their initial boycott, the movement for community control of schools had spread and was able to galvanize working class parents of color across New York City to keep their children home from

The Harlem Nine (the name given to the mothers who stood in defiance of segregated New York City schools) can be understood to have been participating in a similar fight as the members of Mothers ROC: a fight the state understood to be dangerous. Part of the danger was marked by transformation of these women's everyday identities as mothers to political identities that operationalized what Gilmore terms stretch, resonance, and resilience.

The women from the head start center I accompanied throughout my fieldwork do not all share a common or formal "politics" per say. Yet like the Harlem Nine and the women that M. Jacqui Alexander, Norma Alarcón, Ruth Wilson Gilmore, and Rajeswari Sunder Rajan²⁹² document, they are excluded political subjects whose identities have become transformed through the course of their struggles as they fight from the margins for their children. And also like the Harlem Nine and mothers whose children have been incarcerated, disappeared, or otherwise taken by the state, the structures that necessitate their struggle also require that their logics of care extend beyond that of their own child. And like the women of the Flats that Carol Stack documents, the systems of extended kin networks that the women at the head start center have built indicate an understanding not only a shared present, but also of a collective future²⁹³.

school and create and model the alternatives practices that they were calling for the state to adopt.

²⁹² Alexander, Jacqui M. 1994. "Not Just (Any)Body Can be a Citizen," in *Feminist Review*. Number 48.

Alarcón, Norma, 1999. "Chicana Feminism: In the Tracks of "The" Native Woman," in *Between Woman and Nation*. Caren Kaplan, Norma Alarcón, and Mino Moallem (eds.) Duke University Press

Gilmore, Ruth Wilson. 2007 *Golden Gulag : Prisons, Surplus, Crisis, and Opposition in Globalizing California*. Berkeley : University of California Press.

Rajeswari Sunder Rajan. 2010. "From Antagonism to Agonism: Shifting Paradigms of Women's Opposition to the State." in *Comparative Studies of South Asia, Africa and the Middle East*. Volume 30 Number 2.

²⁹³ Field note: It is almost springtime 2013. The March 1st deadline for kindergarten admissions has just passed. At the weekly meeting at the head start center, the mothers in attendance go

As such, the epistemologies and practices of care that take shape in the forgotten places of the racial state can be understood as inculcating a powerful consciousness and political potential that results from raising children together as excluded political subjects.

around and share their experiences over the last week as they have submitted applications to different schools. Many talk about having their documents questioned. Others talk about being told wrong information. Some have been directed away from certain schools. Most feel that they were talked down to. There is news that one mother got a scholarship for her child to attend Columbia University's K-12 school. The scholarship covers most of the cost, and Jackie only has to pay \$800 a year. In addition to sharing their own stories of exclusion, the group of mothers also discuss the good news. Carla comments that "if one of us makes it, it's like we all have." Darlene reflects on how amazing it is that the fate of this young Mexican girl will be forever changed.

Chapter 6: Conclusion

In September of 2012, the NAACP Legal Defense Fund, LatinoJustice Puerto Rican Legal Defense Fund, and the Center for Social Justice at Medgar Evers College filed a federal civil rights complaint with the U.S. Department of Education's Office for Civil Rights. The complaint challenged the admissions process of New York City's eight specialized high schools which include, for example, Bronx Science and Stuyvesant. The civil rights complaint was filed on behalf of a number of social justice organizations throughout New York City that serve low-income, immigrant, LGBTGNC, and young people of color.²⁹⁴

The complaint cited the problem of the single instrument used to evaluate students: the Specialized High Schools Admissions Test (SHSAT). The test is a multiple choice exam that extends the duration of about two and a half hours. The organizations' complaint revolved around two central grievances. The first had to do with the low-admittance rates for Black and Latino students. According to their press release: "of the 967 eighth-grade students offered admission to Stuyvesant for the 2012-13 school year, just 19 (2%) of the students are African American and 32 (3.3%) are Latino²⁹⁵." The second grievance focused on the fact that the New York City Department of Education and New York State Department of Education have never engaged in an evaluation of the SHSAT as the single instrument that determines admission to

²⁹⁴The organizations include: NYC Coalition for Educational Justice, La Fuente, Make the Road New York, Alliance for Quality Education, New York Communities for Change, Black New Yorkers for Educational Excellence, Community Service Society of New York, Garifuna Coalition, USA Inc., DRUM- Desis Rising Up and Moving, the Brooklyn Movement Center and UPROSE.

²⁹⁵ NAACP Legal Defense Fund, LatinoJustice PRDLEF and The Center for Law and Social Justice at Medgar Evers College File Complaint Challenging Admissions Process at NYC Public Specialized High School.. September 27, 2012. <http://www.naacpldf.org/press-release/naacp-legal-defense-fund-latinojustice-prldf-and-center-law-and-social-justice-medgar>

specialized high schools. The complaint, which came on the heels of cheating scandal at Stuyvesant High School less than two weeks earlier, caught national press attention. Mayor Michael Bloomberg was asked to comment on the situation. His response to allegations of racial discrimination and exclusion was simple and to the point: “Life isn’t always fair.” And as he later elaborated: “We’re not here about equal results. We’re here about equal opportunity²⁹⁶.”

Nearly sixty years after the U.S. Supreme Court determined that separate but equal education was never equal, one goal of this dissertation has been to examine the legal and ideological structures that make Bloomberg’s statements possible. Indeed, at the center of his comments lies the nexus of freedom, rights, and inequality---a set of relationships that this dissertation has sought to unpack. In particular, I have traced the ways that the notion of “life not being fair” is contingent upon the co-constitutive relationship between freedom and capitalism that grounds the liberal democracy of the United States. As I have attempted to document and demonstrate, in the post-*Brown* era with the universal extension of civil rights, Milton Freidman’s iteration of choice as a “third alternative” to state enforced desegregation and segregation became critical to animating the relationship between freedom and capitalism. As such, the continuity of a tired citizenship post-*Brown* came to be understood as the result of bad, yet fair, democratic, and equal choices. In this configuration, “equal results” as Bloomberg cites, are not guaranteed. Rather, results are supposed to depend on a number of factors that include an individual’s hard work, aspirations, perseverance, know-how, and luck. And as such, it is a notion of democratic freedom that qualifies Bloomberg’s comments that “life is not fair,” and

²⁹⁶ Chung, Jen. 2012. “Bloomberg To Minorities Rejected By Elite High Schools: Life's Not Fair”. The Gothamist. September 9.

http://gothamist.com/2012/09/28/bloomberg_on_stuy_racist_test_life.php

that rationalizes public education as a contradictory site that is at once equal and yet not equal: the guarantor of the freedom to make one's own future as well as the institution through which futures are differentially prescribed.

As I examine in Chapter 2, public education is not only a sector where this contradiction can be identified, it is also it is also a key node through which American exceptionalism has continued to be constructed. Indeed, more than a story of education alone, *Brown* can be understood as representative of a story of America that narrates racial inclusion and transcendence, freedom and rights won, and a post-racial democracy. Moreover, as Derrick Bell points out, the universal extension of civil rights came at a key historical moment and must be understood as strategic rather than neutral, and as historically contingent. In particular, *Brown* came at a moment when U.S. and Third World based liberation movements had drawn increased global attention to the contradictions that Jim Crow brought to U.S. claims of freedom and democracy. Specifically, Bell notes, within the context of the Cold War, this attention was significantly damaging to the U.S. As such, *Brown* can be understood as representative of a particular type of historical break: one which required a realignment---between the state, the market, and the structuring of rights---in order to ensure the continuity of a tiered citizenship.

Tracing this realignment then, and how it is animated by Friedman's articulation of rights as choices, represents a second and related goal of this dissertation. Building upon what Ruth Wilson Gilmore and Nikhil Singh demonstrate in each of their own work---that capitalism not only results in, but requires the continuous production of difference and the consistent racialization of that difference to ascribe differential value to human life---I have sought to illuminate the racist roots of neoliberalism that are deeply embedded within the racial state. Neil

Brenner, Jamie Peck, and Nik Theodore²⁹⁷ argue that neoliberalism is path-dependent: that already-existing political and economic structures as well as cultural contexts impact what neoliberalism looks like in different places as well as the political subjectivities from it might be contested. The case of District 3 demonstrates how, for liberal democracies like the United States, the “path” that informs how neoliberalism takes shape is: 1) deeply entrenched within the the racial state and the history of Jim Crow; and 2) invigorated by narratives of American exceptionalism. As such, I have sought to examine the ways in which neoliberal restructuring extends well behind the realm of the private. As my research demonstrates, while charter management companies are, for certain, an apt illustration of accumulation by dispossession as it works in the United States, as the case of District 3 demonstrates, the predicaments of curtailed rights and uneven citizenship often associated with neoliberal restructuring do not indicate a new *flexibility of citizenship*, but rather, an old one.

As I explore in Chapter 3, inequality and segregation in District 3 are not limited to charter schools. Moreover, despite critiques made by scholars and activists about the ways that centralized systems of governance like Mayoral Control have pushed forward privatization agendas and as a result, increased inequality, the case of District 3 illustrates that local control in this particular context has translated to the continued construction of a segregated school system through non-charter public schools.

²⁹⁷ Peck, Jamie, Nik Theodore and Neil Brenner, 2009. "Neoliberal Urbanism: Models, Moments, Mutations" in *SAIS Review*: pp.49-66

As I examine, I District 3 the demand for more local control echoes the post-*Brown* call for states' rights to determine—and evade---desegregation plans. And within the contemporary context in which neoliberalism *as* privatization is understood as the key culprit in advancing inequality, this echo is obscured; and demands for local control are assumed to be progressive. Indeed, the joined contexts of Manhattan Valley and District 3 bring to the fore the ways that relegating the “problem” of inequality in education as one having to do only with privatization, allows for a contemporary articulation of the “myth of southern exceptionalism.” This contemporary articulation reifies a false binary that preserves a terrain in which the District’s policies of school choice facilitate the continuance of segregated structures.

Chapters 4 and 5 interrogate the dimensions of the new and unexpected contestations that are taking place in District 3 over who schools will serve and prioritize. As I document, in the wake of the financial crisis, a number of families made a private-public switch, and decided to send their children to public school. This situation was not unique to District 3, but given the District’s policies of school choice, the influx of middle-class families has been characterized by an increasingly competitive atmosphere and an increasingly segregated school system.

Chapter 4 explores how these segregated structures are contested, continued, and maintained through policies of school choice on one hand, and through the production of a normative cultural logic of inequality on the other. Like Bloomberg’s comments above, this logic positions choice as an arbitrator of a democracy that guarantees equality of opportunity---defined as equality of access to *an* education. Within this configuration, access to an (meaning any) education is supposed to be indicative of democracy, and choice becomes the qualifier that determines what is made of this access. As such, choice is defended by several scholars and education reform advocates as subjectively increasing equality as long as participants are well-

informed, responsible, and knowledgeable. Yet as my findings demonstrate, when it comes to education, the choices of many remain broken—regardless how responsible or knowledgeable they might be and irrespective of the height of the dreams of aspirations that they hold. The breaks are clearly delineated along the fault lines of race and class and indicate the continuity of a tiered and structured citizenship. Yet, as the case of District 3 demonstrates, these breaks are rendered invisible as inclusionary narratives—of multiculturalism, community and neighborhood, civic engagement and parental involvement, and integration—emerge to undergird the production of a normative cultural logic of inequality.

Chapter 5 explores the related articulations of raced and classed motherhood and concepts of care that accompany the coupling of equality of choice. Indeed, as I propose and document, the nearly simultaneous publication of the Coleman and Moynihan reports provided the ideological foundation for the post-*Brown* realignment by narrating a rationale of inequality that focused on the production of difference out of sameness. Drawing on Uday Singh Meta's account of liberalism's *strategies of exclusion*, I explore how within the context of the universal extension of civil rights as choices, the parenting practices, values, and involvement—or what parents do to support their children's education—have come to be understood as central to determining students' academic achievement. As such, differences in capacities of successful parental—and more specifically maternal—care are circumscribed as both the cause as well as potential solution to inequity. Within this context, as my findings illustrate the concerns of middle-class parents become reified, dislodged from the structures that produce them, and associated with high academic performance.

Recently, a number of articles were published marking the one-year conviction of Tanya McDowell. One article, published by feministwire.com asks their readers to write love notes for Tanya:

With joy and solidarity, we celebrate the mothering work and acts of resistance of Tanya McDowell, and we invite you to write a love note to Tanya and her child (in the comments section below). In these times of growing skepticism and mounting critique rightly aimed at the myriad forms of structural conditions that negatively impact women and children around the world, we recognize the need for self-care and acts of love-making within our communities. “Love Notes” are intended to counteract the violence of oppressions through offerings of praise, support, solidarity, and love. It is a radical space where we, for once, seek to forego the use of the “master’s tools” (i.e. war; in-fighting; communal dissolution; hatred; separation; and prejudices) by employing a different and revolutionary tactic, namely, love²⁹⁸.

To be sure, praise, support, solidarity, and love are all good things. But there is also a need to shift our line of vision. This shift, represented by extending the historical trajectory through which we locate our contemporary moment, has been a third goal of this dissertation. Rather than memorialize Tanya McDowell, or isolate her struggle—as has been done by dominant tellings of Black Freedom struggles that won universal civil rights and ended Jim Crow—we might rather pay tribute to the injustice she faced. One way we can do this is by continuing the struggle in opposition to what Ruth Wilson Gilmore has termed the “state-sanctioned or extralegal production and exploitation of group-differentiated vulnerability to

²⁹⁸ The Feminist Wire. 2013. “For Tanya With Love”. March 7.
<http://thefeministwire.com/2013/03/for-tanya-with-love/>

premature death²⁹⁹” and for the individual present and collective futures that public education represents.

²⁹⁹ Gilmore, Ruth Wilson. 2007. *Golden Gulag: Prisons, Surplus, Crisis, and Opposition in Globalizing California*. University of California Press. p. 28.

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