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ENCLOSURES OF THE COMMON GOOD OF PUBLIC SCHOOLING

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PRIVATE MARKETS AND PUBLIC EDUCATION: ENCLOSURES OF THE COMMON GOOD OF PUBLIC SCHOOLING

VOLUME I

By

Christopher Andrew Lubienski

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ABSTRACT

PRIVATE MARKETS AND PUBLIC EDUCATION:
ENCLOSURES OF THE COMMON GOOD OF PUBLIC SCHOOLING

By

Christopher Andrew Lubienski

While the expansion of markets is evident in many areas, in education, market advocates note that such reforms are not privatization, since ownership of schools remains public under most charter school proposals. However, some claim that, in using the pursuit of private advantage as their driving force, these reforms slight the public interest in education. This study seeks to understand the values regarding the democratic or common good that underlie market-oriented school reforms. It is primarily a philosophical undertaking, synthesizing existing literatures, data, and views into a new interpretation of current reforms.

The study employs four cases to examine the assumptions undergirding market proposals for public education. First, the study explores the discourse around charter schools in Michigan, as an example of market penetration into public education. Second, the common school reforms offer a distinct contrast to current reform rhetoric, where education was promoted as a public good necessary for the survival of democracy. These first two cases are examined through discourse analysis, involving reviews of public rhetoric and historical analysis of primary and secondary sources for evidence of the values that undergird reforms, and to see how ideas are advanced in the discourse.

Recent reforms in Britain offer a more developed instance of education framed as a private good. Using comparative methods, the study looks at

the outcomes and implications of this case for policymakers. Finally, the analysis turns to the enclosure movements of early modern Europe as a metaphor for analyzing current reforms in education.

In this analysis, the metaphor indicates that, contrary to the claims of current market advocates, privatization is advanced in education by reconfiguring the purpose of a public good as a commodity to serve primarily private interests. Indeed, education may be a unique institution compared to other privatized sectors, since privatization here does not require private ownership. By redefining the "public" aspect of education, this de facto privatization of its purpose encloses the institution of public schooling away from its potential role as the space for deliberation in a democratic society, which has implications for its ability to serve the common good.

For Sarah, Ella, and a draft choice to be named later.

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Sarah Theule Lubienski is the "fifth Beatle." I did not have an institutional or intellectual environment while I did much of the analysis and wrote this dissertation. Sarah often willingly served as a sounding board for ideas, in addition to being a great mother to our daughter, a full-time academic, and alot of fun. She also read much of the draft material, providing useful and intelligent comments that demonstrate a wisdom and understanding well beyond her own field. Therefore, I'd like to thank my wonderful, beautiful, intelligent, and multi-talented wife, Sarah, for writing the acknowledgment section for me. (Hey Chris, remember that time you wrote my acknowledgments? Remember the banana comment?)

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While I was writing these chapters, I had the benefit of being around a diverse group of disadvantaged children at Homework Club. Many of them will not finish school. Most will never go to college. I profited from being a part of their lives, and watching how they engage and reject schooling. They kept me grounded as I tended toward abstract thinking.

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PREFACE

This dissertation is an unorthodox project. It is comprised of a series of essays that focus on diverse contexts — sites or "cases" that cut across historical and geographical boundaries. The essays are linked around the issue of the rise of the market as the predominant model for organizing social life, as it projects the idea of private property or goods into some of the last remaining common domains of human interaction that had been separate in their essence from the purview of the market. The expansion of the market has been particularly dramatic in the last ten years, as it penetrates not only into areas of the globe where it was previously unknown, but comes to dominate areas of society where it was previously, at most, a peripheral factor. This happens largely through the process known as privatization. While this phenomenon is evident in several areas of social life, I focus here on public education, with the growing role of market mechanisms on the production and distribution of schooling. Indeed, the field of education offers a particularly interesting case, in my view, since privatization here is not simply the transfer of ownership of the means of production or provision to private control, but the re-constitution of the purpose of a good as a commodity to be pursued and used essentially for private ends.

As the following chapters demonstrate, the growing role of markets is controversial in many respects. From their emergence as the primary means of ordering society, to current education reforms, markets have had their advocates and opponents. Certainly, the debates around markets are passionate and heart-felt. The public rhetoric is full of claims regarding the likely benefits of market models, counter-claims about their detrimental

effects, and very little agreement. Debates are characterized by well-established world-views, a preoccupation with statistical evidence, and the voices of groups and individuals who are positioned to be victims or beneficiaries of the market's processes. Yet, the implicit and usually unstated issue underlying these debates involves the appropriateness of market models for providing mass education in a democratic society. That is the issue with which this dissertation is concerned.

It is my contention that the space of public education is being privatized or enclosed through the emergence of markets, which are dependent on viewing the world in terms of individually held private goods, not collectively governed public goods. Indeed, it is increasingly difficult to see materials, services, and other endeavors as anything but commodities driven by individual self-interest. The idea of enclosures, drawn from historical precedent, suggests a re-constitution of space and goods, away from that of entities where the community exercised some degree of control, to multiple fragments owned and governed by individuals as personal private property. In education, I argue that this appears to be happening in at least two ways. First, as markets become more pervasive, the "good" derived from the endeavor of mass education is increasingly promoted in terms of its individual private benefits, rather than its general social value. While there has traditionally been conflict over the purpose of public education, this current privatization of purpose bypasses any such debate by assigning the individual with the exclusive responsibility for defining his or her own private interest in education and, consequently, the conception of the good life.

Thus, secondly, the efforts to de-politicize education by avoiding such conflicts actually enclose the common space of education from its role as

terrain for democratic deliberation. As individuals and groups increasingly pursue their own good through market mechanisms, there is little immediate need to discuss differences, mediate conflict, or try to understand diverse views, much less to exercise democratic forms of expression. This, I argue, has serious implications for the future of an institution with the potential to promote the common good through democratic means.

This issue is important now because the idea that publicly-governed institutions can effectively serve the democratic public is quickly becoming an anomaly. Indeed, policymakers and pundits actively ridicule the idea of public or "state" endeavors as inefficient, bureaucratic, and out-of-touch with those they are meant to serve. While not denying that there is some truth in such characterizations, I hope to raise some caution flags regarding those claims. Often, such portrayals beg the question as to whether a public enterprise is really inefficient or ineffective simply because of its status as a public institution. Of course, non-state entities can be inefficient as well, and many publicly-governed enterprises can be relatively effective at pursuing certain goals. This raises the questions, which are often ignored by overly simplistic characterizations, as to an institution's mission, and whether or not the goals are better pursued collectively through democratic means, or individually, through market devices.

Furthermore, this issue has immediate relevancy because the rise of the market as an organizing model for education is actively promoted through a rhetorical shift, or sleight of hand. In the field of public policy, the discussions revolve largely around the alternatives that are available at the moment. Therefore, there is a paramount importance assigned to the

ability to advance certain alternatives, and ignore others, in the public policy discourse. Whereas a few centuries ago, private ownership was promoted as the obvious alternative to perceived crisis in agricultural production and rural society, current reforms actively frame the market as the obvious, if not sole, policy option to the perceived crisis in education and other public endeavors. This is a process that is occurring now. Indeed, the construction of alternatives is an active endeavor, where real people make real and intentional decisions about what ideas should be floated in front of the public, how they should be phrased, and so forth.

In education, proponents of markets seek to advance their proposals by redefining the "public" aspect of public education. While I document this effort in the following study, it should be noted that this is an effort that is currently underway. This redefinition speaks generally to the importance of language in the construction and advocacy of policy alternatives, and specifically to the importance market advocates attach to the "public" label in promoting their proposals. This has immediate implications, because my argument contrasts with the contention of many prominent reformers who make the smart claim that choice reforms are not privatization, because ownership, access, and funding of schools are still public, and even democratic. In this, education is perhaps a unique or even trend-setting area, as de facto privatization of the purpose, if not the means, of a public endeavor is pursued under the public banner. This is significant now because it indicates a substantive privatization of education, rather than simply a nominal privatization away from a state-administered private good. This type of privatization reconfigures the good, even if the means are still public.

To get at these issues, this study draws on disparate contexts in order to understand the rise of the market as the obvious policy option now available. I review various literatures, and draw on a wide variety of media sources, in order to contrast the relative role of markets in various examples. The cases in this study, which I introduce in the opening chapter, are drawn from different geographical settings and various historical contexts. I have had the chance to develop these cases in a series of conference papers, which served as drafts for the following chapters. To a considerable extent, the cases are still separate essays, not yet tied together in a smoothly flowing argument. However, there is a loose logical progression to the chapters that follow — starting with the ascendancy of markets in general, focusing on current examples of markets in education, looking at past views and future possibilities for education markets, and ending with a quantum leap back to the rise of markets as represented by the enclosures. I ask the reader to suffer the disjointedness, and perhaps consider the cases individually (on your own) before reaching my conclusions in the final chapter.

Thus, this study is essentially an interpretive exercise with immediate implications. It is not a traditional policy study, since it passes over policy minutiae and debates about their effects. Instead, I seek to understand underlying values and assumptions. Furthermore, it does not pretend to bring new "data" to the scholarly or policy debates. Instead, I attempt to interpret and synthesize existing ideas, arguments, and literatures, which serve as the evidence in this endeavor.

Moreover, this study does not seek to offer policy solutions to the intractable issues that plague or sustain (depending on one's perspective) education as a publicly provided endeavor. Since this study was written

largely as an interpretive exercise, it is not my intention here to produce new policy options, or even promote existing alternatives. Instead, I analyze the primary solution offered today, which is located in the market.

This is not to say, however, that I have no perspective on the state of public education or the market-oriented proposals that are so popular today. Although, ideally, I would like to say that my views are of no consequence here, and that what I am describing is simply the trend underlying reform movements, in fact, I do have closely-held values regarding these issues. While my intent is to describe discrete examples that document the dramatic changes in the way we view a common good like education, and how our views are informed by the universalization of markets (and their advocacy), it would be disingenuous of me to suggest that this project is neatly divorced from my own views. And my values certainly become apparent in the chapters that follow, even without working from an explicit theoretical or ideological framework. However, I think that the ideals that guide this study are ones that are relatively common.

For example, much of this study is written with the sense that democracy, despite its faults, is a good thing. And, in order to allow for the greatest possible flexibility and freedom in this exploration, I define democracy in the widest possible terms (in the introductory chapter). Likewise, the reader will note that at several points I return to two other themes, both of which contradict much of the logic in the prevailing policy discourse, but would likely find widespread acceptance. First, I deny the claim that public governance is inherently coercive while markets represent a site of freedom and voluntary relationships. This is, in my view, an idealization based on an overly simplified dichotomy. In this dissertation I argue for a more balanced and complex view: that markets

can be coercive as well, while public governance often represents liberty for many groups. These issues are dependent largely on one's circumstances, and the prevailing conditions.

Second, I hold that neither public education nor markets are, or can be, apolitical. This claim stands in contrast to much of the rhetoric supporting markets in education as the neat and efficient alternative to the messy and ineffective world of democratic control. However, I maintain that schooling is necessarily political, since it is premised on decisions regarding what to include in or exclude from the curriculum, for instance, or how to teach a given subject to certain students — decisions that necessarily favor some groups of people at the expense of others. And, when schooling is done on a social context (which it always is), it has to mediate between competing conceptions of its purpose in pursuing the good life. So, as an institution, it favors some perspectives, and discounts others.

Moreover, the popular claim that placing schools in the purview of markets would end much of the political squabbling around education is also, in my view, an idealization. The market is not, and cannot be, apolitical, since it too is a human institution that rewards some individuals and groups more than others. While this differential treatment is most obviously based on the unequal possession of financial capital, it is also evident when people possess differing amounts of cultural capital, or values and predispositions towards competition, individual advancement, and willingness to "play the game" in the market. Some of the cases that follow illustrate this rather effectively. In instances where the market is more pervasive in the provision of education, obvious inequities have followed in the market's wake. Likewise, I make reference in this study to examples of market systems that favored some groups and disadvantaged others. The

market can entrench and perpetuate social and economic inequalities. Therefore, in my view, it is intellectually dishonest to claim simply that the market is "apolitical."

Thus, these disclosures suggest that I undertake this study from a vantage point that embraces democratic values, and is suspicious of attempts to "de-politicize" education because of the likelihood of de-democratizing the institution and its potential. So, if the following pages are a story, then they are the story of the emergence of markets as the predominant form of social ordering. Markets have eradicated alternatives in their inexorable rise. My intent has been to describe the expansion of markets, rather than to weigh in with or against any particular agenda. However, if this story has protagonists and antagonists, that is because it is difficult to read Karl Polanyi, R.H. Tawney, or E.P. Thompson on the draconian changes that engulfed English, peasants, communities and society in general in the 16th through 19th centuries and not take note of the active efforts of various individuals to promote such changes, despite the costs they were asking others to pay. Likewise, it is hard to describe current changes in education without noting the active efforts of various individuals to promote such changes. Therefore, while I would not impugn the intentions of many who are trying to make education a better experience for many, I would question the evidence and appropriateness of importing the market model into public education, in view of the various roles we have traditionally assigned to education, and its potential for serving the public good. But, this study is less about imposing a framework or assumptions of my own than unburying and exploring the assumptions that dominate the discourse.

So, in returning to the earlier question of the appropriateness of markets in education, I contend in the pages that follow that education is a public good — an endeavor that can sustain the common good, and in which the general public has an interest. Often, societies have chosen to shield the provision of public goods from competitive markets because of concerns about equity and evidence of market failure. Indeed, leaving the maintenance of a common good to the aggregate of individual self-interest is a risky business in itself, and negates the public interest and ability of society to use an endeavor to achieve any desired social end. Although I do not oppose the idea of choice in and of itself (and enjoy it in many areas of my own life), I concur with Fisher (1982, p. 200) that "in areas where the public good is likely to be affected, society should embed socially desirable principles in the institution, rather than expect them to emerge from a mass of individual choices." If, in fact, education is a public good, then the market may not be the appropriate model for organization, since the institution of public education is more akin to the military's charge of national defense, or the court system's mission of justice, rather than a corporation's goal of providing an efficient product or service at a profit.

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CHAPTER ONE

Introduction

As markets emerge as the predominant form of social ordering, they eradicate all other alternatives for organizing social life. Particularly over the last ten years, the world has been witnessing a dramatic expansion of the purview of the market into geographic and institutional areas previously free of market control. In turn, "all the global commons have been enclosed" (Seabrook, 1997, p. 13). While market mechanisms such as consumer choice and competition between providers had already been ascendant in many areas of market societies, their most recent expansion challenges the public or political control of institutions that are intended, or have the potential to, sustain the common good. This study maintains that market-oriented reforms are enclosing the democratic space of public education by redefining the "public" aspect of education and privatizing its purpose.

The expansion of the market into the public sector is fueled by the individual pursuit of public goods and services as private goods. Market penetration of mass education elevates the private good aspects of public education over its public benefits. Such a trend is not a new phenomenon — not in education, nor in other areas of social life. For example, Cahill (1995, p. 28) writes of "the complete extinction of *Res Publica* , the Public Thing—social concern," concurrent with the decline of Roman society. The elite and affluent became more introverted in themselves and their own social classes, withdrawing attention and concern from other people, the public sphere, and society in general. In this phenomenon, the affluent insulated themselves from other classes, and people cannibalized the

symbols of the old Republic, "going even so far as to use the great public edifices as quarries for private palaces" (p. 35). Not surprisingly, then, Cahill offers a lucid description of the quick death of a social system in the face of external pressures as the previously assumed "social capital," as we might call it, had withered away. More recently, though, Gitlin (1995) observes that *res publica* is now identified with the inefficient post office, "unsafe streets and bad schools" (e.g., p. 224).

In response to the "public" sphere being considered second-rate, people are withdrawing from common spaces and public institutions in many ways. Privatized services, gated communities, exclusive recreational pursuits and other signs of the times suggest that figurative and literal walls are "springing up" to separate different groups and individuals. But, as Blakely and Snyder (1997) ask in their study of gated communities, is it possible to have a social contract without social contact?

Similar patterns are emerging in education as well, where people withdraw from common education to more effectively seek their own good. And not only do people pursue their private interests through public education, but reforms actively promote such pursuits as the most efficient and effective way to obtain the individual benefits of schooling. But, underlying such reforms, what are the assumptions and values regarding the role of public education in a democratic society? Are schools akin to businesses in producing private goods? Are they like civic organizations or bowling leagues — an indicator of social capital? Are they similar to the public edifices Cahill describes? Do they exhibit aspects of the common good that place them outside the market sphere?

This dissertation asks such questions about the values underlying reforms. I examine the discourse around market-oriented reforms as well

as the rhetoric of the common school reformers in order to get at the values that advance the reforms in the public arena. Then, in view of the trends involving markets in education, I explore the example of the enclosure of common lands as a metaphor that reflects our current circumstances.

The enclosures were a series of agrarian reforms in early modern Europe — particularly dramatic in Britain — representing the emergence of market society. Over the course of a few centuries, and into the 1800s, large landowners enclosed, or hedged in, areas of land that had previously been viewed not as private property, but as "common" land, where members of the community had rights to plant, graze their livestock, gather fuel, and undertake other activities necessary for survival. These rights were distributed and sanctioned by the community. The emerging landed classes enclosed lands in response to perceived crises of immorality and inefficiency that they associated with the commons. Through various methods — legal and otherwise — large landowners withdrew their participation and their share of the lands from the commons, put up fences and walls to close off their sections, and established an idea of private property rights over the land. This process dispossessed many people of their rights and holdings, forced them into selling their time-labor for wages, destroyed communities, ended conventional social obligations and redefined institutions and relationships. But, according to many analyses, it also provided the basis for future progress in terms of agricultural and industrial production, and advanced the emerging market society.

So, what does this have to do with education? In studying the enclosures, there appeared to be a pattern of crisis, withdrawal, and enclosure. That is, proponents of enclosure portrayed economic and social crises, which they associated with common lands. Members of the landed class

withdrew their participation not only from the commons, but also from social and cultural contact with the commoners. Then, they pushed for the enclosures of the commons. In education, of course, crisis rhetoric is a driving force behind the motivation for change. And the withdrawal pattern is evident in many aspects of modern society, including education. But, in my reading of current trends, the withdrawal analogy alone does not adequately explain rise of market models for education.

The metaphor of enclosure offers a fertile analogy for understanding current trends in education reform. In the historical blink of an eye, traditional ways of arranging life were suddenly and drastically transformed. Not only were physical features introduced to alter the rural landscape, but a new socio-economic system arose to replace the old "moral economy" of traditional village community. Institutions and relationships were redefined.

As a mirror on school reform, this metaphor suggests some insights on current trends and events, and offers some implications for the role of public education in a democratic society. In this dissertation I argue that public education — an institution with at least the potential to sustain the common good — is being enclosed through the redefinition of its "public" role and the privatization of its purpose. It is being enclosed in real terms to some extent, as public resources are redirected to serve private ends. And it is being enclosed in functional terms, as it is being cut off from its role as a common space for democratic deliberation necessary in a vibrant democracy.

An Illustrative Anecdote

This idea of enclosure came to life in two ways during a scuffle in a charter school in Washington, DC. When the Anigbo scandal first broke, I was intrigued — not just by the events, which were interesting in and of themselves. Instead, what really caught my attention was the use of possessive, proprietary language to refer to a purportedly public school. Furthermore, as this dissertation moved on, I became more interested in what the fiasco reflected in terms of the state of schools as a place for democratic discourse.

Susan Ferrechio, a newspaper reporter, claims she was attacked by Dr. Mary Anigbo and some students in December of 1996 when she went to interview students for a story on the Marcus Garvey Charter School, an Afro-centric school of which Anigbo is the principal. Ferrechio, who is white, was doing a mostly favorable series of progress reports on the first year of the school for the conservative *Washington Times*. She claims that she was attacked and racially taunted by Anigbo, staff, and students, who are African American. She returned to the school with a photographer and police. Another melee ensued, and Anigbo and other staff members were convicted of assaulting Ferrechio and two police officers, and stealing the reporter's notes.

Stories conflict about what actually happened at the school, and, frankly, that is not my present concern. What initially caught my attention was the way Anigbo and her lawyer talked about the school. After her conviction, Anigbo was seen on "60 Minutes" (11/2/97), referring to "my school." And in the $10 million lawsuit that followed against the *Times* and the DC Police, Anigbo refers to the school as "private property:" "The Times violated the

plaintiffs' rights to privacy," according to her attorney. "The paper invaded their business..." (Deady, 1998).

This, in and of itself is not noteworthy. I personally have been confronted and kicked out of public schools by zealous administrators who probably rivaled Anigbo in their passion and possessive attitude towards their buildings and their charges. But in this case, it really *was* Anigbo's school in many ways. She founded it. After the "incident," her action was reviewed by the school's board of directors, which she appointed (and included her brother as chair). Likewise, her niece served as the school's secretary, and her nephew was the security guard — despite being convicted twice for armed robbery and once for possession of cocaine.

Indeed, the school's board refused to fire Anigbo even after she was convicted, correctly noting that the school was defined by her charisma and vision, and that it would not succeed without her. Parents agreed. Attracted by the school's mission, they supported Anigbo, and attested to their children's academic gains. In view of the miserable conditions in many of the district's schools, applications to Marcus Garvey tripled in the wake of the "incident" and the subsequent publicity.

Thus this event illuminates one of the meanings of privatization of education. There is definitely an aura of personal possession — both for parents and staff — associated with a privately-run public school. Yet, that brings me to my second point about this incident. As an institution that was intentionally arranged to be responsive to the local "marketplace" of parental preferences, Marcus Garvey Charter School was no longer primarily responsible to the broader democratic public (which provides the operating funds).

Indeed, as a charter school, the Marcus Garvey incident attracted much attention. The channels of accountability had shifted from the district, to the parents, who were largely supportive of Anigbo. But the melee and its fallout dramatized this shift. Writing for the usually neoliberal *New Republic*, Michael Kelly (1996) used the incident to attack the concept of publicly funded school choice.

> A pluralistic society cannot sustain a scheme in which the citizenry pays for a school but has no influence over how the school is run .... Public money is shared money, and it is to be used for the furtherance of shared values, in the interest of *e pluribus unum.* Charter schools and their like are definitionally antithetical to this American promise. They take from the *pluribus* to destroy the *unum*... If you say that the taxpayers should support the Little Sisters of the Poor to run their private school as they see fit, without any real oversight by the elected representatives of the taxpayers, you must also say that we should pay for Mary A.T. Anigbo to run a place where black children learn that white people are their enemies, and act accordingly.

In response to this piece, neoconservative Nathan Glazer (1997) called for standards for charter schools, not their extermination. And he reaffirmed the basic value of the charter concept as a inherent good:

> ...charters may teach nonsense. But at least the nonsense has the support of parents, who can always shift their children to the public schools, or from one charter school to another. Charters come closer to restoring parents' control over the schools than any tinkering with big-city school bureaucracies, and that is a virtue in its own right.

Chester Finn and his colleagues at the pro-charter Hudson Institute declared that Anigbo should be fired, but blamed the district for not setting up clearer criteria for charter applications (Finn, Manno, & Vanourek, 1997b). Elsewhere, Bruno Manno (1997b) repeated this one-bad-apple position, while affirming the idea of parental choice.

> Mary Anigbo and two staff members were convicted of assaulting a police officer in the incident. The elected school board has decided to let her stay on as principal at Garvey. The incident and that decision reflect poorly on Anigbo and the board, not on the charter school concept. Why shouldn't District parents who want to send their kids

to an Afrocentric school that meets educational standards be able to do so?

This discourse around Marcus Garvey was interesting in many ways. Most importantly, it was an open deliberation. However, it is also increasingly irrelevant. As Glazer approvingly notes, what some editor thinks — along with what some bureaucrats, taxpayers, and voters may want — is not a primary concern to a charter school so long as the parents-as-consumers approve. Schools are more effective when they respond to direct consumer preference. Furthermore, if consumers divide into homogeneous groups, the schools can be even more effective at meeting their individual and group needs. On the other hand, schools will not serve as a space (or impetus) for democratic discourse.

Overview of the Study

This dissertation attempts to get at the assumptions and values underlying debates (such as the one above) around markets in education. Frequently, these debates center on competing but unstated values regarding efficiency, liberty, community, and other such ideals. In this pursuit, I examine several very distinct sites and contexts as cases that offer insights into the questions at hand — including Margaret Thatcher's Britain in the 1980s, Horace Mann's Massachusetts in the 1840s, John Engler's Michigan in the 1990s, and others, as well as England in the 16th through 19th centuries. Within this scattered "story" are some recurring themes, including crisis, coercion, individuals and institutions, alternatives, and control of the soapbox.

Each of the main cases studied here serves a unique and valuable part in approaching the overarching issue of the growing role of markets in

education. The enclosures are a case which serves as a metaphor in the concluding discussion of this study. As a metaphor, the precedent provided by the enclosures offers helpful insights for interpreting present patterns. Therefore, if enclosures represented an early expansion of the market into previously non-market areas of life, current market-oriented education reforms represent another such expansion.

Michigan's recent charter school reforms provide a useful opportunity for exploring the metaphor of enclosures in public education. Charter schools are good examples of market penetration, and the rhetoric around the Michigan reforms is both representative and readily available. Initially, I began this project thinking of enclosures in education much more in terms of private providers controlling public resources for private ends (and marketers staking out space in schools for commercial advertisements). However, the Michigan case is intriguing because it demonstrates that private parties are not taking actual ownership of the means of provision, but usually contracting with "public" entities to privately manage public institutions. This is significant in that reformers point out that this is not, strictly speaking, "privatization" — and they usually avoid the use of that word. But the Michigan example is indicative of the privatization of the purpose of education — not just for providers, but also for the many "consumers." The enclosure metaphor is helpful because it illuminates the way that "consumers" are defined strictly in terms of those using the education service at any given time, to the exclusion of other citizens, taxpayers, and social or democratic interest. This case also clearly demonstrates how reformers are explicitly trying to redefine terms in the debate, especially the "public" aspect of public education, and blur boundaries between popular conceptions of public and private.

Of course, if we accept the crisis premise of much of the rhetoric driving school reform — that public education is in a state of systemic dysfunction due to an undesirable mix of public and private interests — this logically leaves two basic approaches, what Hirschman (1970) characterizes as economic-style "exit" and democratic forms of "voice." The debates around charter schools in Michigan have focused largely on the theoretical effects of exit, since there are not clear precedents in Michigan schools that offer concrete examples of the actual use of exit as an organizing principle for schooling. However, there are other examples available of education treated in reform rhetoric as a public good (sustained by voice), and as a private good (enforced by exit).

The rhetoric of the 19th century common school reforms — which serve as the second case in this study — also sought to redefine "public" aspects of education, and distinguish boundaries between the "private" and the "public" (or, at least, the reformers' conceptions of those terms). In doing so, reformers usually promoted education as a public good, essential to the survival of the Republic. But, more importantly, in doing so, they argued for political-democratic control of public education. Thus, these reforms offer a suggestive contrast with the spirit of current reforms. This case exemplifies an approach more in line with Hirschman's "voice" option — aligning democratic expressions of preference and dissatisfaction with the educational institution's construction as a public good sensitive to such forms of expression. Of course, at that time, at least, the many new institutions that were founded for the "public good" were granted quasi-monopoly status. This was intended to free them from concerns with competition and the vagaries of the market, and probably suggested the

reformers' faith in the perfectibility of the individual, and the potential of institutions in pursuing the common good.

On the other hand, more recent reforms in Britain provide a good example — perhaps the epitome — of a rhetoric that frames education as a private good, and serve as the third major case in this study. In this case, market mechanisms of consumer choice and competition between providers were the dominant themes. While the research on these reforms over the last two decades offers many useful insights into the actual record of the market model for education, what is important here is the elevation of Hirschman's "exit" as the primary means of expression of preference or dissatisfaction, and institutional improvement. These reforms portrayed education as an economic-style commodity to be pursued and enjoyed individually, and demonstrate what is very much of a faith on the part of reformers in markets as a panacea for educational and societal ills. While the proverbial jury may still be out on the legacy of these reforms (depending on one's perspective), the case represents a fuller realization of market model and, in that, suggests the direction in which US market-oriented reformers are heading.

This returns us to the fourth and final major case: the enclosures, which I have introduced earlier. The enclosures, of course, were not about education, but serve as a metaphor from which to examine current trends in schooling. They represent, in many ways, the initial expansion of markets (and, perhaps, we are witnessing the culmination of the expansion of markets now with phenomena such as current reforms in areas like public education).[1] There are many parallels between the

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[1] After Disney bought the American Broadcasting Corporation, Mexican novelist Carlos Fuentes wrote: "In a world torn by every kind of fundamentalism — religious, ethnic, nationalist and tribal — we must

enclosures and current education reforms in terms of pace, agency, social patterns and so forth. However, in applying the metaphor of enclosures to current market-oriented reforms of education, this analysis suggest that we are not witnessing simply the privatization of the means of education (although, that is happening, to some extent). Indeed, it would be overly simplistic to describe the enclosures simply as the transfer of land title from community to individual ownership.

Instead, the enclosure metaphor illustrates a process of the privatization of the purpose of a good such as education. That is, it represents the reconstruction of the *essence* of a good like land, labor, or public education from that of a shared good, to that of a private good — one to be pursued individually, and whose benefits can be enjoyed exclusive of the interests of others. Enclosing public education privatizes not just the means of provision, but the good itself is privatized into a commodity. So, market-oriented education reforms are not just an evolution of social policy towards more effective site-based provision and consumer sovereignty. Instead, they are the intentional expansion of a faith-based world view into one of the last remaining areas where political-democratic control has the potential (if not the record) to promote the common good. Reforms such as charter schools divide up the purpose of education into multiple fragments, where each consumer can or must privately establish his or her own purpose for education and conception of the good life. While many reform proponents have noted that such reforms are more effective, such claims beg the bigger

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grant first place to economic fundamentalism, with its religious conviction that the market, left to its own devices, is capable of resolving all our problems. This faith has its own ayatollahs. Its church is neo-liberalism; its creed is profit; its prayers are for monopolies; and now its halos are Mickey Mouse ears." (quoted in The Mennonite, 1996, p. 17; see also Walkom, 1990).

question: Effective at what? Market-oriented education may be more efficient for meeting individual preference, but, I argue, it encloses the institution of public education from its role where it serves as the site (and reason) for mediating competing preferences, exercising democratic discourse, and publicly producing shared conceptions of the good life.

To make sense of this hodgepodge of diverse cases, I suggest that there is a rather consistent (and often creative) tension between a public sphere of democratic politics and a private domain of markets. While, at times, these interests coexist, counter-balance, or even play off each other, now it appears that in education as in other endeavors, private markets are exclusively ascendant. The idea of withdrawal and enclosure, explored in much more detail in the concluding chapter, offers some explanation for the elevation of economic values over democratic concerns, and suggests that perhaps current trends represent something more enduring than just another swing of the proverbial pendulum.

Enclosure and Withdrawal

Why use the image of enclosure and withdrawal? The withdrawal idea comes from several observations of trends in our society. Some social commentators note the withdrawal of the affluent from common areas of social life in a democratic society, warning of the threat to democracy itself. Christopher Lasch's (1995) work in the early 1990s on the secession of socioeconomic elites from common areas of life serves as a starting point for understanding the withdrawal of support from an under-funded or poorly performing education system. His analysis has received support from several observers. Reich (1995) and McKenzie (1994), for example, note this process in residential and lifestyle patterns that preclude

interaction across social boundaries. Blakely & Snyder (1997) warn of this phenomenon with respect to the rise of gated communities for the privatized protection and security of persons and property. Kozol (1995, esp. pp. 108-10) critiques this pattern around areas of diminishing public services such as sanitation, consequent to the retraction of elites' support for such efforts through their quasi-governmental organizations (with taxing authority) and their threat of removing political backing and taxable capital. Yet, as homeowners' associations win the right to coerce revenues by taxing people within their areas (McKenzie, 1994), they have thus won the right to define their separate common good exclusive of the whole. Left-leaning religious publications have also identified this apparent pattern with some concern.[2] The corollary of this view is that, with a transformation of the socioeconomic order from that of an industrial economy, "the rich — who happen also to be the most politically powerful — no longer need the poor."[3]

This withdrawal is then evident also in terms of physical and symbolic space. Lasch (1995) portrays this retreat from responsibility for fellow citizens in areas such as residential, religious, and institutional choices and pursuits. In his estimation, the affluent have succeeded in establishing their own private enclaves, and shirking responsibility (financial or otherwise) for their fellow citizens — since they have forged commonalities with their international cohort and declined to identify themselves primarily as Americans. Much of the analysis of this issue centers around the "new class" — also known as the "cognitive elite" or

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[2] See, for example, Aeschliman (1994) and Friend (1996).
[3] Bauman (1997). See also, Cardoso (1993) and Castells (1993).

"symbolic analysts."[4] For example, Herrnstein & Murray (1994) observe the "increasing physical segregation of the cognitive elite from the rest of society" in areas such as jobs, housing, school choices, and mating — areas where individual choice prevails. They argue that the cognitive elite, once scattered throughout society, are increasingly drawn into positions isolated from the rest of society. As they merge with the affluent, the lives of those left behind deteriorate (pp. 91, 101ff). Schools play an obvious part in this pattern. Likewise, the rise of gated communities represent a classic example of this phenomenon.

But the trends are more pervasive than simple housing or attendance patterns would suggest. Withdrawal is also an ideological force evident in the drive for lower public spending, less taxes, and less contact with, and knowledge of, those left behind. As much as wealth has remained in urban areas, it is often restricted. The affluent can contact each other in the management of that wealth by driving their "urban assault vehicles" through limited-access highways, parking in privately secured parking structures, and walking through above-street walkways. Quite often, wealth simply withdraws from decaying urban areas (hence, the decay), in favor of wealthier surroundings. The rise of information technology further enables the sanitization of social contact, as buyers and sellers create virtual communities that allow commerce and communication without contact with "others." Lasch (1995) sees the decline of a sense of noblesse oblige with the rise of the new money culture. Probably, the

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[4] Blakely & Snyder (1997); Ehrenreich (1990); Lasch (1991, 1995); and Reich (1991b). While Lasch is scathing in his treatment of the top 20% for defining themselves apart from their fellow citizens, Reich sees the future through them, and Ehrenreich deflates them as a scapegoat for neoconservatives and the New Right.

decline in contact has resulted in a decline in compassion.[5] Much of this withdrawal arises from a fear of crime. While that fear may or may not be misplaced (depending on particular circumstances), perceptions have certainly been fueled by the media, and the fear has dire consequences for democratic possibilities: "Any 'democracy' that sets out to exclude people as a matter of policy will end up being defined by them, driven by the very fear, insecurity and violence it has inflicted on them" (Ransom, 1996, p. 9).

Democracy

What one means by "democracy," however, is not always clear. It is one of those terms that is frequently used and rarely defined. Market advocates will claim correctly that their reforms are democratic in the economic liberal sense of private economic decisions free of all but the most necessary external constraints. This overlaps with the public-choice approach to politics. The republican tradition emphasizes more of a public life of civic participation. The communitarian conception focuses on fraternity within a defined group. There are other inclusive and exclusive versions as well (Dixon, 1998). However, a definition of what I mean is in order, in view of my claim that the "commons" of public education are integral to democracy.

For the purposes of this analysis, I am using the term "democracy" in a broad sense. In general, I accept Wink's (1992) definition: "Ideally, democracy is the institutionalization of nonviolence" (pp. 171, 240). That is to say, democracy assumes a social contract between citizens, not

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[5] Ostrower (1995) argues that, in as much as the affluent continue in civic and humanitarian philanthropy, those tendencies tend to be more about creating exclusive social identity than about alleviating negative social conditions.

necessarily to agree with each other, but to agree to disagree without threatening the integrity of the polity. Said another way, at the very least, democracy is the implicit agreement to talk, not flee or fight with other members of the democratic body; to carry on informative and meaningful debate; to tolerate difference in views of other members of the body; to challenge thinking to be critical and open to the views of the majority and minority; to employ established and previously agreed-upon due process for mediating conflicts; and to respect the will of the majority, and the rights of the minority. Thus, under this conception, democracy is a form of conflict management — not the conflict avoidance that is evident with some reform proposals.[6] Conflicts are necessary and encouraged as healthy expressions of diversity, but constrained within previously agreed upon parameters — not suppressed or discouraged.

Whether in neighborhoods or in schools, there is a relativistic retreat from the public production of values in a pluralist society. The economically liberal yet negatively defined rights of individuals to be free from external interference have come to mean that individuals define their own "good" in a private process divorced from politics. Thus, individuals withdraw from the public discourse, which is bankrupted of its former role as the space where people had the right to participate in the public-political production of conceptions of the "good life" — evident in the high value assigned to civic participation and virtue in early republicanism and communitarianism.[7] The liberal *economic* tenet holding that the aggregate of self-interested individual decisions can lead to the greatest good has penetrated and overtaken the liberal *political* sense of liberty and

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[6] This avoidance was true of Mann (Lasch, 1995), as well as more recent market proposals and public choice approaches.
[7] Lasch (1995) and Sandel (1996).

rights embedded in the common space of democratic discourse. This is the conception of democracy under which this project proceeds.

Origins of this Line of Inquiry

From the start of this project, a few noteworthy sources of inspiration and direction stand out that might help explain where it is headed. I was interested in the idea of public and private spheres in the critical-feminist literature. Professor Lynn Paine encouraged me to think about public and private spheres more in democratic and market terms.[8] A short introductory piece by Armstrong, Armstrong, and Connelly (1997) made the useful suggestion to remember that public and private spheres are not static constructions, but an evolving relationship. Applying that insight to reforms in education, I found a fruitful area to explore.

However, as I was to find more and more, not only had others already studied the evolution of public and private spheres in education over time, but, in the context of current reforms, it was a feeding frenzy. In particular, the research on the UK was (and is) considerable, and rather dynamic, in view of the context. In the critical sociology on the UK reforms, Bowe, Gewirtz, and Ball (1994b, pp. 76-7) propose a metaphor of landscapes:

> Broadly speaking, the landscape of choice seems to us to be constituted by the politics of space (different conceptions and use of the lived environment), closely related to the distribution of material and cultural capital (family finance and 'knowing the system'), the impact of the language of 'choice' and modes of consumption (how

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8 Marshall and Anderson (1995) offer a good example of examining the public-private dichotomy from both gender-cultural studies and more traditional political perspectives. Indeed, there is a vibrant, if peripheralized, literature that examines markets in education from a feminist perspective with critical-cultural tools — much of it, for some reason, coming from the Anglo-democracies of the UK, Australia, New Zealand, and Canada (e.g., David & Edwards, 1994; David, West, & Ribbens, 1994; Deem, 1996; Dehli, 1996; Kenway, 1993; O'Neill, 1996).

> and if parents choose) and the particularities of local circumstance (how LEA's and schools work on and in the landscape)—all of which are powerfully inscribed in the presence of class, gender and race. In short, investigations of parental 'choice' require a far more sociological approach that asks, what is happening in schools and amongst parents in the newly constructed educational market and how is this related to the deeper and wider processes of social and political change? (parentheses in original)

At about the same time, several commentaries came out observing the withdrawal of elites from shared areas of social life. Robert Reich (1995) wrote a short but provocative article for an obscure publication, and Lasch's (1995) final anthology of essays suggested some of the same patterns of withdrawal. These sources definitely suggest spatial thinking, but did not fully explain patterns in public education, in my view. This is when the enclosure idea emerged.

Concurrently, Chris Whittle's Edison Project was in the news for its various achievements and disappointments. Researchers like Alex Molnar (1996) and advocacy groups like UNPLUG: The Center for Commercial Free Public Education, and the Consumers Union (1995) were raising questions about marketing and education. What they were describing sounded similar to the enclosures in some respects, and that was one of my first routes into this area (see Appendix). However, a chapter from David Tyack (1990) suggested once again the image of education as contested terrain in a democratic society, and Michael Sandel's (1996) book suggested the deliberative contestation of that terrain as the common space for the production of the common good. Hopefully, by imagining public schools as space, and through the metaphor of enclosures, this analysis can build upon others in understanding trends as they appear in education. Finally, in exploring the possibility of the enclosures of common lands as a metaphor, the eloquent and forceful writings of E.P. Thompson, R.H.

Tawney, Karl Polanyi and others lent a moral sense to the metaphor. Their portrayals of the explicit efforts of individual proponents of these reforms and their social repercussions invoked the voices of those who recast the metaphor in personal, human terms, calling attention to the fact that individuals make choices, some people benefit, and some people pay the price.

A Note on Sources

This dissertation is a synthesis of existing literatures and discourses, an overlay of sets of ideas onto other sets of ideas. Therefore, much of it will seem familiar at one level, since it is necessarily based on existing thinking as seen through my reviews of various literatures as the data source. However, it is the juxtaposition and analysis of those ideas and literatures that I hope will offer something new.

This study is somewhat schizophrenic in its approach. The "data" come from distinct literatures and contexts. While that presents a notable challenge in appreciating the patterns and nuances from different fields, it also allowed me the luxury of passing back and forth between contexts; finding myself at a dead-end in one area, only to find a similarity and an outlet elsewhere. In that regard, the analysis is not only about synthesis and making connections, but is comparative as well.

When I began this project as an analysis of the discourse around school choice, I was naive enough to think that I could capture that discourse. As a theoretical dissertation, that discourse is my data, so I intended to get an extremely comprehensive sample. I was not aware of how well-developed (or, at least, prolific) a relatively new area such as school choice could be. However, while that naiveté caused me to consider a great deal of sources

for this project, it also enriches the dissertation with a broad, diverse, and comprehensive set of data on the discourse for analysis.

In looking at the discourse on market-oriented reforms for education, I was intrigued by two things. First, the debates appear to focus on the issue of effectiveness of market mechanisms in education, and ignore earlier concerns about their appropriateness. The rhetoric is often concerned with the economic value of efficiency, and less so with political considerations such as equity or, more importantly, maintaining education as public institution for the political-democratic production of socially-defined goals. Advocates and critics of school choice argue about the effectiveness of markets in education, but often fail to delineate the goals for that effectiveness, much less consider who decides on the goals. The debates often presume that education is a private good that may be efficiently distributed to customers in line with their preferences through market mechanisms — an assumption which implicitly denies the possibility that society is a "consumer" of education. This is evident in the debates around voucher proposals in Milwaukee and Cleveland (discussed in Chapter Three), where the focus is on test scores, rather than some of the competing conceptions of democracy and education (or democratic goods and market goods) which undergird and define the discourse.

Second, I was fascinated by the success reformers were having in advancing a market agenda simply through public rhetoric, in lieu of evidence of the success of markets in education (and, again, successful to what end?). While reformers make constant references to consumer markets, or higher education, or common sense, there is virtually no evidence available on the record of markets in universal education in the US, because there is no recent history of markets as the primary model for

organizing mass American education. Thus, allusions to non-education markets are a primary feature in some of the most prominent arguments for education markets. And these arguments appear to have a power that, for me, is fascinating — not just in terms of how ideas are asserted in public policy discourse, but also how some ideas come to dominate and exclude others from consideration.

So, in light of the observations that the debates are really about competing values is largely unacknowledged, and that the reform program is substantially rhetorical rather than data driven, an effective route into the competing values underlying the debates would be through analyzing — not statistics and scores, or details of policies — but the public use of language and rhetoric appealing to various values. In focusing on rhetoric and language, I looked to the idea of metaphor, which is, of course, not just a linguistic device, but an analytical one as well. And, since the competing values to be explored through the metaphor are most often manifested publicly through language, I tried to capture a sense of the discourse through public pronouncements and other available rhetoric.

In analyzing recent public rhetoric, newspapers and other popular media have been an important source of information. More refined and analytical rhetoric is available through some of the canons of the field (see Chapter Three). In addition to looking at the most notable sources on the topic and their bibliographies, I reviewed current publications as well. (Dates for searches varied by topic, and are available in the footnotes.) Along with SARA (Carfax Publishers on-line), I ran CARL UnCover and UnCover Reveal Alert searches for the academic and policy-oriented journals and books over the last two years; I set up key-word and author searches on terms such as "privatization," "charter schools," "vouchers,"

and other relevant phrases, as well as requesting notification on tables of content for various journals. This helped me find pertinent journal articles, policy reports, books, and other sources from a variety of fields.

I did a similar surveys of newspaper articles. The initial survey involved a review of the capital city paper — the Lansing (Michigan) *State Journal* — on a regularly scheduled basis for any possibly relevant items. I also culled items from the largest circulation newspapers in Michigan, as well as from national publications, surveyed on a more or less random basis. From there, items were categorized and filed, and I generated categories from lists of keywords I used to help identify each piece. Next, I used two news clipping services specific to education, keeping an eye out for items on charters and vouchers and so forth. Finally, I did an intensive search of the *New York Times* and *Education Week* from January through March of 1999, gathering and categorizing articles.

In the end, I gathered over 4,000 sources. After skimming and prioritizing, I read approximately half of them, which I categorized using key-words for later reference. And I tried to discern schools of thought, connections, similarities, common themes and connections to look for emerging generalizations. (For the sake of readability, I have adopted a modified approach to citing these references in the APA style. While single or short citations are made in the text, longer citations, or those requiring some explanation are available in footnotes. Headings are also organized under APA style.)

There are, of course, obvious problems with this approach. I do not claim that the data identification was comprehensive or a random sampling. Some sources were more accessible and available than others; some were more relevant. Furthermore, the whole idea of collecting

discourse in this manner is limited. I am operating under the unsubstantiated assumption that public rhetoric reflects the underlying values it is meant to support. This assumption could be challenged on the grounds that public policy pronouncements are just that — public — and that they do not always accurately reflect the private values or intentions of a speaker or writer. Indeed, public rhetoric often serves to obscure the intentions or motivations of policymakers. Furthermore, I was substantially limited to garnering rhetoric from the written word. Of course, much of what is published goes through a process involving the perceptions of the writer, the limitations of language, editing and publishing — a process that likely filters, at best, or distorts or constrains what is available to the reader or researcher. Still, I think my set of sources is broad and numerous enough to allow me to claim to have some sense of the discourse.

Outline of the Organization of this Study

This dissertation is arranged as a progressing series of essays around the issue of the growing role of markets in education. The early chapters lay out the foundation for the analysis, describing contexts, identifying themes, and setting the stage for the interpretive analysis that follows. The main thrust of the argument is located in the discussion in the concluding chapter, where I return to the idea of enclosures as an analytical image which draws together the disparate ideas in this study (and which remains dormant through much of the intervening pieces). In that concluding discussion, I attempt to explicitly draw connections between contexts, and synthesize the emergent themes by returning to the metaphor of enclosures

as the main analytical device. (In the Appendices which follows that chapter, I try to anticipate some of the questions raised by the analysis.)

First, however, the following chapter examines the issue of the dominant position of markets in general by looking at current instances of the expansion of markets across sectors and around the globe. The chapter begins with surveys of a few discrete instances of market penetration into various sectors besides education, and it is essentially a review of the literature on privatization in general. In this chapter, I define some of the main terms of the discussion, and draw out some of the arguments for and against the expansion of the purview of the market. The chapter does not focus specifically on education until its concluding section, when I begin to draw parallels between broad patterns of market expansion, and trends in market penetration of mass education.

Chapter Three looks at markets in education by focusing on market-oriented education reforms in the US, particularly charter schools in Michigan and the rhetoric that promotes and supports them. It starts with a more general review of the literature on school choice, examining the writings of Milton Friedman, John Chubb and Terry Moe, which provide the intellectual groundwork for much of the current choice movement. The analysis then touches on the most publicized choice plans right now — Milwaukee and Cleveland — in order to discern patterns in some of the most heated discourse around school choice. The brief review of the debates in these two sites is meant to suggest the more prominent themes and textures in debates around choice. From there, I focus in more detail on charters schools, as one of the most popular forms of education markets in the US. Specifically, I examine the public and policy discourse around charter schools in Michigan, as one of the leading states in charter school

reforms. The Michigan case offers clear windows into the central elements of this study, including the privatization of the purpose of education, and the redefinition of the "public" aspect of schooling.

Chapter Four has a different and varied focus. At first glance, it will seem to be a divergent discussion of two vastly different contexts — which it is. However, the examples of common school reforms in the 19th century and more recent reforms in the UK are meant to offer distinct contrasts to the Michigan case. And they offer an intriguing symmetry — of education framed as a public good and as a private good in reform discourse. In the first half, I turn to the example of the rhetoric of the common school reformers supporting publicly funded and controlled common schools. Reformers were responding to the pre-common school milieu of differentiated and often uneven educational provision in a time of social transformation and economic change. The rhetoric of the common school reformers suggests a concern for the survival of the democratic experiment, and their proposals indicate a tendency toward standardization and bureaucratization of education. I try to draw out their understandings of the concept of democracy, and find that, as with current efforts around charter schools, there was an intentional effort to redefine the "public" aspect of public education, but one that promoted a very different role for schools in pursuing the common good.

The second half of Chapter Four takes a very different tack. I turn the focus back to the present century, and examine the rhetoric and research on the reforms in the governance and provision of education in the United Kingdom in the last two decades. In the UK, policymakers have gone farther and faster in importing market mechanisms into the field of public education and other sectors, thus making it one of the leading laboratories

for examining the effects of market mechanisms in education. In the context of this study, it offers a site for the study of where and what many choice and charter proponents in the US would like to be. The growing research literature on the British reforms offers several interesting insights into the role of markets in education, and serves as a helpful sounding-board for the discourse of reform in the US school system. The discussion in this chapter raises questions about the role of evidence in policy debates, the pertinence of policy (and research) borrowing, market dynamics in education, and education as a public and private good.

The final chapter engages in a theoretical discussion of the phenomenon of markets, privatization, and education. It explores the metaphor of enclosures — drawing parallels to the historic enclosures of common lands — to understand the effects of markets on public education in a democracy. In this chapter, I contend that, just as the enclosures of the commons commodified the purpose of land, time, and labor, the current penetration of public education by market mechanisms of consumer choice and competition between providers commodifies the purpose of schooling and negates its role as a common space for democratic discourse.

CHAPTER TWO

Privatization and the Expansion of Markets

Global Markets and Market Penetration

A conscious observer of human events will note the movement toward a market model for ordering social life, a phenomenon that is quite evident on a global scale (Yergin & Stanislaw, 1998). Public sector services are rapidly being privatized in a wide range of contexts. With the fall of the planned and centrally controlled economies of the soviet model, there has been little to offer a viable alternative to, much less challenge, the free market system as the paradigm on which human relationships are organized. Thus, we can see the penetration of the market into areas — both geographical and social — that had previously been excluded from market influences. While markets are becoming the primary economic policy arrangement in the former soviet economies of Russia and eastern Europe, they are also expanding into areas such as health care, public security, mass transportation, and education — social services intended to enhance the common good, and previously held to be spheres susceptible to "market failure" — in the liberal democracies of the West.

Indeed, the possibility exists that we are witnessing a fundamental political transformation. The maintenance and growth of the comprehensive social safety nets — the European welfare state, or "nanny state" in Thatcher's words, and the federally-funded programs in the United States associated with Roosevelt's New Deal and Johnson's Great Society — are no longer guaranteed and secure from the vagaries of political party reversals. Whereas in the post-WWII consensus, fluctuations between liberal and conservative national governments

affected the growth but not necessarily the integrity of publicly-funded social programs, in recent years, political labels have become increasingly irrelevant, because challenges to the foundations of the social programs come from both "conservative" *and* "liberal" political forces influenced by market pressures.[1]

But certainly, what is happening to public sector services in the industrialized nations such as the United States is symptomatic of what is happening to public services throughout the world, particularly in the poorer nations. International financing agencies and private creditors pressure poorer, debtor nations to scale back on public spending, sell off public assets and enterprises, actively promote foreign investment and the consequent export of raw materials, privatize, and generally free up market mechanisms (including government intervention to subsidize neo-classical economic strategies) in the name of efficiency.[2] While wealthier nations — trapped by the politics of budget deficits and an overwhelming ideological impetus that precludes real tax increases as a policy option — have chosen not to expand their public sectors and have cut back on the guarantees of services to some constituents, governments in the "less-developed" world are forced to choose which segment of society, class, or generation will go without publicly-funded health care or education.[3] Although this dilemma

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[1] See, for example, Ball & Whitty (1990); Cameron (1997); David (1992); McAllister & Vowles (1994); Reich (1999); and Seabrook (1997, 1999).

[2] See also Appleby (1997); Bradburd (1996); Brazier (1997); Cameron (1997); Feigenbaum & Henig (1997); Gold (1989); Kolko (1998); Lappé, Collins, & Kinley (1980); Miller (1997); Multinational Monitor (1998b); Prokosch (1997); Raghavan (1995); Ricupero (1997); and Sparks (1988). See, for instances of these trends, Kikeri, Nellis, & Shirley (1992); Lieberman, Nestor, Desai, & the Organisation for Economic Co-Operation and Development (1997); Nankani (1988); Vuylsteke (1988); the World Bank (1993, 1995); and the World Bank, Alexander, & Corti (1993).

[3] Khor (1995) and Sayer (1993).

is caused by the inexorable penetration of market forces into areas of public policy and social services through the ascending role of financial (investment and debt) considerations, the market is also held up as the only possible policy alternative in such situations, and, therefore, the only means by which such services may *possibly* be provided in the future.[4] Thus, governments around the globe are re-conceptualizing areas of public services that can be handed over to the private sector, or at least modeled after the private sector, to satiate the market.

Such neoliberal trends across the globe reflect a dissatisfaction on the part of elites, the affluent, and the politically articulate with the efficiency and effectiveness of public sector enterprises in general. They assume (or suggest) that the supremacy of the market model offers the obvious solution (Herman, 1995). Along with the market comes the dominance of neo-classical economic analysis as the lens for viewing the human world, with the dollar as its common metric, efficiency as the highest value, and self-interest as the only conceivable motivation for human action. This device for measuring and evaluating the world both depends on and promotes the market as the tool for conducting and assessing human interactions. With these "truisms" serving as the unseen parameters of the discourse, the appeal of the "total market" in all aspects of social life translates into the policy agenda of privatization as the best, if not the only, possible solution to the difficulties facing public endeavors (Tamez, 1995). Current reform efforts indicate that reformers are determined to re-conceptualize "private" and "public" domains in public services as they seek to further the penetration of the market paradigm into almost every area of human

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[4] Cavallo (1997); George (1993); Gold (1989); Herman (1995); Marber (1997); and Neal (1990). See, for example, Miller (1997) and Miller (1987).

relationships, and particularly the social services that have been established in order to maintain or enhance the common good.

This chapter is a review of the literature on the expansion of markets into various areas of social life. The review is intended to place current education reform efforts in the broader context, showing how the different patterns of global market expansion suggest various themes and values that are useful in understanding market-oriented school reform. Thus, I start with several examples of areas of market penetration to show the pervasiveness of this phenomenon, and then describe the various characteristics of the privatization movement in general. I then examine the various arguments in the literature supporting and opposing privatization, in order to better understand the underlying issues and values informing the debates. Finally, the chapter concludes with a brief discussion of how these wider global trends are evident in current market penetration of public education.

Examples of Market Penetration

Criminal corrections and punishment.

This penetration of the market can be seen in some noteworthy areas, to the extent that only a few are necessary to illustrate this phenomenon. Just as schools were founded by well-intentioned social reformers seeking to redress social ailments through the newly-discovered prescription of institutions, so to were penitentiaries set up as the institutional answer to correct flaws in the individual and body politic.[5] Yet, even as the emphasis

[5] Foucault (1979) and Katz (1978); see also Richardson (1994) on parallels and relationships to schools. I discuss these connection more in Chapter 4.

in the evolution of the modern prison has vacillated between punishment and reform, rehabilitation, or correction, the superintending purpose of these institutions has always been for the common good — either improving the most deviant and destructive members of our society, or at least ridding the streets of them. The idea of privately run prisons is not a new one, as many states had various degrees of privatized prisons in the 19th century — till widespread patterns of corruption and abuse caused reformers to seek a re-assertion of public control (Fennelly, 1998). However, in recent years — possibly in response to rapidly increasing costs and loads, inefficiencies, high rates of recidivism, or a general desire to wash our collective hands of the problems associated with prisons — there has been an accelerating movement toward the market as the solution to the problems facing prisons, or seeing corrections simply as an emerging market for firms involved in security.[6] Indeed, public authorities rely increasingly on private contractors to design and run prisons for inmates incarcerated by public authorities. Of course, there have been some problems with this new combination of public and private concerns, as charges of inefficiency, corruption, inherent conflicts of interest, and

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[6] On the market as the solution to these problems, see Appleby (1997); Brister (1996); Cameron (1997); CQ Researcher (1996b); and Stolz (1997); on prisons as an opportunity for markets, see Anderson & Cannan (1996) and Associated Press (1998b). In describing marketization in this context, I am not referring to the marketing of prison labor — including its use by the private companies managing prisons (e.g., Covert Action Quarterly, 1995; CQ Researcher, 1996a). That is yet another significant example of the re-emergence of the market in this area. See, for example, IFCO News (1999), quoting the US Department of Justice: "Inmates represent a readily available and dependable source of entry-level labor that is a cost-effective alternative to work forces found in Mexico, the Caribbean Basin, Southeast Asia, and the Pacific Rim countries."

failure to disclose information necessary to the public well-being have been leveled by some observers.[7]

Social security.

In another instance, one of the crown jewels of welfare state policies was the establishment of a system of public pensions. Due to the havoc of the Great Depression, many people supported a government administered social safety net, funded by mandatory contributions from citizens, as the obvious remedy to the wild whims of market forces. In order to shelter a utilitarian conception of the common good, the system was separated from direct market pressures in that individual successes and failures, and overall inequities, would not affect the guarantee of some financial payment when one's working days were over. Of course, the Social Security system in the US has been the site of constant political wrangling, claims of entitlement, cries of crisis and near panic over potential bankruptcy, and chronic humor regarding what security it provides. Thus, after years of attention and adjustment, with little overall improvement in public confidence on the system, there has been a growing call to free up personal accounts to the control of individual payers so that they may invest as they see fit. On a larger scale, this would liberate a large block of capital for pseudo-private investment in what has been a stock market soaring on the private investment money of baby-boomers. Some argue that such an approach — possibly requiring individuals to invest in stocks and bonds —

[7] CQ Researcher (1996a). See, for examples, Bates (1998a, 1998b); Button (1997); Canterbury (1997); Field (1987); Lotke (1996); Pens, Wright, & Burton-Rose (1998); Rodrigue (1997); and Schlosser (1998). As a point of interest, recently, Correctional Services Incorporated (a private prison management company) acquired Youth Services International, which provides privatized instruction to at-risk students under contract from public schools (Hardy, 1999; Walsh, 1998g).

is a more efficient, profitably effective, and fair approach than the current system.[8] Others characterize these calls as a misguided and short-sighted effort to open up more capital for the stock markets to absorb — implying, in some instances, a "crisis" of capital in desperate need of new areas to sustain growth (Cameron, 1997; Murray, 1987).[9]

Health care.

Health care in the US and elsewhere is one of the most publicized sectors demonstrating the effects of market penetration (Khor, 1995). This is interesting because health care in the US has traditionally been run primarily through private means. Doctors provided service through private practice, and patients purchased services privately or at least in part through health insurance providers. The exceptions involved the substantial participation of charity and philanthropic groups in establishing and providing health care facilities and services (with some of the same roots as correction reforms), and government programs to pay for services for some — particularly for those unable to pay otherwise. Other

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[8] Berlau (1997); Feldstein (1997); Ferrara & Tanner (1998); Kotlikoff & Sachs (1997); Matthews (1997); and Wagner (1998). Friedman (1999) argues for privatization, but opposes making participation in the program — privatized or otherwise — mandatory. Tritch (1999) also favors mild and slow privatization, but warns that surveys show that most Americans are financially "illiterate" and unprepared to make informed decisions in the stock market; on the unfamiliarity of most Americans with the culture and language of investing (see Roshco, 1999); see, also, Clinton (1999) on the President's proposed semi-privatization.

[9] Aaron (1997); American Federation of Teachers (1998); Cullen (1999b); Gaboury (1996); Kay (1997); Leone (1997); Mitchell (1998); and Wildavsky (1997). The AFT (1998) claims that the system is already quite efficient, with less than 3% of the costs going for administration. Thus, they see the effort as based on Wall Street's desire to get access to the biggest pension fund in the world. Cullen (1999b) and Eisner (1998) contend that economic projections used to justify privatization of the Social Security System are unreasonable, and elsewhere Cullen (1999a) sees this as a phony crisis used to promote the agendas of reformers.

exceptions more peripheral to the doctor-patient relationship involve endeavors like private pharmaceutical corporations which play a significant role in research and development (Tullock, 1996). Recent market penetration has been essentially a corporatization of services, with small-scale providers giving way to large-scale organizations. Therefore, medicine is moving away from the professional-service model to a corporate-employee model (Andrews, 1995a). Concurrent with the rise of HMOs has been proposals for the re-introduction of individual incentives. Whereas previous insurance schemes often disregarded individualized incentives, popular concerns about rising costs has led groups like the Cato Institute to propose "medical savings accounts" in order to individualize costs and thereby re-introduce consumer cost-consciousness (e.g., Goodman & Musgrave, 1994). The debate, then, centers on costs. Proponents see the elevation of market models for providers and patients as the answer, as economies of scale and standardization of service can reduce costs.[10] Others point to scandals and fraud as evidence of the misalignment of private-profit incentives with public funding and philanthropic provision.[11] In the latter perspective, too much market penetration has led to inordinate influence, and precludes a more efficient single-payer option (Andrews, 1995a).

War and national defense.

In addition to social security, another area that had, in its essence, been largely immune to market control was national security. Of course, aspects of national defense and warfare have always fallen under the

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[10] Goodman & Musgrave (1994) and Watson (1999a, 1999b).
[11] Evenson (1996); Multinational Monitor (1997b); and Sparrow (1996).

purview of the market in terms of suppliers or support services. Although contractors in national defense industries, for example, represent (pseudo-) private interests in national defense, they are theoretically at the periphery of these endeavors, and their role does not explicitly challenge the fundamental essence of this concern as being under the control of, and for the benefit of, the general public. Very few, if any, serious efforts at national defense for any nation, society, or ruler have ever trusted the market to control the heart of the defense strategies and capabilities. These are areas that are generally considered to be too integral, delicate, and essential to be left to the ebbs and flows of market conditions.

Yet, again, as one of the most costly and least productive areas of public budgets, military defense concerns are also being held to the scrutiny of market forces. Mercenaries, an age-old fixture of violence and warfare, are no longer confined to the global periphery of out-back guerrilla actions, but are taking on a more central role, as they have at times in the past. Thus, the US government is now contracting with private corporations to provide training for peacekeeping forces, and these corporations are also working for other national and emerging governments (Burton-Rose & Madsen, 1999). Indeed, the argument has been made that privatized fighting forces enjoy innate advantages and efficiencies conferred on them by their position in the private sphere, thus enabling them to be more effective in bringing about peaceful resolutions to conflicts.[12] However, in this age of the democratic nation-state, where military force is supposed to be subservient to democratic control, there is the concern that any military force that is accountable primarily to market concerns of profit and loss in contracting out to the highest bidder, rather than democratic or national concerns of

[12] Kaplan (1997); Shearer (1998); and Venter (1998).

loyalty, patriotism/ideology, or civil leadership, will subvert the principle of democratic control of arms and armies.[13]

Organized religion.

Even in an area of social life such as the church, we can — perhaps unexpectedly — see the rising influence of the market. While a longer survey of Western religion might show an evolution towards a more individualistic conception of religious world- (indeed, other-world) views, hastened by the Protestant Reformation, religion and church have still maintained their theological and sociological positions as institutions of social cohesion — albeit often through exclusion. So, in an area traditionally associated with community and non-individualistic values of selflessness, it is noteworthy that the fastest growing churches are increasingly adopting characteristics from successful models in the world of the market (Trueheart, 1996). This is evident in the strategies they employ, the economic issues they embrace and exemplify, and terminology and viewpoints of "customers" and "products" they adopt.[14]

However, rather than just reflecting what have been traditionally accepted tendencies within religion for introspection, or even the withdrawal of monasticism, we are now seeing religion being used as more of a tool or justification for a claim on public resources. Perhaps, as Hilfiker (1998) theorizes, this is because we have internalized the norms of the market to the point where they are now, if not permeating popular theology, then at least a belief system akin to a religion. People have observed the general trend in the US and elsewhere for religious

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13 Howe (1998); Kritsiotis (1998); Reno (1997); and Silverstein (1997).
14 See, for example, Bowman & Hall (1992, 1996); Reeves (1997a); and Trueheart (1996).

movements to incorporate principles of the market as divinely ordained revealed truths.[15] Thus, rather than giving any credence to understandings of religious convictions that emphasize an outward, philanthropic focus on others, mainstream religion has pursued an increasingly inward, privatized concern for one's own and one's self (Friend, 1996).

Genetic codes and life.

Finally, in one last example of the growing role of the market, we can watch its imprint evolve on life itself, as it captures and shapes the genetic codes for life. Although human life is not a social institution set up to promote the common good, it is a unique and, for many, sacred subject that moral systems set largely beyond the more mundane economic concerns of cost and benefit analyses. The abolition of slavery is perhaps the epitome of this perspective, and encapsulates the liberal Western view of the (adult) human being and body as existing essentially above the realm of private property.[16] However, the US Supreme Court's 1980 decision in *Diamond v. Chakrabarty* to permit the patenting of life forms, and the recent acceleration of bio-technological advances point to new economic opportunities and moral dilemmas regarding ownership and the right to capitalize on life.[17] The ability to create new life forms, and therefore, the consequent and traditional right to claim ownership, raises serious questions about private property and the common good: Who has the right

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[15] Aeschliman (1994) and Bleifuss (1998).

[16] While there is much evidence of people being economically coerced into physical wage-labor servitude, it is traditionally justified in the western model by the facile argument that, as free human beings, they have the liberty to accept or reject any particular forms of employment.

[17] Argyres & Liebeskind (1998); Nagle (1998); and van der Gaag (1997).

to create and own another being for profit? What claims does the public have on any benefits that may arise out of such life forms? What limits may be placed on the creation of new life forms that have the possibility of causing harm to people or our environment? Furthermore, when it comes to the ownership of genetic codes of human beings, does the person, the gene group, or the patent holder have property rights?

Some genetic pools are known to be resistant or immune to various afflictions because of genetically predetermined characteristics (van der Gaag, 1997). Their genetic codes can be useful to others, and therefore have some value, which can be exchanged on the market (Mawer, 1999). Efforts to "map" the human genetic pool — justified by the claim that it is for the common good of all — have ended up in court, after researchers tried to patent DNA information taken from indigenous people.[18] While corporations are rushing to establish intellectual property rights on plants that have been common and useful to peoples for centuries, such practices with the human body (and codes specific to certain distinct groups) best illustrate market penetration by asserting individualistic conceptions of ownership over claims of communal rights and heritage, and property held (or existing) in common.[19] On the demand side of the equation, human attributes that are socially construed as highly desirable — hair color, cheekbones, body shape, certain personality types, etc. (or the avoidance of less socially advantageous characteristics such as Huntington's disease, shortness, the propensity for homosexual orientation, or particular personality traits) — can be identified, packaged,

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[18] Rifkin (1998b) and Te Pareake Mead (1997). The patent application has since been withdrawn, I believe.

[19] Lewontin (1999) and Te Pareake Mead (1997).

and sold to eager consumers.[20] While some, such as Argyres and Liebeskind (1998) see the incentives provided by the market as being the primary factor in the acceleration of the advancements in, and potential widespread benefits of, biotechnology, skeptics such as Rifkin (1998c) admonish us to beware of "today's molecular biologists and corporate entrepreneurs in their quest to capture and colonize the last frontier of nature, the genetic commons that is the heart of the natural world."

Overview of the Chapter

The penetration of the market into each of these domains is noteworthy because each domain plays a role in providing for the public or common good. My analysis focuses on similar instances of market penetration in public education. As with many other areas, public education is an endeavor that provides private benefits while at the same time serving the public good. However, as with these other areas, markets are increasingly evident as the emerging paradigm on which the organization of the endeavor is to be modeled.

The expansion of the market involves penetration into previously non-market areas, or areas that at least were not organized primarily along market lines. This can take several forms (described below). In public education, market penetration is evident in the form of a reconfiguration of the essence of public schooling. This is a form of market penetration that I call commodification. Commodification and other forms of market penetration are parts of the global pattern of privatization.

In order to better understand these different manifestations of the expanding market, the rest of this chapter provides a survey of the

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20 Marshall (1998) and Rifkin (1998a).

phenomenon across sectors and across the globe. In doing so, I examine the nature of market penetration of various sectors in terms of its breadth, depth, and pace. And I look at the debates around markets to see the reasons for its growth, and for opposition to its expansion. Therefore, this chapter moves through the literature on the phenomenon (exclusive of education, at this point) in order to set this analysis of markets and education in context.

Markets and Privatization

A Definition of Markets

The modern idea of "the market" is itself essentially a metaphor, since no actual marketplace exists in the usual use of the term.[21] Still the use of the term has become pervasive, even hegemonic, in describing and evaluating social institutions, systems, policies, and human relationships.

For the purposes of this analysis, I am defining a market as an institutionalized area of human social interaction

1) that is premised on the exclusive right of individuals to own, control, and dispose of private property in a manner that reflects their own choosing;
2) that is driven by the desire of those individuals to exchange goods, services, and/or other manifestations of value (represented by the degree to which *other people* value them) in a manner that will maximize their own individual self-interest;
3) that assumes the involvement of any plural number of players who interact competitively — acting only in their own self-interest — in order

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21 Henig (1994) and Margonis & Parker (1995); see Chapter 5, below, on metaphors.

to establish themselves in positions from which they may enjoy a competitive advantage over others in terms of controlling relatively greater shares of the supply, demand, or information that is integral to their interactions (or the patronage, loyalties, or debts of the other players);

4) where the only limits that can be imposed upon these interactions (in the purest or "free" sense of the market) are those agreed to by individual players party to an interaction, within the context of any constraining conditions imposed by the circumstances of the market itself (i.e., gluts, shortages, panics, inflation, deflation, depressions, etc.);

5) where the sum of individual actions, acquisitions, and wants — demands and supplies — creates patterns, mandates, and particular conditions (market forces) that can inform the measurable value of, and ability of any individual actor to exchange or dispose of, his or her property, goods, or services in a way he or she chooses (gluts, shortages, depressions, recessions, inflation, deflation, booms, etc.).

To my knowledge, this definition is not particularly new, unique, or controversial in describing this important social institution. After all, both pro-market advocates and observers more suspicious about the effects of markets will admit to the efficiency of markets in the production and distribution of various goods and services crucial for addressing human wants and needs, for example. What is notable, however, is the increasing centrality that markets are assuming in previously non-market aspects of human interaction. Instead of markets serving as an important tool for the organization and operation of a society, they are increasingly internalized into the essence of social existence — what Polanyi (1944) saw as a market

society (as opposed to a society with markets) where markets order most aspects of human life, or what Tamez (1995) sees as the "total market."[22]

Manifestations of Privatization

This expansion of the market model happens in several ways, often called "privatization." It can take the form of private, for-profit producers and providers supplanting public production or provision. Or it can involve simply turning public endeavors or assets over to private control, as in the triumph of the market model over central planning for national economies. Market expansion can involve opening up state or public enterprises to private investment. It is evident in the "rationalization" of organizations and relationships along market lines in order to realize greater efficiencies. This is apparent in the logic and metaphors of markets becoming the *modus operandi* for a sector or institution, or the use of market terms, ideas, and metrics for institutions, endeavors, and enterprises established for collaborative, community, or other decidedly non-market purposes and ends. Still another form of privatization is evident as previously cooperative, communal, or otherwise non-market or public goods become private goods, in a process of commodification. For the present purposes of this dissertation, the many instances of privatization are important in describing the penetration of the market.

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[22] See, also, Kuttner (1996). For example, the *Dallas Morning News* quotes Warren Harmel, from Dieste & Partners, a Dallas advertising agency: "Sports are becoming more commercialized, and now you're even seeing commercialization in the schools.... The world in the '90s has evolved to a point where everything is commercialized. Rebellion might be a part of (rock) and youth culture...but young people realize that commercial sponsorship is part of (the reason) they can be part of that rebellion. That's just the reality today." (Christensen, 1998, author's parentheses).

Indeed, there is a vibrant and rapidly growing scholarly literature on privatization, focused largely on developing countries and the former soviet-bloc economies, as well as the previously nationalized industries privatized by the conservative restoration in the Western market democracies.[23] Thus, the literature takes both global and more provincial perspectives on the privatization phenomenon. However, despite the wealth of views and evidence, there is little agreement on a specific definition of what actually constitutes privatization.

Definitions of Privatization

Although the concept of placing public endeavors under private control is not new, the term itself is generally thought to have originated with management "guru" Peter Drucker (1969). Still, definitions of privatization in the current literature show no consensus, being largely brief and nebulous. Most often, the definition is assumed, or stated in a rather pithy manner, such as Reed's (1998, p. 145) definition: the "transfer of a service or an asset from the public sector to the private sector" (see, also, Horsfall, 1997). Herman's (1997) conception focuses on the activities of the government as the fodder for privatization, but is expansive enough to include non-governmental organizations as well, since non-profit groups and trade unions "can respond to democratic political processes."

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[23] The survey that follows, incorporating a broad-ranging and somewhat eclectic selection of sources, comes from a computer search of the literature, narrowed somewhat by the availability of sources. I ran CARL UnCover and UnCover Reveal Alert searches on privatization in the academic and policy-oriented journals and press as they were published over the last two years (from approximately 1/97 through 8/98), and then systematically and non-scientifically got hold of whatever I could grab. Library resources (and inter-library loan requests) accessed some of the material, usually the ones that looked the most relevant, or that were available. A few other sources also came from bibliographies.

Feigenbaum and Henig (1997) also give a wider meaning that suggests political dynamics across time, and the possibility of commonly-held conceptions as aspects integral to understanding privatization: "any initiative that increases the role of the market in areas previously considered the province of the state (national or local)." Greene (1996b) is likewise very broad, deferring to the National Council on Employment Policy's (1988) definition of privatization as "the attainment of any public policy goal through the use of the private sector."

More rare are the definitions that give some sense of the political dimensions of privatization. While Berg and Berg (1997, p. 357) see privatization as "giving private actors a greater role in decisions about what, where, and how to produce goods and services," Champlin (1998) would claim that such a portrayal is typical of the murkiness around understandings of privatization in that they are conflating privatization with private, government supervised, production. Thus, more complex and sophisticated descriptions of the many methods of privatization — Goulding's (1997) concept of "parallelization" to describe India's opening of state-dominated industries to regulated competition from private providers; or the "formal" and "informal" privatization strategies described by Morris (1997), for instance — give more of a sense of the many policies that fall under the heading of privatization. Yet, the difficulty involved in putting a finger on the exact meaning of privatization is due largely to the fact that conceptions of what is meant by "private" — in terms of spheres, sectors, actors and interests — as well as the "public" with which it is often juxtaposed, represent the site of shifting and competing meanings.[24]

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[24] Armstrong, et al. (1997). On inextractibility of public and private spheres in market system, see, also, Galbraith (1999).

Characteristics of the Phenomenon of Privatization

Still, the literature on privatization is useful in that it is quite descriptive regarding the scope, pace, and shape of the current privatization movement. There appears to be a general consensus in the literature that the range of areas now susceptible to privatization is remarkable both in the geographic and organizational measures of its advance. As noted above, privatization has interjected market mechanisms into areas of human life that would likely not have been considered appropriate for primarily market-type organization three decades ago, for example. But areas such as national defense, prisons, health care, mass public pensions, religion, and ownership of forms of life, while showing the effects of market penetration, are hardly unique. Likewise, previously definitive public sectors such as education (as will be explained below), welfare, foster services — almost any imaginable public endeavor — are now targeted by the logic of privatization.[25] As Champlin (1998, p. 598) notes, there are "few, if any, limits to the drive toward privatization and the retreat of government, at least at the state and local levels" (see also, Daley, 1996).

Yet, of course, this is a phenomenon that is evident not only at the state and local levels, but on a national and international level as well. Much of the weight of the literature on privatization suggests that the fall of the command economy model in the former Soviet Bloc provides perhaps the

[25] See, for example, Eggers (1997) and Garland (1997). Conniff (1997) reports on the efforts of defense and consulting firms to get in on the ground floor of the recent welfare reform through contracting for management services with states. At a conference promoting their efforts, Robert Rector of the Heritage Foundation contends that "There is a liberal myth that poverty is bad for kids." Instead, he maintains, welfare dependency is the culprit. The author notes that profits will most likely come from a diminution of services — a possibility for other areas of privatization as well.

most dramatic and draconian instances of privatization of previously national assets, industries, and services.[26] While privatization received its most articulate boost in the mixed economies of western Europe,[27] and forceful implementation in Latin America (see below), it is also evident in the self-described "socialist" countries such as Vietnam, China, and Cuba as they become more integrated into the global economy.[28] Thus, many observers describe the "vast privatizations" as a global pattern.[29]

Focusing on the scope of the privatization movement, however, begs the question as to the shape that it may take in these many and varied contexts. As Herman (1997) points out, although privatization has accelerated recently, particularly in the last two decades, it is not a new phenomenon (see, also, Miller, 1987). Thus, forms of privatization have had the opportunity to evolve in response to various particulars — circumstances, forms of resistance, industries, and logical articulations of market and non-market conditions. Although I discuss more specific instances of the many forms of privatization below (and it is not the purpose of this dissertation to do a comprehensive outline of the many manifestations of privatization), it should be noted that the nebulous essence of privatization means that the literature on privatization describes many different policies.[30] Thus, manifestations of privatization are evident in many

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[26] Celarier (1997). See, for example, Cui (1997); Frydman, Pistor, & Rapaczynski (1996); Jezek (1997); Katz & Owen (1997); Kaufmann & Siegelbaum (1997); Kolko (1997); Millea (1997); and Thomas (1997).

[27] See, for example, Borde & Dang-Tran (1997); Brown & Sessions (1997); Light (1997); Miller (1997); and Thatcher (1993).

[28] See, for example, Abinales (1997); Fforde & de Vylder (1996); Glewwe & Patrinos (1998); Kolko (1997); Morello (1997); and the World Bank (1997).

[29] Seabrook (1997). See also, Dunleavy (1997); Feigenbaum & Henig (1997); Herman (1995); Jordan (1997); Massey (1997a, 1997b); Moore (1997); and Ricupero (1997).

[30] See, for example, Armstrong, et al. (1997); Goulding (1997); and Morris (1997) as noted above.

degrees of market penetration and government retrenchment, and may include complete removal of government provision, supervision, or control from a service or sector, the sale of public assets or means of production, deregulation, tax breaks, public vouchers, or contracting out (Greene, 1996b).

However, while the literature is more scattered in describing the manifestations and methods of privatization, there is near unanimity in observing the remarkable pace at which privatization policies have swept into public arenas throughout the globe. For example, in analyzing the privatization patterns of public housing in the UK, Brown and Sessions (1997) note "a sea-change, if not in the direction, then certainly in the speed of development and implementation of British housing policy."[31] Greene (1996b) examined the evidence on privatization in almost 600 municipalities for approximately 60 activities from 1982 to 1992, and found a significant increase in the use of privatization as a policy tool. And instances of privatization are not likely to be rolled back — areas and functions that have been privatized are likely to stay private (Daley, 1996).

Still, despite the tremendous pace and likely acceleration in the rate of utilization of privatization as a policy tool, some observers are calling for an even quicker implementation of the privatization agenda — what Klein (1995) calls the "Big Bang" strategy of rapidly privatizing complete sectors or systems in a shock therapy of economic transformation.[32] For instance, Kaufmann and Siegelbaum (1997) suggest that the rapid implementation of certain types of privatization (i.e., de-nationalization of assets through stock offerings and vouchers) will stem the rise of corruption associated with

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[31] See also, Beatty (1993) on the remarkable pace of change in the UK coal industry.

[32] Cited in Light (1997).

move to market model in the former Soviet Bloc countries. Poland's previous Privatization Minister, Janusz Lewandowski, argues for a re-acceleration of privatization to hasten consolidation of the liberal democratic model — and possible admission to the European Union.[33] And Goulding (1997) cites World Bank projections of potential growth in India's GDP if bureaucratic and popular resistance to "de-nationalization," or privatization, can be overcome.[34]

One notable feature of the literature on the scope, shape and pace of privatization is that much of the reasoning assumes a teleology of an inexorable market. That is, observers, both promoting and opposing privatization, as well as those who seek to maintain their air of objectivity, for the most part appear to assume that privatization is an organic evolution of social and economic ordering of mass human interaction toward a natural state of free markets. Although there are exceptions at either extreme of the discourse — those rabidly opposing privatization on the grounds that it undercuts human progress (e.g., Herman, 1995, 1997), and those favoring privatization, but seeing a need to (artificially) promote it because of the (artificial) obstacles placed before it (e.g., Thomas, 1997) — the weight of the literature seems to see privatization as natural progress, at least for the foreseeable future. Thus, in an otherwise generic discourse characterized by econometric and technocratic questions of administrative efficiency and effective implementation, very few analysts have had the perspective and ability to question the appropriateness of privatization on other (non-market) grounds (Oettle, 1997).[35]

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[33] Bonamo (1997). See also Singer (1990).

[34] See the World Bank (1995).

[35] For examples of the blandness of the discourse, see Beecher (1998) and Katz & Owen (1997). Oettle notes: "Confidence in the economic effectiveness of market-based competition between enterprises is not misplaced in the

Arguments For Privatization

Enhanced Revenue

However, it is still useful to survey the literature regarding the general arguments promoting and opposing privatization, since they represent the major fault lines in the discourse. The most obvious argument in support of privatization is the claim that policies of privatization will enrich public coffers, through the revenue generated from the sale of public assets and endeavors, as well as through the sale of specific, inefficient public enterprises that have become a constant drain on public funds.[36] Indeed, in his research on privatization and municipalities, Greene (1996b) notes that the primary answer given by officials to justify privatization programs was to save money. Others observe that various methods of privatization can be chosen also to attract additional foreign investment (e.g., Borde & Dang-Tran, 1997).

While efficient use of public resources is an admirable goal, however, the patterns evident in privatization suggest that the protection of public funds is an argument that is not always grounded in evidence. Often in privatization regimes, as in that of General Pinochet's Chile, while public assets are privatized, private debt gone "bad" — much of which is incurred in the sale of public assets to private holders — is then publicized or "socialized."[37] Secondly, while, from a financial perspective, it may make

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case of privatization to the extent that the (continuing) public interest involved is safeguarded through regulation. However, the question raised regarding its appropriateness still remains unanswered." (Oettle, 1997, parentheses in original).

[36] See, for example, Goulding (1997); World Bank (1995); and World Bank, et al. (1993).

[37] Collins & Lear (1991, 1995). See also, Girvan (1978, esp. pp. 93-4).

sense to unload enterprises that are continually operating in the red, as Schofield and Shaoul (1997) note in relation to the provision of water in Britain, profitable public endeavors are also sold off, regardless of earnings or losses. This was also true in the case of the second round of privatizations in Chile, in the 1980s (Collins & Lear, 1991). Indeed, Cameron (1997) points out that the more profitable public endeavors are obviously the more attractive to potential buyers — people who are often the most vocal in their support for privatization policies. Finally, while privatization sales may temporarily push public budgets into the black, they often appear to be an inefficient method of liquidating or disposing of public resources, as they are often essentially given away at fire-sale prices that ask a fraction of their actual "market" value — "sales" subsidized by, and financed by, public money.[38]

Greater Efficiency

But the most common argument supporting privatization is the concern for efficiency — in the management and operation of enterprises, in the production and delivery of goods and services, in the allocation and use of funds, and so forth. The theoretical basis for this concern, coming from the logic of classical economics, is provided by the neoliberal tenets of public choice theory. Greene (1996b) writes that public choice

> theorists argue that inefficiency is an inherent characteristic of municipal bureaucracies because of incentive structures that encourage empire building and overproduction (Niskanen, 1971). Markets are viewed as superior because they connect the cost of producing something to the income necessary to sustain operations. The connection is provided by the price charged to customers who decide whether to make a purchase. Nonmarket activity removes this link because the revenues that sustain government activity

[38] Collins & Lear (1991, 1995) and Multinational Monitor (1995).

> usually come from nonprice sources, namely taxes. This separates the value of output from the cost of production, making nonmarket organizations more likely to use indicators such as budget size to measure performance. The incentives tend to reward personnel for justifying costs rather than reducing them (Milgrom & Roberts, 1992; Wolf, 1988). Public choice theorists believe that altering the delivery arrangements of public services will reduce costs by improving efficiency (Borcherding, 1977).[39]

Poole (1997) also voices this perspective, noting that although a mixed public and private approach to the transportation infrastructure has worked relatively well in the US, the public sector bears the *theoretical* burden of non-economic dis-incentives of political control and ordering. Privatization offers the theoretical *potential* for a more cost-efficient system because it enshrines market incentives (e.g., Miller, 1987).

Such concern for efficiency is echoed throughout the literature on privatization, and is a reflection of the predominance of the market model for assessing the value of services and functions, both public and private. Most broadly speaking, a substantial portion of the literature arises from a concern about the overall efficiency of a system of funding, production, and delivery of services to the public or clientele. Thus, from perspective of "customers" (as both funders and beneficiaries of a public service), there is an interest in receiving the best "product" for the least amount of money — similar to that of any other consumer transaction in the market. The difference, of course, is that the "product" is often not an individualized benefit for each taxpayer, but a broader public good to be enjoyed by the citizens regardless of whether or not any one individual has paid for it. Thus, the efficiency emphasis is mostly evident on the funding side of many public services that are privatized to be more cost accountable, such as child

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[39] See, also, Bobrow & Dryzek (1987, ch. 3, esp. pp. 49-61). I discuss public choice more in Chapter 3 in terms of education.

protective services (e.g., Eggers, 1997), or on the individual client benefits (or the solvency of a system) accruing to payers, such as Social Security (e.g., Feldstein, 1997) — but rarely on the more abstract social benefits afforded by the service.

There is often simply an assumption — stated or implied — that public or state provision is inherently wasteful, and markets are efficient (this is particularly true of the discourse in the mass media). Quite often, there is no effort to demonstrate this claim, because it has entered the common lexicon as self-evident fact. For example, Gilmour and Jensen (1998) note that privatization is often seen as a panacea for inefficient public management (although they agree that some efficiencies can be realized). Others, such as Marber (1997) or Gauche (1998), advance their suggestion that governments are inefficient simply by consistently counterpoising implicit public inadequacies to the efficiencies apparently inherent in privatization schemes. Wykoff (1997) is more explicit, holding that inefficiencies of public administration should be exposed by journalists in order to provide sufficient justification in the public's eye for privatization policies. Daley (1996) is still more sophisticated, noting that, although efficiencies are the main consideration, the benefits that may be afforded by privatization need to be assessed in each case, for each service or function.

A significant segment of the literature, then, is more measured and less presumptive in claims about public and private efficiencies, although still concluding that private control inherently leads to more effective allocation and use of resources through incentives unique to private ownership and control. The World Bank's efforts to serve as a catalyst for privatization come in part from the recognition of the inefficiencies of overstaffing of public sectors (Bradburd, 1996). The pressure of competition with the

private sector, or the threat of privatization, may also have the effect of increasing the efficiency of government enterprises, as Cavallo (1997) argues has been the case in neoliberal Argentina (see, also, World Bank, et al., 1993). Lopez-De-Dilanes, Shleifer, and Vishny (1997) portray the public sector as inefficient due to its allegiance, debts, and reliance on unions and patronage. Finally, Tullock (1996) describes one (admittedly unique and isolated) situation where private incentives outweigh public abilities in promoting the public good. The financial catalysts for inventing new medicines, he explains, have a greater impact on private providers than public enterprises which are limited by political borders; thus, privatization of such efforts lead to inherent incentives for both efficiencies and effectiveness.

But this claim, or, in many cases, assumption, regarding the efficiencies afforded by privatization does not go undisputed in the literature. Appleby (1997), surveying the same neoliberal agenda of privatization in Argentina examined by Cavallo (1997, see above), claims that privatization did not improve efficiencies or lower costs to consumers. Other instances of increased costs to consumers and lower quality of service can also be cited, as when costs rose following Chile's privatization of the telephone system and other utilities (Collins & Lear, 1995), or when water services in the UK decreased in quality following privatization, despite an increase in prices.[40] Greene (1996a) examined patterns of utilization of privatization policies in order to ascertain some of the motivations for their use, and found that

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[40] Schofield & Shaoul (1997). See, also Chomsky & Barsamian (1996) and McEntee (1987). Camille Chalmers, executive secretary of the Haitian Platform for Alternative Development and former Aristide chief of staff, argues that this trend has been obvious for common people throughout Latin America — those with the least purchasing power in a privatized system (Multinational Monitor, 1997a).

fiscal stress, as the most likely catalysts for efficiency concerns, did not appear to be a significant factor. Similarly, in assessing the gains in technical efficiency for nine enterprises privatized in the UK in the 1980s, Boussofiane, Martin, and Parker (1997) found mixed results for the claim that most underlies the privatization agenda.[41]

Hence, as Jordan (1997) insightfully points out, privatization is often a short-sighted response in that, often times, the bureaucratic public administration that privatization seeks to replace was established to address inefficiencies and outright failures in market systems in the first place (see, also, Fennelly, 1998). Indeed, Murray (1987, p. 100) claims that the supposed efficiency advantages claimed for privatized enterprises are simply a distraction from the actual catalysts and motivations for the privatization movement:

> In part this drive for privatization reflects more on the general crisis of the private economy than on any shortcomings in the public sphere. With falling rates of profit and narrowing outlets for investment, the opening up of the public sector has provided a safe haven for money capital, and expanded frontiers for hard-pressed industries like cleaning and catering. It is also part of the more general monetarist strategy of restoring profitability at the expense of labour. (quoted in Cameron, 1997)

In all this scholarly discourse on the possible efficiencies potentially realized by privatizing public functions, however, only Oettle (1997) questions the appropriateness of making the efficiency issue the central concern. In examining the research literature from German managerial

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41 For other views disputing the claim that public administration is inherently less efficient, see also (Herman (1997) and Willner (1996). Herman claims that the "efficiencies" claimed are usually just savings on labor through employing low-cost, part-time, non-union workers — whereas if ideologues were serious about putting more money in the hands of those who earned it, these workers (and not the capital "owners") should be more fairly compensated. Not surprisingly, this is an argument unions have embraced (e.g., McEntee, 1987).

economics, he sees the European school of "new public management" as imposing a new paradigm on non-market areas of common good.[42] Thus, Oettle warns that there is the possibility that privatization (and its supporting arguments) can simply be cover for raising costs for consumers, and, if and when this is the case, he chastises any scholarly collusion in the scheme as "reprehensible."

Still, despite academic disagreements on the role, existence, and extent of efficiency gains from privatization of public enterprises, it is important to note, and follow up on, Oettle's observations on the centrality of the efficiency issue in the academic, policy, and public discourse(s). One of the greatest successes of the privatization agenda may be — not the specific public functions that have been transferred to the control of the private sector — but that the rhetoric and proposals around privatization has now moved into the mainstream discourse. In examining the debate on the privatization of the US Social Security system, for example, Wagner (1998) applauds the fact that the discussion is now wholly appropriate and accepted, even if the system itself has yet to be transferred to private control. However, Jordan (1997) holds that the discourse that supports privatization is essentially non-democratic in its nature (and has little evidentiary basis).

Downsizing Government

So, as the issue of efficiency demonstrates, in examining the logic that supports privatization, we can look at some of the underlying values and motivations for the privatization movement. Certainly, in addition to the efficiency issue, one of the primary truisms for those supporting

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[42] This model is reflected in privately managed charter and public schools in the US; see also Raab, et al. (1997), and Ball (1997, 1998).

privatization is that less government is, in and of itself, a virtue. This is a theme that is blatant and explicit in the rhetoric advocating privatization. In this strain of the literature, the constraining or contracting of "government" is an end of on its own, without much, if any, explicit attention given as to why this is an appropriate or worthy goal. Usually, the writers assume or state that government uses coercive measures, which they counterpoise to the freedom perceived in the marketplace. Essentially, then, for them, the absence of government is a market.[43]

Thus, Eggers (1997), for example, in his favorable estimation of the privatization of child-welfare services, lauds privatization as a self-evident end in and of itself.[44] Considering his outlook and probable audience, the reduction of the size of government is a value and a valuable goal that carries significant meaning between the writer and the reader, and does not bear the burden of proof — of evidence and explanation — in this segment of the discourse. Other authors also see the downsizing of public functions, administration, and control as a self-evident ends in and of themselves (Feigenbaum & Henig, 1997). Moore (1997), for example, makes this assumption in surveying the privatization movement, and Miller (1997) suggests that it is a basic tenet of neoliberal ideology, which has been so persuasive on these matters in recent years. While not explicitly identifying the downsizing of government as a good, the president of New York's Municipal Development Corporation sees opportunities in the trend. He promotes privatization as the sole alternative for cash-starved local

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43 This is described as the "neoliberal utopia of the stateless market" in Cameron (1997, p. 33).

44 This is not surprising considering his former position as Director of Privatization and Government Reform at the Reason Public Policy Institute (and co-author of *Making Our Government Smaller, Better and Closer to Home*).

governments, unable to raise taxes due to political forces, for financing capital projects and providing services such as water and sewage (Miller, 1987). Indeed, even wealthier communities, which are relatively free from fiscal imperatives and duress, are still even more likely to embrace privatization programs because of ideological commitments to smaller government, according to Greene, (1996a). As Cameron (1997) notes, privatization reformers in nations such as New Zealand have taken to judging the success of their policies by simply measuring the number of enterprises that have been privatized, rather than looking at the social or economic impacts of their efforts.[45] Such a supposition implicitly and often explicitly equates privatization with progress, and governments with obstruction or social ills.[46] Thus, if politics are the problem, markets provide the solution.

Of course, there are critiques of that position. That this is an ideological imperative is obvious, as governments are required to downsize staffing even when it is at less-than bare-bones levels — as is the case with structural adjustment demands on Haiti's anemic public sector (Multinational Monitor, 1997a). Any simplistic portrayal of a zero-sum

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[45] See also, for example, Baird (1998a); Berg & Berg (1997); and Reed (1996). Oettle (1997, p. 375) denies that the form of provision should be an end. Even World Bank Chief Economist Joseph Stiglitz attacked this neoliberal anti-inflationist doctrine: "the dogma of [neo-] liberalization has become an end in itself and not a means to a better financial system" (quoted in Baird, 1998a, p. 28; from Hanlon, 1998, my parentheses); see, also (Brazier (1999).

[46] See, for example, Bonamo (1997); Cavallo (1997); and Lopez-De-Dilanes et al. (1997). As will be evident below in the discussion of education in Michigan, virtually all that Lawrence Reed and other Mackinac Center writers publish makes the unquestioned assumption that privatization is self-evident value and end in itself. This is reminiscent of Orwell's dictum in *Animal Farm*, "Two feet bad, four feet good," in that claims repeated ad nauseam and as truth become truisms (Chomsky & Barsamian, 1996, p. 121).

game between markets and politics can be easily dismissed by the evidence of markets growing in response to state intervention and growth.[47]

But, on a more theoretical level, this juxtaposition of public control of government and private control of markets has profound implications for the future cohesiveness of society. Led by researchers such as Robert Putnam in his work on social capital, or Charles Murray in the attack on the efficacy and appropriateness of government intervention in social problems, a school of thought is emerging in support of privatization on the grounds that public, or "government," involvement robs individuals of their initiative, and robs communities of their social resources.[48] The thinking is that private control of institutions or, subsequently and implicitly, enhanced individual agency is (at least by default) preferable to the coercive and domineering hand of "big government" (e.g., Reed, 1998). This view is largely premised on the assumption that public administrative measures — including majoritarian control — rely, by their nature, on forceful or coercive means of participation and direction (for more on this in the context of education, see Chapter 3, in discussion of Chubb and Moe). On the other hand, such logic contends, markets are non-coercive in that they are based on the freely made contractual relationships between two or more autonomous individuals. Thus, privatization is a route to the goal of human freedom (Hayek, 1944).

Of course, this logic is disputed by others on at least two counts. First, while democratic control or "government" can be coercive, particularly

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47 Carl (1994). See also, Cohen (1982) as well as Oettle (1997), on the growth and limitations of market organizations in response to public sector growth. Kuttner (1997a) reminds us that the existence of viable competition often depends on regulation from a healthy public sector.

48 Champlin (1998). See, for example, Herrnstein & Murray (1994); Murray (1984); and Putnam (1993, 1996).

from the perspective of the minority voting bloc, this is not, then, a categorical evil to be avoided in all circumstances. Neoliberals and social conservatives have embraced coercive measures such as mandated investing or taxation as a viable method of financing mass pensions or paying for publicly funded vouchers.[49] Likewise, even some ideological libertarians recognize the need for government intervention in childhood for the sake of guaranteeing the autonomy of an adult individual — a necessary prerequisite for a libertarian society of negligible government involvement (Brighouse, 1997). Yet, people who claim that governments are coercive while markets rely on and enhance freedom are usually speaking from the perspective of a social (if not democratic or self-perceived cultural) majority. In fact, public control (or "politics" or "government") can serve as a means of freedom for social minorities in a democratic system that guarantees the rights of such groups. After all, it has been government intervention that has won social and political rights for African Americans, women, and people with disabilities, for example — rights that had been eroded or precluded in a large part because of the dynamics of the market. Similarly, markets can be coercive — particularly without a full-employment economy — as job security can be used to compel desired actions, economic conditions can constrain free choices, etc. (Carl, 1994). (This is an important theme in the discourse on markets and education, so I take it up again later.)

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[49] See, for example, Feldstein (1997) and Friedman (1962, 1980, 1995a); see also Brighouse (1997). Furthermore, Herman (1995) points out that, judging by their association with repressive regimes, Friedman and his followers in the Chicago School appear to be much more interested in a narrow conception of economic freedom — at least for those with economic means — than they are in political or social freedom.

The second criticism of the social capital argument for privatization comes from the field of political thought. Under the social contract theories propounded by Thomas Hobbes and John Locke, governments are formed through the consent of the governed — individuals who will surrender some individual rights in voluntary submission to the will of the people embodied in the government — in order to avoid the more anarchic consequence of no government and rampant and destructive atomistic individualism (Curtis, 1981). While Hobbes took a more pessimistic view of human nature and, therefore, the social contract and its democratic variant — a view that parallels a conception of human nature inherent in the current privatization impulse — he still came to essentially the same conclusion as Locke on the need for an exchange of some rights of individuals for common security (of life, liberty and property) to avert the greater evil of chaos and survival of only the strongest. Of course, there are some constraints on the will of "the people," particularly, in this case, the will of majority in a democracy associated with the more Lockean conception of the sovereign. Thus, under the logic of the liberal social contract, the majority may not deny the minority access to political participation, nor repress "critical inquiry" (Gutmann, 1987). Yet, as Champlin (1998) suggests, the push for privatization denies the essential tenet of social contract theory that the state is an association established by the voluntary cooperation of the citizens, since the state is now portrayed only as a source of coercion against those citizens. Similarly, as Argyres and Liebeskind (1998) note, such an attack on a social contract premise is not just limited to the relationship of the citizenry and the governing institution of the state. Proponents of privatization also decry traditional social contractual obligations between society and other institutions, such

as research universities, as impediments to progress. (And, as Seabrook (1997) indicates, it is increasingly hard to make the case that the coerciveness of governments is a serious threat to liberty when the rollback of public control and the dominance of private ownership and mobile capital have significantly undermined the sovereignty and strength of public governance anyway).[50]

Government as Business

In some of the literature supporting privatization, an interesting twist on the juxtaposition of governments and markets involves the assumption or claim — largely embedded in the rhetoric — that governments are, in fact, a business. This concept is usually expressed simply through assumptions on the proper role, goals, and methods of governments. Jasper (1998, 24), for example, supports policies that "improve the way government does business" with the distinctly defined values of cost-effectiveness (rather than equitably providing a public service, for instance). Similarly, in the UK, Horsfall (1997) argues for a form of privatization he calls "corporatization" which would allow for the use of business principles for running government enterprises with an eye on improving the bottom line for the public coffers.

A variant on this is the perspective that governments are subservient to businesses in the currently prevalent sense that one of the — if not *the* — primary roles for governments is to support private business development. Thus, governments should be aligned with, if not based upon, business models in order to most effectively serve the business community and,

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50 See, also, Carnoy (1993); Khor (1998); Korten (1997); and Multinational Monitor (1996, 1998b).

subsequently, the citizens. Hence, governments are primarily responsible for fostering physical and economic conditions that promote private development, efficiency, and competitiveness that would then benefit the political unit in the wider, perhaps global, marketplace.[51] So, privatization can be a policy of preference for governments under this perspective, since they create a fertile climate for investment (Fairweather, 1997). In promoting the "Third Way" that has been popular with neoliberal thinkers and leaders, Reich (1999) contends that we need a realignment of government priorities to embrace the supremacy of the needs of the market, but — in distinguishing between the precedent set by Reagan and Thatcher — sees a central role for government, not in maintaining a social safety net, but in cultivating and providing a flexible workforce for the economy through education and training. While he admits that this approach of Clinton, Blair and others is based more on a hopeful faith in the market than evidence, Reich suggests that the new-found purpose of the state is to promote the market as an end in itself. Thus, the strict boundary between public and private spheres defined by supposedly inherent incentives for efficiency becomes more blurred under this model, since the utilization of (inefficient) public administrative capacities and resources are thought to

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[51] Halal & Varey (1999) and Ricupero (1997). The logical extension of such a position can have frightening implications. If it is (even one of the) primary purposes of government to support business — usually under the rationale of job creation — this can justify the cutting of benefits, or transfer of revenue to "job providers." Yet, to ask average people to sacrifice for the sake of invested capital's potential ability to then, in turn, create jobs does, in fact, suggest a faith in the primacy of business capital as the prime mover in economic life. Denying the immediate and a priori claim of human dignity, sustenance, and life can have deadly consequences, as when the former French Prime Minister is alleged to have served this exact role for business in delaying approval of an HIV screening process so that a French manufacturer (and job provider) could have the chance to develop a similar method — a delay that may have cost hundreds of lives (Sage, 1999).

be best applied to supporting private enterprises in maintaining efficiencies and public welfare (White, 1996b). Hence, the appeal to efficiencies (and assumption of public inefficiencies) appears to be less of a priority when public money can be used to subsidize private endeavors. Yet, while government nourishes the economy, Cui (1997) uses the post-Soviet Bloc countries to restate the long-standing claim that the development, maturation, and consolidation of liberal-democratic forms of government are dependent on the extent of privatized ownership in the economy.

However, this assumption is dissected and contested by a few writers, usually by reasserting the contention that public and private spheres operate on two different paradigms. While Jordan (1997) notes that government intervention has been necessary largely to compensate for inadequacies and inefficiencies in private sector provision of services, other observers challenge the "business-of-government" amalgamation as a conflation of distinct forms of accountability. Rodrigue (1997) demonstrates a conflict of interests and loyalties between private owners looking for profits and citizens looking for accurate information and quality services (see, also, Gilmour & Jensen, 1998). Both Dunleavy (1997) and Oettle (1997) interrogate the claims of the European school of "new public management" to show the loss of democratic accountability to a nation. Dunleavy indicates that the market is unable to then provide a similarly appropriate degree of accountability. Oettle goes further in arguing that some necessary functions simply cannot be put into the profit/loss model. While there is some merit to having monopolistic endeavors treat citizens as customers, rather than subjects, and there is evidence of the good intentions of for-profit enterprises to be efficient for the good of the commonweal, Oettle equates "new public management" with "commercial

thinking" (p. 374). Hence, he predicts, the potential negative effects of customer selection, decreased quality and options, and conflating the desire for private profit with greater social goods. While Lehman (1997) faults public sectors for being innately incapable of regarding the bottom line, Oettle claims that private accounting practices can *only* consider the bottom line, and public enterprises are not, and, by definition, should not be tied to the profit motive:

> In the case of a non-commercial enterprise, however, which from a commercial point of view, should or may show only losses and no profits, these requirements cannot be superseded by a commercial control mechanism. The planning guidelines are rather an expression of parliament's wish to provide services. They therefore reflect the public interest as acknowledged, at least on a majority basis, by a body which is representative of the people....What is open to question, however, is the extent to which monetary incentives appropriate to a market economy can be used or will be sufficient in areas in which, in connection with the public interest, the focus is on non-monetary objectives.... Confidence in the economic effectiveness of market-based competition between enterprises is not misplaced in the case of privatization to the extent that the (continuing) public interest involved is safeguarded through regulation. However, the question raised regarding its appropriateness still remains unanswered. (pp. 375-6)

Thus, Oettle wants to sustain different paradigms so that citizen can at least have more choices between public and private options.

Tempered Arguments for Privatization

Still yet another significant segment of the literature on privatization supports such policies to varying degrees, but also recognizes likely dangers and hazards for the common good previously noted. Thus, while much of the more vociferous literature promotes drastic measures and accelerated timetables for privatization — Klein's (1995) "Big Bang" approach — this alternate strand of the discourse in favor of privatization suggests a slower, more measured approach, often with more safeguards

built in through the establishment of some type of regulatory system. So, while Lassiter (1997) implicitly supports an agenda of privatization, he is concerned about the human costs to employees affected by such changes, and recommends that management take on a paternalistic role, and policymakers watch their speed. Similarly, when Light (1997) considers the tendencies toward privatization that inform the transformation of the UK's public health care services into a system of managed competition, he concludes that the existence of fundamental regulatory safeguards protects the public from the excesses of market dynamics, and allows policymakers to experiment with and improve upon privatization efforts. While the Center for International Private Enterprise (n.d.-b) offers a broad, if somewhat shallow case for privatization, it does not allow its distaste for state ownership blind it to the possibility that public monopolies can be replaced with private ones. Thus, the group still calls for some regulatory oversight in the interest of maintaining competition. Likewise, Marber (1997) contends that the developing countries that can muster the political will to privatize their transportation sectors need to first establish sufficient regulatory safeguards in order to avoid the pitfalls of privatization and enjoy its benefits. Finally, Durant, Legge, and Moussios (1998) note that, in view of social-democratic critics, advocates of privatization of telecommunications in the UK argued that the use of the market strengthens market devices (and services) as well as democratic values. The authors endorse the fears of the critics regarding social values because privatization can raise market imperatives over social values. But they maintain that these fears can be mediated through public goal formation and reporting.

Not surprisingly, corruption is one of the most common dangers associated with the free market excesses of privatization cited by this more cautious crowd. Privatization itself fosters corruption, according to Celarier (1997), particularly when policy makers pursue a headfirst dive into the unfamiliar waters of de-nationalization. Still, she maintains that privatization must be pursued in order to cultivate a developed market economy. Thus, Celarier's solution is to first establish legal means of regulatory oversight in order to diminish the likelihood of the submerged dangers of corruption. Kaufmann and Siegelbaum (1997) essentially concur, noting that, while increased corruption has been associated with the privatization of former soviet economies, corruption is and would have been a fact of life regardless of the superimposition of private ownership. However, certain privatization policies — particularly those promoting a quick and widespread diffusion of ownership — appear to ameliorate the effects and extent of corruption, according to their analysis.

The authors in this strain generally agree that the safeguards must be configured in order to protect individuals in the public realm from the newly-realized power of private control in previously public sectors. While Gilmour and Jensen (1998) seem to accept privatization as a political reality of the times, they seek to hold the privatizing state's feet to the fire of accountability, making sure that the individual rights of citizens are recognized, and not abrogated, in the process of privatization. Yet, while agreeing that regulations can be effective in safeguarding certain prerogatives of the public, Oettle (1997) asks whether they are an appropriate approach, or simply beg the question of the transfer of control from public to private means. Appleby (1997) concurs in this, claiming:

> It is not enough that due process realizes a permissible delegation with adequate safeguards in the absence of conflicting public and private values. The social bond and moral commitment of the state must not be weakened or endangered by such public actions. (p. 73)

So, Schofield and Shaoul (1997) argue that promises of regulation are not sufficient to protect the citizen or newly created customer, even in a nation with a relatively strong regulatory infrastructure. Promises of regulatory control of the privatized British water industry failed to prevent the worsening of the quality of service, despite allowing for higher rates.

The Problem with Regulation

Perhaps this failure is due to the fact that the logic and forces supporting privatization largely contradict the logic and forces supporting regulation. That is, the drive for privatization is essentially justified on the grounds of the inefficiencies of public administration and control, and the possibilities of unfettered private ownership. Thus, it is somewhat of a logical contradiction, especially in the eyes of market purists who embrace privatization, to remove government involvement and interference from a sector or endeavor and then re-involve it at the level of an authority that oversees and approves essential aspects of the whole process. So, since public regulation flies in the face of the pro-privatization logic employed by market purists, the forces that promote and benefit from privatization are also the ones to resist or reject the idea of regulation, as Collins and Lear (1995) demonstrate in the case of Chile. Furthermore, this conflict may be granted the appearance or facade of resolution due to the likelihood that forces with the political and economic influence to promote privatization also have the political and economic clout to influence the "regulation" of

their newly privatized possessions — thus giving the legitimizing luster of public oversight to a private (or even publicly subsidized) endeavor.

Finally, there is a distinct element of the literature that sends out a clear and unambiguous call for continued, but more effective, privatization. Studies like that of Korosec and Mead (1996) seek to improve upon past privatization attempts by examining a range of privatization efforts. Such investigations suggest, among other things, that national policies of privatization can be more effective if the employ local means to accomplish their end.[52]

Arguments Against Privatization

While, up to this point, I have generally examined the discourse in support of privatization, and the more piecemeal efforts to refute certain aspects of the logic and claims of that discourse, it is necessary to now turn to the broad critiques of the privatization program. More radical general critiques generally take a class-conflict approach to the privatization question, seeing it as an assault on the poor, particularly the rollback of the democratic gains they had made through the extension of public authority through participatory government. For instance, Geldstein (1997) lays the blame for the deterioration of working conditions and increasing unemployment squarely at the feet of the "Structural Adjustment Programs" (SAPs) promoting privatization in Argentina. Privatization there leads to a drastic transformation in the role of women in work and family, in what she casts as the retreat of the state from its responsibility to guarantee equitable opportunities for the disadvantaged from lower social strata (for another view, see King & Hill, 1993). Herman (1995, 1997) is

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[52] Dobek & Thurmaier (1997). See, also, as another example, Light (1997).

unequivocal in his attacks on privatization efforts, seeing this global phenomenon as a conscious class strategy by economic elites and their lackeys in government to subordinate democratic ideals to the needs of big capital. Likewise, Collins and Lear (1991, 1995) attack the myth of the miraculous record left by the ideas of Milton Friedman's students in Chile, exposing instead a legacy of social polarization, environmental decimation, scandals, nepotism, and political and economic oppression. They conclude that the privatization agenda given intellectual justification by the "Chicago Boys" was a general and largely successful strategy of class warfare on the part of elites against democratic ideals and the poor.[53]

Anti-Monetarism

A slightly more measured theme in the literature opposing privatization takes the position that privatization is a key tactic in the larger monetarist strategy to limit inflation, with consequent repercussions that have an essentially anti-labor effect. Looking at the impetus and evolution of privatization in Canada, Cameron (1997) connects it to the prevalence of the post-war ideology of monetarism that sought to maintain specific levels of unemployment in order to counter inflationary tendencies associated with full employment and consequent pressure for rising wages as employers compete for scarce workers. In trying to rollback a supposedly overbearing state apparatus in the context of chronic inflation that threatens the value of capital investments, proponents of privatization examined public regulatory measures such as minimum wage legislation, policies regarding collective bargaining, and social programs, all of which were

[53] Also see Girvan (1978); this characterization is contested by the Center for International Private Enterprise (1993).

"identified as structural impediments to labour market flexibility" (p. 17, see, also Moffett, 1996). He concludes that "Privatization represents a capitalist counter-attack on the growth of the public sector" (p. 26, see also Offe & Keane, 1984). Similarly, Murray (1987), Collins and Lear (1991, 1995) and Herman (1995, esp. ch. 5) make parallel arguments regarding the role of privatization in a monetarist world, with the negative effects on the classes of people who use their labor to make a living.

According to this argument, the monetarist perspective subsequently elevates money as the supreme arbiter, standard, and goal. Critics of privatization decry the reliance on neo-classical economic analyses as the lens for viewing the human world, with the dollar as its common metric, cost-efficiency as its highest value, and self-interest as the only conceivable motivation for human action. Indeed, in view of the literature supporting privatization, this estimation of the values associated with privatization appears to have some merit. In New Zealand, critics of the Labour and National governments' neoliberal/monetarist policies maintain that the "new public managers" have had to reduce all transactions and "goods" (in the broad, non-material sense of the word) to commercial terms and lenses — "to reconstitute social relations along market lines" — in order for to understand them and assess any value in them.[54] As but one of many other examples, even in a more balanced treatment of privatization such as Jasper's (1998), in focusing on the more practical concerns of privatizing government functions, she seems unable or unwilling to understand any process, relationship, or good in any other terms than the standards of money.

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[54] O'Neill (1996, p. 24) and Riley (1988). See also Oettle (1997).

Thus, the burden for critics of privatization is not to prove the existence of monetarist thinking on the part of market advocates, but to demonstrate how it is in error. That is, these opponents of privatization need to show the logical inconsistencies of monetarism. They only partial meet this implicit but logical requirement, most likely due to the fact that valuation of economic ideologies, no matter how hegemonic, is basically a normative, and not empirical question. Yet, as the critics note, we now have the case with the proliferation of privatization where the valuation of money as the supreme arbiter is justified on quasi-empirical grounds — namely, that the efficiency it generates is essential for avoiding social collapse and chaos (Herman, 1995). So, critics of privatization can dispute the importance of money, the ascendancy of the value of efficiency, or the claim that money and economic efficiency are essential for maintaining social order and progress. The first two possibilities are largely questions of conflicting values. The final issue, while the most important and somewhat empirical, is still very difficult to address on any significant scale. Therefore, the critics of privatization usually focus on the easier, but more relative questions that are really about conflicting values (e.g., Van Vugt, 1997).

And there are significant normative aspects of wealth ownership, values, and social class present in privatization dynamics, so consequent question of values are worth addressing. Indeed, since privatization is promoted largely in democratic nations, it is essential to examine its political justifications and equity and welfare effects. The class associations and patterns involved in privatization are evident, and are effectively drawn out in much of the literature. While privatization can be unpopular in its effects for the population as a whole, Saunders (1995)

demonstrates that the more affluent — particularly those who have taken ownership of previously public assets in the UK — are more inclined to embrace privatization, which is amplified in a democracy by their ability to be politically articulate. Even in less affluent groups, support and participation in privatization is correlated with various social and economic characteristics, as Brown and Sessions (1997) show in their study of patterns of occupants capitalizing on a government program to take ownership of public housing in the UK.[55] These patterns are affirmed by Greene (1996a) when he shows that the push for privatization is more socio-political and ideological than fiduciary in nature. Communities are more likely to support privatization agendas if they are affluent (and consequently, conservative), even in the absence of fiscal stress.[56]

Other writers see this concern on the ascendancy of the value of money more in terms of systems than individuals or classes. Cameron (1997), for instance, frames it in terms of a crisis of investment capital whose preferred prescription, privatization, hurts working people the most. Contrasting this claim with the debate between Bradburd (1996) and Willner (1996) demonstrates just how much this is simply a case of conflicting values. In supporting speedy privatization of natural monopolies in developing and ex-soviet economies, Bradburd concurs (ironically) with Murray when he concludes that the likely welfare losses

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[55] In their analysis, in which only about 1/6th of the public housing was bought by private owners, the more prosperous tenants took possession of the better properties.

[56] In another study, Van Vugt (1997) undertook a social-psychological examination of demographic patterns of support for the policy of privatizing the UK National Railway system. While disapproval increased overall for both "pro-self" and "pro-social" people worried about the equity effects of this policy, pro-privatization support was more tied to people exhibiting self-interested values, who considered the personal costs of the move.

due to lack of established regulatory oversight do not outweigh the benefits likely thorough privatization. Bradburd (1996, pp. 883-4) asserts that, "greater consideration had to be given both to regulatory objectives other than welfare maximization and to the need to create an institutional environment that encourages investment." Kolko (1997) goes even further, suggesting that in the more hierarchical political structures of China and Russia, privatization of public assets has largely been a systemic strategy by (often corrupt) political elites to advance their self-interest by controlling state resources.[57] Thus, these critics of privatization who attack the centrality of money and its efficiency corollary are essentially challenging privatization on normative, rather than empirical, grounds.

Increased Corruption

But, as we just witnessed, since privatization is contested in an arena of conflicting values (largely, though, under a democratic banner), an effective approach for critics is to challenge the likely and actual impact of privatization efforts in view of the values that its proponents initially used to justify privatization. That is, critics of privatization can challenge advocates on their own words or, at least, the democratic values used to publicly advance privatization. The most obvious area for this approach is in corruption. In this, they find a rich vein of evidence, if not quite the mother lode.

While some have portrayed privately-owned enterprises as a model for public administration, others have demonstrated that many sectors experiencing rapid privatization — the health care industry in the US, for

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[57] Also, in Chile, see Collins & Lear (1991, 1995); Lieberman, et al., (1997); and Multinational Monitor (1998d).

example — are rife with corruption and other illegal activities.[58] Thus, laws designed to protect the common good or guarantee equitable treatment, while informing bureaucratic oversight, are often ignored after privatization by corporations whose primary interests are cutting costs and increasing profits. Concern with such apparent conflicts of interest — or conflict of pecuniary interest with legal obligations — shows up repeatedly as a theme in the literature on privatization.[59] Privatization in the context of the conflation of private influence and public authority in the market democracies and elsewhere opens a Pandora's box of possibilities for influencing public governments to enhance private gain in granting contracts, selling public assets, and other public prerogatives (e.g., Schine, 1997). Of course, as Adler (1996) notes, conflations of public responsibilities and private interests are nothing new in the history of the provision of public social services in the US. Privatization has been tried before — "Panaceas are often rediscovered" — and even a relatively moderate form of privatization such as contracting out has led to higher costs, lower quality, and enhanced opportunities for corruption.[60]

Not surprisingly, one of the areas with the most rampant corruption is the newly privatized economies such as Russia and eastern Europe. For

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[58] Herman (1997) and Multinational Monitor (1997b). This is relevant for the debates in education since advocates of market mechanisms such as Herbert Gintis (in Glass, 1994) have argued that the mixed sector of health care is an appropriate and effective model for education. For more on corruption scandals, see Herman (1995).

[59] Cameron (1997); Cavallo (1997); Celarier (1997); Kaufmann & Siegelbaum (1997); Kolko (1997); Pens, et al. (1998); and Rehfuss (1997).

[60] In education reform, Kirst & Meister (1985) call this the "issue attention cycle." The justification for outsourcing, a popular tactic in education, has been, and is now grounded in the claim that the *delivery* of a public service does not have to be a government function. See Allen (1996, 1997); Dwyer (1997); Finn (1997e); Finn & Gau (1998); Friedman (1994); Glenn (1988); Hill, Pierce, & Guthrie (1997b); Manno (1997d); Rofes (1998); and Tooley (1996a).

instance, Filippov, Berger, Vevezhin, and Zarzikulov (1997) report patterns of privatized enterprises being bled dry by the executives and their associates in front companies (outside the local tax jurisdiction) who buy products below cost and inflate the prices. Meanwhile, workers do not get paid, and neither do taxes. Likewise, Frydman, Pistor, and Rapaczynski (1996) note that in Russia's rapid privatization through vouchers, the political need to generate popular support conflicts with the desire of outside institutional investors to gain a stake in some of these firms through "voucher privatization funds," leading to allegations of "insiderism." Similarly, in another context, Wheat (1996) associates the privatizations in NAFTA-era Mexico with elite corruption, an allegation to which even the Center for International Private Enterprise (n.d.-b) gives some credence. Thus, in a climate of anti-regulatory market liberalism, Celarier (1997) shows that embracing privatization without a regulatory infrastructure is a recipe for corruption, while Jordan (1997) reminds us that the much-hated bureaucratic system privatization seeks to diminish was set up largely to combat corruption.

Subversion of Democratic Control and Sovereignty

However, a potentially far more serious vulnerability for privatization than petty thievery is the allegation that it is an attack on democratic governance. This is a serious theme in the literature that opposes privatization, and critics seem to approach it from three angles: the undermining of national sovereignty; the subversion of democratic processes; or the retreat of government from its responsibilities. The issue of national sovereignty is increasingly evident as the process of globalization — of which privatization is an integral part — continues to

advance through multilateral agreements, supports, and structures (i.e., NAFTA, GATT, WTO, the currently tabled MAI, etc.) to promote the free market flow of capital: "hot money," the vast majority of which is speculative.[61] Radical observer Brazier (1997, pp. 6-7) sees a "trend in just about every quarter of a world gone mad for 'privatization.' The state of our world is increasingly being determined in the board-rooms of these companies rather than by national governments."[62] On a national level, this means that institutions and endeavors created over time by a nation (or nationalized in previous times for political or economic reasons), and under democratic control, can be taken over by foreign investors or shaped by investors withholding capital (Girvan, 1978). In an age of re-ignited nationalism in some areas, this appears to some people as a case of foreign capital penetration to assume control of a nation's assets, and can lead to popular resistance, as was the case with the often profitable telecommunications sectors in Puerto Rico, Nicaragua, and El Salvador, for example, in addition to other sectors in Argentina, and Haiti.[63]

But, even when we ignore the temptations of nationalism, critics still attack even regulated privatization for the threat they feel that it poses to democracy. Specifically, they are concerned that the subordination of democratic authority of various endeavors, sectors, institutions, and enterprises to the constraints of the market and the control of private

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[61] Boyle (1998). See, for example, DePalma (1995); Grund & Walch (1998); McGinn (1998); Multinational Monitor (1997a); Nader (1999); Nelson (1992, esp. ch. 5); Public Citizen (1997); and UE News (1998).

[62] See also, Allen (1998); Greider (1997); International People's Tribunal (1994); Kaplan (1997); Khor, 1998); Kuttner (1997a, 1997b); Seabrook (1997); and Wolman & Colamosca (1997).

[63] See, on telecommunications sectors in Puerto Rico, Gonzalez (1998); Nicaragua, Lanuza (1998); and El Salvador, Prokosch (1997) — and resistance to privatization in other sectors in Argentina, Hussey (1990); and in Haiti, Duncan (1995) and Multinational Monitor (1997a).

ownership weakens democratic gains, democratic values, and, thus, democracy itself. Herman (1997) is outspoken on this point, claiming the privatization is a concerted effort by multinationals and the right-wing to subvert democracy through the enforce atrophy of democratic processes, and direct assaults on democratic structures. Thus, in his definition, the targets includes NGOs and unions (which also reflect democratic values), as was apparent in the assaults by from the "public sectors" under Thatcher and Pinochet on "popular forces" (see, also, Herman, 1995). Dunleavy (1997), is concerned about the penetration of market controls through privatization, and the subsequent loss of accountability to democratic bodies. Jordan (1997) concurs in this, claiming that the discourse in support of privatization is itself non-democratic in nature, with little regard for employing or sustaining democratic values. Hence, Seabrook (1997) observes the irony of claims to scale back big government when there is a decreasing amount of public authority left.[64]

Finally, critics challenge the political repercussions of privatization for democracy by putting some of the responsibility on democratic governments, as the state retreats from its duties. And this would include the "state" in the broader sense of the word, and not simply be limited to national governments (e.g., Champlin, 1998). This is a strong theme in the literature, from observers who hold that a primary responsibility of governments is to respect, protect, and maintain the constitutional rights of the citizens through the exercise of means of public accountability over private endeavors. Appleby (1997) refers to the general welfare clause of the

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[64] See also, Multinational Monitor (1998c) and Bullard (1998) on the demise of public sovereignty in the face of mobile capital; French (1997) on the displacement of public aid by private investment; and Galbraith (1999) on the inability of mainstream economic analysis "co-optation by private enterprise" of what are appropriately public-governmental functions.

US Constitution to demonstrate that "Government has a duty to provide for the welfare of its citizens."[65] He goes on to quote Field's (1987, p. 668) contention that

> if the government's only duty is to assure that basic services are provided — not necessarily by the government — privatization can be viewed as a move by the government to detach itself from this responsibility for the sake of private values, including the profit motive.

Gilmour and Jensen (1998) concur, portraying privatization as an efforts by officials to avoid their legal duties and obligations with regard to citizens, whose rights are often exposed to new dangers when privatization removes accountability to public authority. Oettle (1997) also agrees, castigating any officials who use privatization as a cover for unfulfilled public duties. Thus, for example, such critics would fault the lack of governmental pro-action for the widespread economic catastrophe that followed in the wake of Mexico's privatization of much of the banking system — failing to regulate a system where competition was leading to too many risky loans (Gruben & McComb, 1997).[66]

Defending the Common Good

One of the most interesting characteristics of the literature on privatization, however, is the role of references to the idea of the common good. This is noteworthy on two contextual counts: first, because the idea of democracy is associated with the concept of the common good; and,

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[65] Article 1, Section 8, Clause 1.

[66] Also, on the role of investment capital in the Mexican fiasco, see, Payne (1995) and Raghavan (1995). On the monetarist remedies imposed on Mexico, with expected immiseration of common people to protect wealthy investors from the consequences of their actions, see Sanger (1995) and DePalma (1995). On IMF imposed immiseration elsewhere, see The Progressive (1998).

second, because the market is associated with the common good as its greatest externality through the aggregated effects of self-interest.[67]

But, of course, a concept as morally and politically-loaded as the common (or, more often in economic and policy discourse, "public") good is necessary nebulous and contested — particularly in a pluralistic society, where many even question the viability of any hope of finding consensus on what constitutes the "good" that is to be sought and enjoyed in common.[68] However, what is important at this point is not so much its contestation as its use in the literature. For the present purposes, let us assume that the idea of the common good refers generically to a benefit or set of benefits that is enjoyed by many, as opposed to the few. Thus, in a liberal democratic context, the common good is usually a public benefit in the sense that it is not limited only to individuals or groups who posses the immediate means for obtaining that benefit. This idea is evident in market metaphors such as "a rising tide lifts all boats," and there is a strand within the private authority tradition that argues that the efficiency incentive for for-profit management actually seeks the commonweal for all (Oettle, 1997).

Indeed, the discourse around privatization is dominated — although not completely controlled — by economic analyses, particularly of the neoliberal variety. This, in itself, is significant, in that it lends some support to the anti-monetarist argument (above) that money has become the pervasive and hegemonic metric and standard for assessing and valuing human interactions, particularly in their institutionalized forms. Within this

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[67] Although, this ascription to the common good is often limited only to social models composed completely of consumers, proprietors, and taxpayers (e.g., Murray, 1997).

[68] Brighouse (1997) and Sandel (1996). Brighouse claims that pluralism requires either a shallow conception on "the good," or the exclusion or coercion of a minority view so that the majoritarian conception might dominate.

discourse, the idea of the common good is present, but peripheralized into a marginal consideration, at most. When the common good" is an issue, economic analysis usually refers to it in terms of "welfare effects," or less directly and specifically through implied allusions to general externalities of efficiency. Thus, for example, because of corruption, the arch-enemy of efficiency, regulation is required so that privatization may work to fulfill its promise of efficiency. Otherwise, corruption hurts everyone through consequent inefficiencies, and its effects are spread across national boundaries through an integrated global economy (Celarier, 1997).

Welfare effects.

In a particularly interesting exchange, Willner (1996) and Bradburd (1996) dispute not only the impact of privatization on the common good, but the appropriateness and centrality of the issue in the first place. Both authors are try to ascertain if the damage to public welfare, which they both acknowledge is likely to follow privatization in developing and transitional economies, outweighs the potential benefits of privatization if it is implemented before an adequate regulatory structure (to address welfare losses) is in place. Bradburd argues that such concerns are not reason enough to halt privatization, and suggests that there is an overemphasis on the value of public welfare.[69] Willner disputes this, arguing that, all things being equal (and they are, in his estimation, since public enterprises can be just as efficient as private endeavors, according to his evidence), a pre-maturely privatized economy is more likely to seriously harm public

[69] Graham (1998) effectively concurs in this, seeing short-term losses in equity under privatization being compensated for in the longer run by efficiency and performance gains.

welfare. In his view, Bradburd's claim (that efficiency gains more than compensate for losses in welfare) is true only in a few isolated instances.

What is interesting, though, for the present discussion, is that these arguments hinge not so much on measurable or estimated losses in welfare or gains in efficiency under privatization but the relative value and importance of welfare as an underlying moral goal and its primacy as an immediate and overriding policy pursuit.[70] Goulding (1997), likewise, gets into the fray through a different context, arguing that, in the case of India's needs as he perceives them, there would probably not be a significant decline in welfare effects, such as employment or poverty rate, under the Indian version of privatization. Such a contention on the part of privatization critics, he claims, is caused by emotional and misguided academics in a blind adherence to state provision, losing sight of the larger goals. This raises issues that have been raised before (by the enclosures) regarding which individuals shoulder the costs, and which enjoy the benefits — a topic I return to in the last chapter.

Casting the common good as a central or peripheral consideration.

Some economic analyses of the welfare effects and privatization see the common good as one of many relative considerations in evaluating privatization policies. Many others ignore it completely.[71] Only a minority portray the common good as a consideration in analyzing privatization, with still fewer making it the central concern. Tullock (1996) is one of the few advocates for privatization to do so, pointing to what he admits may be an isolated case where he suggests privatization can invigorate a public

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[70] For the World Bank's take on this issue, see Galal, Jones, Tandoon, & Vogelsang (1994).

[71] For examples, see Horsfall (1997) and Jasper (1998).

good. For Schofield and Shaoul (1997), in examining the privatization of the UK water service, it appears to be an important, albeit non-central, concern, since they are more willing to limit consideration of goods to "customers" of a service (not all the citizens). However, commenting on the same instance, Chomsky (1996) makes the common good the overriding issue. This is an important question, because, for many rural (not to mention poorer) users, privatization requires that they represent an attractive and profitable market to private providers in order to receive a necessary service, since, as Rodrigue (1997) indicates, the private provider is responsible to stockholders, not the rural citizens who need water. Thus, government intervention was often established in such cases to protect the common good by compensating for market failure (Jordan, 1997). However, even in such situations where the state assumes the responsibilities of provision for the sake of equitable access to services in areas where the market does not find a profit, this intervention will be contested if it appears to represent competition with private providers (see, for example, Elstrom, 1997).

However, of the minority of writers who elevate the common good as the central consideration of the discussion, most challenge privatization on these terms. Herman (1997) is a rarity — an economist who makes the common good a, if not the, central issue of his analysis, as he claims that privatization damages society and democracy (see, also, Herman, 1995). Collins and Lear (1995) also locate aspects of the common good (material equity, social polarization, social welfare, foreign debt and self-sufficiency, etc.) at the center of their critique of Chile's privatization policies. Finally, in surveying attitudes towards the privatization of Britain's national railway, Van Vugt (1997) draws the somewhat surprising conclusion that

approval of privatization goes down if people think it will adversely affect the common good, even if only for others; that is, people might not take advantage of privatization, even if it benefits them personally, if they perceive it to be unfair to others.[72]

Withdrawal and Enclosures

A related theme touched on in the privatization literature, and one that is of particular significance in this analysis, is the subversion of the common good through the withdrawal of elites and their support from public institutions, or institutions established to promote the common good. Consequently, we see the enclosure of public resources for private gain — resources often represented by, configured for, and depended upon by these institutions. Withdrawal means the removal of essential participation and support for institutions as public endeavors. Privatization is then the subsequent transfer of those institutions to private control. In so far as those institutions served the public good, privatization encloses or re-orients institutions to be primarily concerned with private goods. The process of enclosure is evident in the examples described above — corrections, health care, etc.

Indeed, some evidence from around the globe does support the image of enclosure. For example, NAFTA-era Mexico is the site of conflicts between traditional/communal and private property claims for the 30,000 *ejidos*. Article 27 of the 1917 Constitution established land tenure for groups of peasants over specified lands for agrarian purposes — never for sale (Jones

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72 Indeed, since privatization of rail services, complaints about service have increased, as have costs to various categories of users of some lines (Bevan & Williams, 1998).

& Ward, 1998).[73] But under pressure from neoliberal politicians, expanding urban populations, and free-trade market agreements, speculators are selling some of these lands in a de facto, forceful privatization of communal lands, often against the owner-occupants' wishes (Ross, 1998). In view of the chronic illegal privatization of the land, the neoliberal government sought reforms to permit marketization of the ejido, which many feel was an effort to align national policies in preparation for NAFTA. Now many peasants earn minimum wage working lands they formerly owned — an indicator of the denigration of community rights which some on-site observers associate with the rise of the Zapatista movement.[74] *The Ecologist* documents similar challenges to traditional communal arrangements of property holding and agricultural production around the globe.[75]

Likewise, critics note that gated communities are not simply instances of withdrawal into self-protective enclaves, but involve the erosion of support for public institutions, as well as claims on public resources. In the US, gated communities are the most noted example of the withdrawal-enclosure phenomenon. They are particularly popular in the burgeoning sun-belt states, especially around urban areas with economically polarized circumstances. Again, they are not new to American life. However, they are relevant in their spectacular growth in recent years, and their growing

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[73] The authors argue that, although ejido is not technically "a customary form of property," it offers parallels to market penetration and disestablishment elsewhere (p. 77).

[74] Personal communications, from Lynn Stoltzfus (September 2, 1998); and from Cliff Kindy (August 26, 1998), by way of Kathy Kern (September 1, 1998).

[75] Similarly, Netting (1997) examines a variety of surviving commons regimes, and concludes that enclosures (privatization) of commons has a polarizing effected on those impacted.

popularity with people in the middle classes. Furthermore, the gates and walls are not simply representative of withdrawal and exclusion, but can be seen as enclosures due to their ability to *replace* public authority with fee-based private associations, and their walling off of what is typically considered public space — streets, "town" meetings, the benefits of good neighbors, discourse, and the opportunity for diversity. Moreover, not only are such endeavors supplanting public with private control, but they are often absorbing public resources to do so — funding for physical infrastructure, access roads, and public goods that "spillover" the walls. With schools, for example, there are efforts to provide public funds for for-profit charter schools primarily benefiting these developments.[76] These communities have been known to petition for a public-ization of funding when faced with sudden rising costs for privatized services.[77]

There are different views on the extent to which these developments represent "communities." Indeed, since there are different types of "gated communities," it is difficult, or even inappropriate to make broad generalizations.[78] Some develop around common leisure pursuits like golf or skiing.[79] However, in focusing on the "elite" and "lifestyle" communities defined by Blakely & Snyder, we can see certain patterns. These authors interpret the gates and walls as attempts to artificially create community through homogeneity and security. Premised on an idea of controlling

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[76] Burstein (1995); Ellwood (1998b); Hannigan (1998); and Schnaiberg (1997a).

[77] Blakely & Snyder (1995, 1997) and McKenzie (1994).

[78] For example, a neighborhood here in Buffalo may soon put up gates on the streets to limit access. It is notorious as one of the worst streets in Buffalo, the scene of much drug activity and prostitution, and near an exit and access ramp to the highway. According to Blakely & Snyder's framework, it, too, is a gated community, but obviously quite different than affluent/elite developments.

[79] Blakely & Snyder (1997). See, for example, Pace (1996).

their circumstances and their future, "common-interest communities" or "lifestyle enclaves" are defined by a sameness that is dependent on exclusion.[80] Thus, people might close themselves off behind gates because of common interests or fears, or hopes for higher property values, but secession and enclosure result. Blakely & Snyder (1997) presciently ask if there can be a social contract without social contact. They note the likelihood of increased social fragmentation, and the consequent threat to democracy (see also Champlin, 1998).

Withdrawal translates into political pressure for a reduction in the tax burden of such communities, because they are no longer using many of the public services supported through public revenues — while they still enjoy the benefits of public goods and institutions directly or through "externalities." This is affirmed by Greene's (1996a) conclusions:

> The finding also provides support for Miller's (1981) Lakewood Cities hypothesis: Tensions between the wealthy and poor over redistributive benefits cause wealthy residents to attempt to limit the scope of functional responsibility of their cities. This could provide an impetus to privatize.

Withdrawal necessarily involves the exclusion of other citizens who are non-members, based on property rights in owners' associations, and the related superimposition of association rules on public legal codes. And it involves the loss of public space, geographically and socially. For critics, this increasingly popular "lifestyle" approach suggests a serious challenge to democracy.

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[80] Bellah, Madsen, Sullivan, Swidler, & Tipton (1986, pp. 71ff, 179f) and Blakely & Snyder (1997). In Bellah et al.'s sense of the term "lifestyle enclave," this idea is not community. Instead, it is a commonalty of private, not public, interests, often based on self-definitions in opposition to "others" — and thus exclusive, rather than inclusive.

In transition economies and emerging market economies, likewise, physical features of enclosures are becoming part of the social landscape. In Russia, as formerly public-state industries are privatized, the new rich surround their luxurious homes with impenetrable walls. In the "new" South Africa, some Afrikaner communities are literally walling themselves off (in schools and residential areas), now that they have lost control of the "public" apparatus. In northern Mexico and other areas of Latin America, where the homes of the wealthy are interspersed with poorer dwellings, owners place broken bottles on top of the high walls surrounding their homes.[81]

Finally, although he does not look at global patterns of privatization, enclosure, and withdrawal, Netting (1997) does take an international perspective on the arrangements and enclosures of common areas of social or agricultural space. He associates commons regimes with democratic participation and voluntary organizations in the classic social contract sense where obligations, in the form of contributed labor, for example, preclude simply buying in to membership and benefits without responsibilities. There is a consensus that some security for everyone is more valued than short-term gain for any one individual. The commons represent a case of deadlock between commoners in the community and a greedy elite. While the enclosures of the commons were a conscious strategy by the rich, withdrawal from the community means social and, in harsher areas, often physical death. Although there is still inequality in

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81 The observation on the walls comes from Ward (1996b) of the *Toronto Star*, and is meant to symbolize more abstract social barriers that are emerging. On privatization of state industries there, see Cui (1997); Frydman, et al. (1996); Katz & Owen (1997); and Thomas (1997). On consequent corruption or "enclosures," see Celarier (1997); Filippov, et al. (1997); Kaufmann & Siegelbaum (1997); and Kolko (1997). On South Africa, see Bryson (1996).

common regimes in labor contribution and benefits, he concludes that "Privatizing or enclosing the commons, either by agreement of the commoners or by external force, tends to widen existing economic and political inequality among small holders and to impede the solution of collective action problems" (p. 32).

Summary

Thus, the literature on the phenomenon of privatization sampled here points to several possible generalizations. Whereas, like the idea of the market itself, privatization can be a nebulous concept that is difficult to pin down because of its various manifestations, multiple contexts, and political ramifications, there is a consensus in the literature that notes the broad scope and rapid pace of privatization on a global scale. However, there is also a substantial — if not general — agreement within the literature that suggests a teleological reading of privatization as an inexorable march of progress. While this, in itself, does not indicate that the weight of the scholarly writing supports privatization, it does demonstrate that a significant segment of the writing approves of privatization to some degree, while another substantial slice of the literature does not seek or pretend to (or even consider) the appropriateness of privatization — at least on any grounds other than a purely neoliberal economic scale. While the more obvious justifications for privatization do not necessarily play out, the burden of proof for justifying privatization is largely shouldered by the efficiency argument, reflecting the neoliberal focus on advantages widely held to exist in markets.

While the claim of inefficiencies in public administration is disputed in the discourse, the debate is peripheral, and is not generally recognized as a

factor in considering privatization policies. Instead, this and other tenets of privatization tend to become unexamined assumptions in the discourse, advanced without evidentiary support, and disputed without much attention. Thus, presumptions holding that larger state roles undermine markets and individual freedom take on the luster of truisms, while their implications and consequences are rarely scrutinized. Likewise, policies associated with privatization that contradict the logic of markets (i.e., government support of business "climate") are marginal to the literature, with the result that more practical considerations — issues of how quickly to privatize, or how much regulation should survive — become the focus of the literature. Straightforward critiques of privatization are not a dominant presence in the discourse. Such views usually attack one element or consequence of privatization, or, more generally, present a philosophical critique of the values privatization represents. Some authors perceive socioeconomic patterns of withdrawal or enclosure of public resources through privatization. Otherwise, such critiques together suggest a scattershot approach to privatization, with discrete challenges to aspects of privatization. Even more rare is the critique that integrates a vigorous challenge to the privatization platform with a compelling defense of the common good.

Markets and Education

Thus, privatization seeks to put "goods" (means of production/provision, products *or* valued benefits) — often goods that were previously under the control of the public — into the hands of individual or corporate owners who are believed to be better able to manage and exchange the goods in the interest of efficiency and effectiveness of use. This global trend toward

privatization is also reflected in efforts at education reform across the globe. And many of the same themes and fault lines that color the wider debate on privatization also inform the debate on privatization in education.

When it comes to education markets, however, it is generally recognized that, as of now, there are no "free" markets, where individual actors are free from all external constraints in exchanging their goods (save the constraints imposed by their own negotiations with other actors). This is true of almost all of the discourse around markets and education, with the exception of only extreme elements that seek a complete removal of public/government involvement in education, with complete administration through market forces in choosing and purchasing education, contracting teachers, etc.[82] Therefore, market penetration or privatization in education in general takes the form of efforts to remove public and regulatory constraints on private prerogatives; in as much as markets are already a considerable force in public education,[83] privatization efforts tend to try to "purify" markets by further liberating market mechanisms. But mass public education has generally not seen pure markets for a few reasons:

- There is a widely recognized (but increasingly disputed or ignored) societal interest in education, for socialization of individuals and the common good.
- This social interest is translated most obviously into public funding of public education. Such funding also brings the (often dreaded) state regulatory apparatus into education, usually to seek equity or access, or

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[82] For instance, see Leeson (1997); Richman & Future of Freedom Foundation (1995); and Separation of School and State (n.d.).

[83] Hogan (1992) and Labaree (1997a).

rights of individual groups, but also — as critics rightly charge — often to perpetuate and expand bureaucratic control.

- Externally imposed constraints in the public provision of education act to limit the rights of individuals in order to protect society from aspects of market failure that may lead to what are recognized as socially undesirable outcomes: segregation, hierarchies, or whatever may be viewed as objectionable by society.
- Some would argue that, if private-oriented markets were used to organize systems of mass education, those systems would no longer be "public."
- The funder is not the customer. If funding is public, rather than through primarily private means, it removes one of the primary dynamics of the logic of markets, so the state steps in to control provision and regulate cost.[84]
- There is a lack of agreement as to which party is the consumer.[85]

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84 Under this scenario, consumers no longer have the incentive to compare options in the interest of saving personal costs, but look to other criteria instead. This lack of pressure on costs will be translated into a lack of incentive for providers to control costs up to the threshold of funding provided by public authorities. While there is an incentive to control costs in order to increase private profit margins for providers, that does not directly influence the cost efficiency of the funder — in this case, the public — as is necessary in a pure market context.

85 The student most directly "consumes" educational provision, but is usually not able to choose between different options in a education market system. Parents or "families" are often proxy-consumers in that they do the choosing of schools for their children, but they do not consume in terms of translating the capital effects of an education into personal gain (Brighouse, 1997). There is a consistent theme that business is the consumer as the employer of students, cast as the "product" of the education system (e.g., Heritage Foundation, 1995a). Finally, the community or "society" could be viewed as the ultimate consumer of education, because the effects of widespread provision have general social effects. Yet many economists dispute this assignation of society as consumer because societal benefits are seen as externalities to the purpose

Thus, for these reasons, there have traditionally been obstacles and constraints upon the free reign of markets in the provision and governance of education. Hence, markets in education are often termed "quasi-markets" since, for a number of reasons, they do not achieve the laissez-faire ideal (Bartlett, 1993).

Market Penetration of Education

These quasi-markets have achieved great penetration of the public education sector in areas that have pursued privatization in other sectors as well, particularly in the English-speaking market democracies such as the United Kingdom, New Zealand, Australia, and, increasingly the United States and Canada, as well as less developed nations more susceptible to the dictates of the international lending and policy-mandating institutions (Davies & Guppy, 1997). The proliferation of the market across the globe, and in all areas of life, indicates that a particular view of the appropriate delivery of social services has taken hold of policymakers of all political stripes, one that challenges the tentative symbiosis between the public and private spheres in the Western tradition. There has been a chronic yet creative tension between conceptualizations of "public" and "private" in the Western tradition, particularly in the gray areas of social and public services that provide "goods" that accrue to both private interests and individuals as well as the larger common good. At least since the time of Adam Smith, it has been assumed, and often explicitly argued, that the accumulation of goods — or at least the efforts to accumulate goods — by individuals will, in the aggregate, lead to the betterment of all...the best

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of education, which is directed at individuals (Gintis, 1995, and personal communication, November 20, 1998).

approximation possible of the optimal public good (Hilfiker, 1998). So, this blurring of the relationship between "public" and "private" is not unique to the US, and is indicative of a general inability to really divorce politics from economics in market democracies (Carl, 1994).

Public and private goods.

Certainly, the benefits arising from public education are many, but where they are directed is an issue of much interest. From a strictly financial perspective, there is little doubt that individuals profit from education in the form of enhanced knowledge, enriched skills, higher levels of employability and, therefore, economic payoffs — particularly in higher education (Centre for Educational Research and Innovation, 1998a). The potential for realizing this socioeconomic advancement has served as a driving force in education as individuals seek to beat their rivals in acquiring rare education skills and credentials in order to obtain limited socioeconomic rewards (Labaree, 1997a). On the other side of the economic equation, employers benefit from educated employees trained at an expense that is widely distributed beyond that particular employer. Furthermore, if education is provided for the mass of the school-aged population, a larger pool of trained and employable graduates will serve to drive down labor costs for an employer.

When we examine the advantages to the larger community supporting mass education, we also see a range of potential benefits. Social stability results not just from teaching civic lessons, but from providing widespread access to, and hope for, the possibility of economic rewards through educational opportunity. By limiting or prohibiting inordinate access to educational opportunity by an elite minority, a community maintains the

theoretical, if not real possibility of equality of opportunity to realize socioeconomic payoffs. Of course, there is also an incentive to create hierarchical aspects to educational structures. For the sake of an economically efficient community, we need to make sure there are at least enough (and not too many) people being appropriately educated for the necessary type of work (Labaree, 1997c). Therefore, schools serve a wider social interest in socioeconomic efficiency (and, presumably, stability) by sorting students according to different criteria, identifying in them with differentiated educational advantages and assigning them differentiated rewards.

Thus, in the modern version of the market democracies, there have traditionally been both public and private benefits, and, therefore, constituencies and attributes to systems of mass education. Schools have been largely funded through public resources, but have relied on private aspects to provide motivation and rewards. Consequently, the school systems themselves reflect that dichotomy through patterns of both public and private influence and control. Democratic and other political structures represent the public side of the equation. On the other hand, private interests have been incorporated into education structures through allowances, first for individual academic interest and advancement, and secondly (and increasingly), for larger economic interests to be represented through shaping the curriculum, and providing the potential employment — what is coming to be the *only* acknowledged payoff for education in public policy discourse.

Thus, what we may be witnessing with the penetration of market forces is the destruction of this symbiosis in favor of educational structures and rewards that acknowledge only the private aspects of education. Even the

externalities that assert mass education's place in the realm of the public good are increasingly narrowed to the extent that only economic externalities are acknowledged in public policy discourse,[86] at the expense of civic externalities (a more civil political discourse, tolerance and understanding across racial and economic lines, critical thinking in a democracy, national unity around commonly shared values). Advocates of markets — oriented around the values of efficiency — argue that this shift is simply the removal of less efficient aspects of education structures (e.g., DeWeese, 1994). These would include elements associated with equity of opportunity and inputs, equality of experience, and exposure to people and knowledge representative of a diverse community. Although laudable goals, some may argue, such concerns represent artificial social engineering, government coercion, and tampering with "natural" market mechanisms, thereby perverting the efficiency of education institutions that need to be geared toward the primary function of allowing for private needs — personal choice, individual academic excellence, and a trained workforce in a competitive global economy. Thus, in a system geared toward private goods, those inefficient aspects would inevitably disappear...whither away, if you will.

Forces promoting market penetration.

However, any claim of an organic evolution of systems of mass education — or social institutions as a whole — away from public or common

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[86] For instance, higher education rates for females translate into lower fertility rates, lower costs for social programs, increased economic efficiency and competitiveness, etc. (e.g., Centre for Educational Research and Innovation, 1998b; Cooper, 1999; King & Hill, 1993; Lockheed, Verspoor, et al., 1991; Mak, 1996; Pitt, 1995; Psacharopoulos, 1986; Summers, 1992; and the World Bank, 1997).

concerns toward a "natural" function associated with private goods, neglects the intentionality and agency involved in this transformation currently. In patterns certainly not restricted to the United States, nor to the domain of education, organizations, institutions, networks, and individuals are actively promoting privatization of public sector enterprises. This is done largely by attacking public institutions such as schools, and, consequently, undermining public support for those institutions, often though the misconstrual of facts.[87] Advisors for international aid and lending agencies aggressively advise nations to impose austerity programs of SAPs by reducing public services such as education, and shifting the cost and responsibility to the private sector or to local communities or individual consumers/users[88] — and see education as an integral element in the transition to market economies (e.g., Laporte & Ringold, 1997). They often make funds and the all important access to credit contingent upon the introduction of such policies in poorer countries. Yet such trends are also evident in many of the wealthier nations as well.

Indeed, these financial institutions are controlled, and their policies set, by the wealthier nations. The International Monetary Fund and the World Bank, for example, feel the inordinate influence of the US and other northern nations — disproportionate to their populations.[89] Yet, in the US, the ratings on government bonds are crucial indicators of the health of the government's finances. Canada, for instance, hardly a "third world"

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[87] Berliner & Biddle (1995); Hart & Livingstone (1998); and Mathews (1996).

[88] Budhoo (1990); Carty (1990); Ellwood (1990); Gordon & Whitty (1997); Jones (1998b); Khor (1995); Lappé, et al. (1980); Lippman (1998). See, for example, Kikeri, et al. (1992); Patrinos & Ariasingam (1997); van der Gaag (1995); the World Bank (1995, 1997); and the World Bank, et al. (1993).

[89] Neal (1990) and Parkin (1997).

nation, had to revise its national budget and democratically expressed spending priorities due to the demands of Moody's investment service.[90] The newly marketized economies of the former Soviet empire depend on capital from international finance groups.[91] In a climate of mobile capital, state and local governments compete to undercut each other in attracting investment capital by providing tax breaks and infrastructure improvements for private interests with public resources — often at the expense of local school budgets.[92]

Regardless of the particular setting, now all governments appear to be influenced by the ubiquitous market forces. Indeed, in Tamez's (1995) "total market," the pervasiveness of the ideology works towards promoting the assumptions of individual ownership and advancement as unexamined truths. These trends can be traced to the intentional efforts of specific think tanks and foundations like the Heritage Foundation (US), the Centre for Policy Studies (UK), the Center for International Private Enterprise (US, international), the Institute for Liberty and Development (Chile), the Bradley Foundation (US), or (in Michigan) the Mackinac Center for Public

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[90] Friedman (1995b). See also Cameron (1997) and Nelson (1992, esp. ch. 5). Neal (1990) claims that Canada has had to revise even its policies on international aid due to the influence of international capital.

[91] Such financial groups are threatening to withhold capital from an increasingly socioeconomically polarized and immiserated Russia, for example, because the paltry budget passed by the Duma — with annual spending equal to what the US government spends in five days, according to the *Los Angeles Times* — was not austere enough (Dixon, 1999).

[92] Barlett & Steele (1998a); Celis (1991); Ellwood (1993); Gruben & McComb (1997); Johnston (1997b); Johnston & White (1997); Nelson (1992, esp. ch. 5); Odato (1997); the Progressive (1997a); Reich (1991a, 1991b, 1998); and White & Johnston (1997). Examples of this phenomenon in Michigan include the Associated Press (1996b, 1996c), Banas (1996), and Upton (1996a, 1996b). In Erie County, NY, Odato (1997) reports that 50-60% "of the property tax abatements extended by the IDA (Erie County Industrial Development Agency) to businesses come out of school taxes" — hence calls for a school board member to sit on the IDA board (my parentheses).

Policy, and influential individuals such as Milton Friedman.[93] Of course, these institutions and individuals are not omnipotent. Their advice could be ignored by policymakers. But this is not as true with the capital institutions such as the IMF and World Bank that they promote and represent. Their recommended policies of unleashing market forces are often required medicine for democratic governments, just as the largest local employer's demands for publicly-financed infrastructure or educational adjustments have similar weight and effect.[94] (And if a government is not pushing privatization at the behest of one of these institutions or their advisors, then often it is the managers of mutual funds and mobile capital who hold the policy scepter.)

Market models for education.

The question then arises as to whether this is an appropriate or effective model to use for schools. At least in the Western experience, there are certain areas that have traditionally been exempt from market forces. Although there has been a dominant paradigm of private enterprise, various areas such as mass education, criminal justice, and national defense have been left largely out of the realm of the free market. This is because there has been a recognition that market forces, although efficient

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[93] On the influence of these organizations, see Americans United for Separation of Church and State (1997c); Archer (1998); Cameron (1997); Dobbin (1997); Golder (1998); Howell (1995); Lowe, Miner, Miller, Peterson, & Tenorio (1996a); Miner (1996a, 1996b); Reed (1997a); Roberts (1997); and Vine (1997). For examples of their work, see the Buckeye Institute for Public Policy Solutions (1997); Center for International Private Enterprise (1993); CEO America (1997); Heritage Foundation (1995b); Hood (1998); Kramer (1991); Landmark Legal Foundation (n.d.); Murdock (1998a); Reed (1996); TEACH Michigan Education Fund (n.d.); Weinschrott & Kilgore (1996); and Williams (1994, n.d.).

[94] Gold (1989); Khor (1995); and Lappé, et al. (1980).

in many areas, have some failures, and certain domains established for the common good should not be subject to these failures.[95]

Still, aspects of all of these endeavors are private. National defense relies on a mostly private defense industry (not to ignore its blurred relationship to public funding). Public safety is an unabashedly public institution, although it has become increasing privatized as of late, as private resources seem to have an impact on one's ability to obtain justice, and as people believe the crime rate is worsening to a degree which causes them to become dissatisfied with the level of security afforded by public safety agencies. Even more so, mass education has always had associated private aspects in the United States. Without denying the motivations to address the common good as perceived by the common school reformers (see below), one must also recognize the role that the system of mass public education has played for individual and private interests. As noted above, public schools have traditionally served the function of allowing for individual social mobility (Labaree, 1997c). And the public schools serve the interests of the private economy by producing skilled workers for employers — ideally, the appropriate amount of graduates with the necessary skills to meet employers' various needs.[96]

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[95] Jordan (1997) and Orfield (1996). For challenges on this position, see Tooley (1996a) and (Murray (1997).

[96] This is something that Labaree (1997a) calls "social efficiency," but might, in some cases, be called "economic efficiency" in order to give adequate attention to the subsumation of democratic goals of access and equity, and individual goals of social aspiration to economic needs of production and efficiency in this relationship. This was nicely demonstrated by the head of a charter school in mid-Michigan when he asked the representative from Dow to tell him what type of educational product that corporation needed (WKAR: Your Voice Counts, 11/6/95). In another context, at a corporate-sponsored Chicago high school, the principal was quoted as saying, "I'm in the business of developing minds to meet a market demand" (Kozol, 1992, 1993b, p. 10).

Of course, this blurring of the relationship between "public" and "private" is not unique to education, and is indicative of a general inability to really divorce politics from markets in the United States (Carl, 1994). Indeed, in a democracy, the need to enable public knowledge and participation appears to require some degree of involvement in creating a public sector to meet those ends. On the other hand, freedom from government interference in private — often economic — matters entails the maintenance of a private sector. Yet, in a globally competitive environment, local and national governments are increasingly called upon to make national economic capabilities more efficient and competitive. Although education (supposedly) plays a key role in such efforts — at least rhetorically — it is only one example of the larger issue of public resources being used for private ends. Non-educational examples are also numerous.[97]

As the evidence in Chapter 3 demonstrates, there is an intentionality to this blurring of public and private spheres, for the purpose of overriding common conceptions of the terms, and furthering the penetration of the

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[97] For example, Lockheed and Martin Marietta received approximately $1 billion to subsidize their merger, paying for the cost of employee transitions, including $31 million in executive bonuses (Hartung, 1995). Columbia/HCA got a $90 million plus tax break to operate out of Nashville (before its criminal/legal problems). Public money is consistently used for stadiums by owners threatening to leave a community (Buffalo News, 1997; Cagan & DeMause, 1998; Lansing State Journal, 1996c). Sanders for Congress (1996) claims there is a $10 billion a year tax subsidy for "excess CEO pay." Indeed, the U.S. Government funds the Overseas Private Investment Corporation at $281 million in order to subsidize "political risk insurance" and protect U.S. investment overseas (the Progressive, 1997b; Scheiner, 1995). Even the booming New York Stock Exchange — the capital of mobile capital — leveraged an amount approaching $1 billion in public money to build a new stock exchange building under the threat of moving to New Jersey (Bagli, 1998). See, also Kripke and Dunkiel (1998), Barlett and Steele (1998a; 1998b), Multinational Monitor (1998a), Public Citizen (n.d.), Common Cause (n.d.), Women's International League for Peace & Freedom (n.d.), Press (1997), Shields (1996), Courtney (1996), Ivins (1996), Washburn (1997), and, in the UK, Ransom (1996).

market in education. This endeavor is part of a general agenda to advance markets in education, largely through privatization.

Privatization and Education

In the climate of crisis that has pervaded education in parts of the world in the last two decades, there have been consequent calls for the use of market mechanisms in order to correct the perceived problem. Indeed, although public accusations of mediocrity and crisis have been a recurring theme in political and public discourse throughout the history of the United States, their reemergence here since the early 1980s is concurrent with such claims in other nations that have embraced markets for reform in education and other areas. In the US, the establishment of the commonly-held fact that schools are not working opens the possibility for policy alternatives. The most prominent proposals for reform promote market mechanisms as the panacea for problems in education, seeing the school system as artificially falling outside the realm of the market, and needing to be brought further under market influence (e.g., Chubb & Moe, 1990). Thus, as in the wider discourse on privatization, the logic is framed in a way that the market is the only alternative.[98] On the other hand, more isolated analyses see the problem as one of too much market influence in education.[99]

However, much of the debate around the issue of markets and education in the US takes place in rather abstract terms. The issue of privatization in

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[98] For examples, see Lehman (1997) and Pflaum (1996).

[99] Hogan (1992) and Labaree (1997a, 1997b, 1998). Barber (1993) does not explicitly diagnose the problem as one of an overabundance of market influences, but does conclude that problems in education are rooted in "a dearth of democracy" (p. 45). This does not necessarily oppositionalized these two spheres though (see below).

schools is not as blatant in the US as in other nations. More often than not, when people refer to privatization in regard to schools, they are referring to privatization of services peripheral to the classroom experience — school support services such as transportation or cafeteria services.[100] While unions, consumer groups, or other constituencies oppose such forms of privatization on various grounds, those services are not the concern of this analysis. Instead, what follows is an exploration in the privatization of the institutionalized learning experience, in terms of provision, content, governance, and purpose. In this regard, contracting out is a present, but not predominant prescription in the rhetoric for instructional provision and governance.[101] Much of the policy discourse around private management of public schools, for example, refers to the phenomenon as "contracting" rather than privatization, even though it is a form of privatization (Prager, 1997).[102] So the language promoting privatization in education is often softened to use terms such as "choice" or "contracting" or "management" — and the term "privatization" is largely, but not completely, relegated to use by critics of the phenomenon in schools.[103]

Thus, the discourse on privatization in education largely mirrors the discourse on privatization in general in the global context. The scope and

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[100] See Houston (1994). The prominent exception to this generalization in this study is the Mackinac Center for Public Policy, which unabashedly calls for "privatization" for schools — support services, governance, and teaching. See, for example, Bockelman & Overton (1993); Gladney (1997); Koshelnyk (1997); LaFaive (1997); Leeson (1997); Mackinac Center for Public Policy (1993a, 1994, 1997d); Overton (1993, 1997); Reed (1997b, 1994b, 1996, 1998, n.d.); and Rehfuss (1997).

[101] See, for example, Hill (1994); Hill, Pierce, & Guthrie (1997a, 1997b).

[102] Doyle (1994). See, for example, Finn (1996a, 1997e); Merina (1994); and RAND (1995).

[103] See, for example, Ascher, Berne, & Fruchter (1996); Carnoy (1997); Chitty (1997); Marginson (1997); Margonis & Parker (1995); McCarthy (1997); O'Neill (1996); Parry (1997a); Rethinking Schools (1996c); and Shapiro (1996).

pace of market penetration in education is similarly notable to other instances of privatization. Assumptions about the organic evolution of the market appear to pervade most instances of privatization, including markets in education. In education reform rhetoric, the importance of efficiency mirrors the broader context of market expansion. And the relatively small role of evidence in this discussion is also similar. There is, however, the notable exception, that very often the term privatization (and, consequently, the conscious treatment of the issue) is not central in debates on privatization in education — unlike other instances. Terminology is discussed in further detail later. However, it is useful now to point out here that this raises interesting questions on the nature of the rhetoric, and the shaping of the discourse.

Likewise, while issues of privatization are covered in the literature — although often under different guises — the issue of the purpose of education is largely neglected in the analyses. This is an important issue because, as was noted previously, education is a unique and nebulous social endeavor that incorporates various aspects of both individual private gain and the public or common good in its essence and purpose. Thus, issues of privatization of the purpose of education — of the commodification of schooling — would appear to be rather important in debates on school choice, but a largely left untouched in the literature. Indeed, education may provide the best example of the privatization of a public good through the privatization of its purpose through the commodification of its public good for exclusively individual private benefit.

CHAPTER THREE

Discourse around Markets in Education

On Tuesday, October 5, 1993, Michigan Governor John Engler stood in front of the assembled legislators with a 20-gauge sawed-off shotgun and voiced his support for school choice. Although he wasn't threatening to blow away any opponents, the gun was more than simply the "good theater" applauded by *The Detroit News*. Engler "brandished" the gun, "confiscated from a student, to dramatize school violence and trumpeted his plans to allow parents more leeway in choosing the schools their children attend." According to an armed Engler:

> The total funding level of schools will be determined by how many students they can retain or attract. The schools that deliver will succeed. The schools that don't will not. No longer will there be a monopoly of mediocrity in this state...because our kids deserve better.

And the political theater did not end there. Throughout the address on school reform, Engler recited the chorus "This plan's for you." This had particular effect when Engler asked 9-year-old Rory Pettipas to stand up from his reserved seat in the gallery. His family had sought a transfer from his small rural district to a local education authority (LEA) with a gifted program, but their request was denied by the home district fearful of losing funds. "It was a small district. Children are dollar signs in their system," according to Rory's father, so the family had to move. Engler declared: "It's because of experiences like yours, Rory, that we need real change. This plan's for you."[1]

The implied connection between Rory's plight and the shotgun was not simply coincidental. Indeed, Engler was portraying a public school system

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[1] See Basheda (1993); Engler (1993); Hornbeck, Basheda, & Cole (1993); King (1993); and Weeks (1993).

in a deep state of crisis due to its status as a monopoly — "Public education is a monopoly, and monopolies don't work" (Engler quoted in King, 1993). The link was loud and clear: public schools fail in promoting academic excellence just as they fail to promote character and values because they rely on a captured clientele like the Pettipas family. Engler's solution — indeed, the "panacea" — was to bring market mechanisms of choice and competition into public education.

Overview of the Chapter

Market-oriented school reformers promote market mechanisms as the only viable policy solution to the multifaceted crisis in public education. The inverse, of course, is that public control of education is the cause of the wide range of problems, most evident in the crisis of inner-city schools. Yet, as they condemn the democratic-political governance as inherently inefficient and dysfunctional, we might wonder why those organizational structures seem to work well in wealthier school districts. But, market reformers argue that conditions that approximate an education market — consumer choice and competition between providers — already exists in public schools in non-urban areas (see discussion of Chubb and Moe, below). The answer, they assert, is to bring these mechanisms into play across the system of mass education by legislating publicly funded school choice.

This chapter turns its attention to the theoretical justifications for private markets in public schools. Specifically, it examines how reformers use their understandings of market dynamics to advance market mechanisms in education. While prominent theoreticians in the field advocate privatizing the means of education, in practice their ideas effect a

privatization of the purpose of education — a more far-reaching penetration of markets in education. This is an element which I only introduce here, but argue in the concluding chapter that it is essential in the enclosure of the public space of schooling in a democracy. Thus, reformers like Engler promote plans which effectively mandate that parents assume the role of consumers of an education product — exclusive of the interests of other citizens. But in making public education into a commodity, they recognize a need to promote a *redefinition* of the popularly understood "public" side of public education. While I explore these concepts in much more detail in the concluding discussion, this chapter introduces these ideas through an examination of several discourses.

In this chapter, I approach the topic of market mechanisms in education in several ways. First, in surveying this phenomenon, I examine some lead authors on this issue. This chapter examines a few of the canonized writers on markets in education in order to get a truer view of the foundational values underlying markets in education. That is, in this chapter, I seek to better understand the organization of logic that provides the groundwork for the penetration of markets into education. We can see the intellectual underpinnings for privatizing the purpose of education and redefining its public elements by examining themes emerging from the theoretical literature. It becomes evident from looking at their arguments that prominent figures like Friedman and Chubb and Moe take a consumerist perspective of the value of mass education. In doing so, they slight the social, public, or common benefits of education. Indeed, the debates over their proposals demonstrate that even proponents of public control of education have largely ignored the idea of the common good.

Then, to see how their logic plays out in actual policy discourse, I briefly review two of the foremost experiments with market mechanisms in current US K-12 education. I do so with an eye toward the logical structure of the discourse, the use of evidence, and the potential for progress toward a conclusion on markets in education as a public policy issue. These debates around specific school choice proposals indicate that market advocates embrace an almost total negation of the idea of the common good. While noting that this appears to be the case around voucher programs in Milwaukee and Cleveland, I end the chapter by undertaking a more in-depth analysis of the issues raised by these two voucher cities through an examination of the charter reforms in Michigan, concluding that the idea of education serving the common good and sustaining democracy is simply not a concept recognized in that instance of market-oriented reform. (This review is also helpful in assessing how the wider discourse on evidence and ideology informs policy players and actors in specific sites.) My examination of these examples suggests that market advocates have effectively constrained the discourse around school choice reform. And, as I go on to argue later, this is a key factor in the privatization of the purpose of public education, and the enclosure of the idea of the educational commons of a democratic society.

School Choice

School choice is currently one of the — if not *the* — hot topic in the chronic efforts at education reform in the United States. As observers have noted, the area of public education has traditionally been the site of almost unending controversy and conflict over competing educational visions and constituencies, dissatisfaction with results, exuberant yet naively imposed

reforms, resistance to change, and projection of concerns about economic competitiveness. And yet it has sustained some remarkable continuities.[2] However, market-oriented reformers note that their agenda is distinct in that it is premised on change agents external to the system of education provision (the market device of parental preference), in contrast to other reform efforts, which are inherently limited due to the assumption that a monopolistic system can or will reform itself. In the United States, the lead thinking on school choice received its catalyst from free market-oriented economists like Milton Friedman in the 1950s and 1960s. Starting at least with Friedman's early (1955, 1962) proposals for market models in education, reformers issued calls to address the problems, or crises, in education by expanding or even effectively requiring parental participation through school choice.[3] While initially championed by market conservatives and then neoliberal policy scholars, throughout the course of the evolution of this agenda, discernible constituencies embraced the idea of school choice, separate from the neo-classical economists who initially promoted it (Dougherty & Sostre, 1992).[4] White segregationists in the integrating South — figures like Jerry Falwell who established white "academies" to avoid integration — latched on to the idea of choice as a means for maintaining publicly funded, de facto segregation.[5] On the other

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2 See, for example, Cuban (1984); Gelberg (1997); Tyack (1990); and Tyack & Cuban (1995) For one view of the current state of education as contested political terrain, see Stanfield (1998a).

3 See, for example, Bush (1991); Coulson (1999); Finn (1991); Flake (1999); and Kirkpatrick (1990).

4 The establishment of identifiable and viable constituencies is an important key in predicting the ultimate success of a reform (Cuban, 1992; Kirst & Meister, 1985; Tyack, 1991).

5 On the white academies, see Breed (1999); Carper & Layman (1997); Kifner (1999); and Powell (1999). For more general references to choice as a strategy to avoid integration, see Friedman & Friedman (1980, p. 165f);

hand, in its magnet school form, liberals (initially) saw school choice as a non-coercive way to promote racial integration based on academic interest and ability, although that has fallen by the wayside as racial quotas have come to interfere with (white) parents' right to choose these better schools.[6]

While such ideas were often carried by conservative religious groups and segregationists, they enjoyed newfound popularity in the 1980s following the portrayals of an educational crisis by such voices as the National Commission on Excellence in Education. While being embraced by more conservative elements in the political arena in the US and market advocates in other nations, market models for education were also given a big boost in the 1990s as the obvious solution to the crisis in education. The work of John Chubb and Terry Moe (1990, 1992) re-invigorated this agenda. In more recent years, charter schools and vouchers have come to serve as the main vehicles for this movement. Such policy innovations are supported by a range of figures and organizations with both conservative and liberal affiliations, including middle-class parents, poor urban minorities, teachers, and policy think tanks (Toch, 1997) — most forcefully articulated by eloquent advocates and activists such as Joe Nathan, Chester Finn and his colleagues at the Hudson Institute.[7] Elements within the Roman Catholic church consistently support the concept of choice, since it would

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Kantor & Lowe (1995); Nathan (1997a); Nevin & Bills (1976, pp. 13 ff.); Peterson (1997b); and Ravitch (1983, esp. ch.s 4 & 5).

6 Carl (1994); Daley (1999); Edwards & Whitty (1992); Orfield & Peskin (1989); Paul (1996); Percy & Maier (1996); and Spring (1986). Also, magnet schools apparently had an impressive impact on British Conservative policymaking through Kenneth Baker, and were the inspiration for the CTCs (Ball, 1990, p. 96; Whitty, 1990a, p. 107).

7 See, for example, Finn (1996g); Finn & Manno (1996, 1998a, 1998c); Finn, Manno, & Bierlein (1996); Manno (1997a, 1997d); Manno, Finn, Bierlein, & Vanourek (1998a); Nathan (1996a, 1996b, 1997a, 1997b, 1998a, 1998b); Nathan & Power (1996); and Vanourek, Manno, Finn, & Bierlein (1997b).

provide welcomed funding to what are often effective, but cash-starved parochial schools with declining enrollments.[8] Other ethnic and religious groups that have separatist tendencies or depend on the maintenance of group identity have a logical loyalty to the idea of school choice (e.g., Chavis, 1994). Some affluent and ambitious white suburbanite parents embrace school choice for personal, ideological, or political reasons (see, e.g., McManus, 1997). Some urban minority organizations and individuals, both poor and middle-class, endorse the idea of parental choice as the ticket to freedom from miserable and failing inner-city public schools — or as access to public money for private tuition.[9] Policy makers and pundits — usually, but not exclusively, of more conservative political and ideological persuasions — champion the idea of parental choice under the banners of individual liberty, family rights, efficiency and effectiveness, and anti-statist perspectives (e.g., Bush, 1991; Murdock, 1998b). Both advocates and opponents of school choice see it as the primary issue on the education reform agenda at this time.[10]

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[8] America (1997); Blum (1958); Cookson (1992b); Dougherty & Sostre (1992); Innerst (1997); Johnson (1996); McDonald (1998); McKinney & Adrian (1999); and Tucker (1999). In the UK, see also, Dean (1996).

[9] For instance, see Aldana (1997); Barnes (1997); Bennefield (1997); Brooke (1997); Farkas & Johnson (1998); Finn & Gau (1998); Glenn (1998a); Schneider (1998); Schneider, Schiller, & Coleman (1996); and Stanfield (1997). This, of course, is not true of all individuals and organizations in such categories. See Stanfield (1998b), Jacobs (1993), Rethinking Schools (1996d), and Waters (1994, 1996).

[10] See, for example, Association for Supervision and Curriculum Development & ASCD Panel on Public Schools of Choice (1990); Bennett (1994); Billingsley (1994); Bridges & McLaughlin (1994); Carnegie Foundation for the Advancement of Teaching (1992); Clune & Witte (1990a, 1990b; Cookson (1992a, 1994); Coons & Sugarman (1978); du Pont (1997); Finn (1997a); Finn & Gau (1998); Fuller & Elmore (1996); Glenn (1998a); Harmer (1994); Henig (1994); Hirsch (1994); Kirkpatrick (1990); Lieberman (1989, 1990); Lowe, et al. (1996a); Manley-Casimir (1982); McGroarty (1996); Moore & Davenport (1990); Pearson (1993); Pixley (1998); Polansky (1998);

Arguments for and against choice in schools.

After an extensive review of the literature on school choice,[11] it appears that — as with the other "choice" issue, abortion — the most popular arguments on opposing sides of the topic tend to re-state some fundamental principles that are central concepts in American socio-political ideology. Generally, new arguments and insights have not emerged to tip the balance of the debate in recent years. Instead, any movement in this logically deadlocked discourse relies primarily on (1) rhetorical skills for the power of persuasion, or (2) simple policy creations (as in Milwaukee, Cleveland, and charter legislation) that by-pass unresolved scholarly and political gridlock and establish choice. (This latter movement, I argue below, has a logic of its own in an ideologically saturated issue that is not driven by evidence — of which there is admittedly not much.) Thus, here is a synopsis of some of the most common arguments around choice, followed by examinations of some of the primary authors responsible for these arguments. Then, the paper goes on to look at the debates around these actual policy creations. In all of these, I note, there is a remarkable

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Rasell & Rothstein (1993); Reed & Hutchison (1991); Reiland (1997); Smith & Meier (1995a, 1995b); Wall Street Journal (1996a, 1996b); and Wells (1993b). Although it is a bit of a crude generalization to draw researchers into two opposing camps, to do so has its uses, and approximates the actual situation to some extent (Powers & Cookson, 1998).

[11] Besides collecting pieces from some of the major names in the literature on school choice (pro, con, and various degrees thereof), I ran a one-year Carl Reveal Alert search on several authors and keywords associated with the issue — "voucher," "charter school," "public school," "private school," "Catholic school," etc. I then collected as many of these pieces as possible, and, in turn, works that were cited frequently in those reference lists. I then reviewed these collected works, coding them with keywords that emerged out of recurrent themes in that literature. Rather than including all the sources, this review focuses on the most prominent policy players, according to my reading.

tendency to neglect one of the primary justifications for the establishment of mass education *as a system* to serve the common good and, thus, democracy.

There are essentially two prominent arguments favoring the use of consumer choice and producer competition in mass education: an ideological appeal to rights, and an economic utilitarian emphasis on efficiency-effectiveness. Of course, as a body of rhetoric that defines itself largely in contrast to public-controlled government or state education, arguments for choice are often cast in opposition to the status quo of public school governance — markets by default. So, in that respect, there are various manifestations of those themes, pitched to different audiences. However, most of the rhetoric supporting education markets is a play on one of the two main arguments.

• *Parents have an inalienable right to choose or control their child's education.* This claim to a right is based on a rhetoric of family values and assumptions of the inviolability of the parent-child relationship. Thus, in some cases, it might be called the neoconservative argument. Reformers often advance this argument through references to individual, family, or even consumer rights, or the right to be free from government interference. Spin-offs of this argument include the observation that wealthy families already exercise choice through choosing residences in certain school districts or choosing private schools; that parents are better judges of their children's individual needs than the state; that the state has no prior claim over a child's education (popular with home-schoolers); and that parental rights are being eroded by the state in a variety of areas, particularly

education and social services.[12] Another twist on this is the claim that educational choice is a civil right — an argument often advanced by advocates for and in minority communities. Reformers argue that it is inequitable to force poor and minority students to stay in the worst-performing schools. Thus, calls for choice are a logical extension of the Civil Rights movement. Some progressives and communitarians cast choice as a democratic right to community.[13]

• *Unleashing choice for schools promotes efficiency in education.* This utilitarian argument is grounded in economic tenets regarding the market — suggesting public choice and neoliberal influences. It holds that competition between providers, in response to consumer choice, will penalize waste and corruption that are inherent in public bureaucracies, where such inefficiencies go unchecked, and cannot even be recognized.[14] Furthermore, the ability of schools to succeed is hampered by the fact that they have a guaranteed or captive clientele. Schools subject to market discipline will be forced to succeed — usually defined through academic indicators such as standardized test scores — or go out of business.[15] To

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[12] See, for example, Coleman (1990, p. xiv), arguing that the previous role of common schools in breaking the power of the introverted family "to pry the young into freedom" is now obsolete, having both succeeded and been supplanted by television. On expanding or asserting parental prerogatives in education, see Klicka (1995); Klicka & Phillips (1997); Meyerson (1997); Miner (1996b); and Whitehead (1985a). Opposing the predominance of that position, see Belter (1997) and Fege (1997). Very few have extended this argument for the universal extension of the right and means to choose as a way of pursuing equitable education (e.g., Glenn, 1998a).

[13] Bennett, Fair, Finn, Flake, Hirsch, Marshall, et al. (1998); Brandl (1998); Flake (1999); Glenn (1998a, 1998b); Murdock (1998a); Nathan (1996b); Shales (1998); Shokraii (1996); and Smith (1998).

[14] Brandl (1998); Finn (1998a, 1998b); Finn & Walberg (1998); Lehman (1997); Manno, et al. (1998a); and Murdock (1998b).

[15] Brandl (1998); Coulson (1996); Durant III (1997); Friedman (1994); Hill, et al. (1997b); Manno, Finn, Bierlein, & Vanourek (1998b); and Schneider, Teske, Marschall, & Roch (1997). This is a prominent theme in discourse

forward this claim, choice advocates often point to consumer markets to show that liberated choice promotes competition between producers/providers, and demands responsiveness to consumer preferences. In markets, they argue, competition means that the consumer is king ("the customer is always right"); in education, the power of the consumer is located in parental preference.[16] In response to what they see as a uniform, one-size-fits-all public education monopoly, school choice advocates contend that differentiated and liberated consumer choice will be reflected in a diverse array of options from which parents may choose.[17]

On the other hand, opponents of school choice often find themselves in the uncomfortable position of defending the status quo of public schooling by default. That is, as other alternatives to the market are effectively removed from the policy discussion, some people find themselves forced to stand up

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around charters and vouchers); see discussion of Milwaukee and Cleveland debates, below.

[16] For the claim that "It works in every other area of life" (Thomas, 1998), see Bennett, et al. (1998); Friedman (1994); Friedman & Friedman (1980); and Rauch (1997). The claim that parents are the consumers (e.g., Gintis, 1995), or "proxy consumers" (e.g., Brighouse, 1997), is not always consistent, nor undisputed — see below.

[17] On claims that the market mechanisms of competition will increase diversity of options and innovations in teaching and curriculum — a theme prominent in charter school literature — see Augustine (1997); Bennett, et al. (1998); Brandl (1998); Coulson (1996, 1999); Doyle (1994); Finn (1997d); Finn & Gau (1998); Hess (1998); Link, Gordon, & Khanna (1999); Manno, et al. (1998a, 1998b); Nathan (1996a, 1996b, 1997a, 1998a); Price & Hunker (1998); Rebarber (1997); Rofes (1996, 1998); Spectrum (1997); Vanourek, et al. (1997b); Zinsmeister (1998). Problematizing that assumptions, see (Associated Press (1999a); Crim (1998); Dykgraaf & Lewis (1998); Hassel (1998); Horn & Miron (1999); Khouri, Kleine, White, & Cummings (1999); Lubienski (1999); Plank & Sykes (1997); Rothstein, Celis, Corson, Cooper, & Farber (1998); and Walsh-Sarnecki (1999). For examples of the claim that the public school system is necessarily uniform, see Bennett, et al. (1998); Finn (1996d); Finn & Gau (1998); and Goldberg (1996). For the claim that innovations inherently arise in the private sector, see Coleman (1990).

for the institution — warts and all — that has the best hope of protecting their social agenda. Thus, arguments against school choice tend to focus on ideals and goals associated with public schools, and are therefore a bit more fragmented and numerous.

• *The market is inequitable, and will be particularly destructive when applied to education.* Markets are great at many things, but equitable distribution is not one of them, according to this logic. Public education is premised on equity, critics argue. While some critics focus on the theoretical faults in the markets, others highlight the human costs in market systems. A strategy in this regard involves highlighting the plight of those left behind. Critics of markets note that the universal ideal of a rational consumer on which market arguments are premised often flies in the face of reality. Information, access, skills and desire to play the market are unequally distributed, as are the different objectives for their children that parents bring to the market. Market forces then are both driven by and amplify these inequities. Thus, some choice critics note that, given choices, many parents choose poorly, or do not choose at all. Unfortunately, that means a system based on parental advocacy will have inequitable effects on children. Furthermore, due to special needs, some children are more costly to educate, and would then be less attractive to profit- or efficiency-oriented schools. While many, even most children might benefit from school choice, they argue, the fact that such a system effectively penalizes, disenfranchises, and permanently handicaps children due to the poor choices of others makes it morally repugnant (Brighouse, 1997).[18]

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[18] See, for example, Ball (1994); Carnegie Foundation for the Advancement of Teaching (1992); Covaleskie in Glass (1994); and Wells (1993b). While this approach has implications for the common good (e.g., Covaleskie, 1994), that aspect is usually only implied; see the arguments in the British

• *Schools are unique institutions, and should therefore not be placed under the purview of market forces.* As public institutions, the organization and mission of schools is distinct from that of a for-profit endeavor. This argument holds that we should not subject our children to the possibilities of market failure. Furthermore, school choice strengthens dangerous tendencies to blur the boundaries between church and state.[19]

• *Consumer choice in education leads to segregation and balkanization.* As a spin-off on the practical results of the first argument, critics note that choice has often been used as an exit strategy from integration. Moreover, choice based on small, freely-chosen communities promotes exclusion, sorting, and self-segregation, not tolerance and exposure to difference. The effect would be institutionalized racial and economic segregation.[20] (Choice proponents, then, rightly note that public schools are already extremely segregated.[21])

• *Choice is an anti-public agenda.* Some observers argue that choice is simply an exit strategy for middle-class parents seeking public subsidies for private choices. Others see it as a simple union-busting measure. Still

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literature on parents' resistance or refusal to participate in the markets, often based on social class culture (next chapter).

[19] Boston (1997, 1998a, 1998b); Frankel (1996); Gaddy, Hall, & Marzano (1996); Goodhue (1998); and Wells (1993b, ch. 6).

[20] Alves & Pryde (1993); Bagley (1996); Cobb & Glass (1998); Francis (1990); Glazerman (1998); Margonis & Parker (1995); McKinney (1996); Moore & Davenport (1990); and Smith & Meier (1995b). Plank, Schiller, Schneider, & Coleman (1993) do not argue against choice, but their research documents segregating effects associated with choice.

[21] Indeed, some claim that private schools are more integrated in terms of race (I have not seen numbers on economic segregation), and are better at promoting civic values (Greene, 1998). Others note that we essentially already have sink schools, so the left-behind argument is already in effect against public schools (e.g., the Pioneer Institute's executive director, James A. Peyser, on Public Radio International, May 4, 1999; Peterson & Greene, 1998).

others paint a broader picture of an orchestrated attack on public institutions by anti-democratic elites.[22]

• *There are questions regarding the evidence of claims of efficiency and effectiveness.* As is shown below, critics dispute claims that market mechanisms lead to efficiencies and effectiveness when applied to education. In such a politically charged atmosphere, there is very little data that most observers would agree is objective, and almost no interpretation of that data will go unimpugned. Thus, claims that choice "works" are usually met with challenges and counter-claims on methodological, interpretive, or applicability grounds.

While there are other arguments for and against choice in education, these are among the most prominent in the policy discourse. While these conflicting arguments come from generally smart and well intentioned people, the prominence of these arguments is interesting, as variously re-stated versions of only a few essential themes. This suggests that these people recognize that the issue of private markets in public education is very dependent on which argument predominates in framing the debate — and which are left out of the public discourse. It is evident from these summaries that the debates around choice are still largely hypothetical, having few mature examples involving mass education from which to draw solid conclusions. Furthermore, these hypothetical arguments center largely on the status quo of public schooling as it now exists. Thus, debates revolve largely around estimates of economic and achievement issues. Rather than referring to (unavailable or shaky) evidence regarding the operation of markets in education or their effects on the common good,

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[22] Berliner & Biddle (1995); Bracey (1997a); Peterson (1997b); and Singham (1995); also, an excellent source on comparable issues in NZ, see Openshaw (1996).

players on both sides of the debate often base their claims on the perceived state of public education, and the market alternative.

Lead Authors and Examples on School Choice

To get beyond the ideological stalemate and data-deadlock nature of the school choice debates, the following sections examine particular writers and instances of choice. The whole of these summaries is intended to offer an opportunity to bridge the gap between theory and practice that limits the policy discourse on school choice. Specifically, I critically examine two of the main intellectual forces behind the school choice movement to understand how they conceptualize public education, and its relationship to democracy. In doing so, I take note of their use of the crisis rhetoric surrounding schools as a window into how they fit into a prominent aspect of the larger discourse supporting choice, how they couch their logic, and how they construe the implied consequences of their proposals. Next, I look at two cities that have taken the lead in embracing the choice agenda. The purpose here is not so much to examine specific policies or outcomes of those plans, but to illustrate the shape of the discourse surrounding those proposals. In doing so, I hope to capture a sense of what values and themes most prominently inform the debates around school choice.

Milton Friedman

Milton Friedman is often cited as the father of modern-day school choice proposals (Lowe, 1996; Van Dunk, 1998; Witte, 1990). Along with other economists like Friedrich von Hayek, Friedman and the influential "Chicago School" of economics have had a deep impact on policymakers and

politicians such as Margaret Thatcher and Ronald Reagan.[23] While his writings do not focus solely on education, that is where the present concern draws our focus.

Friedman published his initial proposal for school vouchers as a largely neglected essay in 1955, and revised it in a more popular and influential version in the early 1960s (Friedman, 1955, 1962, ch. 6). In language sometimes reminiscent of a cross between Ayn Rand and an actuary, Friedman accepts public intervention to support private markets — "improving the operation of the invisible hand" — as the primary justification for public action.[24] In education, this takes the form of government efforts to counter any significant "neighborhood effects" where the free actions of individuals limit the freedom and increase the costs on other individuals. Establishing the parent as the rational consumer, Friedman defines the social benefits of education in a democracy as the provision of a "threshold" of knowledge and skills, and the promotion of values common to citizens.[25] Since individualizing the costs by measuring individual benefits is unwieldy, and allowing some children to go without

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[23] For a withering critique of Friedman's general economic methodology and objectivity, see Herman (1995, pp. 36-7). On the influence of his thinking in places like the US, UK, and Chile, see for example Baird (1998b); Carl (1994); Collins & Lear (1991); Herman (1995, ch. 5); and O'Sullivan (1998).

[24] By the allusion to Rand and accountancy, I am referring on the one hand to language that exhibits an overwhelming revulsion toward collectivism as an erroneous system that is imposed on humanity; see for example Rand (1938), where the hero takes most of the novel to learn the word "I" (see also Hayek, 1988). On the other hand, this is accompanied by fascinating applications of strict forms of market logic that, like an accountant, runs its equations regardless of facts, and therefore makes broad but unexamined assumptions about human nature; see Herman for a more in-depth critique (1995).

[25] While Gutmann (1987, p. 136f) later echoes this idea of the provision of a threshold as a justification for state involvement in schooling, she comes to a different assessment of the role of public schooling in a democracy (p. 70).



basic education is unconscionable, Friedman (temporarily) transfers the responsibility for guaranteeing funding for basic education for every child from the family to the state. This does not, however, mean that governments should shoulder the responsibility for "nationalizing" or administering educational institutions, according to Friedman — a contention that is increasingly popular in rhetoric supporting charter schools.[26]

In divorcing the financing from the provision of schooling, Friedman proposes a publicly funded voucher system to both guarantee and mandate basic education for all. Parents could choose from an array of lightly regulated options — non-profit and (more likely, he suggests) for-profit schools. Government involvement would be general oversight to maintain basic standards and common curriculum, similar to how the state checks on sanitation in restaurants. He counters concerns about balkanization under such a system by noting that it is unclear that social or economic division would take place, and that the concern is effectively trumped by the need for liberation of parental preferences.[27] Friedman concludes:

> The result of these measures would be a sizable reduction in the direct activities of government, yet a great widening in the educational opportunities open to our children. They would bring a healthy increase in the variety of educational institutions available and in competition among them. Private initiative and enterprise would quicken the pace of progress in this area as it has in so many others. Government would serve its proper function of improving the

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[26] Chubb and Moe (1990, p. 225f) take up this claim, arguing in their proposal that a system does not have to be democratically controlled by the public in order to be "truly public" (see below). While he attacks "nationalizing" education, Friedman does see localized governance of American education as a benefit in administering his voucher plan.

[27] Indeed, Friedman has a habit of sidestepping these serious criticisms of balkanization or "economic segregation" by stating that the likelihood of such a trend is unclear, it is already happening in public schools, or the term is unclear (see also, for example, Friedman & Friedman, 1980, p. 168).

> operation of the invisible hand without substituting the dead hand of bureaucracy. (Friedman, 1955)

Friedman's later writings basically restate the arguments and assumptions in the two versions of his early essay on vouchers. In essence, Friedman generally portrays a zero-sum game between the public-political and private-market sector.[28] He locates liberty in the private realm due to its reliance on voluntary transactions, and equates the majoritarian democracy or "the state" with coercion (Friedman & Friedman, 1980). Thus, much of his agenda seeks to reduce or scale-back the growth of government, which is, for him, a basic battle between freedom and collectivism.

One of his most prized values is efficiency, which is, for Friedman, a product of market conditions. The other ascendant theme is liberated consumer choice. Competition penalizes waste, promoting both efficiencies and variety of options for consumers. In his voucher plan, providers will compete for students and their set funding-level. The most likely to succeed are the innovative and cost-effective schools, which are probably for-profits, he reasons. Consumers can then choose from an array of options. However, since Friedman refuses to use state coercion to prohibit supplemental funding or to cap tuition, parents are still differentially able to pursue the best education for their own children, and schools have an interest in pursuing some students more than others.[29]

While he does acknowledge the public benefits of education, he believes they can be best achieved through Smith's "invisible hand," rather than

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[28] For criticisms of such portrayals, see Kuttner (1997a), claiming that markets cannot exist outside of politics; and Cohen (1982), showing that the growth of the public sector can result in the growth of the private sector.

[29] Indeed, Friedman later explicitly rejects caps, and encourages supplemental funding as a way to eventually transfer all the costs for education back over to parents (Friedman & Friedman, 1980, p. 162).

through the intentional pursuit of such goals through democratic means. That is, the aggregate effects of parents pursuing their own (or child's) self-interest through his voucher plan is at least, if not more likely, to guarantee the wide distribution of basic skills necessary in a democratic society. Yet, regarding the concern about social fragmentation resulting from individuals seeking their self-interest, Friedman reverts to coercive state oversight to correct this "market imperfection" through regulation to guarantee minimum standards and some degree of a common curriculum. But he offers only a theoretical basis for this plan, admittedly in lieu of developed examples of markets in public education. Instead, in setting a pattern that is still very much in use today (as is demonstrated below), Friedman (1980, pp. 156f) makes allusions to the benefits of competition and consumer choice in markets for material goods. This tactic, of course, neglects any consideration of how appropriate markets are in public education. Furthermore, it tends to pre-empt any discussion of public education as a public good except insofar as it is similar to industries for cars and other consumer goods.

Crisis and coercion in Friedman's analyses.

The timing of Friedman's essay is significant and revealing about the actual manifestations of this hypothetical proposal. The criticisms of the schools in the middle part of the 1950s lent themselves more to national efforts at reform when the Sputnik crisis arose. Individualistic solutions like Friedman's did not seem to attract much support at the time, except with white segregationists. Written one year before *Brown v. Board*, and initially published one year after, Friedman lends the "empirical" legitimacy of economic analysis to a concept that would be eagerly

embraced by white segregationists trying to avoid integration in the South. While initially seeing this as indicative of a significant flaw in his argument, Friedman quickly re-asserts his faith in the market mechanisms, despite his personal distaste for discrimination (Friedman, 1955, n. 2). He decided that his belief in the right of parents to choose schools is akin to freedom of speech — one needs to support the right, even if the use of that right is reprehensible. In this, Friedman reverts to a libertarian relativism, noting that he has no right to impose his views regarding integration on others. The market will solve the problem, he contends, by giving parents the option to send their children to all-white schools, all-minority schools, or mixed schools.

Of course, making integration just another consumer choice denies any societal interest in such an issue. Furthermore, by refusing to use the state as a means to integration, Friedman is willing to force the burdensome social costs of segregated schools inordinately onto some people, and limit their "consumer" options to schools where students of their skin color are accepted. Moreover, the status of a school as segregated or integrated is not simply a policy matter for the school's directors to decide, but depends on the aggregate choices of all its current (and departed, and potential) clients. Friedman's preference, persuasion, probably offers as little hope to a family trapped in a separate and unequal school system in 1950 as the possibility of court-ordered busing of the few remaining white children offered minorities in Detroit in the 1980s.[30]

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[30] Friedman (1980) claims that one can avoid discrimination in his voucher program by patronizing only non-discriminatory schools (p. 165). This, of course, is only partly true, and neglects the larger reality of making discrimination and non-discrimination just two more consumer options. That is, school policies aside, schools are still segregated through consumer choice by racial attitudes, if not race. Thus, families are confined to choosing only schools with like-minded families, and will not be

Thus, while Friedman holds up coercion as the essential evil of the public sector, he is inconsistent in the applications of his analysis. Friedman is willing to use state coercion, in the form of taxation, to promote his agenda, justified by the societal benefits of widespread education (Brighouse, 1997). But, while he opposes state coercion for desegregation because of the sanctity of liberated parental-consumer choice, he effectively exposes some people to the coercive effects of other people's choices by leaving minorities to fend for themselves in a racist, separate and unequal school system. The choice for minorities extends only to where they "belong" or where they are accepted, while "majority" students obviously have a greater range of options, including integrated schools. Friedman thereby unequally distributes access to a range of choices, through the mechanisms of the market. This points to the one-sidedness of Friedman's views on the coercive state. An action of the state that can be coercive to some, like forced integration, can also be seen as liberating to others, such as minorities whose choices were previously suppressed through public and/or private action. Likewise, despite Friedman's contention, the market can also be a source of coercion (Carl, 1994). Friedman claims that people only enter into agreements on a

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exposed to other views. Likewise, my choice to send my child to a certain type of school is dependent on other people's decisions as well. To send my child to an all-white school, for example, my choice is dependent on other like-minded white families making such a choice, and minority families choosing not to make such a choice. If a minority family wanted to send their child to an all-white school, white families' choices would be constrained and, in the case of exit (to the Detroit suburbs, for instance), so would the choice of the minority family. Similarly, in Friedman's scenario, my decision to send my child to an integrated school is dependent on families from a variety of ethnic backgrounds making a similar decision (in proximity to me) — not a given these days. Finally, may I choose to send my child to an all-African American school, for example, even if it thus negates the choice of those families?

voluntary basis, but this ignores the tyranny of an empty stomach, limited employment options, or other vagaries of the market. Furthermore, the theoretically "voluntary" arrangements between two rational individuals are often perverted in reality through unequal access to information, or market conditions such as gluts and shortages.[31] Thus, it appears to be somewhat disingenuous or simplistic to portray these arrangements as necessarily neutral space, mutually beneficial, and the exclusive and definitive purview of the private sector.

We might question the justification for drastic change represented in Friedman's proposal. Why does he see a need to reconfigure public education into a privatized commodity to be purchased as with food stamps, and eventually bought and sold like cars or radios? The answer to this question is not entirely consistent in Friedman's writings. Certainly, his loyalty to econometric values of efficiency and cost-effectiveness are behind his earlier proposal, and later writings still point to his voucher plan as a way "to reduce net government spending on education" (Friedman, 1995a). Indeed, throughout his writings on education, one sees an essential dissatisfaction with public education simply due to its existence in the public sector — where political-bureaucratic control make it inherently unresponsive to consumer desires and potentially dangerous as a political tool. But despite the context of criticisms of public education in the 1950s, Friedman does not initially rely primarily on crisis rhetoric regarding achievement or costs to justify his proposal. Instead, his primary concerns are constrained consumer choice and the seemingly inexorable growth of

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[31] Or, in this age of stock-driven corporate capitalism, a deal that may be mutually beneficial to two parties within the parameters of their transaction (a stock swap, for instance), can also overwhelmingly advantage one of the parties in relation to all other parties outside the boundaries of a transaction , by cornering a market, for example.

the state. The same is true of his 1962 revision, where he is more concerned with counteracting collectivism and the public location of education than with declining test scores or the rising cost of special education (Friedman, 1962). However, he embraced crisis rhetoric later, due to the primacy of consumer preference:

> ...our educational record has become tarnished. Parents complain about the declining quality of the schooling their children receive. Many are even more disturbed about the dangers to their children's physical well-being. Teachers complain that the atmosphere in which they are required to teach is often not conducive to learning. Increasing numbers of teachers are concerned about their physical safety, even in the classroom. Taxpayers complain about growing costs. Hardly anyone maintains that our schools are giving the children the tools they need to meet the problems of life. (Friedman & Friedman, 1980, p. 151)

Still more recently, he points to the poor showing of American students in international comparisons as a justification for competition in education (Friedman, 1994). As he notes, "The quality of schooling is far worse today than it was in 1955," and "this deterioration of elementary and secondary schools is not disputable" (Friedman, 1995a). Thus, if liberated consumer choice is the panacea for the myriad problems Friedman describes, then a lack of choice in public sector schooling is the Pandora's box that has led to the multifaceted decline associated with schooling.

But Friedman is somewhat inconsistent in explaining this deterioration. On the one hand, throughout his career, Friedman has understood the problems in education as symptoms of public, not private, control. In a 1992 address, Friedman faulted the education "establishment" as a monopolistic and "socialist institution" beholden to teachers unions and administrators' self-interest (Friedman, 1994). "We all know the dismal results: some relatively good government schools in high-income suburbs and communities; very poor government schools in our inner cities with high

dropout rates, increasing violence, lower performance and demoralized students and teachers" (Friedman, 1995a).

But on the other hand, Friedman's historical overview of American schooling paints a very rosy picture of earlier schooling, even though schooling was very much administered by government agencies (Friedman & Friedman, 1980, pp. 150ff). In *Free to Choose*, Friedman (with his wife, Rose) writes approvingly of earlier generations of schools, despite the fact that they were controlled by the government through local school boards:

> We have always been proud, and with good reason, of the widespread availability of schooling to all and the role that public schooling has played in fostering the assimilation of newcomers into our society, preventing fragmentation and divisiveness, and enabling people from different cultural and religious backgrounds to live together in harmony. (Friedman & Friedman, 1980, pp. 150-1)

The problem, as Friedman sees it, arose with centralizing and bureaucratizing effects of reform movements in this century.[32] Indeed, he notes that the "system over time has become more defective as it has become more centralized" (Friedman, 1995a). But romanticizing the past may contradict his central argument that the provision of public education is ineffective when done through government agencies. Since the common school reforms, there have been centralizing, standardizing, and bureaucratizing effects of political control of education (Church & Sedlak, 1976, see the following chapter). Yet Friedman harks back to these days despite the fact that public schools were administered by the state — which has been his main complaint since his 1955 proposal. Either he operates on

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[32] It is unclear exactly which reform movements upset Friedman. While his concern regarding the growing federal role in education might indicate the forced desegregation of the 1950s and 60s that over-ruled local control, his denunciation of the rise of professional and centralized control in urban settings point more to the reforms of the progressive era. Furthermore, he notes that these offenses go back some 75 years (Friedman, 1994).

a misguided view of history, or the primary element of his voucher proposal is misplaced — the problem is not so much with necessarily standardized state provision (1955) as with large-scale provision in a centralized state (1980).

Indeed, Friedman does cast a critical eye on Horace Mann as the father of the ever-expanding educational bureaucracy and government takeover of schooling. He suggests that Mann used the rhetoric of education as a public good to set up the mechanism by which the educational establishment could entrench itself against competition and consumer choice (Friedman & Friedman, 1980, pp. 152-4). However, Friedman still (unintentionally?) praises the effects of Mann's reformed, state-administered system at least until the time of the progressives.

Friedman's writings on education have been highly influential with choice supporters. Current market advocates like Coulson (1999) and libertarians like Bast and Harmer (1997) embrace Friedman's elevation of market mechanisms for education. Indeed, Friedman sought to use his voucher plan to pursue a purer market. Thus, he hopes parents would supplement the vouchers when able, and that schools would charge more than the amount of the voucher, when able. This would eventually lead parents to assume the complete cost of education, making government financing and compulsory attendance laws obsolete as they are replaced by the mechanisms of the free market (Friedman & Friedman, 1980, p. 162). Coulson and others explicitly echo Friedman in this respect, and similarly locate freedom in the market, and coercion in the mechanisms of the state.[33] And they describe the inherent shortcomings of public education in

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[33] See, for example, Ball (1990); Concerned Women for America (1998); Coulson (1994); Finn & Manno (1998b); McGhan (1998); and Murphy (1998b).

areas like suppressed consumer choice and uniformity of state provision as a consequence of the control of public education by public authority.

John Chubb and Terry Moe

While Friedman's work as a whole has been notably influential in initially promoting the idea of markets for education, John Chubb and Terry Moe (1990) wrote what is undoubtedly the most influential single work on the subject in recent years. Indeed, their book has taken on such a monolithic nature in debates around markets in education that no serious discussion of school choice can fail to consider their work, even in other countries.[34] What distinguished Politics, Markets and America's Schools is not its proposals, which are not really new. Instead, the force and contribution of their argument come from the fact that they claim to have empirical evidence of the superiority of market mechanisms over democratic mechanisms for educational effectiveness. Furthermore, their claims garnered more attention because they were published (with much fanfare) by the traditionally liberal Brookings Institution, which is arguably the most influential of the think tanks in social policy matters.[35] Unlike

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[34] For instance, *Politics, Markets and America's Schools* was pitched by the New Right British Institute of Economic Affairs (IEA) in the UK as a "lesson from America." Of course, Chubb and Moe were then invited to the UK to share their insights on that system, which they then in turn reconfigured as a lesson for the US (Chubb & Moe, 1992; Moe, 1994) — what Apple (1998) sees as "empirically and conceptually deeply flawed appropriations of market models then being attempted in England." (It is interesting how each case is portrayed as first a student and then a mentor for the other, suggesting a trans-Atlantic trade not in evidence, but in ideology.) For examples and discussions of Chubb and Moe's impact on the discourse in the UK, see Ball (1993); Gordon & Whitty (1997); Walford (1997a); Whitty & Edwards (1998); Whitty & Power (1997); and Whitty, Power, & Halpin (1998).

[35] A version of their argument was published in Michigan by the Mackinac Center — see below (Chubb & Moe, 1991).



Friedman's contributions to the debate, Chubb and Moe provide real-world evidence, rather than just theory. Yet, while they forwarded their agenda as an empirical diagnosis of the problems with public education, there are, in fact, some serious questions about the empirical basis of their conclusions. Thus, after summarizing their efforts, findings, and proposal, I critically discuss some of the problems with the empirical basis for Chubb and Moe's claims. By demonstrating the tenuous statistical nature of their claims, I seek to get beyond the numbers in order to then examine their work as a largely rhetorical manifestation of ideology in the choice discourse, and explore the ideological basis for their proposal.

Summary and features of their findings.

Chubb and Moe's work focuses on their large-scale study of the effects of school organization on student achievement. They analyzed a subset of the High School and Beyond (HSB) data from the early 1980s, which involved an hour long test of 60,000 students in 1980 and again in 1982. Chubb and Moe examined a subset of this data, on 20,000 students, with an additional 1984 survey of principals and teachers. From this data, they isolated variables identified in much of the effective schools research — the line of inquiry into what characteristics makes schools effective, spawned by the equity implications of the Coleman report (Coleman, 1966, p.72).[36] Their findings include: (p. 23)

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[36] See, for example Edmonds (1979; Hannaway & Talbert (1993; Townsend (1994). It is somewhat inconsistent to base their analysis on Edmonds' research on effective *public* schools, and then include private schools in the category as well, all the while claiming that there are distinct differences between the two types.

1) better performance comes from "clear goals, an ambitious academic program, strong educational leadership, and high levels of teacher professionalism" (all characteristics of effective schools);
2) "the most important prerequisite for the emergence of effective school characteristics is school autonomy, especially from external bureaucratic influence"; [37]
3) "America's existing system of public education inhibits the emergence of effective organizations. This occurs, most fundamentally, because its institutions of democratic control function naturally to limit and undermine school autonomy."

Thus, where Friedman advanced his suggestion that publicly funded schools need not be run by the state, Chubb and Moe demonstrate this as the central conclusion of their study. Indeed, other highly publicized research had found that private schools provide superior education, largely due to the "social capital" their students bring to school — thereby promoting the possibility of choice.[38] Chubb and Moe, however, do not simply argue that non-public schools are better due to clientele, nor the moral extension: that parents should be liberated to choose them. Schools themselves should be liberated from public control and coerced through competition to emulate non-public schools.

The causal chain of logic to support this conclusion is rather simple, despite the dense nature of their statistical underpinnings. They connect their goal of high student achievement with several factors, including a

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[37] The extent to which the latter two are mutually incompatible has not been fully explored, to my knowledge.
[38] Coleman & Hoffer (1987) and Coleman, Hoffer, & Kilgore (1982). On social capital, see Putnam (1993, 1996). Alexander and Pallas (1985, p. 122) re-examined the difference between public and private schooling found by Coleman et al. (1982) and on which they base their conclusions, and found it to be "trivial."

school's resources, student ability, parent background, and a school's organization. Chubb and Moe focus on the last one. A school's organization is indicative of several factors including in-school relationships, leadership, practices, and so forth. They focus on the degree of autonomy it enjoys — that is, its freedom from external (bureaucratic) control. And the degree of bureaucratic influence is a result of several factors, location in the public or private sector being the most notable.

In the end, a school's location in the public or private sector is the best predictor of school organization, and those with autonomous organization (in competitive context) are more effective at increasing student achievement. Specifically, gains in student achievement are positively associated with teacher and administrator autonomy, and that is indicative of a school's organizational control.

Chubb and Moe's proposal.

The policy proposal arising from Chubb and Moe's research can be characterized as a quasi-voucher plan. It is based on public per-pupil funding that follows the student within a system of school choice. The amount of an individual voucher or "scholarship" can be adjusted to account for various factors, so that a student is not less attractive to a school due to disadvantage or disability. Furthermore, the amount of a voucher could not be supplemented with other private fees or donations — unlike Friedman's proposal. Thus, the ideal would be that all students would be essentially equally attractive to schools, with adjusted vouchers covering the cost of education, ensuring that no child would be more expensive, on balance, to educate. On the other hand, schools would be free to set tuition and admission criteria for prospective students, including "informal

judgments about individual applicants" (pp. 221-2). This, according to Chubb and Moe, is fundamental because it allows the schools to better establish and pursue their own coherent vision, an essential element of an effective school.

The role of the state in this scheme would be minimal, relegated to a light regulatory role that is similar to that public oversight which is currently exercised over private schools. (I think Friedman's restaurants are more regulated.) The state's basic function would be to ensure the smooth running of market mechanisms: distribute information to parents, provide transportation (if possible), enforce non-discrimination laws, and oversee minimum teacher certification requirements.[39] Thus, the role of the state through LEAs would be radically transformed from administration and governance to collecting the revenue to fund the voucher system.

A Critical Review of Chubb and Moe's Claims and Implications.

Not surprisingly in such a high-stakes game, Chubb and Moe's conclusions regarding the importance of market mechanisms have not enjoyed unanimous acceptance. Tweedie (in Tweedie, Riley, Chubb, & Moe, 1990), for example, contends that their broad conclusions are not supported by their results. Perhaps more seriously, Rothstein (1993) notes that their findings have not been replicated in other studies.[40]

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[39] See Gintis (1995) on public (regulated) markets in education.

[40] Gamoran's (1996) study, for instance, discounts organizational factors, emphasizing instead school climate, social attachment, course of study, and availability of resources. Likewise, see Bryk, Lee, and Smith (1990) discussed below. Indeed, there are a few works that offer comprehensive critiques of their methods, arguments, and claims (see Cookson, 1994; Henig, 1994; Howe, 1997; Smith & Meier, 1995b). Others have examined the empirical basis for Chubb and Moe's claims in terms of technical

Chubb and Moe face inherent difficulties in trying to measure social factors. Throughout their analysis, they consistently show evidence of social influences on student achievement. They consider the socioeconomic status of the parents, racial composition of the school, and economic resources available to the school, for instance. However, it is difficult to fit such factors into a quantitative analysis. Peterson (1998, p. 21) notes that the effects of parental involvement, for example, essentially resist statistical correction and consideration in comparing public and private schools.

Of course, it is much easier for policymakers to effect change through manipulating areas like school organization than through parental interest in education — which is a nebulous concept due to predominant cultural, economic, or personal influences.[41] But, just as it is difficult for policy instruments to manipulate such an area, it is also difficult for any research that is based in part on attempts to capture this essentially esoteric concept to serve as the basis for broad conclusions — thus the need for scrutiny. But, while it is generally held that parental involvement leads to better student achievement, Chubb and Moe are not so clear in the causal direction of their preferred variable — autonomy. In order to demonstrate

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assessments of their evidence, their HSB sample, and analytical models. But these considerable critiques have had arguably little impact on the empirical legitimacy claimed for Chubb and Moe's work in the debates around school choice (see, for example, Berliner & Biddle, 1995; Bryk & Lee, 1993; Lee & Bryk, 1993; Sukstorf, Wells, & Crain, 1993). (Powers and Cookson (1998) would dispute my contention that these data duels have little or no effects on politics or policymakers; however, they show no evidence of the impact of these scholarly skirmishes on policy.) Bryk, Lee, and Smith (1990) reach many of the same preliminary conclusions as Chubb and Moe (and consider the early reports of Chubb and Moe's work in their analysis). But they dispute the final, most consequential causal link that is central to Chubb and Moe's argument — that student learning is enhanced by the effectiveness gains provided through autonomous organization.

[41] Unless, of course, a system can be configured through choice to essentially compel parental involvement — see below.

causal direction, the independent variable must precede the change in the dependent variable. In this case, that means school autonomy must be measured before (or even concurrently with) student achievement measures.

That, however, did not happen. Student achievement was based on comparing measures taken in 1980 and 1982. School autonomy was based on the survey instrument administered in 1984 (p. 232). Their attempts to retro-activate school autonomy by several years into a valid variable (pp. 232-4) cannot change the course of events. The authors do not consider these possibilities to any significant extent.

Statistics and significance.

If it is possible to run a linear regression analysis on democracy, then one has to wonder if the authors' model is the appropriate mechanism. They base their student achievement claims on a model that includes school and parent SES, initial student achievement, race, resources, and, of course school organization — a model, according to Chubb and Moe (1993, p. 238), that "allows for every major influence commonly thought to promote student achievement." But, after including all of these factors, the model still has an R^2 of only .051 (p. 126). That is, their comprehensive model explains only 5% of the variance in student achievement. Hence, they base their diagnoses and recommendations for sweeping changes on a notably weak model which must only be based on insensitive and/or inaccurate measures. That this could be the basis for the considerable policy implications of their proposal is indeed remarkable.

Even if we ignore the exceptional weakness of this model and still put faith in its predictions, the potential benefits are still strikingly

unimpressive. For example, if we accept the authors' contention that their model has something substantive to tell us about school governance, then they are saying that we should end democratic control of schools due to a predicted gain of 3.5 correct answers out of 116 items on a 63 minute exam (Chubb & Moe, 1990, p. 71, 1993, p. 238).

It is interesting how the authors have responded to criticisms of the statistical basis for their claims. Other researchers have pointed to the statistical weakness of their model.[42] But the apparent teleology, the repeated reconfigurations of the model, and the manner in which they choose a certain variable from among many at several crucial stages to form a logical causal chain suggests otherwise. When persistently challenged on their evidence, significantly, Chubb and Moe explicitly appeal to their ideological assumptions to support their claims regarding the ineffectiveness of bureaucracies and, thus, democratic control (Chubb & Moe, 1993). (I do not mean to criticize that here, but merely highlight that tactic which indicates that their claim is actually based in economic theory, not empirical evidence; so, as I attempt to do below, we should focus on the theory, and not the numbers.) Their evidence appears to be a slim basis for such consequential conclusions. Based on a model that explains 1/20th of the considerable variance in student achievement, Chubb and Moe advocate

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[42] See, for example, Lee & Bryk (1993) and Sukstorf, et al. (1993). In turn, Chubb and Moe (1993, p. 237) note that an R^2 of only .051 does not in itself negate their model — it ain't necessarily low. The data are simply "noisy." Yet, in trying to isolate the effects of school organization as an independent variable, Sukstorf, Wells, and Crain (1993) re-analyzed the data and found that organization effects account for insignificant (about 0.1%) of variance in student achievement. Some critics have gone so far to accuse them of fixing their data to support a pre-existing, ideologically-informed conclusion: see, for example, Lee in Hill (1993); Berliner and Biddle (1995) also question not only their data set and its use, but their objectivity. (However, it would seem that if they were willing to "cook the books," they would have arranged stronger data than they now have.)

ridding the schools of democratic control because their weak model predicts an increase of 3-4 answers on an hour-long exam. That, they argue, is the "heavy price" of democracy (p. 229).[43]

Therefore, for the rest of this discussion, I would like to disregard Chubb and Moe's statistical analysis and focus on their philosophical argument as a rhetorical manifestation of underlying ideological assumptions. That is, although they claim to ground their claims in empirical data, I find that basis to be relatively weak compared to their strong and consistent application of a coherent ideological perspective. So I want to further examine their work for those underlying assumptions and interrogate those assumptions in view of their values and implications for schooling.

Public choice theory in Chubb and Moe's analysis.

Of course, the authors published this proposal without any real expectation that it would be implemented, but hoped that it would spark discussion and move their ideas more squarely onto the table (p. 226) — which it did. In doing so, they forwarded some prominent themes into the policy discourse. Most notably, they advanced an agenda bearing the indelible mark of public choice theory. Coming from political science backgrounds, and studying political organizations through principles of economic analyses, Chubb and Moe promote public choice as an explanatory perspective of human behavior. In equating efficiency with the

[43] Smith and Meier (1995b, p. 65) note that the private school students in Chubb and Moe's study scored a half question ahead of public school students on average. This, however, has not appeared to have damaged the credibility of their claims. Indeed the status of statistical empiricism does much to give the luster of neutrality to their claims. As one pro-voucher observer claimed, "John Chubb and Terry Moe...virtually stumbled on the concept of tuition vouchers while trying to figure out a way to harness their findings about what made some schools more effective than others" (Boldt, 1999).

social good, public choice sees the idea of public action as usually detrimental to the social good. Agencies, institutions, and individuals in the public arena are seen as seeking to maximize their own self-interest, rather than the general welfare that is often their stated justification (ch. 2, esp. pp. 39-40; see also Bobrow & Dryzek, 1987, ch. 3). Public endeavors generate overproduction, inefficiencies, decisions with the logic of self-interest on the individual and institutional levels, and non-rational organization overall (Greene, 1996b). This perspective emphasizes the role of self-oriented "special interests" as they conflict and compete with each other for resources and influence, and their behaviors are shaped by resource conditions (Gallagher, 1993). It both implies and encourages neoliberal tendencies in that the obvious alternative is the market as a rationalizing and disciplining corrective (Greene, 1996b). Instead of tolerating self-interested "empire-building" with public resources under the guise of public interest, a more effective system would acknowledge the role of self-interest, and harness it. Therefore, public choice theory imports economic analyses to non-market entities, and can be seen as a challenge to Keynesian justifications for state expansion of the public sector (see, e.g., Grace, 1994). Thus, while the equity effects of such an approach are largely unknown (Graham, 1998), public choice assumes inequalities from the market as a given.[44] Finally, public choice theory elevates efficiency as the primary value, the achievement of which requires the blending of citizen and consumer roles into "consumer-voters" (Chubb & Moe, 1990, pp. 30ff.; Tiebout, 1956).

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[44] As Ball (1993, p. 10) notes: "Public choice theorists regularly acknowledge the inevitability of inequalities in the market (Tiebout, 1956) but seem to have little interest in pursuing the implications of these for those who experience them."

In this perspective, democratic governance of schools necessarily leads to bureaucracy. In the liberal democratic state, different interests — constituencies, parties, communities, unions, corporations, industries, ideologies, bureaucracies, etc. — compete and conflict with each other for public resources. In order to mediate these conflicts, bureaucracies arise as a way to sort out claims and suppress conflict, as well as to institutionalize control of the predominant group.[45] But bureaucratic control of schooling is inherently inefficient compared with private control, since bureaucracies themselves are non-productive, and their authority is not responsive to the immediate needs of consumers, nor the aggregate needs of society. Bureaucracy is necessarily self-interested and therefore self-perpetuating. This is evident, they write, (as noted above) in that "most fundamentally...institutions of democratic control function *naturally* to limit and undermine school autonomy" (p. 23; my emphasis). Thus, politics has organic effects that are simply unavoidable in a system based on political-democratic authority.

Growing out of this public choice theory is a general or universal critique of other education reform efforts. Obviously, school choice plans existed before 1990, but Chubb and Moe promote choice as *the* vehicle for general education reform because it is a force external to the system, and not just an exit of convenience for some groups. They claim that the considerable current and past reform efforts demonstrate that the public system is inherently incapable of reforming itself. Indeed, even public school choice or forms of choice grafted onto the current system cannot reform the system

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[45] Jordan (1997) has quite a different take on the origins of state intervention, suggesting that bureaucracies emerge as rational and intentional responses to market failures, private inefficiencies, and corruption.

as a whole. This is because any reforms that advance in and from the system are necessarily top-down, requiring the approval of bureaucratic and political authority (and means) to move forward. Any such reform that can garner approval will be shallow or largely symbolic, or will simply fail to address the root causes of systemic dysfunction, which are the prerequisite democratic control.

Democratic processes lead to winners and losers, and a majoritarian system compels the losers to pay for the policies they oppose (p. 28). Of course, markets are imperfect too, as the authors admit. Markets are often poor at equitable distribution, and sometimes unresponsive to consumer desires. However, Chubb and Moe maintain that, overall, markets are more responsive to constituent-consumer desires than coercive democracy. Even liberal ideals such as equality have a better chance of fruition with (regulated) markets than with politics. Yes, there are losers in markets, just as in politics. But Chubb and Moe's logic suggests that this is the lesser evil, since at least markets can approximate the wider good of optimal efficiency (Ball, 1993, p. 11).[46] Thus, by reconfiguring education as an individual consumer good, Chubb and Moe conclude that we can more likely realize their ultimate end of school effectiveness and academic achievement.

A Critical Review of Chubb and Moe's Assumptions.

At the time of the publication of their book,[47] the battle lines in the debates around school choice were already well defined, and the arguments

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[46] Ball challenges this assumption as highly debatable based on evidence in other markets.

[47] An earlier version of their findings was previously published as (Chubb & Moe, 1988), and some of the critiques to which I have referred are based on that version.

already quite familiar (see, e.g., Clune & Witte, 1990a; Clune & Witte, 1990b). Thus, in a deadlocked context, their claims and empirical basis provided welcomed legitimacy for a solution that people like Denis Doyle were already pushing from the Bush White House.[48] But Chubb and Moe's claims have had a profound effect in re-energizing the debate around school choice initiated by Friedman, and re-focusing the discourse around school reform largely on issues of market mechanisms. Moreover, many scholars have been swayed by their conclusions — both confirming previous positions and changing minds.[49]

Besides the force and empirical legitimacy claimed by Chubb and Moe, their conclusions probably garnered further attention due to the provocative language they use. In an oft-quoted passage, they note

> Without being too literal about it, we think reformers would do well to entertain the notion that choice *is* a panacea...It has the capacity *all by itself* to bring about the kind of transformation that, for years, reformers have been seeking to engineer in myriad other ways. (p. 217; emphases in original)

Moreover, they do not shy away from explicitly identifying the very American idea of "direct democratic control" as the problem with schools (p. 2, & throughout). To their credit, they are forthright (or sensationalist) enough to avoid the tactic so many other advocates of market mechanisms employ — that of obscuring an attack on democratic control by using terms like "political," "bureaucratic," "state," or "government" control when they mean *democratic*. Indeed, Chubb and Moe want to take mass education out

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[48] Whitty, et al. (1998, p. 222). See Brodinsky (1993); Bush (1991); Kozol (1992); U.S. Department of Education (1991); and the U.S. Department of Labor & Secretary's Commission on Achieving Necessary Skills (1991).
[49] See, for example, Herbert Gintis in Glass (1994); also, Gintis made comments regarding the book's effect on his views in addressing the 1998 meeting of the Sociology of Education Association in Monterey, CA, February 6-8.

of the realm of democratic governance, to de-politicize it. Thus, the paradoxical —some would say inherently impossible — "guiding principle" of their solution is that "public authority must be put to use in creating a system that is almost entirely beyond the reach of public authority" (p. 218).

To support such provocative statements, Chubb and Moe's argument depends on several underlying assumptions. While Friedman's theoretical argument offered some insights into his underlying values, Chubb and Moe's much more developed empiricism provides ample evidence of their assumptions in operation. Here, I examine those assumptions by looking at the basis for their findings (p. 23, cited above).

Assumptions of crisis.

Chubb and Moe's analysis relies on the presupposition that public schools are in a state of "crisis" — for which they point to the familiar indicators as proof. Furthermore, they see this crisis as an immediate concern because the failure of schools in pursuing their core "mission" translates into a failure to compete successfully in the global economy (pp. 1, 227). Of course, this crisis in achievement is caused by the direct democratic forms of governance, which inhibit characteristics necessary for schools to succeed. Moreover, they note that previous and current efforts will not address the crisis since they do not address the structural roots of the problem.

But when we talk of crisis or school failure, we are essentially talking about urban schools — according to their evidence, anyway.[50] Chubb and

[50] Most education problems seem to be concentrated in urban school systems, just as many social ills are concentrated in urban areas. There are several general explanations for this phenomenon. One is racial. Authors like Herrnstein and Murray (1994) push the idea that genetic factors (possibly interacting with a liberal/government imposed culture of

Moe argue that, although public schools suffer from their location in the monopolistic public sector of LEA control, inner-city schools are particularly plagued with problems because urban LEAs impose an inordinate amount of bureaucratic control on their schools. While suburban schools are also democratically or politically accountable, they suffer less from these problems because other factors such as homogeneity of community and singularity of school vision alleviate bureaucratic responses by making these schools more like private schools in terms of autonomy, strong school leadership, and so forth (discussed below).

Again, as with Friedman, Chubb and Moe do not effectively maintain their claim that public control in and of itself necessarily leads to failing schools. Instead, they effectively argue against the centralizing tendencies that emerged out of the reform movements of the first half of this century. In fact, the bureaucratization they detest that arose from those reforms was largely the result of the influence of the for-profit sector seeking to take education out of the realm of politics — an effort with goals similar to their own (Tyack, 1974, pt. 4). As public choice theorists, the authors interpret that era as the institutionalization of one set of interests over others. Now, instead of seeking equity or balance through re-politicizing (or democratizing) education, they advocate the complete de-politicization of

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dependency) prevent schools with high concentrations of minority students from cultivating success. This view, however, is the antithesis of classically liberal and meritocratic ideals of a *tabula rasa* of equitable opportunity when all people are "created equal." A second explanation is money (Kozol, 1991). Urban schools are often characterized by the high-poverty context in which they operate. While some observers note the relatively high levels of per-pupil spending in urban district (and castigate the portion of this spending wasted on central bureaucracies), others point to the relatively low amount of spending — not just compared to wealthy districts, but in proportion to the concentrated problems of the urban community. Finally, there is the governance explanation, which is closely associated with Chubb and Moe.

schooling because of continued conflicts over the space of public education. Furthermore, as with Friedman, we need to further examine the claim that 20th century reform movements are largely responsible for bureaucratization and centralization in public education. In fact, the implementation of the common school reforms of the previous century promoted reforms with similar tendencies, and under the auspices of public control (see next chapter). Does the 19th century provide an example of democratic control without the bureaucracy thought to be inherent, in their estimation? But if the 19th century reform efforts were inherently bureaucratic and centralizing, yet democratic nonetheless, why are current market-oriented reformers arguing against democratic-state control, while yearning for that earlier time when democratic-state control was established?

So, with Chubb and Moe, what is interesting about their association with crisis rhetoric is not their evidence or use of this imagery, which offers nothing new. Instead, their work is distinct in their explicit and empirical location of the crisis — or, rather, the source of the crisis — in the institution of democratic control.

Assumptions of distinct public and private sectors.

In general, Chubb and Moe's discussion of democratic control relies on a very dichotomized view of public and private sectors operating in contrast to one another. In their need to portray distinct categories, they "oppositionalize" these sectors.[51] However, there are two problematic

[51] While there are facile tendencies to see markets and politics as a zero-sum game in choice discourse, Kuttner (1997a) contends that markets cannot exist outside of politics; in education policy, Cohen (1982) demonstrates that growth in the private sector often follows the expansion of the public sector.

assumptions with this. First, they conflate for-profit private schools and parochial schools. Since Catholic schools are the largest single kind of private schools in existence, they are the primary type of private school in their study. But Chubb and Moe's policy proposal tends largely towards independent schools that are likely to be for-profit in practice — with very different incentive and autonomy structures.

Secondly, their conception of public schools relies on the assumption that public schools are essentially similar in practice across the nation (see also, Chubb, 1990; Peterson, 1990). Since differences in programs are best explained through differences in governance structure, they advance the notion that public control results in "highly uniform institutions" (p. 27). However, such a perception does not explain how bureaucratic control necessarily imposes uniformity across 15,000 separate bureaucracies in the US. What is the standardizing influence for 15,000 different districts and millions of classrooms? Their explanation that majoritarian control imposes similar structures, policies, and programs assumes the same majority in each LEA or community — which is simply not the case. In fact, the argument could be made that, inasmuch as classrooms now appear similar across different contexts, uniform aspects may be due to market influences on the curriculum, private sector control of employment possibilities for graduates, the rise of individualism, the commodification of public education, and other market effects in standardizing schools.[52]

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[52] Hogan (1992) and Labaree (1997a). There is arguably more difference between suburban public schools than between the fast food joints that seek contracts to cater to their students. Indeed, in their discussion of public and private schools, Chubb and Moe tend to ignore similarities and differences that run counter to their claims. There can be more parallels than distinctions between various public and private schools. Likewise, there can be large differences between schools in any one category.

Moreover, as their evidence shows, the difference in effects between schools pales in comparison to the differences between students (e.g., pp. 72, 74). Finally, it is interesting that in view of their policy recommendations challenging public control of schools, they do not compare the effects of public and private schools on student achievement, but instead use their category of "effective school organization."

Assumptions of rational consumer choice.

In lieu of bureaucratic control, Chubb and Moe assume that liberated choice will serve as a more effective guide by unleashing parents as rational consumers of educational services — the "invisible hand."[53] This assumption, in turn, depends on some preconditions, which Chubb and Moe acknowledge. Parents must have access to good information, and be as free from constraints as possible in exercising their choices. This whole proposal is premised on the presumption of a ground-swell of un-satiated consumer demand for either better education, or liberated consumer choice. Without getting into details at this point, suffice it to say that neither possible precondition is clearly evident at this point.[54] But while Chubb and Moe assume that parents will primarily pursue effective schooling for their children, the evidence for that assumption is far from compelling. Indeed, there is much research from both North America and

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[53] Of course, self-interest operates here through parents, as proxy-consumers (Brighouse, 1997).

[54] That is, regarding desire for better education, we could debate the degree to which the excellence movement, for instance, reflected a popular desire for better schools, or another top-down reform effort (as Chubb and Moe suggest). Regarding the desire for liberated consumer choice, likewise, while choice advocates point to waiting lists for some private voucher programs and charter schools (Associated Press, 1999b; Finn, 1996c; Rado, 1999), other scholarship offers and choice plans are remarkably under-subscribed (Carnegie Foundation for the Advancement of Teaching, 1992).

the UK (see following chapters) indicating that consumers actually gravitate towards non-academic criteria when choosing a school.[55] While the rational-choice aspect in public choice theory assumes that consumers seek the most effective educational option for their children, real-world experience shows parents — constrained by such factors as convenience, transportation, location, work, and the ability and desire to participate in and value a child's education — look at other factors, including sports teams, proximity to home or work, tradition, a student body that reflects their child racially or economically, a child's desire to be with friends (or away from enemies), and so forth. Even if parents are interested in the most effective educational experiences for their children, in lieu of easily evident (or actual) indicators of differences in academic effectiveness, parents are forced to rely on other signals such as racial composition, symbols of academic focus, or socioeconomic conditions.

Of course, Chubb and Moe dispute contentions that parents rely on criteria and indicators other than academic effectiveness in choosing a school. In the UK, for instance, despite much research on the topic, they contend that "informed" people want "discipline and order, achievement, and proximity."[56] Elsewhere, they note that any claims otherwise are

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[55] Ascher, et al. (1996); Ball & Gewirtz (1997); Carnegie Foundation for the Advancement of Teaching (1992); Carroll & Walford (1997a, 1997b); Fitz, Halpin, & Power (1993); Glazerman (1998); Hirsch (1994); Meadmore & Symes (1997); Petronio (1996); Power, Halpin, & Fitz (1994); Smith & Meier (1995b); Walford (1992); Wells (1993a); and Wells & Crain (1992).

[56] Chubb & Moe (1992) and Moe (1994, p. 27). Even rational-choice theorist implicitly affirm this phenomenon, often using racial code words that mask retrenched racism, or segregationist tendencies based on social-class — not educational — differentiation. For example, when Moe (1994, p. 27) denies the importance of "sports and uniforms" for British parents, "discipline and order" and "achievement" can take on racial overtones for some parents (see also Manno, et al., 1998a; Manno, et al., 1998b; Schneider, Marschall, Teske, & Roch, 1998; Vanourek, et al., 1997b).

useless in and of themselves, and an inadequate argument against markets in education (Chubb and Moe in Tweedie, et al., 1990). One approach to such evidence involves pointing to the insulting implication of such criticisms that parents are incapable of knowing what is best for their own children, and the paternalistic state needs to intervene. While many parents are interested in and capable of acting as effective advocates for their children, a long line of evidence going back to Coleman, and encompassing a significant amount of *Politics, Markets and America's Schools*, points to the fact that many poorer parents are unwilling or unable to make "good" choices for their children, since family background is such a prominent predictor of academic achievement in the research.

Assumptions regarding autonomy.

The authors equate bureaucracies with democracy, and markets with administrative autonomy. They operate on the theoretical assumption that bureaucracy hinders autonomy, because, they claim, it is used to ensure that top-down directives will be followed, and de-stabilizes on-site administrators who do not know if their agenda or job will survive changes in the political winds. Bureaucracy, for Chubb and Moe: (1) is the coercive infrastructure that compels street-level bureaucrats to implement top-down orders; and (2) represents the institutionalization of political or special-interest influence and agendas seeking some permanence in the face of changes in political climates.

In equating public control with bureaucracy, they equate "direct democratic control" with one of its delivery mechanisms. Radical critics of schools have for years seen bureaucracy as an impediment to grass-roots democratic influence on schools, or as a buffer zone between actual

democratic constituencies and power elites. In the event that we accept more benign interpretations of the role of bureaucracies in protecting equity and the interests of disadvantaged groups, even Chubb and Moe admit that those interests of actual citizens are channeled into and down through "top-down" hierarchies as "higher-order" values. Regardless of the interpretation, it is difficult to maintain the authors' "direct democratic control" thesis.

Additionally, Chubb and Moe neglect parallels with private bureaucracies — what Lasch (1979, p. 21) sees as "the real centers of power in contemporary society." In some private organizations, bureaucratic infrastructures emerge to guarantee top-down directives will be implemented. While some would say that such patterns are not indicative of an efficient organization, and will be corrected by market discipline, such patterns are extremely evident in organizations relying on substantial divisions of labor, or significant degrees of expertise and technical information, for instance. Furthermore, on-site administrators and managers in private organizations are at least as likely to be exposed to de-stabilizing forces, such as downsizing. Thus, according to the authors' logic, they also have an incentive for empire-building and the institutionalization of their influence.

Moreover, the assertion that effective and private schools make autonomy an inherent organizational feature appears to fly in the face of some evidence. For instance, Catholic schools (the largest segment of the private school sector) have their own hierarchy. While not large, this "bureaucracy" is still ideologically important in that it imposes top-down constraints (or "higher-order" values) on schools in terms of their service to the mission of religious goals, rather than the mission of serving all

students. In higher education, similarly, the Catholic hierarchy places constraints on educators (see e.g., Arenson, 1999; USA Today, 1999). Glass (1997) disputes Chubb and Moe's assumption that private schools are more autonomous, finding no significant difference in degrees of autonomy reported by teachers and principals in the two sectors. Furthermore, other nations enjoy effective educational systems despite or because of highly centralized bureaucratic control — a fact that counters Chubb and Moe's usefulness as a general theory.[57]

One of the key elements Chubb and Moe embrace coming out of the effective schools research is strong instructional leadership. This is an aspect of autonomy at the building level, but it is unclear the degree to which it contradicts the need for autonomy at the classroom level. Chubb and Moe hope to foster this leadership by giving principals control over staffing decisions, and freeing their hands through the elimination of tenure. (As with many proposals for de-regulation in this debate, this plan suggests a chronic selective amnesia about reasons for regulations in the first place.) However, this assumption of the need for administrative autonomy begs the question of whether provider autonomy is dependent on consumer choice — which is a central assumption of their proposal. Said another way, is liberated consumer preference a primary cause of producer autonomy? Of course, some bureaucrats operate relatively independently of top-down directives (Lipsky, 1980; Weatherly & Lipsky, 1977) — a constant challenge for policy implementation, particularly in education. In Chubb and Moe's logic, direct democratic control is manifested in state and local bureaucracies that place inherently top-down constraints (goals, directives,

[57] They do not attempt to substantiate their claim that American bureaucracies are unique (pp. 60ff, esp. n. 36).

regulations) on front-line agents in classrooms. An effective organization, they argue, is characterized by entrepreneurial autonomy for front-line individuals. However, with schools as their primary unit of analysis, teachers are curiously divorced from any incentive structures in their proposal.

Bureaucracy is an essential element in the public sector for them because it mediates conflicts between competing interest groups, and can institutionalize the influence of any one faction to avoid the vagaries of changing political seas. However (as is discussed below), there are examples of effective schools that fall outside the private sector — often wealthy suburban public schools. In these cases, Chubb and Moe contend that the schools resemble private schools due to their lack of bureaucratic oversight. Bureaucracy is not a force here, they maintain, because relative homogeneity and coherence of the community and its vision for education make bureaucratic mediation unnecessary. But does a unified and coherent community simply set goals for schools, and then grant administrators autonomy in achieving those goals? Or can it also enforce perceptions about *how* schooling should be done? To the extent that the latter is the case, a coherent community vision can be coercive to school employees.

Furthermore, while they suggest that school autonomy leads to higher-achieving students, a strong argument could be made in the other direction: good students lead to school autonomy.[58] That is, one could just as easily argue that schools become bureaucratic *if* they have low-achieving

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58 This is similar to Natriello's (1996) observation that reformers assume that bad schooling leads to degraded economic conditions, rather than considering the extent to which miserable economic conditions contribute to bad schooling — which is the inspiration for my criticism here.

students, rather than bureaucracy *causes* low achievement. On the other hand, we could say that less bureaucratic schools have less bureaucracy *because* they already have high-achieving students, and therefore have fewer conflicting pressures to mediate. Moreover, in a choice system such as the one they propose (or, as they note, already exists to a large degree in areas defined by high-achieving schools), autonomy for producers is constrained by the need to satisfy consumer preference — expressed largely in political channels in the current system, but expressed through economic means under their proposal.

Indeed, this question goes back to an issue discussed above. Whereas Friedman makes a case for the liberation of consumer choice as an end in and of itself, Chubb and Moe see this as simply an appropriate vehicle for bringing about greater effectiveness. But, when voucher proponents like Chubb and Moe maintain that vouchers are more likely than public schools to satisfy the preferences of their clients, "the question of whether school choice increases achievement is largely beside the point" (Howe, 1997, p. 116). That is, there is an essential contradiction between more academically effective schools as an end, and liberated consumer choice, which, as a means to that end, then become an end — particularly when parents often latch on to indicators that are peripheral to academic achievement. As Wells (1993a) notes, if parents are interested in other factors besides academic effectiveness, then there is reason to doubt assumptions that translating their preferences into market forces through liberated consumer choice would pressure schools to increase academic achievement. But, in view of their theoretical affiliations, Chubb and Moe are forced to dispute the evidence that parents have other priorities. Furthermore, they are ideologically tied to choice as the only means for

achieving effectiveness ends, even if it does not have the desired effect. Thus, Friedman's suppositions rely largely on how markets work with consumer items, while Chubb and Moe present a statistical basis. Both arguments, though are in the final analysis essentially theoretical claims, resting on ideological assumptions, despite what other legitimacy they may claim for themselves.

Chubb, Moe, and Friedman: Values and Democracy

The critiques offered here probably do not contribute anything new to the discussion that has not already been said about Chubb and Moe, their analysis, or their plan. But what I am interested in most about Chubb and Moe's book is the implications of their analysis and proposal. Those implications have a wider relevance for the reconfiguration of public education as a private good.

What is remarkable about Chubb and Moe's work is the language they use. To their credit, they do not try to obscure their values, nor redefine or expand democracy to embrace more individualistic notions often associated with consumer choice and markets. Instead, they simply state that the root of the problems lies in "direct democratic control" (p. 183). Their "democracy" is naturally dysfunctional. Ineffective schools are not an aberration, nor a product of democratic controls in need of an adjustment — "Democratic control *normally* produces ineffective schools" (p. 227, my emphasis). For them, the democracy is necessarily coercive, even tyrannical, in imposing the will of the "winners" on the "losers." Chubb and Moe do not hide the fact that they elevate the values of effectiveness and academic achievement over democratic control of public institutions. For

them, the market offers a superior form of organization, where organic or "natural" processes can be unleashed to promote effectiveness (p. 190).

Thus, they equate education under a democratic regime with conflict — conflict being an underlying evil for the world of public choice theory. Therefore, the space of publicly-controlled education has to be mediated and managed by coercive bureaucracies, they claim, as a way for competing factions to protect their influence from political changes. Chubb and Moe hold that this predilection denies schools a clear vision, and inhibits autonomy, which is a necessary pre-condition for effectiveness in pursuing academic achievement. If on their continuum of politics and markets there is a general dissatisfaction with the status quo, movement is necessary. By faulting "direct" democratic control, they seek to de-politicize public education into the realm of markets. However, as noted in their discussion of the progressive reforms, movement in that direction has already taken place, and they do not appear to be entirely happy with the results. Actually, they seem mostly perturbed by the central institutional location between politics and markets — the combination of which is inherently untenable. In a sense, they have provided just as powerful an argument to move away from centralized bureaucracy, not in the direction of markets, but towards more truly direct forms of democratic control.[59]

Yet, at the end of the book, they take a rhetorical step back from their more vociferous condemnations of democratic control. They conclude that there "are many paths to democracy and public education," and that their proposed system "would be a truly public system—and a democratic one"

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[59] As noted earlier, others have argued that the problem may be not too much democracy, but too much market influence (Hogan, 1992; Labaree, 1997a). Few would agree that public schools are now governed by "direct" democracy. So, logically, we could argue that there is the possibility that the problem is one of not enough democracy (see also Barber, 1993).

(pp. 229, 225). This abrupt allowance that their plan could actually serve democracy raises the unaddressed issue of what they mean by "public" schooling and "democracy."

Obviously, Chubb and Moe essentially agree with Friedman and current charter schools advocates that in order to be "public," a school "need not be managed by a government agency, staffed by government employees, and regulated by a government bureaucracy." Instead, "it is only necessary for the school to be open to the public, paid for by the public, and accountable to a duly constituted public authority for its results."[60] Thus, they contend that their plan is not a form of privatization. Furthermore, in as much as Chubb and Moe would embrace the term "democracy," they imagine an atomistic society of free, self-interested individuals. The authors conceive democratic institutions in a utilitarian manner, where they are limited to promote the free functioning of market mechanisms of rational consumer choice and competition in both the economic and political spheres. Yet, how this would look in a pluralist society is interesting. To understand that, we must take another look at the assumptions of their analysis.

As noted before, Chubb and Moe identify effective schools as those free from bureaucratic constraints — usually private schools. But not always.

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[60] Chester Finn (quoted in McGriff, 1996b). Of course, Chubb and Moe outline a *market* conception of "a duly constituted public authority." This redefinition of the "public" aspect of public education has been influential on all sides of the debate. See also, Bolick (1998b); Chase (1996); Dougherty & Sostre (1992); Edwards (1998); Ferrick (1999); Fine (1993, 1996d, 1996e, 1998a, 1999); Finn & Bennett (1997); Finn & Gau (1998); Finn & Manno (1998b); Finn, Manno, Bierlein, & Vanourek (1997a); Harvard Law Review (1997); Hassel (1998); Hill (1994); Hill, et al. (1997b); Jones (1998c); Lehman (1997); Manno (1997c); Manno, et al. (1998a, et al., 1998b); McGriff (1996b); Moredock (1998); Nathan (1996b, 1997a, 1998b); North Central Regional Educational Laboratory (1993); RAND (1995); Rebarber (1997); Rofes (1996); Schneider (1998); Shokraii (1996); Williams (1999b); and Zuckerman (1996).

Of course, their description of democratic control as necessarily leading to bureaucracy does not easily extend to the excellent public schools in wealthy suburbs, for example.[61] There, Chubb and Moe's identification of direct democracy as *the* problem does not seem to hold up as well, since such schools are democratically controlled. The reason for their success, though, according to the authors, is that these schools do not have to deal with bureaucracy. The reason for that, they contend, is that they exist in socially homogeneous environments, while urban schools are plagued by their heterogeneous social environments (pp. 62-6). For Chubb and Moe, this is a value-free observation of fact. But when applied to the social reality of a diverse and supposedly democratic society, it has significant implications.

In Chubb and Moe's view, then, the space of public schooling is the site of incessant and counter-productive conflicts that can and should be stopped by ending democratic control. Essentially, then, they advocate a separation of the conflicting parties back into their own separate (but effective) homogeneous communities, which would then, in turn, claim their share of the space of what was previously public or common schooling. While having unfortunate implications for ideals such as racial integration, this academic-economic reductionism precludes a basic view of democratic institutions as a space for social conflicts to be discussed. At its most fundamental level, their plan undercuts the conception of public schools as institutions that both provide a space and a reason for democratic discourse. If democracy is institutionalized conflict management (Wink,

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[61] Both Chubb and Moe, and Friedman (1994; 1995a; 1980, p. 158) admit that there are good public schools in wealthy communities. But Friedman does a poor job of explaining how they are public, calling them tax shelters: "a private school in the guise of a so-called public school" (1994, p. 95).

1992), it requires discussions and tolerance and agreeing to disagree — all of which mean that contact must take place across and between groups. By turning public schooling into a commodity to serve the goal of academic effectiveness, Chubb and Moe preclude this possibility for the purpose of public schooling in a democracy.

If the public schools are to promote the cohesion of democratic values, and if democratic values are, in turn, meant to promote the common good (considered in the next chapter), then we must consider the degree to which public schools are conceived of or configured as instruments for cultivating the common good. At the very least, there should be some recognition of the public good aspects of public education. However, with books like *Politics, Markets and America's Schools*, where schools undergo an economic instrumentalism, that is increasingly not the case (Ascher, et al., 1996; Paris, 1995). Friedman, and Chubb and Moe mention the wider social benefits of mass education, but as an externality that is secondary to their purposes for education. As Bobrow and Dryzek (1987, p. 51) note, the idea of the common good is incompatible with assumptions and premises of public choice theory. In market ideology, the public good is best approximated through the aggregate choices of self-interested individuals. But there is no guarantee — indeed, no attention or concern — that the common good is looked after (Labaree, in press). Even more proximate public goods are essentially neglected. Indeed, this is the case with Chubb and Moe's proposal, as well as with Friedman's. While they may differ in their emphases — Friedman valuing liberated consumers, Chubb and Moe elevating academic effectiveness — for both proposals, the common good is simply a byproduct, and any public good or social benefit to be garnered through education is largely limited to what a critical mass of consumers

might wish to pursue, or (increasingly) what providers may see as profitable.

Even if reforms (proposals) do not explicitly or completely privatize all of the institutions of public education into profit-making ventures, they do then promote, even mandate, the privatization of the purpose of education. That is, these plans make education into a private commodity, with certain citizens now necessarily coerced into becoming consumers. By making education into a primarily private good, children of parents who fail or resist treating public education in such a way are effectively disadvantaged. The race is on and no one can opt-out of competition and thrive. This is awkwardly evident when choice supporters challenge advocates of the public control of education on the grounds that they do not trust the intelligence of poor parents to choose for their children (e.g., Jeanne Allen on National Public Radio, 1999) — when in fact it is often a case of interest or desire to engage in the competitive market. While the evidence on that point is debatable (including much provided by Chubb and Moe), the fact is that under these choice plans, education would be reconfigured to force parents to choose or lose in order to survive in the emerging educational marketplace.

In the last chapter I will argue that this coercion has parallels to the enclosures of common lands in Europe, where creation (land, resources, and people) were suddenly reconceived as primarily private commodities in the emerging market society (Polanyi, 1944). Any good or being that did not lend itself to profit-making endeavors was effectively left behind, and denied access to predominant forms of sustenance. Now, however, we turn the focus to specific instances of marketization of education, and then to the

question of *how* education becomes the commodity that Friedman, Chubb, and Moe conceive.

From Proposals to Practice

Now that we have outlined some of the lead theoretical work promoting markets in education, it is appropriate and useful to examine how that theory is manifested in actual school choice policies. In doing so, I am not particularly interested in the specifics of policy proposals, their implementation, or even their effects (although each of these factors is necessarily dealt with somewhat in the following discussion). Instead, I focus on the discourse surrounding specific instances of choice — both for and against — to see how the themes and values previously evident may exist in grounded debates.

As a preliminary excursion, I take a brief look at the two most notable examples of education markets in US K-12 systems right now — Milwaukee and Cleveland. The very public debate about these two examples provides the opportunity to examine the values of the various coalitions that have lined up on different sides of the debate. Perhaps more importantly, the passionate policy and scholarly debates around these examples are notable here for what they neglect to consider. This chapter then concludes with a much more thorough examination of the issues raised here by looking in more detail at another choice policy, the charter schools in Michigan.

Themes from the Discourse in Milwaukee and Cleveland

Despite decades of choice proposals and experiments, there have been few examples that choice adherents and opponents alike see as well developed demonstrations of markets in American education. While

influential individuals and groups have staked out very public positions on the issue and attempted to influence the electorate, voters have passed no significant ballot measures.[62] Instead, the emerging choice programs have all been legislative initiatives. The two most prominent "experiments" to date are the programs in Milwaukee and Cleveland — two rust-belt cities with high minority enrollment rates.

Milwaukee and Cleveland represent the most prominent and significant examples of markets in US education available to us right now, and because of that are interesting cases to examine in terms of their discourse patterns. Milwaukee's program is notable and controversial because it was established as a publicly funded program that extended choice to non-sectarian private schools, and became even more controversial when that option was extended to religious schools. Cleveland's program permitted public money to pay for religious schools from the outset. (On the specifics of these programs, see Table 3.1.) But rather than dwelling on the details of the policies themselves, it is more pertinent here to focus on the political textures and patterns of the discourse surrounding these programs. (To that end, I have tried to provide extensive references on this debate in the footnotes, without losing sight of the purpose here — which is not a methodological critique.)

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[62] Feldman (1999); Murphy (1998a); Sandham (1997); and Sides (1996b).

Table 3.1: Summary of background information on choice programs in Cleveland and Milwaukee

	MILWAUKEE 1990-	**CLEVELAND 1996-**
types of schools	secular, religious[63]	religious, secular
funding source	state, district [64]	state[65]
voucher (1998-9)	up to $4900[66]	up to $2500
regulations		
supplement-able	no[67]	no[68]
enrollment limits	15% of MPS enroll.[69]	yes[70]

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[63] In a well-publicized 1998 ruling, the Wisconsin Supreme Court allowed the expansion of the program to stand, reversing itself (Bolick & Mellor, 1997; Conn, 1997; Mauro, 1995) and denying claims by the teachers union and others that it was an unconstitutional violation of the establishment clause. The US Supreme Court refused requests from both sides of the court battle to review the case (Bronner, 1998b; Cohen, 1998; Gilbert, 1998; Henry, 1999; Raspberry, 1998; Walsh, 1998b; Walsh, 1998d; Walsh, 1998e). However, over half of the choice schools in Milwaukee intend to opt-in to charter status in order to realize a much higher per pupil grant (Van Dunk, 1998). On efforts by pro-voucher groups to litigate the issue, see Bolick & Mellor (1997); Hetland (1994); Landmark Legal Foundation (n.d.); McGroarty (1996); Miner (1996a, 1996b); and Williams, Borsuk, & Jones (1998).

[64] State aid supporting vouchers would have gone to MPS budget — $29 million this last year (Jeter, 1998). If all 15000 vouchers were used, the state would pay for them with $70 million budgeted for MPS. PAVE, a private voucher program, is also in operation (Lozada, 1997; Meyerson, 1999b; Percy & Maier, 1996; Williams, 1998; Williams, et al., 1998).

[65] In Cleveland, the teachers union claims that the money for the vouchers came from funds designated for Cleveland Public Schools (Murphy, Nelson, & Rosenberg, 1997).

[66] The figure was originally determined through a formula based on per pupil state aid to district schools (Jeter, 1998), but then expanded to account for operating and debt costs at a choice school (Percy & Maier, 1996).

[67] Milwaukee: Although the schools could not require a supplement to the voucher covering tuition, Greene, Peterson, and Du (1997b) estimate that choice schools received an additional $500 per voucher from fees and (often-required (Molnar, 1997)) fund-raising activities.

[68] Cleveland: Parents are required to pay 10-25% of tuition (state pays 2500 or 90% — whichever is less) depending on family income (McLarin, 1996; Van Dunk, 1998).

[69] Milwaukee: Originally the cap was set at 1%, then 1.5, and then 7% of MPS enrollment. Students must enter kindergarten, or come from MPS, but cannot come directly from private schools or outside the district — a restriction that was set aside for the early grades in 1995 (Percy & Maier, 1996; Witte, 1998). The state certifies schools, and limited voucher students

means-tested	1.75 x poverty line[71]	yes[72]
selection method	lottery[73]	lottery[74]
academic achievement	mixed research results	mixed research results
demand	low-moderate[75]	high[76]

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to 49% of any school accepting vouchers (Witte, 1992); this provision was since raised and then removed (Percy & Maier, 1996; Witte, 1998) when the state moved to allow voucher students to attend religious schools in 1995 (Landmark Legal Foundation, n.d.).

[70] Cleveland: Started as a pilot program, it has expanded its slots by about 1000 students a year (Lanese, 1999; Murphy, 1998a). Only 25% of the program's students may have previously been enrolled in private schools. (But 50% of the applicants were already enrolled in private schools, so there are 1600 of those families on a waiting list (Heaney, 1997).)

[71] Milwaukee: Mayor Norquist wants to rid the program of its income-level cap because it is unfair to middle-class families: "As choice expands, the dissatisfaction with this income limit is going to become very acute" (Rethinking Schools, 1998b).

[72] Cleveland: Families below the poverty line are given preference (McLarin, 1996).

[73] In Milwaukee: first-come, first-served basis at each school; till over-subscription of any given grade, then lottery kicks in for that grade in that school (Borsuk & Williams, 1999; Greene, Peterson, & Du, 1996; Witte, 1998). (Siblings are exempted from randomized selection (Witte, 1998).)

[74] In Cleveland: the lottery is for acceptance into program as a whole, not a school.

[75] In Milwaukee: many vouchers have not been used — 6000 of 15000 available were claimed most recently (Heaney, 1997; Jeter, 1998; Percy & Maier, 1996). This has been a chronic pattern since the program's inception (Lowe, 1996) — contradicting Mayor Norquist's (1993) claim that response has been "overwhelming." (The mediocre demand level is probably partially due to the income limits on who can apply, and may be the impetus for calls from people like Mayor Norquist to remove caps, making the program open to all regardless of income.) Milwaukee's program has a notably high attrition rate from the program of about 30% annually.

[76] In Cleveland: of 2000 vouchers, 1960 were used the first year; 4000 in 1998-9 (Walsh, 1998h). Feldman claims that about 1/2 the students given vouchers did not accept them (Viadero, 1997). Applications, though, have been falling since the program began (Walsh, 1998h).

Both of these programs were advanced with notable bi-partisan support in their respective city and state political arenas. In particular, Milwaukee and Cleveland demonstrated the alliance between market advocates and African American community leaders who were desperate to take action in view of the miserable conditions of city schools. Polly Williams and Fannie Lewis are the most familiar of these figures, and they recognized the crises in their communities that was caused, in their view, by families forced to attend poorly performing public schools.[77] Furthermore, both cities had elected Democratic mayors who were willing to offend traditional constituencies like unions in order to foster movement in school reform.[78] Complementing these politically significant players were well-organized and well-funded conservative organizations (libertarian, religious, or market-oriented), which would provide much of the legal muscle in subsequent court challenges.[79] On the other side, teachers unions have represented the most significant opposition to these programs, with local unions filing court challenges and national unions providing support.[80]

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[77] Dougherty (1997); Grossman (1993); Henry (1999); Rethinking Schools (1998b); Shales (1998); Shokraii (1996); Toch (1997); Van Dunk (1998); and Williams (1992, 1994).

[78] Andrews (1993); Cloud (1996); and Norquist (1993).

[79] In Milwaukee, the Bradley Foundation, the Olin Foundation (through Landmark Legal Foundation), and the Institute for Justice all played a part, to varying degrees, in promoting and defending choice (Bolick, 1994, 1998a; Bolick & Mellor, 1997; Landmark Legal Foundation, n.d.; Miner, 1996a; Williams, et al., 1998; Williams, n.d.). The Bradley Foundation is, of course, famous for funding *The Bell Curve*. In Cleveland, one of the major players in the choice plan is Akron industrialist/philanthropist and voucher proponent David Brennan, who opened the for profit Hope Academies in Cleveland for voucher students. Brennan is a GOP donor who has been active in the "paycheck protection" campaigns to limit union political activity (Rose, 1998; Shales, 1998; Walsh, 1999a).

[80] See, for example, the American Federation of Teachers (1996a), which is now supporting the peer review process (see below).

Research discourse.

Although there have been scandals and allegations accompanying these programs, the debates over the research on these programs represents the more significant concern for the present purposes.[81] The legislation at the inception of the Milwaukee experiment stipulated an evaluation component for the program. John Witte (appointed by the anti-voucher state superintendent) and associates provided an annual report of their findings, which, of course, has attracted significant interest because of the controversial nature of the Milwaukee "experiment." Without getting too detailed here, suffice it to note that Witte and his colleagues (Witte & Thorn, 1995) compared students enrolled in the choice program with a truncated cross section of students in the Milwaukee Public Schools (MPS)[82] — finding "mixed" results. Their data was eventually re-analyzed by Greene, Peterson, and Du (1996), who used the data to approximate a classic "randomized" experiment based on control and test groups. They concluded that there was evidence of substantive gains in academic achievement for voucher students over several years. In response, Witte (1996) challenged their conclusions based on their methods, sample size, and allowances for attrition and parental effects, calling their effort "a confusing, tortured effort to try to find any evidence" supporting

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81 On allegations of mismanagement, mis-appropriation, over-reporting of enrollments, criminal charges, sudden closures of schools, and lack of oversight, see Archer (1999); Bast & Walberg (1994); Lowe (1996); Miner (1996c); Peterson (1997b); and Walsh (1998a).

82 Howard Fuller (1997) contends that the comparison group was more advantaged. While the program has been limited to students at 1.75 x the poverty line, Witte (1998) used free and reduced lunch measures (that go up to 1.85 x the poverty line) for identifying his MPS control group. But, although they might have had slightly lower incomes, on average, choice families still had higher parental education rates than MPS families, and had previously been more active in the MPS — but these disruptive, vocal consumers exited MPS (Hirsch, 1994, p. 150; Witte, 1993).

vouchers.[83] In retaliation, Greene and Peterson (1996) called Witte's response "heated rhetoric, incorrect facts, and unsupported reasoning."[84] Since then, this team has restated its claims elsewhere (Greene, Howell, & Peterson, 1998; Greene, et al., 1997b).

Others have weighed in on this scholarly skirmish. Not surprisingly, the AFT (1996c) found Greene et al.'s methods to be unsound, their measures mis-representative, and their results statistically insignificant — calling it "advertising rather than research" since the re-analysis was not peer-reviewed. Economist Eric Hanushek (Hanushek, 1997, p. 307) — no fan of public inefficiencies — called the general research results "uncertain." Cecilia Rouse (1998a, 1998b) did her own re-analysis and found mixed results overall, appreciable gains in math scores for choice students, but similar gains for public school students in small classes. [85]

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[83] Witte used terms like "gibberish," "gross distortion," "deceptively shift attention," and "lies" (although Witte did note that he plans on including some of the variables they mention in the next, more complex analysis).

[84] Greene et al. identified a control group in those applying for the program but not admitted due to over-subscription. Since admissions in these cases were random, unadmitted students presumably were comparable in characteristics to the choice students accepted into the program. They contend that program drop-outs' characteristics (on which Witte centers his refutation) did not differ significantly from those remaining in the program. The Milwaukee program has averaged about a 30% annual attrition rate (which is higher for poorly performing choice students, those with low parental interest, and low satisfaction with schools). In arguing about how to count these figures, Greene, et al. thus had to narrow a sample of 2049 Year 1 students to only 110 by Year 4 (American Federation of Teachers, 1996b; Muir, 1996). This means that over four years, those remaining in the choice program have essentially self-selected several times, while those in the control group only made one cut...of not being selected in the lottery. This has implication for comparing the control with the test group.

[85] Her research is viewed as somewhat more objective (Levin, 1998b; Powers & Cookson, 1999; Williams, 1999d), and she is very cautious in her claims.

The debate around the choice program in Cleveland demonstrates many of the same themes. Unlike Milwaukee, though, there is a substantial demand for the program more generally, with waiting lists of applicants — particularly those coming from private schools.[86] As with Milwaukee, the evaluation component for the program came under fire after showing no significant effects of the voucher program based on preliminary achievement data. In this case, the official evaluation was criticized for excluding two schools from the findings.[87] The researchers have quibbled over whether or not the test administered at these schools is comparable, the appropriate benchmark scores from the district, whether the testing

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[86] In Milwaukee, students apply to specific schools, and admission is based on space in a grade (or, if filled, a lottery for those spaces). In Cleveland, families apply to the overall program, which is restricted to allow only 25% of voucher recipients to transfer into the program from private schools. Thus, when 1,994 students entered the program, 664 were from public schools, 496 (25%) from private schools (but they occupied 56% (of 830) seats open to voucher students in existing private schools), and 834 entered as kindergartners — because there are few full-day Kindergartens in the Cleveland public schools (Viadero, 1997). So Alexander (1998) maintains that over two-thirds of voucher students "were forced out of public schools by the closure of full-day kindergarten" in Cleveland's public schools (due to budget cuts), or opted-in from private schools to have their tuition paid. *The Nation* (1998) sarcastically notes that this latter group was lucky that they could now save the money that had privately been paying for tuition, because many of those parents are now privately spending approximately the amount of the vouchers on taxis to get their children to the private schools.

[87] The official evaluation was done by Metcalf, Boone, Stage, Chilton, & Mueller (1997). In response, critics evaluated academic achievement at the two HOPE Academy schools, and found evidence of substantial gains in reading and mathematics (Greene, Howell, & Peterson, 1997a; Greene, et al., 1998; Viadero, 1997). The two schools in question were established by Brennan specifically for voucher students, and therefore enrolled about 15% of all the voucher students (Viadero, 1997). Indeed, there is debate regarding whether results at the two Hope schools would raise or depress the overall voucher results (Swope, 1997; Viadero, 1997; Walsh, 1999a). The second evaluation similarly found mixed results, with some advantages for voucher students in language achievement, after controlling for conflating characteristics (Metcalf, Boone, Stage, Tait, Stacey, & Mueller, 1998; Walsh, 1998i).

was reliable, and how to use it — if at all. The director of the evaluation component characterized the analysis by Greene and Peterson as deliberate manipulation (Metcalf, 1998). And while others noted that funding for the re-analysis of the Milwaukee data came from a conservative think tank (Murphy, 1998a), that team's tendency to reverse the conclusions of other people's data certainly gives the appearance that they are incapable of finding a choice program that doesn't work. Stalled by this deadlock in measuring academic effectiveness, voucher supporters point to measures of parental satisfaction as evidence that choice works.[88]

Hence, Milwaukee and Cleveland exhibit some similar patterns in the research discourse. Observers may note that the oppositional nature of the academic discourse is a reflection of the political nature of this high-stakes debate. What is interesting, though, is the way that these conflicting findings have appeared in the more popular media, where one-sided, decontextualized reports suggest that conclusive evidence is emerging. Part of this is because the researchers re-analyzing the data have made an effort to disseminate their conclusions of the "substantial" and "significant" effects of choice through the popular and political press.[89] These findings have been used by more partisan observers in giving less than a full picture of the state of the research debate — as was the case with Howard Fuller's

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[88] Greene, et al. (1998); Peterson & Greene (1998); and Teacher Magazine (1997). This re-focus on parental satisfaction may be somewhat of a diversion from questionable gains in academic achievement. In pitching his "experiment," for example, Milwaukee Mayor Norquist (1993) notes that "some experts claim the results are inconclusive. But not the parents." But Norquist ignores those voting with their feet (or tossed out) in attrition. If Witte's research approximates reality, then there is an interesting disjuncture between choice parents' desire for academic quality and their measurable satisfaction in what (according to Witte) are not particularly effective schools (Witte, 1993).

[89] See, for example, Peterson (1997c); Peterson & Greene (1998); and Peterson, Greene, & Howell (1998). See also (Lanese (1999, p. 9).

piece in the *Wall Street Journal* .[90] Peterson (1999) has been willing to make more conclusive claims about the research, stating that "All in all the evidence that school choice enhances achievement of low- income students has now become quite substantial." Witte has written in less accessible publications, and still advocates caution and balance (Witte, 1992, 1998).

This review of the debates, then, indicates that the discourse has hinged on a few prominent themes and arguments. There is some effort to promote market mechanisms of consumer choice and private providers as a cost-effective measure, or one that satisfies consumer wants much more than an unresponsive bureaucratic system.[91] While originally an experiment in raising academic achievement, the idea of liberating families who are captives of the urban schools has its own appeal as an end in itself.[92] Opponents of choice depend largely on the separation of church and state argument, particularly in recent years, as both programs include religious schools. However, that argument has not been too successful in the courts, and counter-arguments that vouchers do not establish any one religion seem to be carrying the day.[93] By far, the weight of the discourse has fallen on the issue of academic effectiveness. Indeed, the entertaining spectacle of an ivory tower fire fight over the question of academic gains may have focused even more attention on achievement measures, while diverting consideration away from other ends for public education.[94]

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[90] See Fuller (1997); for other examples of one-sided, partisan reporting of this research, see Boldt (1999) and McGriff (1996b).

[91] Andrews (1993); Greene, et al. (1997b); Greene, Peterson, & Du (1999); Peterson (1995); Peterson, 1999); and Peterson & Greene (1998). The union report disputes assertions of cost-effectiveness (Murphy, et al., 1997).

[92] Norquist (1993); Shales (1998); and Shokraii (1996).

[93] Lewin (1999); Nero (1997); Sadler (1996); Volokh (1998); and Waggoner (1996).

[94] See, for example, Cutler (1996); Murphy (1998a); Olson (1996); Percy & Maier (1996).

Expanding choice as an experiment or as ideology.

Taken together, neither of these cases presents overwhelming evidence in support of the idea of choice as a panacea. Despite competition from non-LEA schools, both districts continue to face serious problems in academics and other areas. Thus, Cleveland has pursued other major reforms in addition to choice (White, 1998a, 1998b). The case in Milwaukee is fascinating in view of the original justifications of the "experiment." In that city, there is some tension in the loose coalition of urban minorities and market advocates, with market ideologues expanding the program beyond its original intention. This has upset some people like Polly Williams who originally proposed the legislation knowing that she was being "used" by interests with different motives.[95] She now claims that her program has been "hijacked" by market zealots ideologically loyal to the idea of privatizing education as a consumer commodity, and not to the disadvantaged kids she had in mind (Lowe, 1996; Miner, 1996c; Rethinking Schools, 1998b).

So the question arises as to why the experimental pilot program keeps expanding in Milwaukee, without compelling evidence in support of promises of a "panacea." Originally limited to 1% of the MPS enrollment, the cap has been incrementally increased, and is now 15%. Requirements that voucher students not be the majority in any school were thrown out. Of course, religious schools were included. Now schools can opt-in to charter status, and Wisconsin is implementing a state-wide choice plan. Furthermore, in lieu of glowing evaluations of the experiment, the

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[95] Williams was flown to Washington, for example, to be a part of the media event for the release of Chubb and Moe's book.

evaluation component was ended. Of course, it could be argued that choice could not work from its limited basis, and needed to be enlarged to have a greater effect. But that denies the initial justification for the program, and begs the question of what effects can and will be had. The lesson of the policy experiment is striking: when results are equivocal, end the evaluation and expand (Molnar, 1997).

Silences in the discourse regarding the common good.

But this review of the research in these two cases is not an argument for or against choice as an effective tool for enhancing academic achievement. (In fact, my reading suggests that Rouse's (1998b) cautious and measured conclusions of apparent appreciable effects are probably the best grounded view we have currently.) Instead, it is intended to illuminate the values driving the debates, and thus the policies and reforms themselves. Looking at the debates, it appears that the discussion revolves around the (ideologically informed empirical) axis of efficiency and effectiveness issues. Simmering beneath the debate, but rarely addressed or even acknowledged, is the fundamentally controversial question of the purpose of public schooling. Thus, what is missing is any indication or recognition of the public good aspects of public education. These are what, in another context, Seddon (1997) sees as "silences" in the discourse. The orientation of the debate is so focused on a few specific and hotly-debated issues that other concerns are essentially muted. Even people with a public focus can get preoccupied with the issue-of-the-day to the exclusion of other agendas. Thus, when a liberal like Molnar (1997) focuses on test scores as the goal, and ignores the public ends of education, it appears that the discussion is

how close to half-full or half-empty the glass is, when nobody is paying attention to the salt water in it.

What may be happening in these cases are distinct instances of the privatization of the purpose of education. Rather than simply turning over the public assets of LEA schools to the private sector, policies supporting vouchers turn over the responsibility for pursuing an effective education to private consumers by encouraging them to see education as a commodity. This can to be done through a concerted effort on the part of market proponents to redefine common conceptions of the "public" aspect of education. For example, in calling for the radical expansion of the Milwaukee program in 1995, Wisconsin Governor Thompson blithely claimed control over the discourse: "Our first step in changing education is a complete redefinition of public education in Wisconsin. From now on in Wisconsin, a public school will mean a school that is serving the public" (Percy & Maier, 1996, p. 657). Yet in ridding public schools of the tradition of democratic-public control, reformers are also elevating the consumerist private goods of schools over public goods. This follows very closely with recommendations from Friedman and Chubb and Moe to commodify education, and redefine its public characteristics in order to separate public funding from private provision and control. In privatizing the purpose of public education, reformers implicitly encourage parents not to be left behind as others shop for the quality products, and justify the claim to others on the basis of common sense — that parents know what is best for their child.

The examples of reforms in Milwaukee and Cleveland point to emerging issues around markets in schools — questions regarding privatization, commodification, coercion, redefinition, silences, and the control of the

discourse and common sense. The rest of this chapter takes up these issues in a much more in-depth discussion of a single site. It does this by examining the discourse around markets in education more comprehensively in the specific case of Michigan's charter schools.

The Discourse Around Michigan Charter Schools

Charter schools are one of the most popular and fastest growing forms of school choice in the US. Over two-thirds of the states have approved charter school legislation, and over 1200 such schools are in operation in the US and Canada (see, e.g., Center for Education Reform, 1999). Charters are a policy device that is embraced by both liberals and conservatives as an essential element in education reform.[96] President Clinton (1997, 1999) has embraced the idea, calling for a vast increase in the number of and funding for charter schools — a fact that both excites and concerns charter school supporters.[97] Unlike vouchers, charter schools have spread rapidly

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[96] Bilefsky (1998); Buechler (1997); Consortium for Policy Research in Education (1998); Cutler (1996); Geske, Davis, & Hingle (1997); Halford (1998); Kelly (1996); Lacayo, Donnelly, & Edwards (1997); Robinson (1998); and Snyder (1999). The degree to which bipartisan support is genuine is in question. See Finn, Manno, and Bierlein (1996); Allen and Finn (1997); Associated Press (1998a); and Borrus (1997).

[97] Allen & Finn (1997); Finn (1997b, 1998c); Lacayo, et al. (1997); Los Angeles Times (1997); Nathan (1998a); Penning (1997); Peterson (1997a); Schneider (1998); and Vanourek, Manno, & Finn (1997a). Clinton has called for 3000 charter schools by the year 2000, sees charter schools as the model of accountability for all schools (American Legislative Exchange Council, 1999; Nathan, 1998a; Penning, 1997; Schneider, 1998). The federal government is providing some of the needed capital funds for getting the schools up and running. Clinton's elevation of market mechanisms embedded in these schools fits into Reich's (1999) description and espousal of the "Third Way" approach favored by Clinton, Blair and others. While adopting the general tenets of Reaganism and Thatcherism in regard to the market paradigm (suspicion of public ownership; emphasis on private investment; flexible labor markets; cutting social safety nets) is tempered out of concern for those traditionally "left behind," this is done by better preparing them to fit into the investor-oriented

throughout the US, with well over 30 states now implementing some form of charter school legislation. They are explicitly designed to import market mechanisms of consumer choice and competition between providers into the realm of publicly funded education, justified by the claim that this will effect an overall improvement in outcomes.[98]

Based on the twin tenets of consumer choice and non-governmental provision, these schools are generally organized by a group of teachers, parents, a community organization, a for-profit firm, or any other group that successfully petitions a legislatively designated public agency for a renewable contract, or "charter," to run a school for a period of usually three to five years. They are publicly funded, and freely chosen by the families of the children they enroll (Nathan, 1996a). Although details of the legislation vary by state and province, essentially the schools are given a waiver from many or most regulations in exchange for the promise of increasing student achievement.[99] Thus, the Hudson Institute's research

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economy — rather than the (traditional) other way around. Thus, while charter schools may or may not better prepare students to be flexible members of an adaptive workforce of the future, what is more indicative of this general approach is the willingness to embrace market mechanisms — on faith, not evidence, in Reich's admission — for providing a public service, and possibly opening it up to be an investor-driven commodity.

98 Geske, et al. (1997) and Reed (1993); in that respect, they are similar to the "new public management" approaches evident in New Zealand and Europe where public endeavors are placed under market principles of management (see Chapter 2).

99 Observers — and particularly charter school supporters such as the Center for Education Reform in Washington, DC — categorize the various pieces of charter school legislation in order to distinguish between "strong" and "weak" laws (Finn, et al., 1996; Nathan, 1997a; Rebarber, 1997; Schneider, 1998). They look at factors such as the limits (if any) on the number of schools, the number and nature of institutions allowed to grant charters, the degree to which existing regulations for public schools are waived for charter schools, treatment of teacher union issues, constraints on the types of groups allowed to apply for a charter (for instance, a for-profit firm?), restrictions on allowing new schools to be started, allowing public schools to opt-out of LEA control and in to charter status, or allowing

team on charter schools, Manno, Finn, Bierlein, and Vanourek (1998a), note: "Automatic exemption from nearly all federal and state laws and rules, and the streamlining of compliance-related paperwork, are necessary preconditions that policymakers must establish if innovative charter schools are to flourish."

While there are national organizations and forces promoting charter schools, activist agendas and legislative efforts around charter schools are most dynamic at the state level, where the reform is embraced or rejected in the end. In the policy discourse in the state of Michigan in this decade, a conservative governor and an activist state board of education have embraced market-oriented proposals as the necessary remedy for what they call "government monopoly schools." They have made the state, in the eyes of prominent choice advocates and observers both in and outside Michigan, one of the leading sites in the United States in terms of the pace and extent of their reforms.[100] The centerpiece of their efforts has been a statewide "choice" system driven by "Public School Academies" — charter schools.

The remainder of this chapter studies the issue of the transformation of public education in this particular site. Specifically, I look at the discourse surrounding charter schools as they emerged as part of a larger choice

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existing private schools to opt-in to charter status, and legal and financial independence. See the Center for Education Reform's criteria and categories at <http://edreform.com/laws/ranking.htm>.

[100] Andrejevic (1995f); Center for Education Reform (1997a); DeWeese (1994); Finn (1996c, 1996f); Finn, et al. (1997a); Price & Hunker (1998); Schneider (1998); Toch (1998); and Wohlstetter, Wenning, & Briggs (1995). Usually, Michigan is ranked right behind Arizona in such comparisons. However, based on the discourse data I have been able to gather, it appears that there has been much more of a public debate on charters in Michigan than in Arizona, perhaps due to the respective ideological climates, strength of unions, viability of opposition parties, etc. In Arizona, charter school legislation was easily passed and implemented as the favored alternative after more comprehensive voucher legislation was narrowly defeated (Bolick, 1998a; Toch, 1998).

agenda earlier this decade. Again, as with previous examples, I am not concerned so much with specifics of the legislation, the policies, or implementation of this reform. Instead, I focus on the public rhetoric of policy players in order to get at the underlying values of the reformers concerning democracy and public schooling.[101] Thus, this more in-depth focus on one state allows us to examine the impact of the ideas put forward by thinkers like Friedman, Chubb and Moe. Moreover, it affords the opportunity to further examine the themes and patterns suggested in the discourse around the voucher cases. Finally, this focus enables us to see *how* the privatization of the purpose of public education suggested above is advanced in the discourse — in patterns or strategies such as redefinition, commodification, coercion, and the control of the discourse.

Perhaps the most effective way to examine the evolving conceptions of public education with Michigan's charter schools is to focus on the rhetoric of a few of the primary actors — politicians, policy-makers, policy entrepreneurs, and other public figures — who have been key players around the issue. These reformers represent a contradictory and sometimes confused coalition of neoliberal market advocates and religious conservatives concerned with strengthening strong family values.[102]

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101 In doing so, I am limiting the parameters of this analysis to the period when debates about charter schools in Michigan were at their height in the mid 1990s.

102 In an irony of modern school reform, religious conservatives have pushed their case in terms of anti-statist localism that abhors "paternalistic" central government — "Children do not belong to the state" (Heckman, 1995). LEAs are acceptable so long as they do not become mere instruments of control from Lansing. Yet, this rhetoric stands in stark contrast to the recent eradication of direct local control by the state in Detroit (Bell & Walsh-Sarnecki, 1999; Engler, 1999a; Engler, 1999b; Johnston, 1999; Ortiz, 1999; Van Moorlehem, Angel, & Bell, 1999; Zehr, 1998). For other examples of this potential schism, see Andrejevic (1995g); Johnston (1997c); and Power (1995b).

Examining the most vocal and visible policy actors is appropriate because choice proposals have not harnessed widespread support or grassroots ground swells for choice. Indeed, one could argue that the population is largely apathetic or ambivalent, at best, on this issue, since residents are essentially happy with their schools (Daubenmier, 1995a).[103] While the Michigan Constitution has one of the strictest clauses on the prohibition of using public money for private-religious schooling, repeated referenda on vouchers have met with consistent defeat at the hands of voters (Overton, 1997).[104] Therefore, to truly understand the impetus for choice in Michigan, we must study the ideas of those policy actors who represent the genesis of that agenda.

The advent of choice proposals in this decade was largely the work of several powerful players in the policy sphere. Among the most prominent players have been the governor and several key legislators, as well as an influential think tank that pushes privatization across a number of issues, particularly education.[105] In view of space constraints, I will focus here on the public policy pronouncements — quotes in the media, publications and other writings, etc. — of the most eloquent, forceful, and prolific players in the field. These players are:

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[103] The apparent lack of interest in charter schools caused the state to divert half a million dollars from the state's education budget to the Michigan Partnership for New Education in order to promote charter schools (Andrejevic, 1995a). (In 1995 the MPNE absorbed TEACH Michigan's Center for Charter Schools, and has since transformed itself into the Leona Group, a private charter school management agency.)

[104] Such "Blaine" clauses are attacked by choice advocates as prohibitive (Finn & Gau, 1998; Viteritti, 1998).

[105] The only potential opponent of charter schools of any prominence and coherence in Michigan, the Michigan Education Association, declined to fight charter schools so long as the legislation required that they be staffed by certified (i.e., MEA dues-paying), teachers (McMillan, 1995). The MEA instead focused on funding, union dues, certification requirements, tenure, and other aspects of the legislative agenda.

- Michigan's State Board of Education has been particularly instrumental in its advocacy of drastic and immediate school reform, primarily through the mechanisms of choice, competition, and charters.[106] Specifically, the president of the board at the time, W. Clark Durant III, sponsored by the governor after several failed runs for elected office, took a publicly combative stance in attacking the public schools and espousing educational "revolution" — "We're not at 1776 yet. It's more like we're at 1774" (quoted in Andrejevic, 1995g). Durant is a founding board member of the Education Leaders Council, which is affiliated with the national Center for Education Reform (Education Leaders Council, 1995). He has sought intellectual support for his ideas from members of the academic community, especially scholars affiliated with the Mackinac Center (e.g., Allen, 1996).
- Bill Schuette, a young Republican politician who had failed in his run for the US Senate, made a career out of attacking "big government" while being appointed to fill a legislative seat that included the headquarters of Dow Chemical, in Midland. It was his proposal for

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106 The Board's Vision, Philosophy, and Mission statements (adopted 1/19/95) were laced with religious and market references, and approved, despite concerns from civil libertarians and others. Durant's response to criticisms on his mixing of religion with his responsibilities as a public official: "let 'em sue" (Americans United for Separation of Church and State, 1996). Some excerpts from the adopted document: "We, the Michigan State Board of Education, grateful to Almighty God for the blessings of freedom, do earnestly desire to secure these blessings undiminished for our children.... We, the Michigan State Board of Education, believe that to teach a child created by God is a noble calling... [We] support school choices for parents;... we advocate the removal of barriers that constrain efforts to open, sustain, and/or expand quality schools and other quality educational opportunities in the marketplace of a free society; and we pray for wisdom..." Since a subsequent election shifted the balance of power on the State Board of Education, however, the Statement was rescinded on a close vote. This reversal, however, does not affect the focus of this paper regarding the role of the rhetoric in establishing choice.

school choice (the "Michigan Education Freedom Act") — advanced by the concern that "Our children belong to us, the parents, not the state" — that opened the way for the proliferation of charter schools (Andrews, 1995b; Wahlberg, 1995a, 1995b).

- The most prominent "think tank" on issues in Michigan is the Mackinac Center for Public Policy (MCPP) in Midland — one of biggest state-based think tanks in the US (Reed, 1994a). The Center is prolific in its output on education, publishing its quarterly privatization journal, the *Michigan Privatization Report* ("update of privatization initiatives, opportunities, and controversies from around the Great Lakes State") and the *Impact!* newsletter, as well as studies, reports, press releases, pre-fabricated op-ed pieces and letters to editor — "Viewpoint on Public Issues."[107] Funded in a large part by Dow Chemical and Amway money, the Mackinac Center's agenda revolves almost exclusively around privatization of public services across a range of areas such as public utilities and resources. But the Center is particularly focused on public education, where its influence is especially strong.[108]

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[107] MCPP advances positions on issues including public money for private schools (e.g., Overton, 1997; Reed, 1994b), anti-teacher union pieces (e.g., Bockelman & Overton, 1993; Mackinac Center for Public Policy, 1993c), school funding (e.g., Mackinac Center for Public Policy, 1993c; Mills, 1997), defense of school choice (e.g., Bertonneau, 1997) and, in particular, aspects of privatization in education (Mackinac Center for Public Policy, 1992, 1993a, 1994, 1995, 1997b), which increasingly translates into contracting out of education services (e.g., LaFaive, 1997; Reed, 1997b), including classroom instruction (e.g., Leeson, 1997). Its larger research and publication projects take such stands as advocating restructuring the tax system in support of what are nationally known as "opportunity scholarships" (Mackinac Center for Public Policy, 1997e), and defending private and choice schools against charges of cream-skimming (e.g., Beales & Bertonneau, 1997).

[108] Engler notes, "When the Mackinac Center speaks, we listen." The Michigan School Superintendent concurs: "The Mackinac Center has generated an enormous volume of important work on innovative ways to improve education, including school choice, privatization of school support

- TEACH Michigan, a pressure group founded by voucher activist Paul DeWeese, has been a primary player in creating and promoting the legislation that established charter schools, and providing the support and resources to nurture those schools. TEACH Michigan is effectively networked, including cooperation with the Mackinac Center, the DeVos family (Amway), support to and from the Edison Project, and the charter school management industry.[109] The group publishes op-ed columns in local and regional state newspapers and business publications in support of choice and charters.[110] TEACH Michigan has been very forthright about the extent of its agenda for school choice. It does not obscure the fact that, although happy with the success of the charter school legislation (that its own attorney authored), it sees charters as only a stepping stone to more of a free market model (DeWeese, 1994).

While perhaps the most vocal representatives of the advocates for education markets, these forces in the policy arena are also representative of the different players in the loose coalition that formed to support charter

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services, and charter schools" (Mackinac Center for Public Policy, n.d.). An "educational entrepreneur" and MCPP donor says, "The Mackinac Center is one big reason students have the charter school option in Michigan today. The Center has laid the intellectual groundwork for charter schools, and it is paving the way for even bolder reforms" (Mackinac Center for Public Policy, 1997a). According to the NEA, however, the Mackinac Center is part of the "vast right-wing conspiracy," as a member of the State Policy Network (Archer, 1998).

109 For connections to the Mackinac Center, see, for instance, Reed, and Hutchison (1991) — a publication that included efforts from DeWeese (1991), as well as Chubb and Moe (1991). DeWeese is aided in fundraising efforts in his run for elected office by Deborah McGriff, former school superintendent of Detroit, and now VP on the Edison Project. DeWeese (1996c) has also written specifically in support of the Edison Project.

110 See, for example, DeWeese (1993, 1995, 1996a, 1996b, 1996c); Heiderson (1996); Lange (1996); McGriff (1996a, 1996b). In addition to the abundant access it has to the press, TEACH Michigan also commissions surveys and issues press releases (e.g., TEACH Michigan, 1996a, 1996b).

schools. The sum of their public policy pronouncements on choice are together the most logically coherent and cogent arguments for charter schools, and appear to have exercised a strong influence on the ideas and public discourse that supports education markets.

An analysis of the rhetoric in the public discourse of these players suggests some patterns and themes.[111] It highlights a strategy by which these policy players sought to diffuse any potential opposition, and build public support for their measures around choice. If there is a pattern to the public rhetoric of these policy players, it follows along these lines: attacks on the status quo of education; allusions to the benefits of the market assumed to be present in choice and charter plans; and efforts to reconfigure conceptions of public education by redefining the terms of the discourse. A closer look at each of these three elements will illustrate the broader public discourse on charter schools in Michigan.

Attacks on the Status Quo

Public attacks on current conditions of schooling in Michigan closely parallel the national discourse on education reform in the United States, and provide the premise for calls for drastic reform (making the state a good site for examining this phenomenon in more detail). For example, underlying the crisis rhetoric in Michigan is the assumption that declining efficiency and effectiveness in education cause declining efficiency and effectiveness in the economy — an assumption embraced across the

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111 To discern these themes, I did a survey of the discourse in the popular press and, when possible, gathered available position papers and policy documents.

political spectrum.[112] As in the larger crisis discourse, choice advocates in Michigan are at the forefront in using this rhetoric to promote their reforms as the necessary anecdote. This, of course, leads to contradictory efforts towards decentralization on the one hand in order to unleash consumer choice and competition, and centralization, on the other, to use state government to invest in the preparation of an effective and standardized workforce.[113] This latter concern is most evident in reform efforts around curriculum (mathematics and science focus for a technologically prepared workforce) and management (seeking business-type organization for governing schools).[114]

In Michigan, pro-market policy players operationalize the assumption of an education crisis despite the fact that the majority of Michigan residents are quite satisfied with the schooling that their children receive (Andrejevic, 1995e; Daubenmier, 1995a). They do this, notably, by framing the "crisis" in terms of standards and mediocrity of "government education," rather than in terms of equity or segregation, for example (see Engler in Andrejevic, 1995b; Hornbeck, et al., 1993).

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[112] Andrews (1996); Brewer (1996); Capital Times (1993); Iorio (1993); Michigan House of Representatives (n.d.); Wahlberg (1996); Wilson (1996); more recently, see (Engler (1999a, 1999b).

[113] Engler (1996, 1999a); Iorio (1993; Wahlberg (1996) This allows for cuts in central support for local programs, under the guise of local responsibility, while centralizing control of programs (e.g., Andrews, 1996; Engler, 1994; Iorio, 1993; Wahlberg, 1996; Wilson, 1996). Ironically, "job providers" leave anyway, even those that are active in promoting education reform, and those given large tax breaks to stay — like Whirlpool (e.g., Associated Press, 1996c).

[114] On the curricular focus, see Bell (1998); Center for Education Reform (1998); and Wolpe (1993). On business models and assumptions for education, see,DeWeese (1994); Hinsberg (1996); Lutz (n.d.); Matheney, Miskel, McDaniel, Fisk, & Sipple (1998); Power (1995a, 1995b); and Ray (1996).

Michigan policy actors often voice their criticisms by referring to conventional wisdom or "common sense," rather than supporting evidence. For example, DeWeese (1991, p. 4) notes: "It is clear that something is fundamentally wrong with the educational system in the United States. Television, newspapers, and the newsmagazines have all given notice to the fact that we have, in fact, reached an educational crisis." The answer is not more money, "but on how to spend more effectively," since "enormous resources" have already been wasted on an inefficient system.[115] In a pamphlet promoting school choice, the State Board of Education (1995b) echoes the national conventional wisdom on schools: "School reform is vital as Michigan enters the new century because: **Public Dissatisfaction** with the public schools is mounting; **High Dropout Rates** continue to persist; **Business** demands school reform; and **Global Competition** is forcing major reform" (emphases in original). Reformers frequently employ the term "monopoly" to portray public schools as "an administrative monolith," thereby framing the problem and suggesting the necessary alternative.[116] For example, DeWeese (1994) calls schools "a self-protective, rule-driven, bureaucratic monopoly" (DeWeese, 1995, 1996a). Durant uses the concept of monopoly frequently: "Legally enforced monopolies never deliver quality services and goods over the long haul."[117]

Advocates of education markets often utilize related concepts of bureaucratic-inspired paralysis and the idea of a self-defending "establishment." Durant's Education Leaders Council (e.g., 1995) claims that choice "will fill the void that existed in the education establishment."

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115 Durant III (1997, p. 360) and Engler in Boroski (1996).
116 See Andrejevic (1995g) and School Choice YES! (n.d.).
117 Quoted in Hornbeck (1995a); see also Daubenmier (1995b) and Durant III (1997).

The Mackinac Center is the lead player in challenging the power of teacher unions.[118] DeWeese (1994, p. 30) describes school governance as an "incomprehensible amalgam of rules that have accumulated over many years." This over-regulating system is therefore responsible for "all manner of ills: student boredom, violence, dropping out, parental dissatisfaction, academic mediocrity, teacher burnout, and a decline in personal behavior and standards" (Durant III, 1997, p. 360). Once they establish the problem as too much government, the alternative — the market — is obvious (e.g., TEACH Michigan, 1996b). Their rhetoric promotes choice in the education market as an answer for problems such as low test scores and decaying urban areas. "Government" and "bureaucracy" are located in opposition to the free market. For instance, a Durant supporter on the State Board of Education notes:

> The board does have what [critics] call an ideology and what I call a guiding principle. It's based on the proper role of government and parents in education and a belief that markets can produce....I don't see how moving to some sort of centralized bureaucracy will make poor kids, wherever they might be, better off. (quoted in Hornbeck, 1995a)

A TEACH Michigan board member adds his frustration to the juxtaposition: "As a businessman, I have little patience with education bureaucrats" (Hetzler, 1997).

Against this more general backdrop of school crisis, two related motifs often appear. First, there are repeated references to the global political changes of recent years, especially in the former soviet economies. Durant (1997, p. 361) writes: "our public education system more resembles the failed command-and-control economies of Eastern Europe than our own free-market system." Engler, after proposing the repeal of the state school

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[118] Center for Education Reform (1997c); Gladney (1997); LaFaive (1997); Mackinac Center for Public Policy (1997c, 1997d); and Maze (1997a, 1997b).

code, told a group of LEA board members: "You're East Germany with the wall being torn down and you don't know what to do. You are now free. You need to know that. I'm here today to tell you that" (Borowski, 1995).[119] Second, reformers then invoke the consequent notion of revolution. There is a consistent rhetorical device of framing the issue as "the quest for educational freedom" of parents and practitioners from the bureaucratic stranglehold of the state.[120] But, notably, because these market-oriented reformers see schools in a crisis state, action is supposed to be immediate and draconian.[121] So, "revolution" is the way to the "paradigm shift" (see Andrejevic, 1995f). That this rhetoric can often be incendiary should not be surprising. For example, TEACH Michigan board member, charter school official, and businessman, Stuart Ray wants a state school chief who would, if necessary, "blow up the existing system" (Andrejevic, 1995d). DeWeese (1994, p. 35) sees himself as a catalyst of a broader transformation: "If we are successful, we believe that much of the rest of the nation will soon implement policies that similarly broaden educational freedom for their citizens."

Benefits of the Market Assumed in Charter Plans

The idea of liberty in the market logically follows the portrayal of an educational crisis caused by an authoritarian, bureaucratic government. As with earlier examples, market reformers in Michigan simplistically

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119 On use of this Berlin Wall image in the wider rhetoric, see Whittle in Kozol (1992, 1993a); Finn in Brodinsky (1993); Meyerson (1999a); and Friedman (1994, 1995a).

120 Schuette in Andrews (1995b); DeWeese (1994, pp. 29-30); see also Durant III (1997) and Hetzler (1997).

121 On the necessarily hurried pace of reform, see Engler in Hornbeck (1996).

equate public control with coercion and, by implicit or explicit extension, liberty in the voluntary nature of the market.[122] As Durant (1997, p. 363) has it:

> There is no loser in a voluntary transaction free of force or fraud. Everyone wins — otherwise the trade wouldn't take place. ... Exchange in the market is characterized by win-win results. Billions of these two-sided victories take place each day all over the world.

Yet, despite evidence that profoundly problematizes such a view, it is a common rhetorical practice here to make presumptive references to the advantages of the market to education. This is done on two levels. In the first, the policy actors make *explicit* attempts to extend the logic of the market, as it is experienced in other aspects of consumer life, to education. In the second, they *implicitly* assume that education exists naturally for and within the market's logic regarding producers, customers, and options.

Explicit extensions of the market.

In the more explicit efforts, the rhetoric is more didactic and explanatory. There are many examples of policy players referring to popular consumer culture in order to explain the benefits of bringing the market to bear on education. Hetzler (1997), a TEACH Michigan board member, told the Michigan Chamber of Commerce: "It is without question that competition makes businesses better and more responsive to customers' needs. Is there any reason to believe that competition will have any other effect on the quality of public education?" Likewise, the State Board of Education (1995a) recommends legislation with "reform concepts" that "treat parents and students as customers." The director of TEACH

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[122] McGhan (1998) and Reed (1998).

Michigan made a similar connection: "If choice is so wrong, as opponents say, why is it so commonplace in every other part of our lives?" (Taylor, 1997; see also Lundy, 1996). Former Detroit Superintendent and current Edison Vice President Deborah McGriff (1996b) concurs, quoting Chester Finn's claim that "it is reasonable for people to select the school they want, just as they select their home, their health-care provider, their college, their church, their clothes, and their dinner." Durant claims choice "will bring down the cost and time of education" (Durant III, 1997, p. 364). It is noteworthy that none of these ambitious claims for the market, particularly as it would apply to schooling, is buttressed by any attempt to provide supporting evidence — it is presented as "common sense."

It is a popular tactic in this approach to cite specific industries and products. Both DeWeese (1995) and TEACH Michigan's director (Taylor, 1997) point to the liberation of consumer preference in higher education as an argument for its extension into K-12 schooling. Furthermore, since Michigan is the case in point, references to the automobile industry are essentially unavoidable. DeWeese (1994, p. 30) contrasts choice aspects of consumer life with the "captured clientele" of the "one-size-fits-all, government-run school system" (1996c). Thus, Durant (1997, p. 362), asks — since his definition of traditional "public" school system involves an institution that is "immediately, exclusively controlled by the state" — "would we want this definition applied to other areas of our lives?" His answer points to the transportation industry to show how the free market has made travel cheaper and safer: "I prefer to buy from Ford, General Motors, Chrysler, or from a host of other companies that succeed — or fail — based on how well they satisfy the customer."

Implicit assumptions of a market for education.

In the second approach to extending market mechanisms into education, the market proponents imply (or draw a much less explicit picture of) the appropriateness of the place of public education in the realm of the market. Even though the relationship is not spelled out, the immediate link between market logic and educational organization is assumed. They leave the direct connection to the "common sense" of the reader. It does not have to be shown that the market is appropriate for the education system — its naturalness is beyond question, beyond the realm of what is thinkable.

Thus, for the executive director of TEACH Michigan, there is one explanation for a school losing students: "People leaving is a clear sign that the school isn't doing everything it could to satisfy parents" (quoted in Van Moorlehem, 1996). In another forum, he notes that the success of a school depends on treating education as private property.[123] DeWeese (1994, pp. 33, 34) also conceives of educational improvement happening only in a situation that is "customer-driven" — where schools must "attract and retain their students." DeWeese (1996a) tacitly places mass education in the category of any common economic enterprise: "Can you imagine any other industry responding to a customer's complaint...as if any dissatisfaction with the company's product must be the fault of the customer."

This allusion to the "customer" is a consistent element of the discourse. A TEACH Michigan board member presumes the place of education in the market by showing that "accountability" naturally comes from appealing to the parental "customers" (Hetzler, 1997). DeWeese (1996a) claims that a "decade of research has shown that schools run better when they treat

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[123] Taylor (1996); see also Durant III (1997) and TEACH Michigan (1996b).

families as valued customers."[124] In one telling instance of placing public schooling within private markets, Durant was caught between a business faction that was seeking strong central leadership from the state to set high academic standards for all students, and a more libertarian element that feared big government and valued very de-centralized control. His solution was to allow the market to set standards.

> The challenge we face in Michigan is to move to a free marketplace system of higher, world class platform standards. Mandates carry a promise of performance with no guarantees of performance. The State Board is committed to diminishing regulatory oversight, and at the same time, unleashing the power of choice and competition to education. If schools don't perform on a consistent basis up to the levels of performance desired by parents and students, their doors should be closed unless they can develop satisfactory performance. If a school cannot attract customers, it should change its ways or close its doors. (Durant III, 1996; see also Michigan Department of Education, 1996).

In this second, implicit approach, the assumption regarding education's natural place in the market is advanced from two different perspectives. For the supply side, the benefits of ownership are well-known, and it is obvious to the policy actors that those benefits operate in education (e.g., Durant III, 1997). Profitability, an assumed advantage of ownership, partly explains the attraction of so many business groups. So is training. DeWeese (1994, p. 33), for example, lists TEACH Michigan's alliances with "all the major business groups in the state including the National Association of Independent Businesses, the Michigan Manufacturing Association, the Michigan Chamber of Commerce, and the Michigan

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[124] Since DeWeese cites no "research," the question arises as to which of the "stakeholders" in education represents the actual "consumer." The founder of an Afrocentric charter school sees himself as serving "the true customer — the parent and the potential employer" (Andrejevic, 1995g). One State Board of Education candidate, the CEO of a family business who was supported by Durant, had a different definition: "In our education system, the customer is the parent and child" (Mayes, 1996a).

Small Business Association." Thus, TEACH Michigan's rhetoric of "raising the standards" praises the benefits of a better quality "product" — "quality," in this sense, being a better-educated and trained workforce (e.g., DeWeese, 1996a; Lange, 1996). The pro-market proponents presume that a function of the market's efficiency is that for-profit enterprise like the Edison Project, the Leona Group, National Heritage Academies, Baron Schools Inc., Education Development Corporation (or one of the many other charter management companies that have sprung up) can research, design, and provide such a service in an economical manner (e.g., DeWeese, 1996c; Durant III, 1997).

Furthermore, there is a faith in the assumption that "competition" will be a strong dynamic of the market's power in education (e.g., Durant III, 1997; Mackinac Center for Public Policy, 1997e). For example, Representative Schuette, in proposing the school choice legislation that opened the way for the expansion of charter schools, assumed a connection between competing providers and educational improvement: "This bill is about freedom, this bill is about competition, this bill is about quality" (Jernstadt, 1995). In defending that bill before Michigan's Senate Education Committee, Schuette was "convinced" his legislation would cause school performance to improve. When pushed for an explanation as to the mechanism and process, he was succinct: "Greater competition" (Richard, 1996b).

However, more important, presumably, for most citizens, is the projection of education into markets from the demand-side perspective of the "consumers" or "customers" of education. As far as maximizing the educational experience for themselves (or their families), market-oriented policy proponents treat the market as the mechanism by which educational

accumulation or advancement is best achieved. In this sense, "quality" is not about the added-value that a businessperson realizes from a better educated workforce pool that is effectively trained by the publicly funded schools. Instead, quality comes to signify more effective means by which an individual "consumer" or "customer" of educational provision can improve his or her educational experience and, it is hoped, the value of his or her credential or employability. "Standards," while important to the overall performance of the educational system, become relative indicators of performance and quality for consumers choosing between various educational options in the market to maximize personal gain (Durant III, 1997; Lange, 1996). Thus, the policy pronouncements equate a good, wise, and effective parent with one that maximizes opportunities for educational attainment for the child — and "the market best helps the family or responsible adult to find the people and institutions who will do that for children" (Durant III, 1997, p. 364).

Of course, under the logic held by these proponents of markets for education, there is no market without the freedom to choose, and there is no choice without different options. It is in this area where they perceive the market at its most dynamic state, in contrast to the charges of uniformity that are employed to describe the "government" schools. Market advocates (like TEACH Michigan's Lange, 1996) assume that students "have different ways of learning and different needs when it comes to school. Trying to squeeze all our children into a one-size system doesn't serve any of them well." Ignoring the cognitive and pedagogical suppositions in that statement, as well as the debatable assertion that public schooling is uniform, proponents of choice make the clear assumption that the market offers choices in education. Education markets will produce diversity of

provision because that is what markets do in response to consumer demand. Durant (1997, p. 364), for example, claims:

> Innovations invariably will result from the creativity of pioneers who develop a product or service that meets a need we might not even have known before. Competition and the innovation that it fosters will bring down the cost and time of education.

Thus, advocates of education markets assert that if the providers of educational services are liberated from the government bureaucracy, and market forces are allowed to work in schooling, the market will diversify the options available to the consumer.

Redefining the Public Aspect of Public Schooling

Probably the most important theme in the rhetoric around charter schools in Michigan has been the overt attempt to realign the thinking about the common conceptions of "public" and "private" spheres in education. Following the framing of the problem or "crisis" of education, and the advancing of market mechanisms as the likely solution, charter school advocates have run into the obstacle of popular conceptions of a barrier between public and private education. They maintain that charter schools are public schools. But, in view of the removal of more direct forms of democratic control, we might ask: In what way are they public?

In providing an answer to that question that doesn't offend American sensibilities, charter reformers seek to "shape" the discourse around this issue. First, they effectively limit the availability of policy alternatives other than their own. Secondly, in doing so, reformers assert their own political neutrality on the issue. Finally, they offer a new definition of "public" education.

Controlling the alternatives.

Prominent representatives of both TEACH Michigan and Michigan's State Board of Education have invested much time and energy in the overt attempt to realign thinking about the common conceptions of "public" and "private" spheres in education by redefining the terms in the discourse. In this endeavor, charter advocates employ a very blatant strategy to shape the discourse or "change the terms of the debate" in order to advance markets into education and limit the viability of policy alternatives.[125] Transforming the system to a private-oriented enterprise is the vision. Charters are a means to a more radical realization of that vision. DeWeese (1994, p. 32), in particular, is very clear on this agenda: "The significance of the charter school reform cannot be overemphasized in terms of helping to prepare the public for broader educational reform."

But to re-configure the system, the charter school advocates seek to win over the public, or at least discourage opposition to their self-proclaimed "radical" reforms (DeWeese, 1994, p. 35). Their language suggests a need to control the conscious realm of possible policy alternatives. For example, Durant's Education Leaders Council (1995) is

> committed to changing the terms of the education debate in this nation.... True education reforms are those which: center on the needs and choices of families... Education reform will not be achieved through a continued fixation on increasing budgets and promulgating regulations... The true reforms that were essential to the improvement of public education...came through giving parents, teachers and local communities the ability to pursue, and be accountable for, those changes which held the best promise for their children — reforms such as charter schools, standards-setting, and teacher autonomy....fill the void that existed in the education establishment.

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[125] Koshelnyk (1997) and the Mackinac Center for Public Policy (1992, 1993b, 1997e).

DeWeese (1994, p. 32), in his view of a malleable public opinion, claims that shaping the charter school discourse has "made it much easier to advocate extending the same financing system to independent schools. The administrative position is already well in place and people are developing a sense of acceptance that it works well."

An "apolitical" agenda to de-politicize education.

Therefore, "public education" must be redefined. There are several elements to this effort evident in the discourse. Charter advocates cast their reforms as apolitical. And the rhetoric of these policy pronouncements inserts a new terminology into the discourse to support and constrain ways of thinking and realizing possible policy alternatives.

The linchpin for this effort is evident in that the policy players apparently see the need to present their ideas as apolitical, or politically disinterested — as they envision "the marketplace of a free society" itself to be (Michigan State Board of Education, 1995a, p. 3). Charter advocates often phrase this aspect as a reaction to what is presented as an overly-politicized education system — one too susceptible to political control in its perceived monopoly status (Engler, 1996). Despite the radical nature they assign to the transformations being advocated, TEACH Michigan and the State Board of Education members do not present the changes as *political* changes, so much as a natural *economic* evolution to a superior form of social ordering. The older school governance system is, according to Durant (1997, p. 362), a "politicized education system" that needs to be "de-politicized" — i.e., marketized. Once they establish this neutrality or negation of any political agendas, the pro-market advocates are in a position to deny partisan

motives for manipulating the discourse. One is simply acting in the best interest of the children or their families, in pursuit of excellence.

Reconfiguring the "public".

In applying Schattschneider's axiom — "The definition of the alternatives is the supreme instrument of power" — the control of the commanding heights of this discourse means the control of the definition of the "public" element of mass schooling in a democracy (quoted in Kingdon, 1984, p. 2 n. 1). By defining what is meant by "public education," charter school advocates can set the terms of the debate on issues of efficacy, funding, accountability, inclusion, choice — indeed, the very purposes of education in the United States. This is a primary theme in the rhetoric, and also an overt part of the strategy. DeWeese (1994, p. 31), in his crusade to remove education from the field of popular politics, notes that "it is difficult to convince the public" of the possibility of a change in the definition. Thus, because "our citizens have come to a distorted view," he is seeking

> to establish a high-level blue ribbon commission to establish an entirely new conception of public education. This would lead to a foundational paradigm shift in the broader public understanding of public education. This new philosophical framework would establish a broad-based and fundamental restructuring of public education. (p. 35)

The Edison Project's McGriff (1996b) also sees a "redefined paradigm" as the key to a sea change in educational provision. So, if we accept that such a re-conceptualization of the "public" aspect of schooling is necessary, how would this new definition look? It is substantially defined in opposition to "the government education monopoly" that the rhetoric of the charter advocates has portrayed. McGriff quotes Chester Finn at length in outlining her vision of the new "public" school:

> redefining public education recognizes "that schools can and should be different from one another rather than identical... A public school...need not be managed by a government agency, staffed by government employees, and regulated by a government bureaucracy. Rather, it is only necessary for the school to be open to the public, paid for by the public, and accountable to a duly constituted public authority for its results."[126]

The State Board of Education proposed a reconceptualization of the idea of "public" schools, declaring that "schools should be defined by mission" of "the provision of teaching for learning academic skills and knowledge..." Thus, under this recommendation, "public" education could be governed and provided by "a public organization, corporation, or agency." What are currently understood to be "public" schools by the vast majority of the population are simply categorized as "government-run" schools. This proposal has far-reaching implications in that it broadens the definition of "public" school to include private, parochial/religious, and for-profit schools so long as their "primary mission" is "teaching and learning academic skills and knowledge."[127] Durant (1997) suggests that a "public school should be a school *the public chooses to have*. Universal access should mean *universal opportunities and choices*" (p. 362, emphases in original). Writing for the State Board of Education, Allen (1996) advances a much clearer, yet sparse, conception: "Public Education may be defined instrumentally as the provision for well nigh universal literacy and numeracy." So, although still nebulous, the new definition asserts that the

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[126] For an analysis coming from a vastly different perspective that reaches many of the same conclusions, see Gintis (1995).

[127] The State Board of Education advises a redefinition that "provides...greater public school options by: • defining public schools and districts by mission... focuses the enterprise of public schools upon their primary mission of providing teaching for learning academic skills and knowledge." The SBE "recommendation: • Define public schools as a public organization, corporation, or agency" (Michigan State Board of Education, 1995a; 1995b).

"public" role is in funding, access, and accountability for outcomes, rather than processes.

This functional definition has become the essential conception of the reconfigured "public" education in the rhetoric of charter school advocates. Public education is defined not primarily by common values, governance, equality of access and opportunity, adherence to democratic due process, nor as a guardian of the public or "common" good. Instead, market reformers seek to promote an explosion of the "public" aspect of education defined by the commodification of its mission.[128] So how would this definition look in practice? Durant (1997) is the most descriptive and prescriptive on this question:

> ...we must also have multiple educational providers who have the motivation of ownership and accountability. Let's have public corporations for a new kind of public education. Let's allow educational entrepreneurs to raise capital in the public markets... enormous resources are available... Banks and financial service companies might start a school of business and finance. Automobile makers and their suppliers might start a school for engineers and other related professions. Our houses of faith can create and/or expand existing schools to offer a program to touch the heart and not just the mind. (pp. 363-4)

Ownership, for the "consumer" and "producer," is the key:

> It is crucial that people purchase public education directly, when and for only as long as they or their children need it. Sovereign consumers have a greater impact on quality and efficiency than a political bureaucracy ever could. Furthermore, if you only pay for education when you use it...you will be able to save, invest, and spend according to personal — rather than bureaucratic priorities.... What is crucial for the success of any of these public education enterprises? Freedom, true ownership, and personal responsibility. (p. 364)

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[128] See, for example, DeWeese (1994) and the Michigan State Board of Education (1995a, 1995b).

Strategies in the Redefinition of Public Education

If a redefinition of the public aspect of public education is the goal, then there are several possible ways to advance that agenda. One convenient and effective way to achieve this desired end is to "blur" the common distinction between the popular conceptions of the "public" and "private" spheres. DeWeese (1994, p. 34) advocates charter schools "being established by faith communities [which] will blur the distinction between 'religious' and 'secular' public education.... in the public's mind it will help generate an acceptance" of his vision of public education. He goes on to argue

> for no prior distinction between government schools and independent schools. The importance of eliminating the distinction cannot be overemphasized because the opponents of reform have successfully argued that private schools should not receive public funds precisely because they are not under the same regulation, i.e., public accountability, as public schools.

But perhaps the most effective and typical way to precipitate a change in the popular conception of "public" education is to simply impose a new meaning on the terminology employed in the public discourse. A few specific examples are available, and deserve attention. This is true not just because of the simple (albeit repetitive) hegemonic use of terms in the rhetoric, but because — like the "public" in public education itself — new meanings are ascribed to terms commonly used in the public discourse.

For example, one switch in the jargon involves the pronounced theme of ownership. The idea of accountability of provision through the incentive of ownership is consistent in the rhetoric. Skeptics might note that the citizens already own, and therefore control the public schools. Advocates of charter schools in Michigan, however, are not employing the idea of ownership in any sense of community control. Instead, the rhetoric limits

ownership to individual property rights, as indicated in Durant's (1997) use of historical parallel:

> Let's do what Lincoln did for the development of the West. He let the taxpayers be the true owners of the public lands. Some may try to sidestep this and say that the taxpayers are the owners of the local public education system. They are not the *owners*. They are the *payers*. Keep in mind, however that collective ownership really means no ownership at all. (p. 363, emphases in original)

Similarly, while choice advocates often employ the term "government-run school" in reference to the purported monopoly control the state has on education, it must be noted that the term is also imbued with the purpose of expanding the definition of "public" schooling. While most of the policy players cited have attacked the apparent government monopoly, many also claim to be supporters of "public" education, so long as it conforms to their new definition. So, as but one example, when McGriff (1996b) writes of "government-run schools," she is not simply implying that public schooling is an inferior form of education, but exploding the definition of public schools, where government-run schools are only one type among many. Her for-profit charter schools can also find room within the enlarged definition. Indeed, in a key manipulation of the discourse, charter schools are not legally "charter schools" in Michigan. Instead, as if to assert their public-ness (and academic elitism) despite the removal of more direct democratic-public control, they are officially "Public School Academies."

A final assertion of a new meaning for terms in public discourse around education involves the values of community, equality, and equal opportunity. These are concepts that players in the debate around charters often refer to in Michigan, but in racial and socioeconomic contexts. Indeed, the legislation that advanced choice in Michigan was a substantial reform of the funding structures for school finance away from LEA

control.[129] The word "community" enters into the discourse, not as a concept defining democratic and humanitarian responsibilities to other citizens, but as a boundary that limits responsibility to others: "providing a quality education for their own families and other children in their communities" (Michigan State Board of Education, 1995c).[130] Policy players contested the eventually successful drive to move the burden for school funding from community-collected property taxes to a state sales tax around the issues of racial and economic equity — with conflicting factions all referring to the failure of relying on economically polarized communities to equitably fund local schools. As the rhetoric around charter schools came to the forefront, however, "equity" has been endowed with a new meaning.

Thus, when DeWeese (1994) writes of an "equitable system of educational freedom," he is not referring to any recognition of unequal needs. Instead, his vision "is to bring about a system of public education in Michigan, whereby public resources are *equitably* invested...so that every child in Michigan may have *access* to publicly accountable schools that are freely chosen by the parents" (my emphases). Consequently, organizations promoting school choice actively promote their agenda as a "civil rights"

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129 Ideas such as equality and equity are noticeably absent from the rhetoric of the Senate and SBE proposals (e.g., Michigan State Board of Education, 1995c).

130 Reich (1995) points out that "community" (geographic/residential) in the US is defined predominantly by income level. Thus, if "generosity and solidarity end at the border of similarly valued property, then the most fortunate can be virtuous citizens at little cost" (p. 21). Hence, the SBE's use of the phrase is more likely to have the effect of limiting financial responsibility to one's locality, rather than promoting equity and commitment across larger sections of the population — fragmenting rather than uniting.

issue to both minority and religious communities.[131] Equal educational opportunity is thus guaranteed all the way to the schoolhouse door. Therefore, when McGriff (1996b) repeats the common refrain that "low-income parents deserve choice too," it is within the context of their being confined to what were admittedly poorly funded schools. The calls for choice have changed the demand for equity from one of guaranteed resources intended to provide equal educational opportunity, to one that only permits families the opportunity to seek access to the more desirable schools.

A further insight into the role of terminology in the rhetoric may be realized by considering what these pro-market policy advocates do *not* write. "Educating the workforce of tomorrow" is not too different from publicly-funded training for private employers.[132] While there are repeated references like Durant's (1997, p. 364) to values such as "freedom, responsibility, and ownership are the keys to unlocking the capital we need," it is important to note that the word "privatization" is not spoken. And while he admits that a "variety of educational enterprises, non-profit and, yes, for-profit, will emerge," he will not give acknowledgment to the fact that the "bottom line" — the *raison d'être* — is different for the two

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131 On interest from minority and religious communities in choice, see, for example, Esparza (1997); Hinsberg (1996); Hook (1997); Johnson (1997); TEACH Michigan (1997); and Walsh-Sarnecki (1996a, 1996b). A good resource and example on this is more recently available in the WWW site for School Choice YES! (n.d.). On consequent church-state scandals, see Associated Press (1996a); Richard (1996d); and Torres (1995). On choice as a civil rights issue, see (Brooke (1997); Detroit News (1994); Esparza (1997); Hinsberg (1996); Hook (1997); Johnson (1997); TEACH Michigan (1996a, 1997); and Walsh-Sarnecki (1996a, 1996b); notably, all of these sources framing choice as a civil right are available through TEACH Michigan.

132 For example, TEACH Michigan member Stuart Ray is President of West Michigan Academy for Hospitality Sciences, and also happens to be owner of Burger King of West Michigan (Andrejevic, 1995d; Hornbeck, 1995b; Ray, 1996).

types of institutions. Only Allen (1996), the recipient of the Michigan State Board of Education's grant to explore the market model in education,[133] states forthrightly that "The objective of the owners of all for-profit organizations is unambiguously defined as that of maximizing profits." Still, the market proponents do not give any indication of the fact that, of the public money granted for the education of a child, these proprietors will take a portion of it for profit, rather than for the teaching of children. Furthermore, DeWeese (1994), in his zeal for extending the "publicly funded education freedom" to schools run by "faith communities," constantly refers to them as "independent schools," rather than "church" or "parochial" or "Christian" schools, since voters in Michigan have consistently defeated proposals for public funding of sectarian schools in Michigan (pp. 31, 34). Finally, he notes that his organization also serves to "help existing independent schools become chartered" (p. 33). In an age of opposition to welfare, subsidies, and entitlements, there is no indication that he is advocating the opening of the public purse to the affluent who already pay for their own private education.

In summary, then, the discourse around the establishment and growth of charter schools in Michigan indicates several telling assumptions and tendencies on the part of key policy players in the public arena. The discourse is consistent in promoting the perspective of traditional public education in crisis. Since the problem is framed as one of too much government involvement, the obvious and "apolitical" alternative is the market: choice and competition. Michigan charter school proponents see

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133 The dissenting vote on the state board opposing the grant said: "This is just to develop the intellectual basis for what they've already done. Now they're giving $150,000 to someone to prove they've gone in the right direction" (Andrejevic, 1995c).

and portray mass public education as a business — one that has fallen into politics through its existence as a monopoly. Without ownership and free competition, they assert there can be no progress. The obvious alternative of markets, which are placed in oppositional terms to bureaucratic forms of accountability, is legitimated. Public schooling is located squarely in the logic of markets, and the definition of "public" is intentionally and explicitly reconfigured in functional terms to include institutions traditionally held to be "private" enterprises.

Summary

So, with animosity toward the provision of state schooling as it had been administered, and an agenda of radical reform, policy players in Michigan represent an important part of the wider choice movement. The values of democracy embedded in their rhetoric suggest that the Michigan proponents of policies of charter schools have a definite perspective on the political economy of school choice. They place a high priority on private (as opposed to democratic-community) ownership of both the means of provision and the benefits of schooling, and the consequent emphasis on responsibility that it is meant to engender. The "public" aspect of education is located in the availability of access, and in the funding. The primary motivation behind choice is to provide a diversity of options for the consumer, since standardization denies the ability to choose.

The overall force of this rhetoric pushes an atomized view of society, one championed by such figures as Friedrich Hayek and Milton Friedman. The primary control of mass schooling should be entrusted to the individualized demands of consumers — or, more accurately, the aggregate demands of similar consumers grouped at least to the minimum

extent needed to constitute a viable and serviceable market force. The pro-market advocates attach the consistent theme of a customer-driven system to the everyday experiences of consumer choice, thereby presenting public education as appropriately and effectively located in a private sphere. Their use of allusion to affirm this supposition illuminates both a lack of concrete and compelling examples of markets in mass education, and a denial of a uniquely public aspect to mass education in a democracy. The fact that public education is to be treated as a private good indicates a pronounced view that education is not effectively provided in a non-market system. The apolitical claims of choice proponents and their recognition of the need for a redefinition of terms and concepts point to their aversion to "monopolistic" forms of provision found in political bureaucracies, and highlight their position that markets are a superior form of organization for distributing mass education to consumers.

Conclusion

Serving the Public Well, Serving the Public Good

Deborah McGriff, the former superintendent of the Detroit Public Schools, has taken a leading role as an advocate for school choice from her position as a V.P. with the Edison Project. In defending Milwaukee's voucher program against charges of privatization, for example, McGriff goes so far as to claim a *public-ization* of private assets: "It's not privatization. No one is selling a school. It's a public-private partnership. We're bringing resources to a public entity" (Williams, 1999b).[134]

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134 McGriff is married to Howard Fuller, the former superintendent of Milwaukee's public schools, and now a leading proponent of school choice

And McGriff is correct, in a sense. Although public resources are being used for private providers, no schools are passing into private ownership.[135] However, such a claim ignores the degree to which these reformers are privatizing the "product," rather than just the provision, of education — making it into a commodity exactly as Friedman and Chubb and Moe prescribe. Thus, Rory's dad makes an ironically insightful statement when he notes that "Children are dollar signs in their system." Although this may be true to some extent under the *ancien régime*, the Pettipas complaint is explicitly institutionalized as the driving force by these new "revolutionaries" as they jettison the concept of public democracy as the central idea around which schools should be organized.

In doing so, their reforms hinge on the widespread acceptance of privatized schooling as an American public institution. In this case, it is public because the public pays for it, the schools are open to all comers, and are accountable to public authorities — not too different from a grocery store that accepts food stamps, is handicap accessible, and meets health-code regulations. The debate begs the question of whether or not public schools are comparable to such businesses in their role in a democracy. In avoiding that issue, reformers appeal to the idea of an innate "right" to choose — conflating the economic act of individual consumer choice with

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who has been active in choice efforts in Milwaukee, Michigan and elsewhere (e.g., Borowski, 1999).

135 Indeed, under several charter laws, private and home schools can opt-in to public funding as charter schools (Anderson & Marsh, 1998). Of course, in charter plans in Milwaukee and California, and elsewhere, some public schools are opting out of public-democratic control into charter status, and many charter and LEA schools are being run by private management companies (Williams, 1999a, 1999b). The only exception is that, under Arizona's "strong" charter school law, private charter operators take legal ownership of capital assets purchased with public funds (Essigs, 1997; Mattern, 1999).

the political process of democratic discourse in a community sustained by institutions designed with that end in mind.[136] As Finn and Gau (1998, p. 82) claim in transplanting meanings, parents will "elect" their charter schools.

Furthermore, reformers have scored a victory of sorts simply by successfully defining the debate as one of efficiency and effectiveness. In such a debate, there is little room for "abstract," philosophical," or "theoretical" concerns about the common good — despite how that may be related to public education and democracy. This is perhaps most evident in the rhetoric about "customers." The fact that there is some confusion about whether parents, children, or employers are the consumers of education slights the degree to which "society" is the customer. Benefits from education are admitted only for those with children (or those that might hire them). As Rogers (1992, p. 129) insightfully notes in drawing a parallel to another institution devoted to sustaining democracy through an informed citizenry:

> It is as though, if public libraries were able to opt out and be run by a management committee (which would decide who could withdraw books, which books would be stocked, what the fines would be, etc., whilst the council — i.e. local tax payers — went on paying for the service), the decision would rest with those who happened to have a book out *at the time.* (emphasis in original, cited in Walford, 1994, p. 85; see also White, 1994)

Instead, the societal benefits and the common good are treated — if at all — as a by-product of the sum of consumers' choices.

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136 See, for example, Howe (1997, ch. 7) and Pearson (1993). However, the aversion to conflict in public choice theory disallows such institutional roles serving as contested space (see Gutmann, 1987, introduction).

Who is the State?

Finally, we should note that the challenge to democratic control arises largely from a deep sense of dissatisfaction with the political control of school. References to "government-run" and "state" schools are not meant as a compliment, in this day and age. Indeed, these terms suggest a deep feeling of alienation from institutions of governance, in addition to frustration with their apparent inefficiency and unresponsiveness. Such alienation should certainly be a concern, particularly as they are used to undercut the idea of democratic control. However, as public choice theory would have it, insofar as those terms are used by elites, we should perhaps take them as an indication that the social groups whose hegemony previously defined the "common" characteristics of common schools are upset with the democratizing successes of public education.

I go on in the final chapter to explore these trends of privatizing the purpose of public education and redefining its popular meaning. First, though, the next chapter examines the significance of these trends in view of two other examples that serve as sounding boards to these issues. One contrasts current agendas with past experiences, and the other helps us see into the future.

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PRIVATE MARKETS AND PUBLIC EDUCATION: ENCLOSURES OF THE COMMON GOOD OF PUBLIC SCHOOLING

VOLUME II

By

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CHAPTER FOUR

Education as a Public and Private Good

Society is the product of our wants and government of our wickedness.
—Thomas Paine

There is no such thing as society, only individuals and families.
— Margaret Thatcher[1]

In the opening of *A Shopkeeper's Millennium*, Paul Johnson paints a vivid portrait of Rochester, New York, about to be transformed from its stoic, even fatalistic Calvinist determinism into a vibrant community of individuals seeking the New Jerusalem. After arriving on the new channel of commerce, the Erie Canal, evangelist Charles Grandison Finney went about the Lord's business of spreading the fire of revival:

> Finney stared down from the pulpit and said flatly that if Christians united and dedicated their lives to the task, they could convert the world and bring on the millennium in three months. The evangelist finished, and his audience stirred. Then scores of people rose from their seats, many of them weeping, and pledged their lives to Jesus. With that act they left the imperfect and confining world that God had made for corrupt man, and entered a world where men worked ceaselessly to make themselves and others perfect. (pp. 3-4; see also, pp. 109ff)

At the new crossroads of enterprise in Rochester, this Second Great Awakening stood also at the intersection of individualism and old forms of community. While embracing a belief that Christian selflessness could bring about a utopian society, the citizens were living in a new market paradigm that had come into Rochester virtually overnight less than a

[1] Paine quoted in Niebuhr (1941, p. 150); Thatcher's assertion is commonly cited (e.g., Ball, 1993, p. 6; New Internationalist, 1993; New Party, 1996; Vann, 1998, p. 516).

decade before on a canal barge. Thus, Finney brought to Rochester an Enlightenment-like faith in the perfectibility of "man." Yet at the same time, many of the people in the pews were becoming quite wealthy in a system driven by human "imperfections" — the basal appeal to the individual sense of self-interest and avarice. Out of this tension, they established and transformed institutions in order to spread the new gospels and mediate conflicting tenets in an age of contradictions.[2]

However, several years before — as Johnson describes it — the emerging middle classes now seated in front of Finney had begun a process of secession from their workmen, boarders, charges, and neighbors. Faced with a "crisis" of immorality, of wanton licentiousness and intemperance, the shop-owners and masters started to withdraw from "large and public households" to "private little homes" — "the doorway to a middle-class home separated radically different kinds of space: drunkenness and promiscuous sociability on the outside, privacy and icy sobriety indoors" (pp. 57-8). It wasn't so much that society had changed — although it had, with the introduction of the market society described by Johnson — but that the emerging middle class was adopting new values, and getting the matching religion when Finney came to town.

What was happening here was a very interesting process where a class of people defined themselves in opposition to the immoral masses, and withdrew to their emerging private enclaves — a process with some parallels to the rise of gated communities today. Yet, even as they withdrew to the middle-class neighborhoods that were suddenly coming in to view, the owners were turning around and laying a claim on the souls

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[2] Johnson (1978). See also Taylor (1983) for another excellent treatment of this yearning for the millennial "New Jerusalem" — but from proto-socialist origins that focused on community rather than institutions.

they had left behind. Finney's revival gave them the tools to reshape the characters of the employees they had housed. The rising market society, with its demands of discipline in work and time, required a new form of social control now that a chasm was appearing between the master and his journeymen and laborers — now owner and employees. The loss of social contact necessitated a form of social control not governed by extended "family" ties, but that could reach over a distance. Control needed to be remote, to be internalized. That is where the utopianism of Finney's revival came in. And that is where schools arose, as well.

Overview of the Chapter

In many ways, Johnson's Rochester stands at the watershed of two societies: one governed by paternalistic, even feudalistic social relations, and the other characterized by the economic individualism of the new market society. Under the emerging paradigm, no more could people count on blatantly coercive methods of community ostracism or public humiliations to contain the immoral passions and appetites of the masses.[3] The newly discovered "society" that Polanyi writes of was to be governed largely by self-controlled and self-interested individuals. To achieve that, reformers spread the gospel of Finney — to mediate the contradictions

[3] Foucault (1979) and Hirschman (1977). For instance, Hirschman (pp. 15-6) notes: "The most obvious alternative...is the appeal to coercion and repression. The task of holding back, by force if necessary, the worst manifestations and the most dangerous consequences of the passions is entrusted to the state.... Its possible injustices are just retributions for the sins of Fallen Man." Yet, instead of imposing simple state and religious coercion, market-era reformers expressed preference for a system to "*harness* the passions, instead of simply repressing them. Once again, the state, or 'society,' is called upon to perform this feat, yet this time not merely as a repressive bulwark, but as a transformer, a civilizing medium."

between virtuous, fraternal republicanism and atomized economic individualism — through institutions that aided in the internalization of those values as (often conflicted) conscience. They invented places like reformatories and prisons, and re-defined others like schools in order to balance off the emerging individualism with individualized manifestations of the "collective" community conscience. Despite all their failings, these reformers were concerned with social cohesion in the face of social crisis, and their institutions such as the common schools were therefore configured to promote the public good with the appropriate rhetoric.

More recently, a new wave of reforms has swept over many of those same institutions. Once again, schools and other places are being reconfigured and redefined to meet reformers' conceptions of the need for a changing society. This time, however, reformers are emphasizing the benefits these institutions bestow on individuals, rather than society. That is, whereas previous reformers tried a tenuous balance on the "watershed" of private and societal interests, more recent reforms unambiguously pursue the logical extension of one side of that equation. Thatcher's famous quote (above) unequivocally establishes the pursuit of the individual private good as the primary concern of institutions like schools. The public good, in as much as it is recognized by these reforms, is best served by making these institutions efficient and effective in serving atomized private goods. This is best demonstrated by Thatcher's Britain.

On the surface, this chapter appears to be an odd combination of two general cases. It looks at two reform efforts around education that offer contrasting styles, goals, and values. But these two cases are not intended to fit together so much as to offer two very distinct points of contrast to the examples cited in the previous chapter. First, I examine the rhetoric

promoting the common schools in the last century in the US. It offers a useful contrast to current market-oriented reforms in the US because of the vastly different valuation of education as a public good. In promoting a particular conception of "public" education, I argue, the common school reformers relied on rhetorical persuasiveness to redefine an institution in order to pull it under "public" control — political, bureaucratic, or democratic, as it may be.

On the other hand, recent reform efforts in the United Kingdom provide a sounding board to the current rhetoric in the US. There, education has been re-cast primarily as a private good through rhetoric, but even more so through de facto policy changes that encourage or even require people to treat schooling as a commodity. This case is interesting in view of the previous chapter because it represents the future for markets in education in many ways. From this more developed case, we can better illuminate the rhetoric around market-oriented reforms in current US debates.

In examining the definitions of "public" education in the two contexts in this chapter, various issues arise regarding the role of education in promoting a common culture, segregation, rational choice, and so forth. However, in focusing largely on the rhetoric and results in these two cases, rather than the policies, we can get a more direct look at the explicit values and intentions of reformers in regard to democracy and markets. In both cases, certainly, it can be argued that rhetoric did not match the reality of actual reforms. Yet both reform efforts did succeed in solidifying the nature of the discourse in setting the terms for later debates.

Public Good Rhetoric of the Common School Reformers

In contrast to the current charter school movement, it is instructive to explore the values and assumptions of the common school reformers whose efforts systematized mass education in the US. Of course, these men (almost exclusively) lived in a different socio-historical context than the current reformers, and their proposals and policies reflected the concerns, possibilities, and prejudices of their day. Furthermore, it must be noted that most of what has been handed down as the legacy of the common school reformers is an idealization, one whose implementation and actual practices are significantly distanced from the lofty rhetoric that launched and nurtured the common schools.

However, just as current rhetoric around charter schools might well be criticized in the future for its tenuous relation to actual practices, it is still useful to analyze that rhetoric in exposing the publicly presented values of the reformers. The same, then, is true of the common school reformers and their rhetorical campaigns. Moreover, despite differences between the circumstances of common school reformers and modern choice advocates, public schools still operate as institutional responses within the wider context of a market democracy. Thus, on closer examination, it is interesting how many of the most substantial issues and concerns of the day are common to both contexts: socioeconomic polarization, immigration and socio-ethnic fragmentation, rapid economic transformation, and so forth. Thus, this analysis highlights the relative conceptions and values of markets and politics, and the tactics of reformers across the two cases.

These common-school era reformers — coming largely from Quaker and Unitarian traditions — established institutions that were initially corrective (and later custodial) efforts for the anomalous and dysfunctional

members of society (Katz, 1978). They optimistically founded penitentiaries, reformatories, hospitals, asylums, and schools to correct and convert those individuals afflicted with a nebulous evil associated with poverty and ignorance into productive members of society .[4] They sought to ameliorate social ills by aligning individuals who were out of step back into the perceived goodness and order of bourgeois society in an age increasingly characterized by alienation and industrialization. Again and again, reformers and other observers invoked industrial images of "system" or "machine" to describe their newly-discovered "society."[5] In an emerging market society seeking to find some order in the economic upheavals of industrialization, urbanization, immigration, and geographic mobility,

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[4] Foucault (1979); Katz (1978); and Richardson (1994). Indeed, institutions at the time were not always clearly distinct from one another as they are now, and many reformers were involved in establishing or reforming more than one type of institution. On denominational influences: Lancaster, Eddy, Vaux (better known for founding the Eastern State Penitentiary), and much of the Free School Society came from Quaker backgrounds, while Mann (also promoting prison discipline) fled strict Congregationalism for Unitarianism (Kaestle, 1973, 1983, ch. 3; Labaree, 1988; Sellers, 1991). But Kaestle (1983, pp. 75-6) points to the significant participation of others, such as the Congregationalists, indicating a confluence of different perspectives into a shared faith in institutions, and some commonalities on views of human nature.

[5] Rush, for example, contended, "I consider it as possible to convert men into republican machines. This must be done if we expect them to perform their parts properly in the great machine of the state" (quoted in Kaestle, 1983, p. 7). De Witt Clinton favorably compared the efficiency of the mechanistic monitorial/Lancasterian system to machines (Katz, 1971, p. 10). Mann also invoked the idea of a "system" to describe sets of institutions and their approaches to solving problems (e.g., Mann, 1849, p. 131). This theme on the systemization of rationalization of life and the emphasis on orderliness was attacked by critics in the Rousseauian and Romantic tradition. Thoreau (1964), for example, castigated the idea of a standing military at the time because it became an institution that turned men into "machines" for the state — an idea at odds with the needs of a democracy (p. 16). Similarly, this former schoolmaster lambasted the folly and blindness of state institutions that are inherently unable to take into account the nuance of individual differences, and see their logical contradictions (pp. 37-8, see also Cohen, 1988, on Romantics and School Boosters).

institutions provided a "rational" answer to alleviate social excesses and reshape individuals and society. Indeed, such institutions sought to make errant individuals conform to the model needed for the emerging social machine that harnessed their self-interest. The common school reform movement — largely Whig in its origins — fits well into this larger reformist zeal of an age of intentional institutions. More recent market-oriented reform movements, on the other hand, find rationality and order in the unintended logic of markets.

There are different interpretations of the school reform movements (discussed below). However, in the broader picture, it does appear that common school reformers replaced older, crudely authoritarian external means of control with more sophisticated "democratic" institutions that instilled in individuals internalized forms of coercion to maintain social cohesiveness. Current reformers promote instead the internalization of individualistic market principles as the guiding logic of society. Moreover, the idea of "faith" is evident in these reforms — faith in institutions to secure society in the face of great social upheaval; faith in the ameliorative effects of schooling; faith in the perfectibility of people — contrasting with current faith in self-interest and markets.[6] But these faiths overlook (as faith often does) the contradictions that they serve to mask. The common schoolers embraced a religious millennialism that saw the perfectibility of humanity available through institutions to cultivate common values, while both mediating and — like current reforms — promoting liberal economic individualism.

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6 See for example Mann, cited in Kaestle (1980, p. 209); Tocqueville (1956) saw this American faith in the indefinite perfectibility of man to be so optimistic in a democratic (as opposed to aristocratic) society as to be unreasonable.

Historiography and Background of the Reforms

Much has been written about the common school reformers, their efforts, and their era, so it is not necessary to go into too much depth here in reciting the historiography of the era. Instead, in the following sections, I present the relevant interpretations of the common school reforms, as drawn from research on their crusade, and then illustrate the pertinent themes with some samples of the common school reform rhetoric available in the primary literature.

Admittedly, the common school movement was largely a northern phenomenon, and was initiated first in the Northeastern states like Massachusetts where the institution of schooling was more entrenched as a tradition — hence, that is where I focus my attention.[7] Likewise, there were many figures whose words and deeds could serve as a basis for exploring the values of these reformers: Henry Barnard in Rhode Island and Connecticut, James Carter in Massachusetts, Roberts Vaux in Pennsylvania, John D. Pierce in Michigan, and others. However, in view of space constraints, I focus on Horace Mann, who was prolific in his rhetoric, and his extant works are the most accessible, as is their analyses by other writers. Mann is at once both the epitome of the common school reformers in that his zeal for standardizing and extending mass education was representative of his contemporaries, and also the prototype for these reformers in that he was a largely influential model for others. While there were other varieties of reformers — the "hard-line" Boston school masters, for example, with a "Calvinistic" view of human nature (Katz, 1968, p. 141)

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7 See, for example, Bowles & Gintis (1976); Carlton (1965, p. 23); Duck (1998); Glenn (1988); Kaestle (1983); Labaree (1988, p. 10).

— Mann seems to represent the general strand that came to dominate. And while he was exceptional in the prolific record of his work, there is no reason to suggest that he was atypical in his values in relation to other such common school reformers of the time.

There are contradictions and complexities evident from the historiography of the common schools that make it difficult to generalize about the attitudes and assumptions of early reformers. For example, it is well known that prominent figures responsible for the establishment of the American Republic — men such as Thomas Jefferson, Benjamin Rush and others — saw a dim future for democracy without the support of a system of mass education.[8] Yet there were significant differences in their specific plans for such a system, and none realized any substantive degree of acceptance.[9] Likewise, there were competing conceptions of the civic-minded "republicanism" that was to be injected into the body politic through the common schools — conceptions closely related to the political conflicts between Jacksonian Democrats and Whigs (Reese, 1995; see also, Kaestle & Vinovskis, 1980).

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8 Of course, Jefferson and Rush wrote of the importance of dissemination of popular education to sustain democracy, and proposed systems of schools (Blinderman, 1975, ch. 3; Duck, 1998; Jewett, 1997; Padover, 1946). See also Gale (1994); Glenn (1988); Mitchell (1981); and Skrtic (1991). Franklin took a more environmentalist view of human nature, and therefore linked the wide diffusion of education to the common good: "nothing is more important for the public weal, than to form and train up youth in wisdom and virtue" (quoted in Blinderman, 1975, p. 49). Washington took a similar stance typical of leaders of the time, promoting such a goal, but being less prescriptive on the institutional means (e.g., Cremin, 1980, p. 101).

9 Indeed the failure of that Revolutionary generation of political leaders in promoting systems of popular education underlines the conservative nature of their attempts to protect social institutions through mass education, the skepticism of people regarding their claims that state-schools were essential to maintain the Republic, and the continuity around schools, which were largely unaffected by the Revolution (Kaestle, 1983, ch.s 1, 5; Tyack, 1966).

Furthermore, when we move more into the area of interpretation of history, there is no coherent consensus in the literature regarding the role the common schools were intended to play or actually played in the emerging industrial/market economy of the 19th century. The earlier "consensus" histories that emphasized democracy and progress were challenged by the revisionist interpretations of the late 1960s and 1970s that emphasized class conflict, benefits of state education accruing to socioeconomic elites in industrializing America, and schools as a tool of hegemony and social control.[10] While historians such as Katznelson and Weir (1985) and Vinovskis (1995) de-emphasize the role of class conflict, portraying instead a general allegiance to mass public schooling that cut across social and economic barriers, Katz (1968) identifies disjunctures between democratic rhetoric and reality of the common school reforms. Similarly, Church and Sedlak (1976) describe the evolution of a system where the primary effect was social control of the lower classes through the functions of socializing a new industrial working class into the values of

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10 While Katz (1968), is seen as a watershed in this approach, an earlier interpretation emphasizing the economic role of education in the industrializing society is available in Carlton (1965). See also Bowles & Gintis (1976); Church & Sedlak (1976); and Katz (1971, 1987). Revisionists such as Katz note evidence that the reforms largely served elites, addressed the concerns of an apprehensive middle class, and entrenched the position of the reformers themselves as the established bureaucracy (Katz, 1968, 1987). In a society characterized by rapid industrialization and the rise of capitalism, Katz sees common school reformers as ignoring or effectively promoting capitalist penetration. Of course, this interpretation has been challenged (e.g., Ravitch, 1978). For example, Hogan (1990) argues that reformers were using the institutions of schools to mediate the effects of market capitalism. And Carlton (1965) and Cremin (1980, p. 156) note evidence of the acceptance of education by working people. Carlton writes of the desire of workingmen's organization for free schooling. Cremin highlights the fact that — rather than simply a case of elites imposing schools as a tool of domination on lower classes — labor was the significant force behind the drive to make schooling compulsory — as part of its agenda to limit child labor and its effect on wages (e.g., p. 156).

hard work, deference to authority, respect for private property, and acceptance of one's place in the hierarchical social order. Hence, besides the motives and impact of the reformers, historians disagree over the degree of distance between the rhetoric and reality of the common schools, the priority given to competing purposes for education, and the definition of "education" itself (e.g., Cremin, 1980; Katz, 1968; Labaree, 1988; Osgood, 1997).

However, certain generalizations can be established. For example, historians generally agree on the significance of the fact that the common school movement came at a time of rapid and drastic socio-economic transformation. Old patterns of social interaction and control were quickly becoming obsolete and replaced in the face of industrialization, urbanization, immigration/diversification of the population, westward expansion, and socio-economic polarization.[11] Furthermore, as noted above, the founders of the Republic advanced a prominent theme in the popular rhetoric, echoed in the common school movement, that popular education (albeit variously defined by race, class, gender, structure and means of provision) was integral to the growth and sustenance of democracy — the very completion of the Revolution itself.[12] While there is much disagreement about the centrality of this rhetoric to the actual purposes and results of the common school reforms, there appears to be

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[11] Church & Sedlak (1976); see also, for example Johnson (1978), and Sellers (1991). Katz (1968) includes a particularly succinct yet effective portrayal of the changes surrounding Mann in the introduction to his watershed work.

[12] See, for example, Benjamin Rush's (1786/1951) letter to Richard Price, May 25, 1786, cited in Butterfield (1951, p. 388; quoted in Cremin, 1980, p. 1); and the following year (1787), quoted in Kohl (1982, p, 30). Jefferson emphasized the need for an educated citizenry to protect the nation from a government tendencies toward tyranny (e.g., Jefferson in Padover, 1946, p. 87).

somewhat of a consensus that the common school reformers successfully adopted this rhetoric in promoting their agenda. Additionally, and perhaps contrary to popular conceptions about the history of mass education, historians have demonstrated that there was, in fact, a discernible amalgamation of educational institutions that formed a more or less perceptible system of quasi-popular or "public" schooling prior to the advent of the common school movement (Kaestle, 1973). This was particularly true in the Northeast, in states like Massachusetts, with a history of public support and legal mandates for schooling that was variously embraced. So, while the common school reformers did not necessarily found a system of popular or "public" education (defined below), they advanced and expanded on a long tradition of locally controlled schooling in a number of ways. Their efforts, although varying by place and time, usually included tendencies towards standardization of provision and centralization of control, public funding through taxes, an emphasis on shared educational experiences across ethnic, social and denominational lines, and universal open enrollment — except for frequent limitations and exclusions based on race or gender (Church & Sedlak, 1976; Cremin, 1970; Kaestle, 1983).

Hence, there are competing interpretations of catalysts for the common school reforms, along with some agreement on the means used to promote their program. Here, I will assume that the reforms embodied ideologies of market capitalism, pan-Protestantism, and republicanism (Kaestle, 1983; Labaree, 1988). While historians have argued over the degree to which one element emerged as predominant — the relative role of promoting or alleviating the effects of capitalism, for example (e.g., Hogan, 1990; Katz, 1968) — Kaestle sees them as "mutually supporting" (p. 76). And it seems that school boosters assumed the consistency and compatibility of the

various strands of their ideology, as when Benjamin Rush (1786/1973, p. 759), for instance, claimed that "a Christian cannot fail of being a republican." Yet there are contradictory tendencies embedded in those ideas — particularly in the extreme, as the growing primacy of market ideology as an absolute (with drastic and unprecedented effects) eroded the other considerations. As when the "market society" came to Rochester, emergent tendencies of individualism, self-interest, and material and capital accumulation contradicted and trumped republican values of fraternity, and Christian ideals of selflessness, as but two examples — thus subjugating other concerns of the community.[13] Thus, after examining some of the major themes in the common school platform according to Mann, I suggest that common school reformers embraced the institution of schooling as a means to mediate these contradictions, and in doing so redefined a pre-existing institution.

Common School Rhetoric

Crisis rhetoric in common school reforms.

As is the American tradition, the common school reform effort was launched in a context of crisis. While some have questioned the veracity of claims of a crisis, whether or not that crisis was real and palpable is not of concern here. Instead, it is more important to observe the degree to which common school reformers latched on to the perceived state of crisis as a vehicle to advance their agenda, and to note the nature of the crisis they portrayed.

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[13] The idea of the market society comes from Polanyi's (1944) distinction between a society that uses markets as a tool, and a society in which the market is the dominant paradigm (discussed in next chapter).

Common school reformers saw, or at least depicted, their contemporary version of the school "system" as falling into a state of crisis prior to their reforms. As the clergy was withdrawn from its role as the superintending authority over schools in the time preceding his tenure, for example, Mann claims:

> Facts incontrovertibly show, that, for a series of years previous to 1837, the school system of Massachusetts had been running down. Schoolhouses had been growing old, while new ones were rarely erected. School districts were divided, so that each part was obliged to support its schools on the moiety of a fund, the whole of which was a scanty allowance. (Mann, 1849, pp. 17-8) [14]

While this threat of decaying schools in and of itself was meant to be upsetting, still worse, reformers alluded to the wider social crisis as a means to garner support for their own agenda. For example, because of the religious riots and deadly social disturbances of the mid-1830s, many thought that the nation was in a state of "revolution." The emerging propertied middle classes were anxious to temper perceived tendencies toward mob rule in what elites saw as a "society shaken to its foundations." And Mann and others played on these prevailing apprehensions regarding the growing power of the masses with a rhetoric that appears to oppose popular democracy: "if the ignorant and vicious get possession of the apparatus, the intelligent and the virtuous must take such shocks as the stupid or profligate experimenters may choose to administer."[15] Their

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[14] For an analysis that calls into question the reality of such a crisis, see Church & Sedlak (1976).

[15] See, for example Church & Sedlak (1976) and Sellers (1991). Quotes are from Sellers, (p. 387). Their is some debate about the font of this wider social crisis for Mann, or, at least, as he portrayed it in his rhetoric. Sellers claims that Mann located the source of the crisis in democracy, not markets, quoting Mann's contention that the freedom "which our institutions foster" liberated "the powers of doing evil as much as the powers of doing good." Vinovskis (1995, p. 94) writes that Mann identified the problem in the emerging prevalence of self-interest — a feature more associated with markets. Both may be accurate, since Mann was skilled at

rhetoric admonished audiences of the social catastrophe that awaited the changing Republic without the prophylactic of common schooling (Tyack & Cuban, 1995).

Thus, reformers' diatribes against "anti-republican" forces conveyed not just an elitist connotation, but also an incipient nativist nationalism that condemned as un-American the outbreaks of largely immigrant masses. However, reformers also held that elites contributed to the decayed state of affairs as well when they took the "anti-republican" measures of withholding their children and support from the common schools in favor of private academies, thereby leaving the poor to second-class charity-type schools (Reese, 1995). For example, Mann's predecessor in Massachusetts, James Carter (1826), claimed that "every private establishment... detaches a portion of the community from the great mass, and weakens or destroys their interest in those means of education which are common to the whole people." Therefore, according to common school boosters, the threat came from political changes of unleashing the masses and the socio-economic patterns of polarization. And common school advocates sought to illustrate this crisis by comparing American schools to those of other states, or to potential rivals such as Prussia or aristocratic England (Cremin, 1957; e.g., Mann, 1849). This phenomenon fits squarely into the ongoing American tradition of associating social crises with schooling — either as the cause of the crisis, or the vessel in which we place our faith as the anecdote to social ills (or both).

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appealing to conflicting constituencies, and tailoring his arguments to specific audiences; see for example the appeal in his Fifth Report, discussed below

Values of faith, hope, and commonality.

Within this crisis context, figures such as Mann launched a campaign for reform couched in religious and republican terminology — a verbal barrage that was politically opportunistic in that it was tailored to the context and audience, but most likely sincere.[16] In examining the rhetoric, we can discern several values and assumptions that build upon a remarkable faith in the power of their version of public education, with its emphasis on common experiences and public funding and control (see, for example, Mann, 1841, 1849, esp. pp. 59-60). First, the case for promoting the common school is indicative of an astounding faith in the power of mass education. Second, arguments of the common school reformers suggest a real concern for the future of the democratic experiment, and make a very close association between their reforms and the future of the Republic. Third, their conception of education for democracy centered on moral values being held in common, to be engendered through a shared experience in the schoolhouse for the children of all segments of society. Finally, and most importantly for this analysis, those values had to be sustained through a "public" system of schooling (discussed in following sections). This last aspect involved public funding, universal access, and democratic control. Although there were private aspects to education, these reformers conceived of, and usually portrayed it as primarily a public good. In this regard, it is instructive to examine the manner in which the rhetoric was launched in opposition to the non-democratically controlled schooling of the academies. Each of these factors is discussed and illustrated below.

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16 For claims of the sincerity of reformers, see Osgood (1997), and Messerli (1972); even critics of the common school reforms attest to the good intentions of the reformers — see, for instance, Glenn (1988).

First, reformers like Mann had a well known faith in the common school idea, which is obvious in their rhetorical flourishes. It is not an overstatement to note that Mann presented the common schools as the savior of the Republic, the ultimate social panacea, and the culmination of human progress. In his *Common School Journal*, a biweekly voice for his cause, Mann wrote with characteristic optimism:

> *The common school is the greatest discovery ever made by man.* In two grand, characteristic attributes, it is supereminent over all others: — first, in its universality; — for it is capacious enough to receive and cherish in its parental bosom every child that comes into the world; and second, in the timeliness of the aid it proffers; — its early, seasonable supplies of counsel and guidance making security antedate danger. Other social organizations are curative and remedial; this is a preventive and an antidote; they come to heal diseases and wounds; this to make the physical and moral frame invulnerable to them. Let the Common School be expanded to its capabilities, let it be worked with the efficiency of which it is susceptible, and nine tenths of the crimes in the penal code would become obsolete; the long catalogue of human ills would be abridged; men would walk more safely by day; every pillow would be more inviolable by night; property, life, and character held by strong tenure; all rational hopes respecting the future brightened. (Mann, 1841, p. 15, emphasis in original)

Indeed, in a time of economic polarization, Mann forwarded this "discovery" not just as a means to alleviate class conflict, but as the device by which harmful social divisions would be leveled:

> Education, then, beyond all other devices of human origin, is the great equalizer of the conditions of men, — the balance-wheel of the social machinery... I mean that it gives each man the independence and the means by which he can resist the selfishness of other men. It does better than to disarm the poor of their hostility towards the rich: it prevents being poor... Beyond the power of diffusing old wealth, it has the prerogative of creating new. (Mann, 1849, pp. 59-60)

It would be an understatement to interpret anything less of this rhetoric than a remarkable public optimism and religious-like faith in the public provision of schooling.

The second theme in Mann's work, the concern for the democratic experiment, underlies much of his writing. Sometimes it is not stated explicitly, simply because it serves as the understood premise for much of his writing on other specific issues such as sectarianism, teacher training, pedagogy, and curriculum, for example. However, there were occasions where this premise had to be explicated and amplified for his audiences. He then emphasized the arduous but necessary task of creating citizens through education: "It may be an easy thing to make a republic," he wrote, "but it is a very laborious thing to make republicans."[17] In the debate on how education should be distributed, Mann very much opposed channeling resources into the training of the talented few, at the expense of the many — echoing figures like Jefferson. Wisdom needed to be cultivated across the population:

> By a natural law, like that which regulates the equilibrium of fluids, elector and elected, appointer and appointee, tend to the same level. It is not more certain that a wise and enlightened constituency will refuse to invest a reckless and profligate man with office, or discard him if accidentally chosen, than it is that a foolish or immortal constituency will discard or eject a wise man. (Mann, 1844, pp. 49-50, see, also, pp. 36-47, & 1846, pp. 138-9)

Thus, he believed the system of schools prior to his reforms were working against the democratic promise of the Revolution by unevenly and differentially allotting the knowledge and skills necessary to naturally oppose tyranny. Indeed, the uneven distribution of education could foster tyranny — a view that reflected faith in the morality of the masses *if* they were trained and shaped appropriately.

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[17] Quoted in Cremin (1980, p. 107). Note the similarities between that idea and Rush's oft-cited desire "to convert into republican machines" (e.g., quoted in Kaestle, 1983, p. 7). In both cases, the reformers assume a neutral body that must be systematically inculcated with the correct values.

This concern was evident in Mann's efforts to contrast his "Massachusetts theory" of education with the evils he perceived in an aristocratic Europe, and particularly an industrialized (and precariously polarized) Britain. His *Twelfth Annual Report* was his most eloquent and forceful explanation of this contrast (Mann, 1849). In this essay, Mann made not an economic, but a political, moralistic and religious case against the conditions in Europe that came with the enclosures, urbanization, industrialization, and polarization of the "market revolution."[18] Mann juxtaposed the social barriers embedded in the aristocratic traditions of Europe with the promise of equal opportunity for improvement inherent in the Republic. Furthermore, the social dislocation that came with Blake's "dark satanic mills" of industrialization in Britain — distress which had probably peaked not long before Mann wrote — served as the antithesis for Mann's idealization of a just and "Christian" civilization that was "pleasing to God." However, Mann set up this contrast only to show that a rapidly industrializing (and polarizing) Massachusetts was potentially sinking to Britain's level, with the possibility of betraying the republican promise of the Revolution:

> I suppose it to be the universal sentiment of all those who mingle any ingredient of benevolence with their notions on political economy, that vast and overshadowing private fortunes are among the greatest dangers to which the happiness of the people in a republic can be subjected. Such fortunes would create a feudalism of a new kind, but one more oppressive and unrelenting than that of the Middle Ages. (p. 57)

Thus, in his rhetorical crusade for mass education, Mann roughly equated republicanism with equal opportunity. Democracy was idealized in opposition to the social stratification inherent in aristocratic or economic feudalism. In view of the socioeconomic polarization he perceived in

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[18] This apt term comes from Hogan (1992, p. 182) and Sellers (1991).

Massachusetts, Mann blamed the socially segregated nature of the pre-common school system for contributing to the threat republican future. For Mann (1839), the existence of a two-tiered system of schools threatened the Republic because it

> proves an injury to all classes... No one cause contributes so much to introduce the terms and the distinctions of other countries into our favored land....in this way, the distinctions of the dark ages, and of aristocratic governments, will be revived on these happy shores. (p. 198)

The solution to this framing of the problem, of course, was his advocacy of the common school. And although Christian critics alleged that he simply co-opted the language of the church to obscure his Unitarian "atheism," Mann's zealous advocacy of the "civil religion" of republican civic virtue demonstrates a deep faith in the institution of public education to sustain the democratic experiment.

Thus, thirdly, Mann's rhetoric promoted a conception of public schooling that would serve as an institution for socializing a rapidly diversifying population in a shared, or common, set of moral values.[19] As the population around him became more heterogeneous in ethnicity and economics, culture and creed, and as new immigrants were to be assimilated and new generations were to be socialized (while the older institutions of socialization the family, community, and church, were declining), Mann and others saw the need for schools to become the primary agent of social cohesion — or, as some see it, social control.

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19 Hirsch (1988, 1996) is probably the most visible and vocal proponent of a common curriculum today, although there are elements of that agenda evident in the standards movement. For example, he points to European countries such as the Netherlands as evidence of polarizing effects of choice are reflected in achievement and economic criteria. Thus, he argues that too much emphasis given to individualized choice and cultural distinctives takes its toll in terms of equality, and a common curriculum can improve equality of achievement.

Indeed, Mann (1846) was concerned with completing and complementing the earlier Revolution that had freed the citizens as well as their now unbridled passions — "our schools foster the interests of morality, and act as a restraint upon those formidable vices which are everywhere starting up around us" (p. 27).

These evils were not just the strange customs of new immigrants, or the criminal habits of hoodlums, but the human passions and vices unleashed through the removal of feudal arrangements, and new competition engendered by industrialization and the market as older community controls eroded.

> It is on this common platform, that a general acquaintanceship should be formed between the children of the same neighborhood. It is here, that the affinities of a common nature should unite them together so as to give the advantages of pre-occupancy and a stable possession to fraternal feelings, against the alienating competitions of subsequent life. (Mann, 1838, p. 56)

And this reform strategy was not dependent simply on compelling immigrants and the poor to enroll their children, but persuading the affluent, as well, to forego their habit of treating education as a private good. In that way, Mann hoped to elevate the status of the common schools, promote contact across social barriers, and thereby promote the public good through common schooling.

> Some few persons in a village or town, finding the advantages of the common school inadequate to their wants, unite to establish a private one. They transfer their children from the former to the latter. The heart goes with the treasure....They have now no personal motive to vote for or advocate any increase of the town's annual appropriation for schools; to say nothing of the temptation to discourage such increase in indirect ways, or even vote directly against it. If, by this means, some of the best scholars happen to be taken from the common school, the standard of that school is lowered.... All this inevitably depresses and degrades the common school. ...until the common school is left to the management of those, who have not the desire or the power either to improve it or command a better. (Mann, 1838, pp. 49-50, with reference to Mt. 6: 21)

Of course, this emphasis on a common educational experience for purposes of assimilation and socialization was a plank in the common school platform that was and is most vulnerable to attack (see below). While Mann and others argued that they were promoting a common culture around generally accepted values through a denominationally neutral curriculum, others contend that the reforms retrenched middle-class values by institutionalizing and imposing Whig ideals on lower classes (Church & Sedlak, 1976). Democratic critics voiced reasonable criticisms such as concern over growing state control and centralization in a sensitive area like education. But, as a goal-oriented and well-intentioned reformer (or typical single-minded zealot) Mann did not recognize the legitimacy of these concerns, and continued fighting for progress as he saw it.[20] He proclaimed what he felt to be the righteousness of his crusade, since this training and socialization was to be a moral mission:

> Above all others, must the children of a Republic be fitted for society, as well as for themselves. As each citizen is to participate in the power of governing others, it is an essential preliminary, that he should be imbued with a feeling for the wants, and a sense of the rights, of those whom he is to govern; because the power of governing others, if guided by no higher motive than our own gratification, is the distinctive attribute of oppression; — an attribute whose nature and whose wickedness are the same, whether exercised by one who calls himself a republican, or one born an irresponsible despot. In a government like ours, each individual must think of the welfare of the state as well as of the welfare of his own family; and therefore, of the children of others as well as his own. It becomes then, a momentous question, whether the children

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[20] These issues include the political and civil libertarian concerns of Democrats, as well as the pedagogical (and underlying) critiques of opponents (Kaestle & Vinovskis, 1980; Reese, 1995). On Mann's inability to fathom other perspectives, see Kaestle (1980) and Cremin (1980, e.g., p. 156). Indeed, the Twelfth Report nicely exhibits his tendency to praise *his* version of Massachusetts in contrast to the situation in Europe, and then demonstrate how it is not living up to that ideal (Mann, 1849, pp. 53-60). It should be noted, however, that no one appears to be impugning his intentions.

> in our schools are educated in reference to themselves and their private interests only, or with a regard to the great social duties and prerogatives that await them in afterlife. (Mann, 1846, p. 64)

Still, religious minorities and others with strongly held or distinctive religious and pedagogical beliefs did and do criticize this aspect of the common schools for denying them the right to their own version of a moral education. That is, in claiming that the common schools were denominationally neutral — when they had definite Unitarian and liberal pan-Protestant tendencies (of ecumenicism and tolerance, for example) — Mann and the common school reformers asserted one set of beliefs, albeit self-described as neutral, over all others (Glenn, 1988). Again, Mann did not give credence to this valid claim, but promoted his vision as an enlightened alternative to the chaos of sectarianism.

Of course, the schools at the time were characterized by an incredible array of diversity of provision, from the types of schools, to the types of curriculum — even textbooks were often chosen by the individual families (Mann, 1838). Thus, to be truly common, an unwieldy and uneven system required a degree of standardization. In that sense, Whigs such as Mann promoted a stronger role for the central government in the systemization (and bureaucratization) of education provision in order to fashion a coherent set of common values in a fraternal republic.

> These schools, at the present time, are so many distinct, independent communities; each being governed by its own habits, traditions, and local customs. There is no common, superintending power over them; there is no bond of brotherhood or family between them (Mann, 1855, p. 19; quoted in Cremin, 1980, p. 155)

Hence, the state was the only alternative available, in the minds of these reformers, for promoting common values — in lieu of the decline of an established church, the fragmentation caused by immigration and the market, and the absence of any other viable means of intervention.

Public and private goods in common school rhetoric.

Mann made the theme of the wider benefits of popular education one of his primary motifs in promoting public education — a theme he returns to repeatedly. Of course, Mann did not deny that private benefits could be realized from his system of common schools. Indeed, his *Fifth Annual Report* (Mann, 1842) was a classic rhetorical appeal to the private interests of the influential business community for support of his common school program. While elsewhere he reminded the affluent of the dangers of class envy that his common schools could alleviate, here Mann pointed employers — potential supporters of his common school reform ideas — to the benefits of having a trained worker educated in the values of obedience, hard work, and respect for private property, traits that would prove "capable of earning more money for his employer" (p. 86). Likewise, he tried to mobilize public interest in the common schools by appealing to the chance for self-improvement for otherwise skeptical or apathetic working-class parents who would rather send their children to profitable employment. He did this in the language of meritocracy and personal responsibility — a language an audience of business elites would understand and endorse as the justification for their position.

Yet, it needs to be noted that this appeal to the private advantages of public education was not the primary concern for Mann. He was far more interested, judging by the weight of his rhetoric, in promoting popular education for the public or common good. Mann's appeal to the business elites was remarkable for his backhanded and notably unenthusiastic use of economic instrumentalism as an argument for public education — an approach unique to this appeal and for which he was almost apologetic.

After an eloquent and loquacious argument against the evils of unequal education for the Commonwealth and Republic, Mann took what, for him, was an unusual turn. While he listed several areas where inequalities would manifest themselves, he focused not on political or moral, but economic concerns — a crass topic, in his estimation.

> ...I will occupy the short space which propriety allows to me, in concluding this report, by showing the effect of education on *the Worldly Fortunes or Estates* of men,—its influence upon property, upon human comfort and competence, upon the outward, visible, material interests or well-being of individuals and communities.
>
> This view, so far from being the highest which can be taken from the beneficent influences of education, may, perhaps, be justly regarded as the lowest. But it is a palpable view. It presents an aspect of the subject susceptible of being made intelligible to all; and, therefore it will meet the case of thousands, who are now indifferent about the education of their offspring, because they see no reimbursement in kind,—no return in money, or in money's worth, for money expended. (Mann, 1842, p. 81)

With an almost tangible self-consciousness over his overt political opportunism, he claimed that this argument had to be made by someone, writing:

> this utilitarian view of education, as it may be called, which regards it as the dispenser of private competence, and the promoter of national wealth, is by no means the first which would address itself to an enlightened and benevolent mind. (p. 82; see, also, conclusion, p. 120)

Furthermore, its isolated position in the body of his writings suggests Mann's view of this argument as a politically opportune and effective, albeit secondary, issue.[21] While this appeal came in the middle of the 1839-43

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[21] Elsewhere, he noted: "People will bear truths if expressed in one way, but they will crucify one for expressing in another; and I have to select the way, if possible, that does not lead to crucification;—not so much, however, as I believe on my own account as on the account of the cause" (quoted in Vinovskis, 1995, p. 97). Berman (1983) disagrees that this is isolated and half-hearted, arguing that business efficiency was a central component of expanding, bureaucratizing, and centralizing common school reforms, not just rhetorical. It is an early example of education reformers latching on to business interests to advance their agenda.

depression (Vinovskis, 1995, ch. 5), Mann's survey of manufacturers is still a notably unenthusiastic appeal to economic self-interest — a hesitancy that stands in stark distinction to current assumptions about the role of education in the economy.

More importantly, Mann was at least as likely to admonish those elites for treating education as a private good as he was to court them with allusions to their potential profit. In his appeal to "the professional men of Massachusetts," he chastised them for using the advantages of their wealth in education to effectively deny the common good.

> Has not the course which some of you have pursued in relation to the education of your own children tended to reduce the reputation of our excellent free school system?...The consciousness that they are attending a school unworthy of the patronage of those whom they have been led to regard as the better part of the community, will degrade the children of the less-favored classes in their own estimation, and destroy that self-respect which is essential to improvement either in science or in morals. This feeling of degradation will hang like a millstone about the necks of the children of the poor. (Mann, 1839, pp. 143, 154; see also 1838, p. 48)

Public Schools and Common School Reform

Thus, finally — and most significantly for the current concern — Mann and others argued that in order to realize the potential for public good through popular education, the mechanism for nourishing the popular education that sustains democracy had to be a *public* school system. But what is a "public" system, and what did reformers mean by that? Schools were the site of tension between moralist-political "public good" motivation, and private, individualistic incentives. This reflects the wider tension — which is extremely evident on the rhetoric — between republican fraternalism, Christian moralism, and economic individualism associated with the rising market economy. In the context of this milieu, reformers

sought to temper the unprecedented effects of the excesses of these competing ideological strands. The status quo of schooling was, according to reformers, proving to be incapable of moderating the clash of these ideas in pursuing a coherent "ideology" — as Kaestle describes it. Reformers argued that the rich and powerful were best positioned to use the unreformed school "system" (as it were) to their own private advantage, at the expense of social stability, coherent republican fraternity, and Christian concern for the least of their brothers. Thus, by using "private" schooling in the home or in exclusive pay academies, the affluent were turning their backs on these wider concerns for the common good in focusing on the narrow private advantages to be obtained for their children. The only solution to mediating the contradictions prevalent in the ideology of popular schooling at the time was to turn to the institution of "public" schools, according to the logic of reformers.

Yet, as indicated in the recent debates about school choice, there is substantial disagreement about the conception of the "public" aspect of mass education. Mann's rhetoric suggests a coherent vision of what constitutes the public aspects of schooling, especially relative to private aspects associated with education. Delving into the potpourri of free schools, academies, charity schools, and common schools in the early nineteenth century, reformers such as Mann made a strong case for the public schools to be publicly funded, tuition-free, and open to "all" (variously defined) regardless of class or ability to pay. In a system so exposed to parental preference that families would choose their child's texts, Mann described excessive consumer choice not as a public good, but as a "public evil" (Mann, 1838, p. 32). Consider this excerpt, where Mann (1849)

concluded with statist allusions to the egalitarian possibilities in the teachings of Jesus from the Sermon on the Mount:[22]

> [The common school] knows no distinction of rich and poor, of bond and free, or between those who, in the imperfect light of this world, are seeking, through different avenues, to reach the gate of heaven. Without money and without price, it throws open its doors, and spreads the table of its bounty, for all the children of the State. Like the sun, it shines, not only upon the good, but upon the evil, that they may become good; and, like the rain, its blessings descend, not only upon the just, but upon the unjust, that their injustice may depart from them and be known no more. (Mann, 1849, p. 140)

This description of the public aspects of the common schools is not particularly different (except in paternalistic tone and religious imagery) from the current choice or charter school reformers. Reformers in Michigan, for example, or Friedman or Chubb and Moe, assert that public education should be publicly funded and open to all, and does not necessarily have to be government-run to distribute benefits to individuals.

So were the common schools "public" schools because they instituted public-political administration? In this respect, analysts of the common school reforms disagree. Waks (1996) argues that "public" schooling, at least in the Northeastern states, meant publicly funded and democratic or politically controlled, and, following Butts and Cremin (1953), notes that the common school movement was essentially an expansion of this direct public control of education. Cremin (1951) has shown that the common school reformers extended public control of education while pursuing its expansion, as well as either forcing institutions relying on public money to come under the control of public authority through political or bureaucratic means, or abolishing funding for institutions that refused to accept public authority. Others have indicated that rates of school attendance were

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[22] See, especially, the Gospel of Matthew 5:45.

already quite high before the common school movement; thus, these reformers did not expand schooling so much as shift the locus of control to the state by mandating "free" tax supported schooling under political control (Church & Sedlak, 1976; Kaestle, 1973). Mann's rhetoric consistently supported this position, as he spoke of the "duty of the State to provide for and control the education of youth" (Downs, 1974, p. 118). When he claimed that "all the children of a republic should be educated in the people's schools!" (Mann, 1847, p. 27), he was speaking of the "people" as the citizens of a community, not simply the parents or "customers" (Cremin, 1980, p. 140).[23]

Still, what "public" meant to people at the time was contextually dependent, and is apt to be somewhat different from the current discourse around charter schools. Perhaps the most effective way to understand the position of the common school reformers on the public aspect of education is to explore their ideas on the relation of private forms of schooling to common school ideals. The system that the common schools were intended to reform were already largely "public" in many meanings of the term. In the pre-reform era, the potpourri of provision included charity schools, religious schools, tax-funded town schools, elite pay schools, and others — as well as every combination thereof. As a whole, these schools had substantial amounts of public funding, some degree of public oversight, and served all segments of society — often promoting a mission of public

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[23] Cremin (1951, p. 137) notes that the battle for the principle of community control largely preceded Mann. By the beginning of Mann's career in education, reformers were already settling on a distinction between public and private education that would be familiar to modern observers. Mann's contemporary, Theodore Edson, noted that public schools are "responsible more or less directly to the community. The private schools have no supervision, or only that of the parents." See also Kaestle & Vinovskis (1980), and Kaestle (1983) on this, discussed below.

service. To say that this was not a "public" system would be somewhat anachronistic, and many people at the time would have described their schools as "public."

Indeed, current conceptions of "public" and "private" cannot be accurately employed to describe those concepts in the time preceding the common school reforms, when the currently understood boundary between the two was less distinct (Bailyn, 1960; Katz, 1971). In the time leading up to the common schools, some distinctions were evident, but not to the current degree. For example, Kaestle (1973) notes that in colonial New York, schools were often defined as "public" by their setting or purpose, not control or funding.[24] Tax money was often granted to schools that were not directly controlled by government-political authorities. The academies, for example, which the common school reformers were to cast as a threat to republican schooling, were a mixture of current conceptions of public and private. If we were to super-impose our current understanding of those terms onto the academies in order to get a sense of what reformers opposed, we would see that in terms of funding and mission, they were often public; in terms of governance, they were usually private. In terms of access, however, while the academies were "open," reformers often portrayed them as elitist, and many were, in their outlook and the constitution of their student bodies. This is consistent with the ante-bellum conception of the

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[24] Indeed, some saw public school for inculcation social responsibility in the youth of the gentry. As much as schools were defined by their missions, this is similar to the SBE proposals, except insofar as the "primary mission" of for-profit schools in an advanced market capitalist economy is arguable — to educate or to earn a profit. However, we should note that these distinctions were in place largely before the argument emerged regarding the centrality of *public* schooling for the democratic republic. Whether those arguments intentionally sought to counter less distinct definitions, or to attach emerging schools to a specific political conception is an issue for further reading.

public charter of a private corporation. Entities we now see as "private" could be chartered as public entities if they were to fulfill a role serving a public purpose. And, reminiscent of earlier mercantilist monopolies, the 18th century conception of public entities held that they were necessarily shielded from competition (Horwitz, 1977, ch. 4).[25] Thus, the academies, as one example, fall somewhere in between our current polarized concepts of public and private (Kaestle, 1983; Sizer, 1964).

Redefining "public" education — round one.

Since the school "system" as a whole was relatively open to all, reformers were upset not so much with coverage as with differences in schooling, and their agenda did not increase attendance so much as "intensified" it and shifted control away from non-state providers.[26] In a system of rather liberated "consumer choice" such as the pre-common school era, increasing heterogeneity of the school-age population was reflected in social divisions, when schools could be the solution to those problems. Schools were often segregated by (and hence encouraged) social divisions of religion, class, and ethnicity. People with private means could easily afford good schools. Those without were dependent on the goodwill of local taxpayers or philanthropists. Thus, Katz (1987, p. 16) reminds us that in many cases "public" school often came to mean "pauper" school — the stigma attached to declaring poverty being no small thing in a social system increasingly self-defined in terms of individual effort. Therefore, institution-oriented activists sought to re-form schools. In fact, they

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[25] Nancy Beadie's (draft) application of this idea to evolving institutional arrangements around education is particularly helpful; although it is not for citation, she deserves credit.

[26] Cremin (1970); Kaestle (1973); and Kaestle & Vinovskis (1980).

advanced the notion of schools as the primary institution of popular education — a narrowing of the scope of "education" (that Cremin never tired of noting).[27] Efforts like the Free School Society enabled reformers to build charity schools in many cities with the aid of public funds. And after cornering the available public funding, the re-named Public School Society then pushed for institutional expansion — advocating free schools for all. Thus, by reformulating institutional arrangements, reformers simply shifted control away from private (fee-based) to public (tuition-free) governance, and, in the face of growing heterogeneity of the population, standardized schools through majoritarian control (Kaestle, 1973).

While we do not have a complete picture available to us on what people meant in the early 19th century when they used terms "public" and "private," it does appear that the impetus for a distinct definition which foreshadows current understandings came from *public*-oriented reformers. In that respect, the common school reformers advanced their agenda by redefining "public" schooling. They pursued this redefinition though rhetoric, setting up a clear distinction between public (republican, free, good) and private (elitist, anti-republican, bad) forms of schooling.[28] By 1838, Mann was flippantly using the term "private" to describe schools in opposition to his own system of common schools — without feeling a need to explain the use of terms.[29] In view of contemporary conceptions of the need to free public entities from competition, Mann portrayed private schooling as a competitive threat to his democratically controlled schools — although current charter advocates would say "political," "bureaucratic," or

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27 See, for example, Cremin (1951, 1970, 1980, 1988).
28 Kaestle (1983); see, for example, James Carter in Sizer (1964), and Mann (1838).
29 Mann (1838); see also Sizer (1964, p. 3, n. 3).



"government monopoly" schools. While proprietary schools in the current sense were not a substantial presence, the elite academies diverted resources and potentially influential support from his common schools.[30] Because of such rhetorical efforts, public schools came to mean public funding, public access, common curriculum, *and* public-political governance — which, of course, for better or worse, translated into centralizing and bureaucratic state administration.

Discussion

There are plenty of good reasons to question and criticize the common school reformers. From a class perspective, observers have noted the gulf between their rhetoric and the effects of their reforms, indicating that reformers provided the cover of democratic discourse for the penetration of capitalist economics and elite hegemony. In a sense, the reforms laid the cost of mass education at the feet of the public, while intensifying private benefits to the emerging capitalist class. Even if well-intentioned, they left a legacy of centralization and "incipient bureaucracy" that entrenched later expert "establishment" control and precluded much of the responsiveness of direct local democracy (Katz, 1971). The standardization of service inherently required from a bureaucracy both serves to guarantee equality of treatment and hinders the recognition of individualized difference that is often necessary to pursue equity in opportunity or outcomes. In an era of industrialization, it should be no surprise that schools largely reflected a factory model, emphasizing whole-class instruction, supervision, and discipline — as individualized teaching was less cost-effective. Such

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30 Cremin (1957); Mann also opposed private sectarian schools on the grounds that they perverted the Christian gospel from a message of peace to one of division (Mann, 1838, p. 56); see also Cremin (1957).



standardization of education under one dominant type of institution not only peripheralized alternative institutions like families, church, and apprenticeships, but also promoted the standardization of rewards. Thus, credentialism was enabled by the need for a common metric to measure effort, achievement, or time served, thereby slighting incentives for learning in the liberal tradition.[31]

From a cultural perspective, the emphasis on "common" experiences effectively dismissed the valid concerns of minorities and dissenters on several levels. The pan-Protestant flavor of the reformers and their legacy excluded Catholics and other religious minorities from the "common" curriculum. The supposedly neutral space of schooling in reality imposed white, middle-class values and standards on other ethnic groups, "cognitive" minorities, and poorer members of society — effectively coercing assimilation or subjugation in an institution that controlled society's credentials as the price of economic advancement. Either the neutral space of schooling had to be coercively standardized in the image of the majority, or had to be definitively bland. The common schools reformers' optimistic emphasis on assimilation and socialization slights the negative aspects of these concepts, and thereby overwhelm values of individuality and alternative cultural heritage. Finally, in view of uneducated immigrants and minority groups, the common school agenda displayed a statist paternalism that would be politically indefensible today. Mann's (1849, p. 15) suggestion that "the children of the State are considered as properly 'due

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31 Labaree (1997a); see Borrowman (1965) on the tradition of liberal education in freeing one from human "passions."

to the school'" would evoke hostility toward the agenda or discredit the speaker if published in the current climate.[32]

Mann and his colleagues missed or obscured these issues. Their zealous faith in the institution of public education as a corrective institution for the human condition appears to have imposed ideological blinders that prevented or denigrated the recognition of such concerns. But their rhetoric — laden with religious imagery — is indicative of a connection between public education, democracy, and a version of the public good. While the concern about the conditions in which schools operated served as a useful vehicle for their agenda, the reformers promoted an image of mass education as a public good that was best cultivated and safeguarded through public control by political means as the only policy alternative. In Katz's (1971) framework, these reformers moved schools from a supposedly apolitical "paternalistic voluntarism" to incipient bureaucracy, slighting other alternatives. But in a climate of emerging chaos and contradictions, this institutional response represented the best hope as reformers saw it if schools were to come under wider public control.

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[32] Glenn (1988) offers a comprehensive critique of the common schools from both religious and "cognitive" minority perspectives — the association of which re-affirms the centrality of views of human nature underlying schooling. He suggests the impossibility of making common or any schools neutral if they are to teach anything of value. His analysis is particularly interesting since he is writing from the perspective that in many ways is similar to the common school reformers. However, the social characteristics they share have been effectively challenged by others seeking a greater voice in running the institution, and the obvious response is to remove loyalty from the institution. Hones (1997) also offers an effective critique of the idea of the common school from the perspective of ethnic minorities. In particular, he shows that cultural minority groups can make the very valid claim that the call for a common education, when translated into school governance, curricular decisions, and actual classroom practice, robs people of the distinctives of their cultural heritage, and is a tool for social hegemony by dominant groups — superimposing one version of being American over another. Sears & Carper (1998) book offers some useful discussions on this issue from multiple angles.

As many aspects of the common school reforms have been rightly criticized, much of the program has been cast aside at least since the rise of differentiated curricula — if it ever was really implemented. However, until recent years, the one aspect of the common school reforms that has been relatively free of overt criticism is the idea of democratic governance. That is not to say it has not been subverted through other reforms, in as much as the common school reformers actually promoted true democratic governance (which is arguable). But, public control through political means has usually maintained its rhetorical value until the recent market challenge arose to attempt to redefine public control in the terms of consumer control. The question then becomes whether or not the common schoolers where correct in linking democratic governance of schools with the public good in a democracy, and, if so, if conditions have since changed that would negate their coupling (see next chapter).

Indeed, there are logical problems with the common school reforms. However, the newly emergent challenge to democratic governance bears a great burden of proof to demonstrate that public-political governance is the problem. In pursuing their redefinition of "public" schooling, common school reformers used rhetorical means to make the link between public-citizen controlled schools, the public good, and democracy. Current market oriented reformers are trying to redefine the "public" aspect of schooling by elevating the public-consumer as the primary concern. In doing so, current reformers neglect the public good aspect of public education. Likewise, current reformers should not forget why many saw the expansion of public-political control of education as necessary and popular coming out of the pre-common school era (see, e.g., Cameron, 1997; Jordan, 1997). Too often, current market advocates assert that democratic

control itself is the problem, rather than the progressive era ideas of local boards, expert-professional leadership, and consolidation-centralization that were enabled, but not fully implemented, by Mann and his colleagues (see, e.g., Tyack, Kirst, & Hansot, 1980). If they were to use consumerist language, the common schoolers would have identified the wider public as a primary customer of public schools. Current reformers need to address that claim as they disenfranchise non-parents from the equation.

Summary

Therefore, with suspicion toward the narrowness of private conceptions of education as it was being administered, and an agenda of far-reaching reform, Mann represented an integral part of the wider common school movement. The discourse around the common school movement, as typified by Mann, suggests certain pronounced values and conceptions of mass education and democracy, which translate into a discernible definition of the public aspect of mass education. Like the current reformers, Mann was operating in a context of rapid socioeconomic change, and identified education as both a solution and an institution in crisis. However, the common school reformers, right or wrong, framed the problem as one of too much variation at the hands of local and market forces. Their solution was to shield education from the economic forces of unregulated supply and demand, private cost and benefit — to import more political or democratic control. Education was intentionally *not* portrayed as a business, one of the many institutions or areas of life falling under the rising forces of competition and private control in the emerging market system. Social progress was explicitly associated with public control of education. Public schooling was located squarely in the domain of public

control and the common good, and the definition of "public" was intentionally and explicitly cast in terms of community control and societal benefit within a democratic system. This approach was the only alternative these reformers perceived in the face of rampant change caused by the new-found individualism of the liberal market-democratic society.

Reformers placed a high priority on political-public (as opposed to private) ownership of both the means of provision and the benefits of schooling. The public aspect of education was located in the availability of access, in the funding, in the common set of values at the center of the curriculum, and in community — not consumer — control. The primary effect of the reforms was to centralize administration, with some degree of standardization — for better or for worse — since diversity was associated with inequality and a denial of coherence to the emerging republican society. The overall force of this rhetoric pursued an optimistically harmonious view of society. The primary control of mass schooling was to be entrusted to the citizenry. The reformers were reacting to both the milieu of the pre-common school era system that they saw as in a crisis state, as well as the social dislocation they saw in Europe after the enclosures, urbanization, and industrialization. The common school reformers consistently used the theme of a republic-nourishing system required for the strengthening of democratic and communal institutions that were being challenged by the rising forces of the market, thereby presenting public education as appropriately and effectively located in a public sphere. The political claims of common school reformers that public education was to be treated as a public good point to their aversion to variegated and non-democratic forms of provision and highlight their

position that democratic control was a superior form of organization for the provision of mass education to the Republic.

Private Goods and Market Reforms in the United Kingdom

Now, in a necessary, albeit abrupt, change, I switch attention to a different context, that of the quasi-market education system in the United Kingdom.[33] Whereas the common school reformers made a point of casting mass education as a public good, reformers in the UK in recent years have implemented policies that effectively impose a conception of education as a private good. The UK — at least under the Thatcher and Major governments — has served as a leading model in employing market mechanisms for public services such as education.[34] To my knowledge, the significance of the pace and depth of education reform is nowhere in dispute.

Notes on Contrast

In the US, the current debate around market mechanisms is extremely introspective and provincial. Instead of examining the effect of markets in other education systems, writers in the US debate constantly allude to the

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[33] More specifically: England and Wales. However, despite increasing opportunities for devolution of power to Scotland and its distinct institutional history regarding education (Daugherty, 1997), there are more parallels than discongruencies between Scotland and Northern Ireland and the rest of the UK (Raab, et al., 1997; Sunday Times, 1993a; Sunday Times, 1993b; Walford, 1992; Willms & Echols, 1993). Thus, because the effects of the ascendancy of market-orientation in the thinking at Whitehall has been so great throughout Britain, I will continue to use the term UK.

[34] Ball (1993); Boyd (1996); Chubb & Moe (1992); Davies & Guppy (1997); Fox (1997a); Gordon & Whitty (1997); Guthrie & Pierce (1990); Hirsch (1994); Levin (1997); Light (1997); McLean & Voskresenskaya (1992); Miller (1997); Moe (1994); Royed (1996); Stearns (1996); Wall Street Journal (1996b); Whitty & Edwards (1998); Williams, Harold, Robertson, & Southworth (1997); and Yergin & Stanislaw (1998).

theoretical working of markets, or the ways markets operate for consumer products. This focus can be seen largely as a reflection of the fact that there are not yet mature examples of comprehensive education markets in the US. But this also reflect a hesitancy or refusal to examine the experiences of other nations with regard to markets in education. Terry Moe (1994, p. 23), for instance, correctly points out that the UK experience with market-informed mass education "ought to be an integral part of our debate. So far it hasn't been."

Indeed, other nations have gone much further in employing market mechanisms to organize their systems of primary and secondary education. From the Pinochet period in Chile, for example, market mechanisms have guided the provision of education — largely due to the influence of Friedman's thanking on Chilean social and economic policy. Chile supports a state-subsidized voucher scheme across public and private schools. Neoliberalism is also ascendant in New Zealand, where reformers reorganized public education largely on market tenets of parental choice and competition between quasi-independent providers. New Zealand reformers emphasize the benefits to be realized from a devolution of decision-making authority to individual school sites, which are governed by councils of parents, teachers, and businesses (Williams, et al., 1997). These institutions are responsible for attracting "consumers" and money, can charge user fees (or "donations") in some instances, and are legally recognized by the state through contracts or "charters" between a school's board of trustees and the central government, which thereby maintains strong central control over the curriculum (Deem, 1994). These cases more fully embrace the "pure market" advocated by choice and charter proponents in North America, and have had a longer period of time to

develop than the US instances discussed in the previous chapter. Thus, they should represent fertile sites for examining the promise of market mechanisms in the provision of mass education. But the debates around school choice in the US largely ignore these examples.[35]

However, for the purposes of providing a contrast to the largely hypothetical and referential debates on markets in the US, this section reviews the research on the United Kingdom and its education reforms since Thatcher took office. While several of the English-speaking market democracies have moved in this direction in many areas of the public services sector, the UK and New Zealand stand out in the pace and extent of their education reforms. But, most observers agree that it has been the UK that has best exemplified the market-oriented reform approach. The UK is probably the best and most appropriate instance of market-based reforms in the last two decades.[36]

There is a substantial body of scholarly research studying the conditions of a "quasi-market" education system in the United Kingdom (on quasi-markets, see below). While there are certainly significant differences in the social, political, and historic contexts between the UK and the US, this contrast is pursued because the logic of the market is now a global phenomenon, and has been embraced as a uniform and universal doctrine, despite contextual variances in application (Carl, 1994; Power & Whitty,

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35 On Chile, see Carnoy (1996, 1997, 1998a, 1998b); Parry (1997a, 1997b). On New Zealand, see McAllister & Vowles (1994); O'Neill (1996); Openshaw (1996); and Peters & Marshall (1996).

36 On these patterns in the Anglo-American market democracies, see Davies & Guppy (1997) and Whitty, et al. (1998). On the precedents set by the UK and NZ, see Gordon & Whitty (1997) and Whitty (1997). On the UK leadership, see Light (1997); Miller (1997); Royed (1996); and Yergin & Stanislaw (1998); in education, see Boyd (1996); Guthrie & Pierce (1990); Hirsch (1994); Levin (1997); McLean & Voskresenskaya (1992); Stearns (1996); and Vann (1998).

1997). So, although — or, rather, *because* — the different political contexts allowed market reformers in the UK to implement their agenda more rapidly and more thoroughly than in the more centrifugal political structures of the US, the UK example provides an exceptional basis for contrast with the claims made for market-oriented reforms — it epitomizes where Michigan and other market-oriented US reformers would like to be.[37] Hence, Chubb and Moe (1992, p. 50) hope "that America can someday follow in Britain's footsteps."

There is a case to be made that, in many ways, the UK provides a "most similar" site for the US in providing a sounding board for ideas on markets in education (Carl, 1994). There are parallels in social structure, commonalities in history and tradition, and similarities in political patterns, particularly in the post-war era. Likewise, the cultural, social, economic, and political developments in the two nations contribute to some common aspects in the evolution of their respective systems of mass education. In both contexts there is pronounced aversion to "big government" that motivates many reformers.[38] Thus, the more vocal market advocates want a purely "free" market in the form of vouchers, and see the quasi-market conditions generated by the reforms as a partial achievement toward that agenda — one that would be furthered by blurring or eroding the distinction between traditional conceptions of public and private schools, and by legally requiring that education be treated as a

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[37] Paul DeWeese, of TEACH Michigan, (personal communications, December 9, 16 1997); Lawrence Reed, of the Mackinac Center, (personal communication, November 18, 1997).

[38] For example, Thatcher (1993) in the UK, Iserbyt (1997) in the US, and, in Michigan, Durant (Andrejevic, 1996) all deplore the "nanny state." Likewise, the terms "monopoly" and "establishment" are common in the discourse in both contexts.

commodity.[39] In both contexts, reformers promote policies with a speed that would indicate a popular ground swell of support for radical measures. However, not only is evidence of widespread approval debatable, but there is evidence of ambiguity regarding implementation of these policies.[40] Furthermore, much support that does exist for choice has not come primarily — as proponents would have liked — from poor and minority groups "trapped" in public schools, so much as from white parents "choosing" to pull their children from schools that they perceive as predominantly minority (Bagley, 1996). The most identifiable source of support (aside from think tanks and business groups) in terms of socioeconomic categories appears to be articulate and active middle-class parents who could bring their well-developed consumer skills to bear in using public money to pursue the most advantageous education for their children (Crozier, 1997; Whitty, 1990a). However, even here, as in the US, support for real "choice" has been tenuous. In both cases, when "choice" comes to mean allowing poor and minority children — regardless of merit

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[39] On the ideas of parental choice in the state system as a "stepping stone" to a purer voucher system, and "blurring" distinctions between sectors, see Chitty (1997); Thatcher (1993); Flude & Hammer (1990); Rothstein et al (1998); Hassel (1998); Rethinking Schools (1996a); and DeWeese (1994). Regarding the commodification of education, a conservative think tank official, Lord Skidelsky, restates the ideal of the charter school reformers: "We ought to think of education as a good delivered in response to market demand. As much of it will be produced as is wanted and in the varieties which are wanted. There are no characteristics of education which require it to be produced by the state. ... All state schools should be given the status of legally independent corporations" (quoted in Chitty, 1997).

[40] On the speed of the UK reforms, see Deem (1990). In the UK, for example The *British Social Attitudes* report of 1986 showed heavy support for more spending on education, an area where the Thatcher "government had spent alot of effort trying to persuade the country that money was not the problem." Moreover, according to a Mori poll: "the total state funding of schools, without ambiguity or qualification, was backed by more than seven to one." (*Sunday Times*, 12 June 1988, cited in Young, 1989, p. 529).

or consumer "rights" — to choose to attend an affluent community's schools, support for "choice" drops or turns into opposition.[41] The differences, on the other hand, are often only a matter or degree, or involve more technical — as opposed to logical — application of the market models. In general, "the problems, the reforms, the conflicts, and the alliances are all roughly the same. The only real difference is that Britain...has been able to move farther and faster toward a radical overhaul of its educational system" (Chubb & Moe, 1992, p. 50).

The Political Context

The reforms in the UK can be summed up as a penetration of markets into public schooling, precipitated by the policies of the Thatcher and Major governments. The Tories promoted markets in education as part of a broad agenda opposing the stagnation they associated with Labour-inspired, welfare-state socialism coming out of the post-war settlement. The post-war consensus in the UK stemming from the 1944 ERA had legitimized increasing state involvement in mass education. Changes in governments did not generally threaten the integrity of the welfare state approach to education and other social services, and a mildly socialist-egalitarian ethos promoted a common school ideology through comprehensive schools that supplanted traditional elite and selective grammar schools.[42]

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41 See Hargreaves & Reynolds (1989); Carroll & Walford (1996) offer a particularly compelling case study on this phenomenon. Similarly, in the US, for instance, Smith & Meier (1995b) found that there was some support among urban students for the idea of school choice, but they did not think choice would work if the "bad" kids were also allowed to choose their schools.

42 Ranson (1990); on the gradual increase in state involvement before 1944, see Gardner (1994), including a discussion on working class acceptance of "the state" as the appropriate means for universal education.

The public inception of the "Great Debate" on education is generally acknowledged to be Labour Prime Minister James Callaghan's 1976 speech at Ruskin College, Oxford, which initiated the discourse around the schools that became largely critical on the themes of fiscal efficiency, effectiveness, and relative national economic competitiveness.[43] Indeed, Labour, not Thatcher, passed the initial school choice plan in view of a school-aged population boom that had peaked, and a glut of open seats in various classrooms (Hirsch, 1994; Walford, 1992). However, the incoming Conservative government quickly monopolized the topic, and framed it as case of provider capture. With the advent of Thatcher's Tory government, the theme of individualized rights to choose became more pronounced, as a response to the perceived "crisis" in state schooling. Thatcher's Conservative government took up this issue as part of a general elevation of market principles of choice and efficiency over collective and public endeavors and their preoccupation with equity and pluralism. Thatcher (1993, pp. 590-1) noted that

> the starting point for the education reforms...was a deep dissatisfaction (which I fully shared) with Britain's standard of education. I also believed that too many teachers were less competent and more ideological...I knew from parents, employers and pupils themselves that too many people left school without a basic knowledge of reading, writing and arithmetic.....the propaganda was coming from left-wing local authorities, teachers and pressure groups, not us.[44] (parentheses in original)

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[43] Ball & Whitty (1990); Daugherty (1997); David (1992); Guthrie & Pierce (1990); Hughes (1997); Morris (1994); Raab, et al. (1997); and Young (1989). See, also Welch (1998) on the efficiency concern in the UK, particularly for his focus on higher education. The Tory emphasis on efficiency in education goes back at least to Balfour's 1902-5 administration, as Thatcher (1993, p. 5) draws parallels between older and current British economic complacency and administrative flabbiness resulting from affluence.

[44] Earlier, however, Thatcher admits to engaging in "propaganda," when she boasts about her DES minister: "Ken Baker had won hands-down the propaganda battle against the Left in the local authorities" (p. 562).

The fault was placed squarely at the feet of the "educational establishment" — a term very common in the British policy rhetoric.[45] But Thatcher claimed to have a politically neutral agenda, and, consequently, de-legitimized her opponents as doctrinaire partisans:

> Too often our children don't get the education they need — the education they deserve. And in the inner cities...that opportunity is all too often snatched from them by hard left educational authorities and extremist teachers. Children who need to count and multiply are learning anti-racist mathematics — whatever that may be. Children who need to be able to express themselves in clear English are being taught political slogans. Children who need to be taught to respect traditional moral values are being taught that they have an inalienable right to be gay. (cited in Ball, 1990, pp. 85-6; Edwards & Whitty, 1992, p. 111)

Rhodes Boyson, a junior minister for Thatcher speaking of a limited voucher-type program, argued for the expansion of consumer choice and diversity of options as social goods in and of themselves: "If choice is a good thing and variety a good thing, which I believe it is, then it should be open not only to the academically able children but to all children."[46] Consumer choice as a public good trumped previous socially desirable goals such as

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[45] Francis (1990). See, for example, Ball & Whitty (1990); Chubb & Moe (1992); and Thatcher (1993).

[46] Whitty (1990a, p. 106) and Whitty, Fitz, & Edwards (1989, pp. 154-5). This foot-in-the-door strategy for expanding choice closely resembles the arguments made by Milwaukee Democratic mayor John Norquist and other voucher proponents, who have sought to rid the Milwaukee voucher system first of its requirement to be used for non-sectarian schools, and then of its family-income limits (correlated to the Tories' academic ability standard) when he said he would "begin aggressively lobbying state officials to raise or phase out the income cap on vouchers. Currently, vouchers are limited to the families at or below 175% of the poverty level....Norquist said the cap is unfair to middle-class families: 'As choice expands, the dissatisfaction with this income limit is going to become very acute'" (Rethinking Schools, 1998b). This has also been true of the restraints set on the number of charter schools that can be established in states such as Michigan, where, after promoting charter legislation as experimentation, advocates then began condemning that legislation as unfair because it limits "educational freedom" (Engler, 1999a; e.g., TEACH Michigan, 1996a).

integration, according to Baroness Hooper, the British Under Secretary of State in the Department of Education and Science, in 1987: "If we are offering freedom of choice to parents, we must allow that choice to operate. If it ends up with a segregated system, then so be it."[47]

Thus, as the market-centered reformers accelerated the pace of privatization in many areas of society in the 1980s, the focus settled on the area where Thatcher had made a name for herself in the 1970s — education: a "candidate for privatization" that Conservative reformers saw as one of the "crucial areas" for their agenda (Young, 1989). Thatcher lobbied for the 1988 Education Reform Act (ERA) by explicitly connecting educational failure to national economic competitiveness: "To compete successfully in tomorrow's world against Japan, Germany and the United States, we need well-educated, well-trained creative young people. But if education is backward today, national performance will be backward tomorrow" (Guthrie & Pierce, 1990, p. 185). The means of reform was to be the imposition of market mechanisms on mass education; the end was the creation of active consumers for what Thatcher like to call her "property-owning democracy," where politics is subsequent to market economics.[48] Thatcher noted: "Economics is the method. The aim is to change the soul." People's perspectives on their role in the society and economy had to be reconfigured — *homo economicus* had to be "re-created" in line with a

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[47] Quoted in Bagley (1996). This position that the government would accept segregation as a result of choice was reiterated the following year as well by Lady Hooper, as white students were seeking to flee an %80 Asian majority school in Dewsbury. See Francis (1990, p. 118).

[48] "Property-owning democracy" is in Ransom (1996, p. 8) and Reeves (1997b); on strategies and souls, see Donald (1992, p. 122); see also, Thatcher (1993, pp. 278-9).

mythical libertarian past preceding the growth of the state.[49] Thus, as has been the case in the promotion of privatization across the globe, the obvious policy alternative was identified in a market — one that in the UK was promoted by Friedrich von Hayek (i.e., 1944, 1988) and his disciples as apolitical, amoral, and organic.[50] The reforms were thus forwarded to explicitly marketize and commodify education, and turn parents and students into consumers in the official government policy discourse of decentralization.[51] By liberating consumer preference from a politically-controlled monopoly, it was argued, parents could escape the deadening uniformity imposed by the LEA "establishment" — "apostles of mediocrity and bigots of indoctrination...[that promote] antifamily, antipolice and

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[49] Richardson (1988); on the construction of "Economic Man," see Polanyi (1944).

[50] On the influence of Austrian economists such as Hayek and Shumpeter, especially on claims that the market is organic and neutral, see Thatcher (1993); Yergin & Stanislaw (1998); Ball (1993, 1990, 1997); Ball & Gewirtz (1997); and Young (1989). Ranson rebuts the claim that markets are apolitical in Chitty (1997). Hayek's imprint is often seen in Thatcher's famous dictum quoted at the beginning of this chapter.

[51] Edwards & Whitty (1992); Hargreaves & Reynolds (1989); and Raab, et al. (1997). Such a push was evident not only in the legislation, but in popular policy pieces such as *The Parent's Charter* (Bowe, Ball, & Gewirtz, 1994a). The rhetoric of de-centralization was strong in the discourse, with the significant exception of national curriculum and examinations (e.g., Black, 1994; Daugherty, 1997; Hughes, 1997; Hymas, 1993; Thatcher, 1993; Whitty & Power, 1997; Young, 1989). Mandated tests, with the results published as league tables would, reformers argued, provide the common metric from which the rational consumer could make an informed choice of schools — in addition to providing an over-all measure of the performance of the system. This is a significant difference from the current state of conservative, market-based education policy discourse in the US, especially of the neoconservative type (e.g., Bolick, 1998a; Dobson, 1994; Iserbyt, 1997; Toch, Bennefield, & Bernstein, 1996).

Hannan (1997), speaking from another context, sees this "decentralization as an effective attempt to make the now-isolated "autonomous" school act like a private school, thus eroding the increasingly obsolete distinction between public and private schools.

anticompetitive values," according to Thatcher's secretary of state for education and science (quoted in Ball & Whitty, 1990, p. 81).

But there was an interesting mix of neoliberal and neoconservative elements to the reforms. Thatcher (1993, p. 562) pulled these two ideas together:

> In education, however, the Conservatives were trusted because although people thought we would spend less than Labour on schools they rightly understood that we were interested in standards — academic and non-academic— parental choice and value for money; and they knew that Labour's 'loony Left' had a hidden agenda of social engineering and sexual liberation.

In view of the destructive riots, terrorism, and social discontent of the decade, Thatcher and others placed a pronounced emphasis on respect for private property — a basic precondition of any market system that was also advanced as the re-introduction of traditional values. Thatcher (1993, p. 278) quotes a paper from Ferdinand Mount, outlining the official approach to "renewing the values of society:"

> ...in the early stages of life it is the experience of authority, when exerted fairly and consistently by adults, which teaches young people how to exercise responsibility themselves. We have to learn to take orders before we learn how to give them....And in the breakdown of that relationship we can trace the origins of so much that has gone wrong with Britain.
>
> If we can rebuild this relationship, we might begin to restore also respect for law and order, respect for property, and respect for teachers and parents.

So, besides the neoliberal concern for efficiency and consumer choice, there was also a strong neoconservative call for order, discipline, and respect for private property and other "traditional values" (Stearns, 1996) — one that resonates much more emotionally in some quarters. Thus,

mirroring Charles Murray's (1984) argument in *Losing Ground*, Thatcher claimed in 1983 that[52]

> We are reaping what was sown in the '60s. The fashionable theories and permissive claptrap set the scene for a society in which the old virtues of discipline and self-restraint were denigrated. Parents, teachers and other adults need to set clear consistent limits to the behaviors of children and young people. (Francis, 1990, p. 119)

Echoing the common school reforms, this coercive approach, combined with a fear of a distinctly non-British immigrant communities, led the editor of London's *Sunday Telegraph* to suggest that the school curriculum assimilate "others" into British civilization — to be "expressly indoctrinated in its culture and history" (Francis, 1990, p. 119). Pearce, (1985, p. 7) writing for the New Right "Monday Club," championed the "undisputed primacy of one way of life."

> Black and white children need to learn, and they can, of the nation in which they live and the forces that have shaped it. Britain has a great and inspiring heritage. Our children need to be fed on it, to be encouraged to make its values their own. Such an approach to education will unify, not divide; nurture shared pride and common loyalties, not cynicism and racial hatred.[53]

Thus, the conservative coalition that successfully promoted drastic school reform in the UK in the 1980s was comprised of competing and contradictory tendencies, all proclaiming a crisis in the education system, and offering internally conflicting solutions to the variously perceived problem. Neoconservatives promoted strong values, to be assured through a correction — though hardly a rollback — in state intervention in

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[52] Thatcher (1993, p. 627) writes: "...I was reinforced in this view by the writings of conservative thinkers in the United States on the growth of an 'underclass' and the development of a dependency culture."

[53] This tack of defending national mythology over multiculturalism and critical inquiry sounds strikingly similar to Newt Gingrich's (1995a, 1995b) and Rush Limbaugh III's (1992, esp. ch. 18) arguments. Pearce cited in Francis (1990, p. 121).

education and social policy. Neoliberals sought to re-ignite individualism and reconfigure individuals' attitudes towards the market, the state, and each other, by essentially requiring participation in the value-neutral realm of the market in education. Yet, even though markets were portrayed as natural, organic, and politically neutral, claims that schools were sites of leftist indoctrination did not preclude the responsibility of the government to promote the internalization of market logic and values through school curriculum and structure. The Institute for Economic Affairs, for example — home to neoliberal and libertarian economists such as Hayek and E.G. West, who champion a draconian rollback in the state — still advocated that "a study of the life and teachings of Adam Smith should be compulsory in all schools" (Ball & Whitty, 1990, p. 80; Whitty, 1990b, p. 21).

The Reform Program

While we could easily spend a significant amount of time outlining the various manifestations of the different aspects of British school reform, my interest here is not so much one of policy implementation (except to show how it reflects a market agenda), but the effects of these policies, and how they might support or deny the rhetorical goals of market reformers in the US. So, hopefully, this short summary of the UK policies will suffice.

The Assisted Places Scheme (APS) was a constrained voucher-type program, supposedly merit- and means-based. The APS held symbolic importance for the Conservative Party as a way to extend the means for attending independent schools to the deserving children of the working

class (e.g., Thatcher, 1993, p. 39).[54] Now ended, the APS was limited in its effects due to parameters placed on the program.

However, the choice reforms took off in the mid-late 1980s with the establishment of City Technology Colleges and Grant-Maintained schools, which essentially extended choice within a diversified and competitive state sector to all parents. Grant-maintained (GM) schools "opt out" of LEA control, and receive funding on a per-pupil basis directly from the central government. Thus, they are part and parcel of an open enrollment system where the funding follows the student. While legally accountable to their controlling board, these schools are primarily accountable to market forces of consumer preference in order to secure the necessary number of students, and, consequently, operating revenue. Therefore, they are free to establish their own mission or specialization in order to focus their efforts and establish a defining place in the education market (e.g., Chubb & Moe, 1990). More recently, the supply side was further liberated by allowing new schools to be established (rather than simply letting existing schools "opt-out" of LEA status) by independent and religious groups, and get funding as GM schools — satisfying the main concern of Chubb and Moe's (1992) assessment of the UK reforms (see also Walford, 1997d).

City Technology Colleges (CTCs) represent an effort to increase diversity of options for consumers. CTCs are newly created urban schools (exempt from the mandated national curriculum), and thus, do not opt out of the

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[54] Several researchers claim, though, that the program benefited middle-class families, rather than the children targeted in the rhetoric used to justify the program (Carl, 1994; Whitty, 1990a; Whitty, et al., 1989). The ability of low income middle-class families to participate in the program demonstrates the limitations of an income-based focus, and also shows the importance of cultural-class characteristics as an advantage in "playing the system" (Whitty, et al., 1989, p. 154). The APS was almost immediately dropped after the election of Blair's Labour government (Hodge, 1997).

state system, but are accessible through a system of parental choice (Francis, 1990). They are intended to invite significant corporate participation in funding and governance, and feature an intensive curriculum in mathematics, science, business, and technology — part of an effort to create a more effective workforce for the needs of the new global economy.[55] The 1993 Education Act additionally supported and promoted the market mechanisms embedded in these schools by further decentralizing governance (within the context of a mandated national curriculum) away from LEAs to individual schools competing with each other for students and per-pupil funds (Vann, 1998).

The CTCs and GM schools are integral to the market agenda, together forming the primary policy thrusts of the market reforms in education in the UK, and essentially extending choice within a competitive state sector to any interested parent. Together, these reforms center on a few simple elements that are noticeably similar to charter schools in North America: open-enrollment or "school choice," per-capita funding that follows the student, competition between schools for students, and (particularly in recent years) the encouragement of diversification of provision so that parents and students will have substantially different options for which to exercise their choice (Deem, 1990). This is substantially similar to the charter schools in many states in the US, where the supply is decreasingly, and now lightly, regulated, caps on the number of such schools are ignored, discarded, or portrayed as an impediment to choice, and diversification of options is said to be encouraged by chartering institutions

[55] Observers see the attempt to encourage private/corporate financing of the CTCs as a failure (Carl, 1994; Dean, 1991, 1995e).

and the market's "consumer" demand.[56] In both reform efforts, policymakers have implemented their relatively drastic changes with remarkable speed, despite unresolved debates about issues like the possibility of further segregation. Indeed, charter school supporters recommend that reformers utilize the disproportionate support for choice evident in poor and minority families trapped in inner-city LEA schools.[57]

Summary of Research

In general, the academic research on the education market in Britain has come to a rather critical perspective. Indeed, there has been a substantial research literature emerging out of this case, coming mostly from sociology of education that is well grounded in the daily existence of the students and school personnel (DeLany, 1998). With few exceptions, the weight of the discourse, from both qualitative and quantitative studies, comes down opposed to integral aspects of the reforms, often on equity grounds.[58] Whereas research published in the immediate wake of the watershed 1988 Education Reform Act took a dim view of the role of the market in education, and concluded with dire predictions regarding the impact of the reforms on the least advantaged members of society, more recent scholarship has tended to confirm and complexify that orientation. While extracting or abstracting themes from a discourse is a largely impressionistic endeavor, despite its limitations, it helps serve the purpose

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[56] Anderson & Marsh (1998); Associated Press (1999b); and Nathan & Power (1996).

[57] On segregation debates, see Garcia & Garcia (1996); Rofes (1998); and Rothstein, et al. (1998). On the strategy of promoting choice to minority groups, see Aldana (1997); Barnes (1997); Chubb & Moe (1992); Finn & Gau (1998); Moe (1994); Murdock (1998a); and Shokraii (1996).

[58] There are, however, exceptions (e.g., Naismith, 1994; Tooley, 1994, 1996a, 1996b, 1997).

of synthesizing and summarizing the research literature so that we can build upon it.[59] To generalize, then, chief themes include:

- Social class is a primary consideration in understanding how parents engage, or fail to engage, the education market. Middle-class parents are better equipped with the skills and material resources to take effective advantage of school choice, while working-class and minority parents have perspectives and cultures that leave them disconnected from the advantages of choice (Crozier, 1997; Gewirtz, Ball, & Bowe, 1995; Reay & Ball, 1997; Thomas, Vass, & McClelland, 1997).[60]
- Thus, the market, while theoretically neutral, advantages and values some "consumers" more than others (Chitty, 1997). Therefore, it is a key institution in reproducing social inequities and atomizing potential opposition, and its imposition can thus be seen as part of a class strategy — one that, if not intended, cannot be entirely unexpected (Ball, 1993; also, Whitty, 1990a).
- While purportedly about parental choice of schools, the competitive nature of consumer demand for limited space in desirable schools means that many parents do not get to choose their child's school.[61] Instead, when oversubscribed (as the "better" schools are), schools are effectively able to choose their "consumers." That is, through covert and,

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[59] This literature was collected from a keyword search around topics such as grant-maintained schools, privatization (and "privatisation") and educational markets. The findings were grouped by subject, perspective, and theme.

[60] For a view from an advocate of education markets who questions Ball et al.'s methodology in connecting social class and choice in education, see Tooley (1997).

[61] Whitty (1990a) describes as "ingenious" the government's early claim that parental choice would not lead to school choice of children and, therefore, socioeconomic hierarchies in schooling. Edwards & Whitty (1997b) document the contradictions, ambiguities, and reversals in the Conservative governments' policies on these issues.

now, formal means, the most popular schools are able and
encouraged to select which students to admit (Edwards & W
Fitz, Halpin, & Power, 1997).[62] This translates into a situat
certain students — those most likely to make the school mos
and improve its market position through standardized test
league tables — are of more value than others who become l
even if their per-capita funding is equal or even greater thar
valued more because of class, race, culture and other indica
market status (Bagley, 1996; Ball & Gewirtz, 1997; Gewirtz
West, Pennell, & Edge, 1997).

- Schools have been forced to pay attention to their marketing
administration, and presentation, often at the expense of ed
concerns and staff stress (Ball & Gewirtz, 1997; Bowe, et al
Deem, 1990; Gewirtz, et al., 1995).

- Presumptions that creating market conditions would lead t
diversification of provisions have not played out as assumed
given the freedom to create their own nature, schools have t
emulate (or project the image of) elite and traditional educa
discipline, curriculum, pedagogy, uniforms, and academic
(Fitz, et al., 1993; Halpin, Power, & Fitz, 1997; Meadmore &
1997; Power, et al., 1994). This tendency limits conceptions
to traditional academics, away from any progressive or oth
(Edwards & Whitty, 1997a). Where real diversification has
has been the result of government intervention (i.e., the cre
CTCs), not market forces of consumer demand (Glatter, W

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62 Edwards & Whitty (1997b) see a "calculated collective amne
part of Tory and New Labour policymakers as to the rejection o
(schools choosing students) in earlier decades.

Bagley, 1997; Walford, 1997b). Additionally, while r
methods have not been fostered by the market, hiera
and desirability of schools have re-emerged, largely
segregated by, social class (Edwards & Whitty, 1992,
1997; Glatter, et al., 1997; Walford, 1997a, 1997d; W

- While one of the primary themes in government rhe
of power to consumers and de-centralization of adm
to local schools, the reality has been, in fact, a centr
into the hands of New Right institutions, largely in
government — reflecting neoliberal and neoconserv
1994; Hargreaves & Reynolds, 1989; Whitty, 1990b).
accomplished to a great degree by the demolition of
Labour/leftist) LEAs, and the consequent exposure
atomized society to standardizing and omniscient m
Davies & Guppy, 1997).

- Presumptions about the ways in which parents wou
market have not necessarily played out. The equati
parent" as a rational consumer, although dominati
government/policy discourse, has not been the pred
Instead of rational self-interest as the guiding prin
tended to focus on other factors — proximity, the ch
with friends, comfort, etc.), image of schools, etc. (
Carroll & Walford, 1997b; Walford, 1992).

In a rather short period of time, then, schools were f
where they had to compete for students in order to sec
the "best" students (or ones most likely to increase a s
were sought though marketing and other image mana

In some ways, the situation has clear parallels to the pre-commo era in the US. Funding is largely public, although outside privat is important, and "capital" is measured in other ways as well. G is a mixture of public and private authority. Individual choice is driving force, with education as a commodity. Those refusing or choose are relegated to "sink" schools.

In general, the research reviewed here points to a discongruer between the rhetoric supporting these reforms and their actual o While there are certainly exceptions to these primary themes, the appear to represent the main conclusions of the research literatu last decade in the UK.[63] Furthermore, they represent the most comprehensive treatment of the most market-oriented education any market democracy.

UK Reforms and the Common Good

What is striking about the reforms in the UK is the lack of expl attention to pursuing the common good.[64] This observation, if ac fits directly into Hayek's (1988) admonition that "deliberate arran human interaction" inherently and necessarily perverts the orga social relations. That is, the "spontaneous extended human orde

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[63] The research surveyed for this generalization has been prima work of English researchers. While Meadmore & Symes conduct research in Australia, their analysis can be extended to the Briti where it was published. For more explicitly comparative work in the US and UK, see Ball (1993); Boyd (1996); Carl (1994); David (1 Davies & Guppy (1997); Deem (1994); Edwards & Whitty (1992); H McFarland, & Richardson (1992); Guthrie & Pierce (1990); Hirsc Walford (1996); Whitty (1997); Whitty & Edwards (1998); and Woh Anderson (1994).

[64] Grace (1994) and Wringe (1994) raise many questions on mark and the appropriateness of markets in education in providing a p that get at this issue.

reflected in capitalist organization reflects an evolutionary and organic process which is corrupted by central-state intentionality — no matter how well-intentioned or (as the common schoolers stated it) moral. Hence, the policy rhetoric supporting markets in education is virtually silent on the idea of the public or common good because public policy is incapable of approximating the common good compared with the ability located in the sum of individual (parent) actions.

Thus, in order to facilitate Hayek's version of the "invisible hand," Thatcher's efforts like the 1988 ERA explicitly recast the citizen — or, at least, parents — as consumer, and instituted policies that effectively require parents to see themselves that way or suffer the consequences (Ball, 1993; Young, 1989, p. 425). They did this not so much through rhetorical persuasion as policy imposition. In doing so, policymakers also essentially denied a role for the government in pursuing the common weal (Young, 1989, p. 10). Hence, these reform efforts undercut earlier Labour efforts like comprehensive schools, which were intended to promote equity and counteract elite education. They did this in order to promote diversification of options to meet (and encourage) consumer demands, as well as selection of students by schools (Walford & Pring, 1996). Conceptions of the social good as reflected in schooling are thereby limited only to what a critical mass of parents might wish to pursue (and, increasingly, only to what providers may see as profitable) or a byproduct of those pursuits. This reform effort has gone the furthest in promoting this understanding of social dynamics, through the universal cultivation and unleashing of consumer choice, and through efforts to promote differentiation of consumer options. As Paris (1995, p. 167) notes:

> The most radical choice plans discount anything but the most minimal notion of common education for moral or civic purposes. They likewise leave to the market the use of the schools for any social purposes other than those that evolve from the choices of families. In short, it subordinates educational aims expressed in other themes to the wants of families and the market result of their choices.

Clusters of individual choices are now presumed to be the most effective way to efficiently organize educational provision, and effectively de-politicize schools by removing government and, hence, special interests.

Discussion: Beyond the Rhetoric of Markets and Education

The overview of the reforms and research in the UK raises many interesting issues and questions. Particularly in view of the earlier discussions on the common school reforms and charter efforts in Michigan, and the theoretical underpinnings of education markets, we now have a better-developed example of how market dynamics work in the provision and distribution of schooling. This helps identify aspects of the claims for markets that deserve more attention. Here I outline a few.

Research and Policy Borrowing

There are many similarities between the UK and the current US efforts at market-oriented education reform in terms of strategies and policies. The most obvious include the pace of reform, the blurring of the distinction between public and private, the ideological (as opposed to evidentiary) basis for reforms, and the shape of choice policies themselves.[65] While the lack of compelling evidence from education suggests the ideological (as opposed to empirical) nature of this reform agenda, the global scale of market

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65 While I have noted above that the term "privatization" is rarely spoken in the US context, Whitty (1990b) claims that the same was true of official rhetoric in the UK.

reforms raises issues regarding the role or research, evidence, and ideology across socio-political contexts. Particularly in the cases of the UK and North America, the similarities of these reforms point to either intentional policy sharing or applications of universal aspects of market ideology. For the most part, the UK led the way with these reforms, from Thatcher's government through the Blair administration. Yet the generally critical British research literature has failed to penetrate the US discourse to any great extent (Moe, 1994). That is, while policy borrowing appears to be prevalent, policymakers demonstrate a concurrent and curious hesitancy to engage in serious "research borrowing."[66]

Although part of this may be due to a chronic ethnocentrism on the part of American policymakers, such parochialism is increasingly inexcusable in a time when research is widely accessible, and contexts and policies are becoming more similar. Whitty, for instance, who has been vocal in his observation of the lack of innovation in the UK market reforms, has been quite willing to share his insights with North American audiences (e.g., Miner, 1997). It is unclear why there has not been more discussion in North America of the strengths and weaknesses of the UK experience *before* embarking on rapid and widespread market-oriented reforms, and one can only speculate about the knowledge and intentions of policymakers and market reformers. Instead, market activists like Fuller advise policymakers to embrace market measures headlong — "leap before you look."[67] Thus we cannot discount the possibility that similarities in

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66 Power & Whitty (1997) advise caution of the dangers of research borrowing, just as care should be taken in borrowing policy across contexts. Deem (1994) sees evidence of "policy copying" and "ideological convergence," but emphasizes the importance of contextual factors for understanding emergent policy at any one site.

67 Fuller was addressing Michigan Board of Education at Durant's invitation. According to the reporter, "Fuller urged the board to 'leap before

market-oriented policies are indicative of the ideological paradigm of the times — reflecting not so much policy-borrowing as what Levin (1998a) sees as a disease or "epidemic" of such policymaking in the era it defines. However, while Levin's analogy discounts intentional learning and application by policymakers of the market *zeitgeist* explanation, it also raises questions about the ability of research and evidence to influence an ideologically-driven reform agenda. But it also raises questions about "hegemonic" control of the discourse; that is, what are the interests of the people who have the microphone, and how are their interests and agenda served and challenged by research evidence?

On the other hand, some observers speculate on the existence of "policy networks" to explain the apparent policy copying between different contexts (Carl, 1994; Whitty & Edwards, 1998). Indeed, there is evidence of trans-Atlantic collusion and cooperation of like-minded think tanks and other interests. We know, as but one example, that as Thatcher's secretary of state for education, Kenneth Baker was impressed enough by American magnet schools to use them as a justification for the CTCs.[68] Other

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you look' and create change without trying to weigh all possible consequences in advance." (Daubenmier, 1995b)

[68] Whitty (1990a). Also, Whitty & Edwards (1998) do not see policy transfers so much as common ideological assumptions are reinforced between contexts. For example, Chris Whittle and Lamar Alexander "have no idea" about the UK reforms (p. 221). And UK Tory strategist Stuart Sexton was brought to New Zealand to advise the government on employing market models into education (when, arguably, the flow of information could have gone in the other direction). Again, based on a slim understanding of the New Zealand system for which he claimed "no prior knowledge," Sexton was able to advise the New Zealand government, not based on an understanding of their context, so much as the universal market principles for which he was the apostle (p. 223). In Michigan there has been relatively few attempts to garner lessons from abroad on markets in education. Some of the most prominent advocates for charter schools expressed general admiration for Thatcher, for example, and declare her influence, but were unfamiliar with her education policies (Paul DeWeese, personal communication, December 9, 1997). The director of the Mackinac

evidence also indicates that deliberate policy-copying occurs at least in an easterly direction (e.g., Green, 1993). Although the UK set the precedent for quasi-market reforms of education, the election of Blair's Labour Party set the stage for the US to become a model. It appears that Blair has modeled much of his political strategy on his neoliberal mentor in Clinton on issues such as welfare reform (Jones, 1998a; McGuire, 1998/1999). In education, likewise, the re-emergence of "crisis" rhetoric in the UK suggests not a dissatisfaction with the results of the Tory education policies so much as a desire to continue to cultivate popular support for similar neoliberal reforms (e.g., British Broadcasting Corporation, 1999). In the *New Statesman* — a forum for New Labour "modernizers" — Bilefsky (1998) recently advanced the possibility of emulating the US for-profit model for charter schools in the UK. Now it appears that this model will be imported as the corrective disciplinarian for poorly performing schools, thereby legitimizing the location of blame as the fault of individual schools.[69] Moreover, the Edison Project has plans for international expansion, including the UK (Walsh, 1998c).

Decentralization and Centralization

In the global politics of education reform, the idea of decentralizing control carries much rhetorical weight, and has been a primary strategy in the attempt to devolve power from the state to independent producers to

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Center — while seeing Thatcher as a "great inspiration" to his efforts around privatization — guesses that the UK school "reforms haven't been all that substantial or we would have heard much more about them" (Lawrence Reed, personal communications, November 18, 22, 1997). So, again, the similarities seem more ideologically driven then evidence driven. (I am aware that, as director of TEACH Michigan, DeWeese sent a staff member to the UK to visit some of the GM schools. But I have been unable to contact that person regarding the visit.)

[69] MacLeod (1999a, 1999b) and Rafferty (1999); on blame, see Thrupp (1998).

local consumers (McGinn, 1992; Raab, et al., 1997). However, the record in this respect has been mixed. In the UK, efforts toward devolution of control were accompanied by a strongly centralizing push for a national curriculum and assessment.[70] In the US, the locus of recent reform initiatives has vacillated between a business community concerned about high and consistent standards, and more libertarian and anti-state elements focusing on individuals rights to choose — both, in a sense, reflecting a market agenda.[71] It has been argued that such measures are necessary to enable the market to function effectively — providing a common basis and metric so rational consumers can make informed choices (Thatcher, 1993). However, those measures also reflect the tension between the neoliberal and neoconservative elements of the reform coalition. It will be interesting to see, for example, how Christian fundamentalists supporting charter schools to educate their children react to other religious groups seeking the same rights. In the UK, for instance, Muslims and other groups have won the right to full public funding of their (opt-in) schools from the Department for Education and Employment (formerly the Department of Education and Science).[72] Some religious fundamentalists arguing for decentralization to the consumer might not appreciate having to spend their tax dollars to support a provider promoting

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[70] Dean (1993b); Donald (1992); Gewirtz (1996); Gordon & Whitty (1997); Raab, et al. (1997); Whitty & Power (1997); and Whitty, et al. (1998). Some claim that policies of decentralization have not been empowerment so much as imposition, and have greatly increased stress for school personnel (Black, 1994; Dean, 1994d; Hughes, 1997).

[71] This tension may actually be most obvious in Ontario's recent controversial reform efforts (see e.g., McConaghy, 1998; National Education Association, 1998; Toronto Star, 1997, 1999).

[72] See Dean (1993a, 1995d, 1996) and (Walford (1997d); as well as neoconservative efforts to mandate religious worship and training (Dean & Maxwell, 1992; Dean, Maxwell, & McTaggart, 1992).

a religious or philosophical view that they find repugnant. In contrast, they may find required support of common or public schools to be simple distasteful — the lesser evil.[73] Others concerned about social cohesion and stability may see publicly funded school choice under the guise of decentralization as subsidized social fragmentation.

However, since the ideas behind decentralization are partially counteracted by synchronous yet contradictory policies coming from the same groups, then calls for "decentralization" must also be seen in a political light. Attacks on LEA authority suggest a broad-fronted assault on intermediate democratic institutions across contexts. While preaching local control for the individual consumer level, policies concurrently arrange a centralizing control of curriculum, funding, and assessment. Furthermore, by ridding the shielding effect of intermediary forms of governance, localized and individualized actors are more susceptible to large-scale influences from outside the public sector, such as corporate designs for curriculum and outcomes, state or national interest group pressure, and penetration by marketers. The question then, is why there is a challenge to LEA authority under the guise of local control. The answer is not simply one of allegiance to consumer sovereignty, but is at least partly

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[73] Indeed, it will be interesting to watch the rhetoric on LEAs as Christian conservatives increasingly strategize to get a greater role on school boards (Americans United for Separation of Church and State, 1997d; Clarkson, 1996; Kohn, 1998; e.g., Simonds, 1985). In a sense, efforts to regulate eligibility for funding run into the same normative problems that plagued common schools. Who decides which minority beliefs are palatable to the majority, while preserving minority rights? Deciding that the Nation of Islam or Druids, for example, are not entitled to public funding for schools as Catholics because they fall outside some mythical boundary of the "common" mainstream appears to be inconsistent and arbitrary, with the state "establishing" some beliefs and not others. A side note: Pat Buchanan praises Nation of Islam schools as a potential model for the country (Progressive, 1997c).

political. The UK provides an excellent example where the local councils were dominated by the party in opposition to the national government. LEAs, especially the Inner London Educational Authority, represented the strongholds of the opposition party — alleged to be susceptible to "special interests."[74] While Thatcher claimed to be clearing out vested interests, she was, in fact, shifting the locus of authority to national and private interests without recognizing or admitting their political nature.[75] Furthermore, the policies provided cover for cuts in education. According to Gewirtz, Ball, & Bowe (1995, p. 190), the efficiency-oriented rhetoric of decentralization presumes localist autonomy and atomistic

> ...freedom of choice but delivers a very effective means of surrogate control. It also provides a mechanism for driving down educational expenditures which draws upon a discourse of efficiency and which effectively uses the procedures of competitive formula funding to disguise cuts in public expenditure. Individual institutions are left with the freedom to manage their own contraction. Furthermore, the ideology of the market is introduced by, and introduces, a common management of regulation across the private and public sectors based on a non-principled self interest. (see also, Dean, 1995f)

Meanwhile, efforts like charter schools blatantly replace democratic LEAs with local consumer groupings, thus undercutting intermediary democratic structures with largely economic means and making consumers and producers more susceptible to large-scale influences. In both cases, the rhetoric of decentralization accompanied by centralizing tendencies increases authority at both the most individualized and centralized levels, at the expense of local forms of democratic-political organization. Thus, returning to the views of Friedman, Chubb, and Moe,

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[74] Dean & Burstall (1995). This has also very much been the case in Ontario in education and municipal governance.

[75] See, for example, Grant (1989, esp. pp. 155-7) and Walford (1997d); Fox (1997a) notes the rise of an industry of private consultants to perform functions previously done by the LEA.

their challenge is to a particular form or level of democratic expression. They attack intermediary forms of democracy as inefficient and ineffective bureaucracies, and identify democratic action in individualized consumer choices — even if it gives freer reign to influential economic forces that likewise constrain consumer choice. This is in direct contrast to the regulation of education that common schoolers promoted as it consolidated and centralized control to the more centralized level of the state apparatus. Thus, the dispute is over what level of authority is the most appropriate and effective locus of democratic expression. The answer probably depends contextually on the interplay with private interests organized through the market at any given time.

Markets and Quasi-Markets in Education

Market advocates base their claims on the potential of market mechanisms in education on a perspective that focuses on pure market processes, perceived theory, or in markets for consumer goods. Yet, although reforms like charter schools, GM schools and CTCs import market mechanisms of consumer choice and competition between providers into the realm of public education (and, indeed, market-oriented reformers often speak of education markets), it is important to remember that these are not true markets. Market forces in education are often referred to as "quasi-markets" because they are not pure, free markets and do not approximate the laissez faire ideal (Bartlett, 1993). Charter schools, GM schools and CTCs rely on the public sector for funding, regulations, certification, and so forth. When it comes to education markets, it is generally recognized that, as of now, there are no "free" markets, where individual actors are free from all external constraints in exchanging their

goods and services. Public education has generally not seen pure markets for a few reasons. First, there is still a widely recognized (but increasingly disputed or ignored) social and societal interest in education, for socialization of individuals and cultivating the common good. This social interest is translated most obviously into public funding of, or "investment" in, public education as an institution. Such funding also brings the state regulatory apparatus into education, usually to seek equity or access, or rights of individual groups, but also — as critics rightly charge — often to perpetuate and expand bureaucratic control. Externally imposed constraints in the public provision of education have effectively limited the rights of individuals in order to protect society from aspects of market failure that may lead to what are recognized as socially undesirable outcomes: segregation, hierarchies, or whatever may be viewed as objectionable by society.

Thus, for these reasons, there are obstacles and constraints upon the free reign of markets in the provision and governance of education. Quasi-markets are not pure markets by any measure in the *laissez-faire* sense. However, the claims and promises for education quasi-markets are premised on presuppositions of purer markets, as perceived with consumer goods like cars or restaurant meals. Market-oriented reformers justify the importation of market mechanisms into public education by alluding to other areas of consumer life more thoroughly in the private sphere — if we allow consumers to choose their toothpaste, then why not their school? (e.g., Gintis in Glass, 1994). For instance, Bill Bennett and his colleagues (1998) draw parallels to American auto manufacturers (incorrectly calling the big three a monopoly) to show how they were forced to respond to competitive pressure from Japanese imports in becoming more responsive to consumer

demands. Likewise, Coulson (1999, p. 217) claims we now have "huge range of transportation choices" thanks to the market, while a transportation system run like public schooling would now be offering nothing more than "a horse and a Model T Ford" at very expensive rates.[76]

Whether such claims are correct or not is not the point here.[77] Instead, it is important to note that even market advocates are forced to refer to areas outside of education to explain market mechanisms because there are now virtually no free markets in education. But the consequent insistence of these market advocates on imposing the hypothetical processes of pure market logic perceived in consumer markets onto the decidedly "impure" quasi-market of school choice perverts the theoretical dynamics of competition as it might manifest itself in actual pure markets in education. (However, in noting this discrepancy, I am not arguing here for pure markets, in view of the societal mandates listed above.) The discongruence between pure market theory and quasi-market practice based on consumer choice and provider competition is a largely theoretical question, and its effects are not yet completely clear. For example, the guarantee of a certain level of funding on a per student basis means the producer will compete with other producers on the basis of how many consumers will patronize a given charter or GM school, not in terms of attracting more business from any one consumer — particularly "higher value" consumers. (The exception, evident in the UK case, it that some "consumers" take on lower values than others; children who have problems associated with

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[76] Of course, one could argue that there is a greater range of transportation options represented by a horse and a Model T than in all the vehicles produced by Ford and its competitors now. On other allusions to consumer markets to justify market mechanisms in education, see the previous chapter.

[77] For a discussion of such claims, see Lubienski (1999).

difficulties in education become a liability to a school unless their funding is increased relative to others.) Hence, in a constrained setting such as a school building — especially a smaller scale operation not associated with a for-profit chain — revenues available for research and development are necessarily limited by the set per capita funding which is limited by space considerations. Only operations that are inherently expandable can enrich themselves by pursuing potentially popular innovations through costly research and experimentation, since they can increase the number of students-consumers they reach through cloning, franchising, or extending the reach of their services through other means. This gives an advantage in innovating to large-scale operations over "mom and pop" schools, but is still the basis of Coulson's (1999) proposal:

> The free-market innovations process may offend the sensibilities of educational egalitarians, due to the fact that innovations are usually enjoyed first by the wealthy and only afterward by the general public. Nonetheless, it is the only process that has a proven record of stimulating valuable improvements in technology, and of eventually making those improvements available on a grand scale. (p. 344)[78]

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[78] But as a market purist, however, Coulson correctly notes that charter schools are constrained from increasing innovation because they do not accurately reflect free markets: "If an entrepreneurial private contractor were to conceive of an expensive but potentially very effective pedagogical innovation, he [*sic*] would be discouraged from implementing it within a charter school system due to his inability to charge a higher tuition to cover his higher initial costs, let alone make a profit. Faced with this reality, charter schools, whether run by nonprofit groups or contracted out to private for-profit enterprises, are unlikely to spend their fixed incomes developing pedagogical advances whose costs they will not be able to earn back. Pedagogical progress is thus apt to languish far behind the pace of market-driven industries, since the abortion of innovations in their early (and expensive) stages means that schools will never have the opportunity to find ways of delivering those innovations more cheaply and effectively, thus preventing them from ever reaching a broader population." (p. 344) This position, however, effectively denies the right of society to constrain choice to protect and provide the public good.

This position echoes Friedman's (1995a) insistence that innovation entails unleashing free market forces, since that is the case with consumer goods: "As in all cases, the innovations in the 'luxury' product will soon spread to the basic product." However, such claims are indicative of a tendency to ignore the fact that school choice is not a free market, even if based on market mechanisms.

Who is the customer?

In much of the rhetoric promoting markets, there is a pronounced theme that markets are more effective at serving the needs of the customer or consumer of education. While this idea is a primary means of elevating the private goods of education into a commodity, it is also a rhetoric that has penetrated much of the culture of public education — even the "establishment."[79] Yet there is some confusion as to which actor is the customer. This perplexity is evident within the ranks of market advocates. In Michigan, the founder of an Afrocentric charter school sees himself as serving "the true customer — the parent and the potential employer" (Andrejevic, 1995g). One State Board of Education candidate (the CEO of a family business who was supported by Durant) had a slightly different definition: "In our education system, the customer is the parent and

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[79] See also Alibrandi (1994); Allen (1997); Andrejevic (1995g); Andrews (1993); Bennett, et al. (1998); Brandl (1998); Chambers (1998); Finn (1996c, 1997c, 1998a); Finn & Bennett (1997); Finn & Gau (1998); Finn, et al. (1997a); Garner & Hannaway (1982); Gintis (1995); Glass (1994); Golle (1994); Heritage Foundation (1995a); Lehman (1997); Lowe, Funk, & Altreche (1996b); Rofes (1998); Salisbury, Branson, & Broetzmann (1997); and Schneider, et al. (1997). Riley (1988) claims — in New Zealand — that some people are simply incapable of understanding an endeavor in any terms other than that of a business transaction. Few observers explicitly frame the larger society as the primary customer (e.g., Houston, 1994).

child."[80] The Heritage Foundation (1995a) sees business leaders as the "clients" of public schools. This is a very important area that needs clarification. If we are to elevate the market model, advocates need to explain the various roles that actors are to play. If the argument is for devolution of control away from centralized providers, for example, then we need to understand which party will be empowered instead. Likewise, if markets are important because they liberate individual consumer choice, it would be a contradiction to then place the locus of control with a party other than the "consumers."

In most scenarios, the student most directly "consumes" educational provision, but is usually not able to choose between different options in an education market system. As presumably rational actors, parents or families are often proxy-consumers in that they do the choosing of schools for their children, but they do not "consume" in terms of translating the capital effects of an education into personal gain (Brighouse, 1997). There is also a consistent theme with reforms like the CTCs and business- and industry-oriented charter schools that business is the consumer, as the employer of skilled graduates, who are cast as the "product" of the education system — hence, business efforts to influence the curriculum and outcomes of schooling.[81] Finally, the community or "society" could be viewed as the ultimate consumer of education, because the "spillover" of widespread provision involves general social effects — impacting crime rates, fertility rates, social capital, and so on. Yet many neoliberal and neoclassical economists dispute this assignation of society as the consumer

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[80] Mayes (1996a). See also Michigan State Board of Education (1995a).
[81] See, for example Gerstner, Semerad, Doyle, & Johnston (1994); Heritage Foundation (1995a); and Kearns & Doyle (1988).

because societal benefits are external or subsequent to the purpose of education, in their view, which is directed at individuals (Gintis, 1995).

This imprecision raises problems for applying market mechanisms in education. The driving consumer force of self-interest is corrupted in several ways. First, if parents are consumers, they are generally not the payers in a system of publicly-funded school choice. While the state is not usually regarded as the "customer," it is the state, and not the parent-consumer, that has an interest in "shopping around" for the best deal. Thus, this displacement corrupts an essential market dynamic of cost-efficiency; it makes the payer a secondary figure, the chooser an uninterested figure, and the provider the actor with the primary interest in cutting costs (but only to increase profit margins — hence, school selection denies parental choice). Second, to the extent that business is the consumer and students are "products" (or part of the "production" process since they have an effect on the achievement of their classmates), then parent-consumer choice is again corrupted. Indeed, parent choice here is a misnomer, since the consumer (employers' interests) should be given priority in controlling the curriculum, assessment, sorting, and promotion of students. (It is somewhat akin to saying cattle have a "choice" over their feed.) Furthermore, the "choice" and intended outcome of where a student enrolls is severely impacted by the choices of other students, suggesting the need for a greater consideration of the "production" rather than the "consumption" model from the parent or student perspective. Finally, if students are the consumers, then they are denied the right to choose, since they are generally not considered to be rational actors. Instead, parents are granted the right to choose on their behalf. However, this sets up a dilemma in a classic liberal or libertarian approach because the chooser

does not directly enjoy or suffer the consequences of his or her choice. Instead, while schools are supposed to cultivate autonomous individuals (according to a version of the libertarian perspective), they instead produce a system where one individual has to pay the consequences for the bad choice, or lack of choice, of another — which is anathema to any conception of fairness in the liberal tradition (Brighouse, 1997).

Equal Opportunity and Coercion

As noted earlier, one of the primary assumptions of market advocates is evident in the claim that democracy (manifested in bureaucracy) is inherently coercive, while markets are defined by the free and voluntary nature of transactions (e.g., Durant III, 1997). While not denying that there is some validity to that claim, it is an extreme simplification to the point of being not only useless but misleading. For instance, the rhetoric promoting freedom *from* bureaucracy ignores the fact that many groups have found freedom *in* bureaucracy — as the institutionalization of the gains of the Civil Rights movement demonstrates. Moreover, that bifurcation ignores the fact that the ability to freely enter into economic relationships is limited to those who have the economic means to do so. Furthermore, it ignores the unequal positions that often compel participation in a transaction. (For example, "freer" markets such as prostitution, pornography, and illegal drugs are often characterized by overwhelming necessity on the part of one party — economic, emotional, chemical, or otherwise.) People are often coerced into action or forced into inaction by market conditions. Finally, assumptions that transactions are necessarily mutually beneficial are misplaced. When two individuals or parties enter into a contract, not only does this put limits on their own

personal freedoms (albeit, self-imposed and presumably for mutual gain), but limits the freedoms of other individuals and groups (and, as a whole) within the larger community as well. For example: mergers limit consumer choice and worker options as well as the economic circumstances of the wider community. Even if we accept the tenuous assumption of equal access to information, two informed parties could act each in their own self-interest, with inordinate outcomes, as one party can corner the market, for instance. Markets are often coercive. Thus, assumptions about liberty in the market are overly simplistic particularly in an area as spatially dependent as schooling.

The assumption of freedom in the market is also, in turn, premised on the assumption of a rational consumer of education — a model which has been called into question by evidence from Britain and the US. Reformers make the effort to provide the means, however limited, for rational choice through standardized tests and published league tables. But the assumption of rational choice ignores the extent to which consumers take in to account other factors, or simply fail to take into account anything — especially factors reformers consider to be appropriate.[82] Similarly, it is inaccurate to assume simply that consumers shape markets. Markets shape consumer preference as well. Advertising, which is often more emotional that rational, can encourage brand loyalty and ignorance of alternatives. Other factors such as geographic convenience, inertia, and social issues also counteract rational choice assumptions. Thus, if politics can be blamed for coercing alienated consent through bureaucratic control,

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[82] Ascher, et al. (1996); Ball & Gewirtz (1997); Carnegie Foundation for the Advancement of Teaching (1992); Carroll & Walford (1997a, 1997b); Fitz, et al. (1993); Glazerman (1998); Hirsch (1994); Meadmore & Symes (1997); Petronio (1996); Power, et al. (1994); Smith & Meier (1995b); Walford (1992); Wells (1993a); and Wells & Crain (1992).

so to can markets be accused of thriving on the uninformed consent of the consumers. But the often unexamined claim of rational choice also obscures another aspect of markets when applied to education. If, indeed, the market is based on winners and losers (as Chubb and Moe claim politics is), and the incentive is provided by individuals trying to maximize gains and avoid losses, then is that really a model which we are prepared to apply to education? Advocates of markets explicitly call for winners and losers in a competition between schools, without extending that line of reasoning to the recognition that children in losing schools would likewise be affected.

Indeed, the idea of choice itself inherently involves differentiation of options for consumers. While market-oriented reformers note that this better positions schools to meet different consumer needs, it also revives the question of separate and equal. That is, we need to explore if and how it can be possible to have a horizontal range of options that are different, but not of different vertical value. Market reformers would note that such differentiation necessarily represents different values to consumers, who can then choose the option that is of most value to their situation. While this may be true for an individual, it is more difficult to argue that on a societal level, where economic realities impose different assessment on different educational experiences and institutions. Furthermore, in a system that calls for competition between providers, some providers losing the race will obviously represent less value. It would be overly simplistic to assume that differences would only arise in the types of curricula, for example, and not in the effectiveness or prestige of schools, since they are encouraged to beat each other at the same game of producing employable graduates for the same market.

Hirschman's model.

What, then, is the alternative? It seems that equality necessitates some constraints on individual liberties — either voluntary, or externally coercive. Likewise, it appears to be the case that any exercise of the freedom of association (as in education) involves self-imposed constraints on personal prerogatives. Then, to make public schools the perfect guarantor of the common good would require mandated participation — something we generally hold to be repugnant in this case, and the courts hold to be unconstitutional.[83] On the other hand, to promote public schools as the primary means of approximating the common good — with its differentially distributed costs and benefits — without either a mandate or a compelling reason to maintain loyalty to the institution, would lead to escape or exit of those individuals bearing the most negative relative cost to benefit ratio.[84] If client capture is unthinkable, and escape of valued participants unavoidable, then what are the solutions?

While this analysis is not meant to be prescriptive so much as interpretive, it is interesting to note the possibilities, constraints, and patterns therein. In this chapter, I have described two very different understandings of public education — one promoting education as

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[83] See Olson (1965) and Hardin (1968) on the need for coercion to guarantee the collective nature of a common good. On unconstitutionality of denying choice, see *Sisters of the Holy Names v. Pierce et al.*, 268 US 510 (1925), cited in Tyack (1968).

[84] While Hirschman and Olson (1965) speak to this, such outcomes are predicted in the "tragedy of the commons" (Hardin, 1968). Cost and benefits are not a zero-sum game here from the perspective of any given individual. That is, while common benefits may be widely distributed, real and opportunity costs are shouldered by some individuals more than others, depending on social and geographical position, economic means, and a host of other factors.

primarily a public good, and the other framing it as essentially a private good. Hirschman (1970) offers some insights into the current quandary, and the dilemmas schools face. Common school reformers attempted to place schools under public control, shielding them from the whims, failures, and inequalities of the market. Market-oriented reformers attempt to bring schools under consumer control, liberating them from crippling, constraining, and inefficient bureaucracies. The question centers, then, around the issue of the appropriate location of schooling — politics or markets? Should schools be treated like businesses, and their "users" like customers? Or should they be like a political institution, primarily responsive to participating citizen-voters?

I do not know which alternative bears the burden of proof (although I suspect, under the current climate, that private-sector advocates have the momentum). However, the rhetoric around school reform currently suggests a strong emphasis on treating schools as businesses. If parents (as proxy-consumers) pursue individualized private goods, they will shop around to find the best options for their child. While reformers do not pretend that the flight of students (and revenues) will directly help a failing school, they explicitly note that the school will have an economic motivation to improve, or, as Engler notes, "go out of business." Thus, the loss of the school's monopoly status will force it to improve.

However, as Hirschman notes, under present conditions of semi-monopoly status for public schools, and partial escape options for some parents, at least for those with means, schools are often failing to respond to consumer exit. In fact, being primarily responsive to political pressure, schools often prefer or encourage dissatisfied and vocal parents to pull their children out and send them elsewhere. This undercuts the market-

oriented response *under present circumstances* of mixed, public-private factors. And it appears that no one is happy about it (except for the school employees who are immediately happy to be rid of problem children and parents; but even they suffer a loss as the more articulate, skilled, and potentially helpful families are also more likely or able to flee).

If we characterize public education in Hirschman's description of a lazy public monopoly, a few possibilities are evident. Under his framework (see Table 5.1), public education is usually located in the lower-left quadrant, since it is designed to respond to political pressure, but often incites dissatisfied users to leave.

Table 4.1: Mix of exit and voice in user responses and institutional sensitivity (Hirschman, 1970, p. 122)[85]

		Decline arouses primarily:	
		Exit	**Voice**
Organization is primarily sensitive to:	**Exit**	Competitive business enterprise	Organizations where dissent is allowed, but is "institutionalized"
	Voice	Public enterprise subject to competition from an alternative mode, lazy oligopolist, corporation-share-holder relations, inner cities, etc.	Democratically responsive organizations commanding considerable loyalty from members

The status quo is inherently unsatisfying for many, since it reflects an unwieldy combination of a market paradigm (for users) and a public-democratic paradigm (for the institution). When people exercise their exit option for individual advancement, they undercut the ability of the

[85] I am assuming that loyalty to the institution of public education is unevenly distributed, and probably declining overall (Mathews, 1996). See also Labaree (in press) for a treatment of this table, from which I have garnered some ideas.

institution to change. Thus, there are basically two alternatives.[86] Reform can move in the direction of a purer market paradigm, or a purer political paradigm.

In the first, reformers seek to improve public schools by making them more responsive to economic-style exit, and less to the voices of politicized "special interests" that public choice-type reformers abhor. Since economists prefer to understand exit as a more effective option than voice (pp. 16-7), market-oriented reformers place education in the upper-left quadrant through both rhetoric and policy. In this scenario, schools will have to respond to a decline in client numbers, rather than simply enjoy or even encourage the flight of troublesome parents. Likewise, parents are essentially required to employ the exit option (or simply accept dissatisfaction) since they are denied voice as a primary option — as too are all non-parent citizens. In the second option, foregoing individual rights to exit and encouraging the exercise of voice serves the interests of the individual to some extent, but greatly strengthens the ability of the institution to respond and change. Theoretically, the democratic ideals expressed in the common school reforms would place public schools in the lower-right quadrant, which is where schooling is most appropriately located as a public good.

Thus, three observations are evident. First, of the two obvious alternatives to the status quo in education, market-oriented reformers

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[86] The third alternative — the upper-right — is untenable in this case because it would depend on essentially ending the escape option, while reconfiguring education to be primarily responsive to escaping users. Thus, it suffers from the same afflictions as public education as it is currently construed, but the paradigms for users and institutions are reversed in their dysfunctions

acknowledge and pursue only one.[87] In doing so they deny the validity of the public good aspect of education, identifying education instead as a private consumer good best distributed through the competitive business model. Of course, the common school reformers rather unequivocally chose the other option, preaching against exit to persuade adherence to their institution. Secondly, market-oriented responses deny the role of schools in cultivating voice. While critics such as Friedman, Chubb, and Moe see politics as a messy, indirect, and inefficient form of expression compared with voting with one's feet, Hirschman (p. 17) notes:

> A person less well trained in economics might naïvely suggest that the direct way of expressing views is to express them!... But what else is the political, and indeed the democratic, process than the digging, the use, and hopefully the slow improvement of these very channels?[88]

Thus, finally, more recent market efforts are characterized by de facto economic, if not state, coercion. As public education is located in the competitive business quadrant for provision, it is necessarily redefined as a commodity. Therefore, policies effectively force some citizens into the role of consumers, while disenfranchising others, including some "non-user" payers, who have only voice remaining as an increasingly obsolete option. To refuse to play along means being relegated to an inefficient and undesirable "product."

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[87] Some charter advocates and others who redefine public education to embrace market mechanisms might argue that they are pursuing the upper right-quadrant, since they are maintaining loyalty to the institution of public education, while creating viable niches within that institution. However, they are conflating walking with talking.

[88] In the UK, see (Dean (1993a) and Walford (1997d); and in the US and Michigan, see Andrejevic (1995d); Bennefield (1997); Chavis (1994); Kane (1998); Kelly (1996); Richard (1996d); and Torres (1995).

Private Goods and Public Control

It is important in analyzing any substantial reforms of public education to examine the effect that these reforms will have on a democratic system of education, and on democratic society itself. Not surprisingly, there is evidence of Balkanization, and segregation on religious and racial lines within the structures set up for school choice. But an even more serious issue from the standpoint of a democratic society concerns the commitment to democracy on the part of those pushing these reforms. Indeed, if democracy is integral to the common good and vice versa (discussed in the next chapter), then there is a noticeable hostility toward direct democratic control (as an alternative or an actuality) and an almost complete silence in the discourse around school choice regarding the common good.[89]

Some of the most visible proponents of these reforms have made no secret about the fact that they see democratic control as the problem. From the perspective of Chubb & Moe (1990, 1991, 1992), Thatcher (1993), Durant (1997), and DeWeese (1994, 1996a), for example, the problem with schools is democratic — more often called "political" — control. Indeed, in the US and Michigan discourse around charter schools there is a striking difference between the low valuation of — even hostility toward — democratic control of school governance and the elevated place for the market in education. Democratic politics are messy and inefficient. As the site for debate between conflicting interests, change can happen slowly, and

[89] Very few observers show explicit concern for the common good (even under its various labels), acknowledge its absence from the debates or question the role of markets in education for approximating the common good; those that do are often peripheral to the discourse, with few exceptions (Bryk, Lee, & Holland, 1993; Covaleskie, 1994; Goodlad & McMannon, 1997; Houston, 1997; Stratman, 1998; Tyack, 1990; Walford, 1997c). This suggests that it carries little weight now in the discourse, and raises the question of how the discourse is shaped (see examples in Appendix).

its direction is not seen as "progress" by all competing groups (Plank & Boyd, 1994). However, as Barber (1997) points out, this does not necessarily require the privatization one of the last remaining public institutions. On the other hand, market-oriented reformers portray or see the market as a pure, politically neutral mechanism for sorting claims, pre-empting conflict, and efficiently distributing resources. These reformers view the market as a form of social organization superior to democratic politics. Although they may present themselves and their ideas as "above" politics — embedded in the apolitical neutrality of the market — across contexts, market reformers understand well the need for political maneuvering and shaping discourse to achieve their market ends.[90] They may deny the political implications of their plans, but the plans are immersed in politics, and have political consequences for democracy (see next chapter).

The "apolitical" strategy for reformers has been to take education out of the realm of politics by bringing in private control. While many reformers — such as Chubb and Moe, and McGriff of the Edison project — deny that the market mechanisms "privatize" education, there is some evidence of the privatization of means of provision and public resources apparent in the wake of the charter school reforms (also discussed more fully in the following chapter). For example, in the "stronger legislation" that charter school advocates praise, charter schools and their owners are given private ownership of the assets purchased with public money (Essigs, 1997).

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[90] See the advised strategy described earlier on racial politics and choice, for example; also, in the US (Clarkson, 1996, pp. 205f; Meyerson, 1997), and Michigan: (DeWeese, 1994; Durant III, 1997; Koshelnyk, 1997; Mackinac Center for Public Policy, 1992); and in the UK, see Chubb & Moe's (1992) advice on "leading" the public into supporting opting out efforts for Grant-Maintained schools. Imbrogno's (1997) essay is a good analysis of the mechanics of these necessary strategies. On controlling the discourse and defining and enclosing common sense, see the Appendix.

Likewise, there are the predictable scandals associated with opening up a previously public function to profit-seeking private investment. The more publicized scandals in Michigan and elsewhere are simply the more pronounced instances of this. Abuses of the very idea of schooling are likely to occur as the logic of the market dictates that maximizing self-interest on the part of providers leaves teaching and learning as a secondary consideration.[91]

However, in view of the contrast in the values and rhetoric of the common school reformers and current school choice advocates, such specific forms of privatization of resources may not be the most important area of attention. Perhaps much more consequential is the way the rhetoric of market advocates encourages the multiple fragmentation of public education by each individual consumer as it is to be pursued as a commodity. That is, the rhetoric promotes de-publicization, and a redefinition of the "public" in education away from citizens to consumers, and "public" in schools away from that of an institution of and for the common good. In education reform, such proposals do not necessarily require the privatization of the funding or the *means* of the provision of education, but, instead, the privatization of the *purpose* of education. That is, parents are increasingly encouraged or required to treat education as a consumer good, to be obtained from a competitive market for essentially

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[91] Kozol (1993b) and Molnar (1996). Examples of such church-state separation, admissions, administration, and financial scandals have appeared in Michigan (Bauza, 1996; Lansing State Journal, 1996a, 1996b; Mayes, 1996c; Orfield, 1998; Rethinking Schools, 1996b; Richard, 1996a, 1996c, 1996d, 1997; State News, 1996; Toch, 1998; Walsh, 1997), and the US (Abercrombie, 1999; Americans United for Separation of Church and State, 1997a; Arizona Education Association, 1998a; Borsuk & Williams, 1999; Chase, 1999; Education Week, 1998a, 1998b; Farber, 1998; Finn, 1996b; Finn, et al., 1997b; McKibben, 1999; Peterson, 1997b; Rothstein, et al., 1998; Schnaiberg, 1997c), as well as the UK (Dean, 1990, 1994a, 1994b, 1995a).

private ends. This can still be the case under the charter reformers preferred definition of public schools as publicly funded and open to the public. Indeed, their rhetoric can spillover into the way people view public-politically controlled schools.[92] This stands in stark contrast to the values and public rhetoric of the common school reformers. This trend is dealt with more in the final chapter.

In conclusion, this chapter has recounted a process of state intervention into public education, and state withdrawal, succeeded by an invitation for private, individual interventions. The contrast between the values embedded in the rhetoric of the common school reformers and contemporary market-oriented reformers raises several important issues. Certainly, the ideals espoused in the rhetoric of the common school reformers were never completely realized (for better or worse), but their crusade to redefine the institution of education as an instrument of the public good was a largely rhetorical effort, and succeeded in setting later terms of the debate around issues of public funding, access, and governance. They saw and portrayed the institution of public education as the only alternative for mediating multiple contradictions of the time, in view of their understanding of the correctibility of human nature. On the other hand, recent and current market reformers have used rhetoric and policy implementation to redefine the "public" aspect of education to a consumer commodity conception. In doing so, they have created a situation where such terms are likely to gain widespread adherence because the compelling nature of competitive markets penalizes those who refuse to play as losers who cannot play well. Current reformers seek to disestablish the institution of education as a mediating space between individuals and

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[92] On this trend, though not necessarily this cause, see Labaree (1997a).

market forces. This not only identifies markets as the most appropriate means for sorting and solving contradictions and competing private interests, but also indicates a view of human nature as most effectively served through individualistic pursuit of self-interest — driven by a system that harnesses those interests. Regardless of how well the effects of their rhetoric succeeds in constraining alternatives in practice, their considerable efforts in casting education as a private good will likely also succeed in shaping the terms of the debate (and therefore, the possible alternatives) for some time to come.

Thus, we need to interrogate the logic of the common school reformers in their linking conceptions of the common schools to the survival of democracy. Likewise, we need to interrogate the market-oriented reformers' denial or negation of that link. Furthermore, the appropriateness of any logical connection should be re-examined in the changing context of our society. However, even though contextual variables change, democratic values are still an essential part of the national landscape. The common school reformers made the sustenance of democracy the centerpiece of their rhetoric. We need to investigate the relationship of charter schools to democracy and the common or public good — connections essentially absent from the rhetoric of the charter school advocates — before accepting their definition of what constitutes a public school. I focus on such questions in the next and final chapter.

CHAPTER FIVE

Enclosures as a Metaphor for Education Reform

The *New York Times* reports that a "range war" flared up recently in suburban Rockland County, New York. In a community of new quarter-million-dollar-plus homes, neighbors who normally do not speak to each other are now not speaking to each other over the orientation of privacy fences. The problem centers on the post-side, and the "nicer side" of stockade fencing, and which side faces the owner, and which side faces the neighbors. While traditionally, owners wanted to put their best side forward, the neighborhood ethos is changing, according to one offending owner speaking on the controversy: "It's very upsetting.... I feel, if I'm buying it, I should be able to see the nicer side of it." The *Times* notes that, "Descendants of the fences that protected colonists against Indians and marauding animals," the stockade fences (including the "bargain version of 17th-century Jamestown") have re-emerged with the arrival of a Home Depot in the area (Brown, 1999).

"Unlike the earliest stockade fences, which were a fundamental element of survival, or their more recent counterparts, required in many communities to enclose swimming pools, today's rustic fences are usually bought for privacy," the *Times* reports. Not surprisingly, the municipality has resorted to zoning ordinances to ensure that the "correct" side sustains neighborliness — a tactic employed by towns throughout the country. On the other hand, critics see such legal moves as symptomatic of encroaching communities "increasingly trying to exercise control over their neighbors," as one observer noted. The town has hired a code enforcer to cruise the streets on the lookout for offending fencing. A native of the town, he

remembers a childhood "when lawns were vast expanses of greenery with no fences, 'like one big backyard.'" Now, he is often called to serve as a liaison between conflicting parties. "I tell them: I'm not a counseling agent. You've got to talk to each other." (Brown, 1999)

Similar anecdotes are evident in the news and observations of the day:

- In an essay on works of public art, Kate Cambor notes the centrifugal effects of memorials and edifices that were intended to provide a unifying force. While artists expected that their statues and monuments would symbolize civic virtue, valor, reconciliation, and courage, it is becoming apparent that memorials to the bravery and sacrifice of Confederate officers and the flight of the Enola Gay, for example, have very different meanings for different groups. Cambor writes: "rather than addressing the greatest challenge facing our multicultural society — namely, how to fashion '*unum* out of the *pluribus* of American society' — our efforts at achieving reconciliation through monuments seem to have produced increasingly polarized pockets of *unums*."[1]
- The number of privately-employed security agents now exceeds the number of publicly-employed police officers.
- Lincoln-Mercury advertises its "Navigator" Sport Utility Vehicle (SUV) as an "urban assault luxury vehicle."[2] SUVs, together with minivans and light trucks, make up over half of all new "car" sales for the first time this last year. These high-priced SUVs are marketed on a number of factors, including luxury, safety, domination, visibility, independence, etc. (Nugent, 1999).

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1 Cambor (1999, p. 76), with reference to Levinson (1998).
2 In the advertisement, the word "luxury" is added with a caret.

- Speaking of cars, populist-humorist Jim Hightower (1998) reports that in Minneapolis, as in other cities, suburban commuters can purchase passes for $1,000 to give them exclusive use of taxpayer-funded highway lanes to their jobs in the core city.
- Neoconservative leader and strategist Paul Weyrich (co-founder of the Heritage Foundation, and leader of the Free Congress Foundation) recently called for a withdrawal from a failed political system — "we are caught up in a cultural collapse of historic proportions, a collapse so great that it simply overwhelms politics." Recasting the "moral majority" (he coined the term) as the besieged moral minority, he calls for a "holy" separation from the disintegrating culture and institutions of the mainstream, pointing out "that the word 'holy' means 'set apart.'" He looks to secessionist model of home schooling as the inspiration. "Turn off, tune out, drop out." He concludes that "we need to drop out of this culture, and find places, even if it is where we physically are right now, where we can live godly, righteous and sober lives." (Weyrich, 1999)

These scattered vignettes are indicative of what I argue below is a pattern of withdrawal, walling off, and enclosure that is re-emerging in modern society. While I describe this general process in more detail later, I propose that this withdrawal-enclosure phenomenon is also becoming more evident in public education. This is significant now, I suggest, because public education is an institution invested with the potential to promote the common good by creating and sustaining space for democratic discourse. Indeed, it is one of the last remaining institutions available to counteract the universalization of walls and fences of private interests. Surely, there have traditionally been private interests in and exits from public education for centuries. However, the emergence of a faith in the

market as the omnipotent, omniscient and, now, omnipresent model effectively redefines the commonly conceived essence of "public" education — turning it into a vehicle exclusively for private intentions.[3] As that happens, I argue, schools will become more fragmented and fragmentising in their social effects — serving as walls between individuals and groups.

Metaphors in Policy Analysis

In order to better understand the withdrawal-enclosure phenomenon, I want to return to the metaphor I introduced in the first chapter — the metaphor of enclosure. While I have only alluded to this image indirectly in the intervening chapters, here I give a more complete explanation of the idea. I propose the metaphor of enclosure as a possible lens into the slippery domain of current trends. It is difficult to interpret grand meanings from one's own times; MacIver paraphrased Aristotle in noting that "we can learn the nature of anything only when it has reached — and passed — its maturation" (Polanyi, 1944, p. ix). I suggest that the use of a metaphor helps us attempt to make sense of the phenomenon of markets in education. Metaphors offer distinct points of reference for contrast through which we can analyze parallels with, and divergence from, pre-evident patterns. They are an essential tool in analysis, and, in policy, nearly unavoidable — especially in considering paradigm shifts.[4] As Parsons (1995, p. 1) notes:

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[3] Several alternative publications have commented on the emergence of the "total market" as the pervasive force in modern life (e.g., Hilfiker, 1998; Tamez, 1995). Mockler (1994) notes the religious-like nature of the discussions on markets and schools.

[4] Henig (1994) and Massey (1997b). Indeed, Massey argues that the dominance in social science of the idea that "reality" is socially constructed necessarily invokes metaphors in order to make sense of abstractions such

> the analysis of public policy proceeds by employing metaphors: we analyze by describing something in terms of something else. Public policy, as other forms of political analysis, uses metaphors or models as devices to explore the 'unknown' and possibly unknowable world of politics. (quoted in Massey, 1997b, p. 3)

Thus, metaphors can help us seek universal patterns of human experience that can override contextual differences, and aid in understanding the abstractions of our own existence.[5] Indeed, words themselves are metaphors. Metaphors serve to imply a framing of a problem and its parallels to more accessible models in everyday life. Thus, they can also be inherently dangerous devices in terms of their often latent prescriptive powers (Henig, 1994). Whether intended or not, the use of metaphors immediately invokes precedents, and bodies of evidence and forms of logical analysis. Hence, their power is also their danger if used underhandedly. In the present case, I see the use of metaphor as a useful tool if restricted to uncovering assumptions and patterns as an interpretive exercise, rather than a prescriptive one.

This power of metaphors is well known, or, at least, obvious, in the case of the expanding purview of the market. For example, Smith (1991, pp. 200-1) writes of the use of metaphors in the efforts of think tanks like the Heritage Foundation to "recast the public debate" in promoting a market agenda. In doing so, Heritage has influentially cast all dynamics, including ideas and democratic processes, in market terms: "The market metaphor — so fundamental a part of the Heritage Foundation's ethos —

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as "society," the "state," the "economy" — all integral to policy production and study.

[5] In education discourse, where people are trying to make sense of policy and practice, metaphors "have the power to bring to life taken-for-granted ideas embedded in a school's culture" (Wincek, 1995, p. 7).

now holds sway among institutions across the political spectrum."[6] Such use of metaphors is a savvy strategy, since the metaphor that emerges as victorious does more than simply reflect reality, but can define or change the course of culture and thus reality (Lakoff & Johnson, 1980, p. 145).

While the market metaphor is indeed ascendant, it is easy to forget that it is a metaphor. There is no geographically identifiable "marketplace" for education or policy ideas. However, the metaphor serves to help people accept the idea of mechanisms evident in actual markets (consumer choice and producer competition) as appropriate and defining characteristics of educational organization — hence its recurrence in the contested terrain of educational discourse.[7] On the other hand, the competing idea of "community" in education with which the market is often juxtaposed is also largely metaphorical (Margonis & Parker, 1995).[8] Still, these metaphors pervade policy discourse in areas like education. Indeed, education policy and research are full of metaphorical allusions, like Cuban's (1984) effective use of the storm image to describe change and continuity at different levels. Discourse around choice, in particular, is permeated and driven by metaphors. Besides the market and community references, there are the ideas of "customers" and "products" noted earlier — often ill-fitting but extremely useful for advancing the market penetration of education.

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[6] Smith disapproves of this, though, claiming "the market metaphor is also intrinsically at odds with the commitment to research, common intellectual inquiry, and forthright debate."

[7] See Henig (1994) on this phenomenon — what he calls the "interpretive leap," I have been referring to as allusions to consumer markets. From Michigan, Hesse (1997) warns of the dangers of extending the unexamined prescriptive aspects of business analogies to schools.

[8] Margonis & Parker (1995) write of misguided metaphors on opposing sides of the issue of school choice. Cookson (1994), following but disagreeing with Chubb and Moe, identifies markets and democracy as the defining metaphors of the discourse of school reform.

Additionally, the phrase "rising tide lifts all boats" is a common claim for particular types of reform (Carl, 1998). Hentschke (1997) outlines analogies to health care for understanding education reform. Rogers (1992, p. 129) draws trenchant parallels into hypothetical consumer-oriented reforms of libraries — another institution for sustenance of democracy and the common good — as an insightful comment on markets and schools.[9] Bowe et al. invoke the metaphor of "landscapes" to help researchers understand actor positionality and its effects on agency in choosing — a metaphor inherently associated with the "politics of space."[10]

Therefore, in the field of school choice policy, metaphors are a very common, if not always recognized tool. But they are also a potent force in constructing reality, as they become stand-ins for other less accessible or publicly palatable factors. In the war of metaphors in school choice, market advocates are succeeding in inserting their metaphors into the discourse as the defining terms, images, and actualities of the issue (Newman, 1999).

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[9] See also Ravitch (1998) for a comparison similar to Hentschke, but between education and medical research. Rogers cited in Walford (1994, p. 85).

[10] Bowe, et al. (1994a, 1994b). They suggest this as a means by which we can try to understand the many factors which are involved in a parent's decision whether and how to engage the market for school choice, the social positioning that appears to be essential in locating oneself in the landscape and informing one's perspective, and the limitations of perspective that often obscure and highlight aspects of the horizon of knowledge and information. However, in view of the class patterns that Ball and others have discerned in the dynamics of educational markets in the UK, and the rise of private management around public education in Michigan and the US, the metaphor of landscapes is limited in explaining the larger patterns around the privatized purpose of public education. I think there is some potential in taking "the politics of space" idea further, through the enclosure analogy.

The Metaphor of Enclosure

In order to understand wider social patterns in recent years, several observers have attempted to explain the threat posed to democracy by portraying the patterns of socioeconomic segregation that have infected shared or common areas of social life in a democratic society. Lasch's (1995) work in the early 1990s on the secession of socioeconomic elites from common areas of life in a democratic society can serve as a starting point for understanding the withdrawal of support from an under-funded or poorly performing education system. His analysis has received support from several observers. Reich (1995) and McKenzie (1994), for example, note this process in residential and lifestyle patterns that preclude interaction across social boundaries. Similarly, Blakely & Snyder (1995, 1997) comment on this phenomenon with respect to the rise of gated communities. Kozol (1995) critiques this pattern around areas of diminishing public services, consequent to the retraction of elites' support for such efforts through their threat of removing political backing and taxable capital. Several religious publications have also identified this apparent pattern with some concern (e.g., Aeschliman, 1994; Friend, 1996).

While (to my knowledge) this idea of secession or withdrawal of the rich from the public or shared areas of a democratic society has not been applied in any comprehensive fashion to mass education, this perspective is useful in understanding the retraction of support for public schooling in recent years. However, in view of the evidence that there is not simply a withdrawal of the presence and participation of elite and affluent segments of our society, but the re-conceptualizing of mass education from an institution for the public good to an area for private gain and investment,

this perspective is somewhat limited in its explanatory value. To build upon it, we should consider the effectiveness of the metaphor of "enclosures" of one of the primary common areas of democracy — public education.

The idea of enclosures — drawn from the socioeconomic sea change that transformed agricultural and economic life, and social relationships in Europe at the advent of the industrial revolution — has some obvious relevance to the patterns discussed in this dissertation. The clearances and enclosures of common lands that characterized early modern Europe signified a paradigm shift, not only in fundamental socioeconomic patterns, but in the conceptions of human existence, individual and community, as well as the relation of "Man" to the material world. The sudden and drastic changes that were forcefully imposed upon traditional and popularly defined institutions by powerful elites reflect the "revolutionary" and speedy "paradigm shift" that reformers in Michigan and the US explicitly pursue with little regard (and some disdain) for democratic values.[11] The draconian nature of these historical transformations have been well documented (see below), and the thoroughness of their effects is awesome — in Great Britain, just in the six decades after 1770, "more than six million acres of commonly-held lands...were put into private hands for private gains. So by 1830 not a single county had more than three per cent of its land open to public use" (Sale, 1996).[12]

The metaphor of the enclosures, with parallels to the current tendencies of the elite toward the common space of public education, offers us the

11 See, for example, Allen (1996); Chubb & Moe (1990); DeWeese (1994); and Durant III, (1997).
12 This is probably a reference to Clapham's (1951) estimate.

chance to examine the assumption that the market is the only policy alternative. Transformations of pervading ideology regarding social institutions, like we will see with the enclosures, can be forceful and often brutal affairs — the imposition of a de facto reconfiguration of commonly held conceptions. The speed and the sheer weight of the changes can pre-empt the examination of the assumptions and alternatives, as well as the likely consequences of "revolution." Thus, Ball (1997) invokes Thompson's (1971, 1991) concept of a new "moral economy" — a new system of values, constraints, and possible ways of thinking of human relationships — being forcefully imposed by the sudden and drastic changes in modern Britain's system of education governance. Just as the transformation in the moral economy precipitated by the enclosures transformed the conscious realm of *the possible* for social relations — eradicating commonly held responsibilities and rights and imposing new ones — it may be useful to ask about assumptions and evidence before acceding to claims of the market's omniscience as it constrains the conscious realm of what is possible in current policy alternatives.

The assumption of the natural superiority of the market as the only policy alternative to the "artificial" restraints imposed by democratic government control over education are interesting to explore after one considers Polanyi's (1944) demonstration that the enclosures were not the organic evolution of market systems, but were instead a conscious grab at commons resources by elites. While in American education there has been an evolution of the relationship between the roles of public and private interests in mass education, the rhetoric from the common school era and current market-oriented reforms demonstrates an explicit strategy to manipulate that relationship through a reconfiguration of terms. As an

institution created to nurture democracy and the common good, public education is now the site of an explicit strategy of market penetration by political and business elites. Instead of simply removing themselves from public education, as the analysis from Lasch and others might suggest, the discourse in Michigan indicates that the re-conception of the ideas of "public" and "private" goods in the area of education effectively legitimizes the divvying up of public education resources for primarily private gain. Such efforts require the reconfiguration of public education as an institution stripped of its mission of enhancing the common good — an idea that was evident in the common school reforms. Indeed, the common good is a value that is virtually absent in the current discourse, and effectively erased by the explicit encouragement that education be treated as a private good to be individually — and never commonly — owned (Durant III, 1997).

Therefore, I propose the metaphor of enclosure as a lens through which to examine the nature of market penetration in education. This metaphor, based on historical precedents, provides a device that holds some promise in allowing us to get past, at least to some extent, the constraints of our contexts and act as a mirror to reflect some aspects of our circumstances.

Enclosures of Commons in England

Early modern England represents the best site for exploring the idea of enclosure.[13] The enclosure of common and waste land, together with the

[13] A note on sources: There is much written on this topic, and this short essay does not attempt to be exhaustive. I have made use of a few general histories of Europe and England (Hayes, Baldwin, & Cole, 1962; Littlefield, 1962a; 1962b; Plumb, 1963; Rickard, 1961). Deane (1979) has much to say about the role of enclosures in economic transformations of the times, as does Landes (1969) to a lesser extent. I also referred to Burke (1978), Lindemann (1983), and Spitz (1987) for related information specific to their respective areas. More specific to enclosures, Lachmann (1987) offers an excellent window into the earlier enclosures, particularly in terms of

associated consolidation of properties in the open-field system of farming, were integral to the revolution of agriculture. In turn, this revolution enabled the rapid progression of manufacturing and industry by making agriculture a less labor-intensive endeavor — so food for the growing number of factory workers could be provided by a smaller number of agricultural workers. (Additionally, many have claimed that the enclosures, which forced many agricultural laborers off the land, provided the necessary labor pool for the factories; but this thesis has been challenged in its simplest form; see below.) Certainly, Britain's early prowess in industrialized manufacturing set it well ahead of all competitors as the incipient and model revolutionary at the start of the industrial revolution. Thus, while the enclosures of the commons enabled this economic and social revolution, in the process I describe below, the

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characteristics that defined feudal arrangements and the market offspring. Tate (1967) is a very good, if eclectic, resource. I made some use of Dahlman (1980) in understanding the mechanics of feudal land arrangements, but particularly in making the distinction between a commons and an open-access regime. I found both Lachmann and Dahlman to be useful treatments of theory, and Hardin (1968, 1992) also invites a theoretical but productive treatment of the issue. Tawney (1967) is a classic and an excellent source, if a bit outdated, as some of his assertions have since been challenged. Likewise, Curtler (1920) and Gonner (1912) both offer reams of material; while both served as apologia for the victors, Curtler is a much better work. I used Brenner (1976, 1982) as a port of entry into the debates on interpretations of the general trends surrounding the enclosure movements — much of which I had to discard as beyond the scope of this essay. That is probably more evident in my few references to the essays in Hilton (1976b), an interesting set of works for putting things in context, but often overly theoretical for the sake of internecine squabbling. Finally, I have obviously made much use of Polanyi (1944) and Thompson (1966), neither of which stay constrained by discussions of enclosures, but both of which treat them as integral to the wider movements of the times. While neither discourage the reader from implicitly invoking a romanticized past in comparison to the upheavals of the day (and Thompson in particular glorifies the laborers as heroes), both were extremely helpful for general but not dispassionate orientation on this issue.

movement also institutionalized and exemplified new forms of social relations that established the patterns for *all* later relationships.

But why did it happen when it did? And why England? Although interesting, these are inherently comparative questions which I cannot pursue here in any but the most general terms. The enclosures were less evident in eastern Europe at the time, which generally maintained its feudal institutions of serfdom longer — even into this century, before being violently projected into the industrial age. Other northern and western European countries had other contextual variables that precluded enclosure at the time. In France, for example, primogeniture was practiced less and the monarchy was a stronger institution relative to the landed aristocracy — both aspects which would exert influence on the human geography of land ownership. In the "New World," English colonizers brought largely post-enclosure patterns of land ownership with them, so enclosures were not a phenomenon (unless, of course, you were a native). Other areas in the British Isles such as Scotland and Ireland underwent forms of enclosure, but generally later and with peculiarities distinctive to time and place. It was England that led the way in enclosure, particularly in the late 18th century (Hayes, et al., 1962). Landes (1969, p. 66) sees in England a people uniquely aware of profit potential, a social system less constrained by solidified social boundaries, a nobility less averse to the idea of making money, and, therefore, a sense of tradition more open or vulnerable to the idea of "progress." England was, therefore, the earliest, and in that, the most extreme example, epitomizing the emergence of capitalist forms of ownership and production. Through the working of the land, England set patterns of specialization, innovation,

capitalization, and division of labor that would resonate in manufacturing in particular, and in market society in general.[14]

Crisis and withdrawal.

As we might expect, "crisis" concerns played a role in setting the stage for the enclosure movements. Although later enclosures exhibit a crisis rhetoric that will seem more familiar to modern observers of education (described below), I point out here in general terms some of the macro-trends identified in the research as crisis precursors to the enclosures. The 13th century was characterized by low wages, high land values, and a notable population increase. However, a period of relative demographic stagnation and decline had already set in when the Black Death came through, wiping out up to half the population of Europe. But while the plagues of the 14th century capped off a period of decline, they did not spark a Multhusian re-ignition of economic and demographic growth. In the immediate wake of the plagues, peasants became more mobile, pursuing economic advantage that would have been suppressed if they stayed bound to a manor (Brenner, 1982).

The crisis of seigniorial revenues (increased feudal levies, declining receipts) arising toward the end of the medieval period precipitated various responses in view of the dearth of renters. In eastern Europe, elites more successfully re-asserted feudal constraints on peasant mobility. In western Europe, the predominant response was peasant retrenchment of rights

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[14] Theories about the emergence of enclosures take into account (and debate) cultural, geographic, social, and economic peculiarities (Brenner, 1976; Brenner, 1982; Hilton, 1976b; Hobsbawn, 1976; Lachmann, 1987; Spitz, 1987); in Scotland from 1760-1855, landlords cleared the (over-populated) highlands of people, for sheep grazing (Ward, 1996a); on Ireland, see Jackson (1970).

located in village communities — with consequent class conflicts in both contexts.[15] This was part of the "feudal crisis" of the 14th and 15th centuries that was characterized by agricultural, commercial, manufacturing, demographic, social and ideological upheaval (Hobsbawn, 1976). As the population gradually rebounded, the labor supply gradually saturated the manorial system. In view of the erosion of feudal arrangements due to earlier peasant flight and relocation, manor lords were positioned to in turn weaken their bonds and responsibilities to their laborers when the demographic tables were turned.[16]

Hence, when crisis conditions receded by the mid-15th century, feudal arrangements, although weakened, re-emerged. These relationships governing the means of agricultural production spelled stagnant or declining productivity, which was particularly troubling in view of rising prices in the 16th century (Brenner, 1976). The lord's lands were often scattered throughout the manor, and somewhat subject to community control in cultivation.[17] This left few options open for manorial lords under feudal arrangements — increased levies on peasants, and squeezing more productivity out of labor and land, but without the ability to make

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15 Brenner (1976, 1982); Dahlman (1980); and Hilton (1976a).

16 Brenner (1982); Elton (1976, pp. 319-20); and Spitz (1987, p. 360).

17 Brenner (1982). There was less of an incentive and possibility to improve stock, for example, if the animals of different owners and strands mingled together in open pasture. Likewise, physical improvements were often not cost-effective, much less socially palatable, when properties were intermingled and scattered throughout a manor. Thus, the commons were not simply open-access regimes, but controlled areas with rights and responsibilities distributed *within the community*, and thus not open simply to anyone wishing to use them (Dahlman, 1980; see also, Tawney, 1967). Furthermore, community rights in open-field or strip system were maintained by interspersing various holdings throughout (Dahlman, 1980), so that consolidation and enclosure were more difficult even in non-commons lands — a process Curtler (1920) sees as extremely inefficient.

substantial improvements to increase revenues.[18] The dissolution of the monasteries in the late 1530s opened the way for large-scale enclosures to solve this problem.

Of course, there were more crises later. Hobsbawn (1976) identifies another crisis in 17th century, leading to the entrenchment of bourgeois society in England. Likewise, the Napoleonic wars and their aftermath represent another crisis, which I turn to later. However, these early crisis conditions provided the backdrop to the first major period of enclosures. Furthermore, these crises preceded the social withdrawal of elites. Whereas in 1500 popular culture was common across social categories, three centuries later, culture had fragmented as elites withdrew, so that the "people" were not all inhabitants, but the "masses." And this cultural withdrawal came relatively early to England — the result of a conscious effort by elites to set themselves apart. The common culture did not turn its back on elites, so much as they withdrew by distinguishing themselves in education, religion, world views, and leisure. For example, in entertainment, Shakespeare's productions were attended by people of all classes. Within a relatively short period of time elites attended only their own private theaters (Burke, 1978, pp. 270-86, see esp. n. 57, p. 477).

Early Enclosures: When Sheep Devoured People

When we speak of enclosures in England, we are speaking of a period of three to four centuries with different discernible rounds of enclosure. Here I focus on two phases. Although the enclosure of common and waste land preceded the rise of the Puritans (often with the hearty endorsement of

[18] See Cameron (1997) for a modern observation of the current crisis of investment-saturated capital with interesting parallels.

land-starved peasants), the enclosures during Tudor times represents the first major round, and set much of the pattern for later enclosures, which I discuss below. In the wake of Henry VIII's dissolution of the monasteries and their considerable land holdings, the emerging Calvinist class, enriched through merchant activities, bought up the land as an investment in estates and titles. For the most part, they were a class of people not directly involved in farming in terms of actual physical labor — but concerned themselves with management and biblical "stewardship" of their investments.[19] Seeking a return on their investments, many of these new owners found a nice source of profit in the favorable price of wool — which was said to turn land into gold (e.g., Hales, 1976; Tawney, 1967).

The dissolution of the monastic lands was largely a political imposition by the crown on the church in the context of the Reformation. This was a substantial social shift. Perhaps a fifth of all income from land (significant in an essentially agricultural society) transferred to a new class of owners in the first half of the 16th century (Spitz, 1987, p. 351). Ownership shifted to a group whose theology permitted or even encouraged the treatment of these lands as an investment for profit, rather than the basis for social relationships.[20] Therefore, in order to make improvements and, even more so, to clear the land for grazing sheep, the new landlords sought to end smaller tenant leases, consolidate their holdings, and enclose substantial portions of the land.

What was meant by "enclosure" was not (and is not) always well-defined, but the term usually carried generally negative connotations for commoners (Dahlman, 1980; Tawney, 1967). The word is usually

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[19] Landes (1969, pp. 68-9). Tawney (1967) claims that they generally did not re-invest revenues into the land.

[20] See also Landes (1969); Tawney (1967); and Weber (1958).

associated with walling off parts or all of the common lands to which members of the community had rights. Other times it involved the construction of fences in marginal or waste lands, where community members found little potential for planting, but used the land instead for grazing the family cow, or gathering fuel. In view of favorable wool prices, large owners saw profit in such areas. Enclosure also refers to fencing or hedging in (usually consolidated) strips of land in the open-field system for exclusive private use.[21] Although community members could have identifiable plots to use, the community also exercised some control over planting choices, harvesting, rotation, and post-harvest gleaning and grazing. The enclosure of strips — consolidated or interspersed — negated community rights and claims in those areas. In 1548, an official opposed to enclosures tried to clarify:

> To declare unto you what is meant by this word, enclosures. It is not taken where a man does enclose and hedge in his own proper ground where no man has commons. For such enclosure is very beneficial to the commonwealth: it is a cause of great increase of wood. But it is meant thereby when any man has taken away and enclosed any other men's commons, or has pulled down houses of husbandry and converted the lands from tillage to pasture. This is the meaning of the word, and so we pray you remember it. (Hales, 1976, p. 330)

The most famous and effective strategy was to enclose part or all of the commons land with hedges or fences. However, this was not necessarily an easy thing to do when many peasants' survival depended on access to the commons for their livestock, for some crops for personal consumption, for fuel, or for other necessities. Peasants' access to these lands was guaranteed by traditional arrangements with the lords, and arranged by

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[21] Open field strips were "possessed" or controlled by individuals, but crop and livestock decisions were controlled by community of owners under traditional rights (Brenner, 1976; Plumb, 1963).

the community in terms of distribution and control. Any attempt to subvert these arrangements would usually be met with automatic opposition.

Thus, in order to wall off these lands, landlords had several options, all of which they employed to varying degrees. First, they could let leases run out and then refuse to renew them, or raise rents when that option was available. Or, particularly if the number of claims in the land was small, they could privately negotiate for exclusive control — but this was much more difficult with large numbers of claims, especially when prices were high. Secondly, they could withdraw their own share of holdings from the commons, in proportion and accordance with their traditional rights, for their own exclusive use. In doing so, they would surrender claims to the rest of the common land — and thus fence off their area in a partial enclosure. This was an effective way of undermining the access of others since it withdrew substantial sections of land from grazing, for example, on which commoners depended. Thirdly, other "legal" means were used to enclose land, despite commoners' claims that such actions violated traditional customs and agreements governing the use of common lands. Such measures could include use of local authority in manorial courts (a prerogative that often came with the purchase of church land), or appeal to Parliamentary means. This latter method, would become increasingly popular in later enclosures, as the Puritans emerged as the parliamentary class.[22]

Finally, as was often the case, landlords could simply ignore the rights of commoners and impose a de facto enclosure of land accompanied by forcible evictions. Technically, as common lands were privatized and

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[22] The different varieties and processes of enclosure are described in detail elsewhere (Curtler, 1920; Gonner, 1912; and Tate, 1967).

divvied up, peasants were supposed to be compensated in proportion to their rights and claims in the land, but these rights were often denied.[23] Although peasants would oppose and resist such measures, they often had little recourse when those doing the enclosing represented the local state apparatus, or could manipulate it. According to the 1552 testimony of Bishop Latimer:

> Be the poor man's cause never to manifest, the rich shall, for money, find six or seven counsellors that shall stand with subtleties and sophisms to cloak an evil matter and hide a known truth...Such boldness have these covetous cormorants that now their robberies, extortion and oppression have no end or limits, no banks can keep in their violence. As for turning the poor out of their holdings, they take it for no offence, but say their land is their own and they turn them out of their shrouds like mice. Thousands in England, through such, beg now from door to door which have kept honest houses.[24]

Illiterate commoners with a vague sense of community rights were often no match for nascent landowners with lawyers and friends in high places. To that end, landlords could often pacify the most important opposition through "mutual agreement" by satisfying the concerns of larger peasant landholders — buying them off.[25] Peasants trying to remain on enclosed estates lost access to much of the common land and resources. Furthermore, acts of enclosure often required that all the lands of a manor be enclosed. The cost of surveying and fencing or hedging were capital

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[23] Lachmann (1987, p. 108); Littlefield (1962a); Tate (1967); Tawney (1967); and Thompson (1966). Compensation was even less in times of inflation and rising prices, due to debasement of coinage (Rickard, 1961). There was a multitude of types of rights in the commons involving cottages, livestock, gleaning and cutting fuel supplies, fishing and trapping, etc. (The Ecologist, 1993; Gonner, 1912).

[24] Quoted in The Ecologist (1993, p. 24).

[25] Lachmann (1987) and Rickard (1961). Tawney (1967) reminds us that the largely illiterate peasantry relied more on custom and tradition, and were at a disadvantage when landlords brought legal authority to bear in undermining copyholds and leases. Thus they had few protections against unscrupulous landlords and, indeed, were often swindled.

intensive and extraordinarily burdensome to smallholders, often driving many off the land.[26] Moreover, the transmission of customary rights in the commons into individualized property rights meant that other traditional feudal obligations had to be settled. While divvying up the land was supposedly equitable, settlements often required that a payment equal to thirty to forty years would suffice in lieu of tithes and other annual labor obligations. When these debts were paid in land, peasants often had smaller holdings than they did before enclosure.[27] In cases where marginal and waste land was opened up for agriculture, the risk and expense effectively precluded small farmers (Plumb, 1963). As access to the traditional commons evaporated, commoners turned to credit and then, in bankruptcy, to poor relief, which entailed surrendering any remaining claim to land.

Early resistance.

Not surprisingly, common people resented such imposed change, and held special contempt for the new class of property owners that they saw as the cause of so much of their misery. A contemporary observer compared the new owners to the old clerical landlords in regard to maintenance of community relations:

> Do not these ryche worldlynges defraude the pore man of his bread, ...and suffer townes so to decay that the pore hath not what to eat, nor yet where to dwell? What other are they, then, but very manslears? They abhorre the names of Monkes, Friars, Chanons, Nounes, etc., but their goods they gredely gripe. And yet where the cloysters kept hospitality, let out their fermes at a reasonable pryce, noryshed scholes, brought up youths in good letters, they doe none of all these thinges. (quoted in Tawney, 1967, p. 7, n. 1)

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[26] Brenner (1982); Curtler (1920); Gonner (1912); Lachmann (1987); Landes (1969); and Plumb (1963).

[27] Deane (1979) and Lachmann (1987).

Whole communities were effectively evicted, and large areas essentially depopulated. In desperation, many peasants appealed to the crown for protection of their traditional rights from this new class of landlords. Indeed, the crown had an interest in a secure and stable peasantry to counterbalance the growing power of the landed parliamentary class. Hales was one royal official trying to halt the burgeoning enclosures in the wake of the dissolutions and in the face of widespread discontent. Addressing the audience at commission proceeding in 1548, he declared:

> The force and the puissance of the realm consists not only in riches but chiefly in the multitude of people. But it appears, good people, that the people of this realm, our native country, is greatly decayed through the greediness of a few men in comparison, and by this ungodly means of gathering together goods, by pulling down towns and houses, which we ought all to lament. Where there were in a few years ten or twelve thousand people, there now be scarce for thousand. Where there were a thousand, now scarce three hundred, and in many places, where there were very many able to defend our country from landing of our enemies, now almost none.... Sheep and cattle, that were ordained to be eaten by man, has eaten up the men.... Is it not a pitiful case that there should be so little charity among men? Is it not a sorrowful hearing that one Englishman should be set to destroy his countrymen?[28]

This ironic image of sheep eating people — a powerful motif in an agricultural society — is a theme evident as well in More's *Utopia* of 1516:

> youre shepe that were wont to be so meke and tame, and so smal eaters, now, as I heare say, be become so great devowerers and so wylde, that they eate up, and swallow downe the very men them selfes. They consume, destroye, and devoure whole fields, howses, and cities...[29]

The enclosures could thus have catastrophic effects not only on individuals, but on whole communities whose basic understandings of social relationships were tossed aside by new lords. Local acts of resistance coalesced in widespread movements and social upheaval. The Pilgrimage

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[28] Hales (1976, p. 329). Hales is discussed at some length in Tawney (1967).
[29] Quoted in Tate (1967, pp. 64-5).

of Grace and Kett's Rebellion are the more famous instances of this opposition. Significantly, those involved did not claim to be revolutionaries, but instead saw their actions as an attempt to petition authorities for the protection of their traditional institutions and arrangements. Tawney (1967, p. 149, n. 1) recounts a song of the era:

> The places that we Right holy call
> Ordeyned ffor Christyan buriall
> Off them to make an ox-stall
> These men be wonders wyse;
> Commons to close and kepe,
> Poor folk for bred to cry and wepe;
> Towns pulled down to pastur shepe,
> This ys the newe gyse.

Although some participants in Kett's Rebellion sought the abolition of private property, this is not as radical a notion then as it sounds now, since the idea of private property was an emerging concept at the time associated with the new landed class — one that many commoners saw as a threat to custom-bound agreements. And it is important to note the viability in their eyes of more than one alternative at the time. However, Kett's Rebellion was violently suppressed largely with the private armies of the land-owning class, as they imposed their new arrangement as the only alternative.

Still, resistance was widespread and consistent. There were uprisings with enclosures as the primary or lesser motivation almost every decade in the latter 16th century (Tate, 1967). The serious effects of enclosure also brought opposition through judicial channels, but this was usually overcome eventually through legal and military coercion, as the forces of Parliament and the military came down on the side of large landowners.[30]

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[30] Dahlman (1980); Gonner (1912); Lachmann (1987); Plumb (1963); and Tate (1967).

This early phase of enclosures in significant here for two reasons. First, it demonstrates efforts by the landlords to intentionally undermine traditional/popular concepts and relationships, in addition to rights and claims, as the precursor to market-defined relationships.[31] Feudal arrangements of fealty and reciprocal (albeit unequal and patronistic) responsibilities stood in the way of improvements to the estates and enhanced efficiency in their management. Through official, extra-legal, violent, and coercive means, landlords sought to eradicate these social arrangements, responsibilities and relationships. They preferred instead to see land as an investment or commodity, and its inhabitants as potential laborers at best, or obstacles, at worst.

Thus, secondly, this phase of enclosures exemplifies an early symptom of the withdrawal tendency mentioned earlier. This new Puritan class defined itself largely in contrast to the immoral mobs — the unelected. They occupied the moral high ground and assumed prerogatives to pursue righteousness and grace — and their earthly manifestations of property and wealth — even if at the expense of the undeserving poor. The condition of being poor became not a state of affairs but a stigma — an indicator of one's moral state (Polanyi, 1944). The land owners assumed little responsibility and countenanced few community constraints in washing their hands of the neighbors. And in doing so they justified themselves by noting the moral failings of the commoners:

> For commons these commoners crie,
> Enclosing they may not abide:
> Yet some not be able to bie
> A cow with her calfe by hir side.
> Nor laie not to live by their wurke,
> But theevishlie loiter and lurke.
> (quoted in Tate, 1967, p. 71)

[31] Brenner (1976); Lachmann (1987); and Polanyi (1944).

An early draft of the poor law (1536), for example, explicitly casts the unemployed and dispossessed as undeserving and immoral (see Marshall, 1976). It is a relatively small step from evicting thievish loiterers to employing their children in "satanic mills" or mines. This perspective certainly mollified any pangs of conscience in any overly sensitive evictor. But more importantly, it both set the terms for subsequent social relationships, and set an important pattern which will define the next round of enclosures (and beyond, see Polanyi, 1944).

The pace of enclosure declined along with the fall in the price of wool in the second half of the 16th century. However, it was still a chronic and ongoing process in view of the apparent advantages of economies of scale and exclusive ownership. Opposition continued as well. In that respect, it is interesting to note the ongoing tradition of opposition to the commodification of land and labor that parallels the course of enclosures. During the civil and political upheavals of the 17th century, there were instances of groups promoting alternatives to the privatization of land. The Diggers are often held up as a communistic example of peaceful opposition to the emerging status quo. This effort, coming one century after Kett's 1549 rebellion, sought to demonstrate the viability of communal control of the land. It fell victim to violent coercion and suppression. The Levellers, on the other hand, remained largely in the political realm, working within the parliamentarian ranks during the Civil War. Their position in the famous debate at Putney exemplified a tradition passionately opposing an elective franchise based on the ownership of private property.[32] They too

[32] The Levellers were arguing, in the wake of the English Civil War, for a radical broadening of the franchise without regard to property or social distinction. The Putney debates are in Cochrane, Gray, & Kishlansky (1987, pp. 349-84); also in Thompson (1966, pp. 22-3). Notably, it was the ultra-Calvinist Cromwell who eventually suppressed the Levellers.

were suppressed. But both examples suggest that alternatives to individually privatized property institutionalized through enclosures were still feasible in some minds, anyway. Meanwhile during the Interregnum, Calvinist merchants pursued advantageous deals on estates, and increased their numbers in the landed gentry (Tate, 1967). By 1679, when one churchman sermonized on matters millennial, members of the congregation asked that he stick to "more profitable subjects" (Burke, 1978, p. 274).

Later Enclosures: When Markets Devoured People

The second major era of enclosures accelerated in the late 18th century, and continued well into the 19th (Plumb, 1963). It was distinct from earlier phases in both the nature and means of the phenomenon. Driven less by wool and more by cash crops, enclosures during the Georgian era advanced more through refined parliamentary means than brute force.[33] Still, it was the capstone of many of the trends initiated by earlier enclosures. In that respect, these enclosures were much more thorough and comprehensive than any seen before.

While there is some (not always useful) debate over the primacy of political or economic means of dispossession, I see roles for both in this case. Landowners established themselves in Parliament, and had achieved ascendancy over the crown. Through that apparatus, they effectively promoted enclosures. While there were about 200 acts of Parliament legislating enclosures between 1700 and 1760, there were almost 4000 such acts over the next eight decades.[34] Chronic agitation by landlords to

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[33] Deane (1979); Hayes, et al. (1962); Rickard (1961); and Tate (1967).
[34] Hayes, et al. (1962, p. 476); Plumb (1963, pp. 82, 152); and Tate (1967, pp. 121-7).

streamline the process (rather than relying on individual petitions to members of Parliament) eventually succeeded in obtaining a General Enclosure Act in 1801 (and again in 1836, and, finally, the Great Enclosure Act of 1845).[35] Petitions to enclose had to have the backing of a majority (varied by case from about two-thirds to three-quarters) of those interests effected. Significantly, this was measured not on a per capita basis, but by acreage or value.[36] Then commissions appointed by the parliamentary class oversaw the transfers and enclosure process.[37]

Thus, Parliamentary enactments were often forceful and imposing measures at least to some extent, as opposed to the enclosures achieved through negotiation with inhabitants. But there were economic forces that also came to bear on the dispossessions during a time of high prices due to the Napoleonic Wars. The corn laws effectively represented a subsidy for agricultural produce, and the price of corn was directly related to the pace of enclosures (Deane, 1979). Thus, this appears to be an intentional economic strategy of political elites to maintain the landed gentry as a class. While the continued high price of corn in the late 18th century made smallholders less willing to leave the land, it also gave large owners more of an incentive to expel them. To realize gains, landlords needed large plots of land in order to make efficient improvements and enjoy economies of scale — permitting intensive husbandry and other individualized incentives for improvements. Lands subdivided by lingering traditional rights were an obstacle to private ownership (Lindemann, 1983; Plumb, 1963).

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35 Deane (1979); Gonner (1912); Plumb (1963); and Tate (1967).
36 Curtler (1920); Dahlman (1980); and Tate (1967).
37 On the low esteem in which the objectivity of appointed commissions was held by commoners, see Tate (1967, ch. 10).

Pro-enclosure "propagandists" publicized the potential for landlords to increase the value of their lands, demand higher rents, and realize greater efficiencies (Thompson, 1966, pp. 219-20). Over the years, men such as Arthur Young and his Board of Agriculture, Walter Blith, Anthony Fitzhebert, and Thomas Tusser promoted the cause of enclosure as a route to progress. Yet the zeal for scientific rationalization evident in figures like Young cannot be separated from the context of war-time requirements and a growing industrial economy. Agricultural reformers opposed the continued existence of common lands; one such reformer noted in 1790 that customs and lands "have been continued under the curse of common rights as they are called, but really common nuisances" (Tate, 1967, p. 164). Hence, the final round of enclosures was driven at least in part by drive for efficiency in agricultural production. However, such proponents also portrayed a moral crisis that advanced their cause.

The moral crisis of poverty.

The reasons for the later round of enclosures were many, and might be grouped into what we would anachronistically call neoliberal and neoconservative tendencies today. The liberal economic arguments for enclosures are evident. The emerging market economy demanded individualized property holding and an end to feudal social relationships. Landlords were driven by poor relative revenues on unenclosed lands, which were gradually associated with an emerging sense of inefficiency of labor-time. As some landlords enclosed their holdings, it raised the opportunity costs for all large-holders. Thus, the locus of authority was

undergoing a paradigm shift from church and official coercion to economic imperatives.[38]

Less obvious is the related concern over values. This was an issue that was just emerging in the wake of the earlier Puritan-driven enclosures with the evolving view of poverty discussed above. During the political upheavals of the 17th century, proponents of enclosure like Walter Blith in the Puritan ranks were foreshadowing arguments for enclosures not just in economic terms, but on the grounds that common holdings cultivated idleness and evil — thus, it was better for take away the means of independence for rural poor, and make them reliant on landlords for employment, discipline, and guidance.[39] A fellow moralist in 1652 noted that people are

> nowhere more penurious than such as border on commons. [Children are] brought up lazying upon a Common to attend one cow and a few sheep,...being nursed up in idleness in their youth, they become indisposed for labor, and then begging is their portion or Theevery their Trade....The two great Nurseries of Idleness and Beggary are Alehouses and Commons. (quoted in Tate, 1967, p. 163, my parentheses)

This theme was taken up again in the late 18th century. Agricultural innovators extended their arguments to a moral case for enclosures in the face of a growing crisis of rural idleness and immorality. A 1794 report from the Board of Agriculture recounts a discussion between agricultural reformers of "the characters of the poor."

> ...observations were made upon the consequence of great commons in nursing up a mischievous race of people, and instanced that on the very day we were talking a gang of villains were brought to Louth

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[38] On this sea change, see Polanyi (1944); on economic mandates facing owners, see Curtler (1920), Lachmann (1987), and Thompson (1967).
[39] Curtler (1920, pp. 124-6) and Tate (1967, p. 148).

gaol...and that many of them were commoners... (quoted in Curtler, 1920, p. 189)[40]

Thus, enclosures became a "public-spirited" moral crusade of denying the commoners the idleness which was known to be an open invitation to "Satan" (Tate, 1967, p. 163; Thompson, 1966, p. 219).

Advocates then took on the mantle of social reformers, combining enclosures with the emerging ideology of the market society to not just promote, but demand, industry, thrift, social discipline, and a civilizing sense of order reflected in the machinery of the day. Thompson (1966, pp. 219-20) holds that pro-enclosure propagandists advised landlords to ignore tenants' claims to the commons. Instead, these proponents counseled owners to leave laborers access only to enough land that could be worked in the evenings, so they would not become a burden on the parish rolls; but not so much that laborers' became self-reliant and were not dependent on landlord for work.[41] This strategy of rural proletarianization is also apparent in a 1794 report:

> Let those who doubt go round the commons now open, and view the miserable huts, and poor, ill-cultivated, impoverished spots erected, or rather thrown together and inclosed by themselves for which they pay 6*d.* or 1*s.* a year; which by loss of time both to the man and his family affords them a very trifle towards their maintenance, yet operates upon their minds as a sort of independence; this idea leads the man to lose many days' work, by which he gets the habit of indolence; a daughter kept at home to milk a poor half starved cow, who being open to temptation soon turns harlot, and becomes a distrest ignorant mother instead of making a good useful servant.

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[40] The feudal-manorial origin of "villain" should not go unnoticed here, at least for its irony. Originally, the "villein" was bound laborer with claim to some land — from the Latin *vilanus* for villager. They were allowed to work village lands in exchange for labor for the manorial lord. There were vestiges of villeinage in the copyhold system at the time of enclosures (Dahlman, 1980).

[41] Thompson (1966) contends that, in the context of the brutality of the French Revolution, English elites reacted by unleashing class antagonisms through evictions and exploitation of the nascent working class in Britain.

> The surrounding farmers, by this means, have neither industrious labourers or servants... [42]

As they commodified land, enclosures thus commodified labor and, therefore, time, in an age characterized by the rise of wage-labor. As such relations were becoming the norm in industry, the enclosures provided the opportunity to project the discipline associated with machinery into agriculture. Factories elevated efficiency as a social imperative, and employers — previously satisfied with the fruits of their own industriousness and frugality — required of their laborers a similar (if more coerced) thrifty and disciplined approach to working hours. This contrasted with the sometimes leisurely and sporadic paces of those communities with rights and seasonal responsibilities in the land — people who had also enjoyed community functions like fairs, festivals and markets that were increasingly associated with debauchery (Thompson, 1967, pp. 76-8). Thus, in a sense, enclosure of the commons also enclosed traditional, customary, and natural rhythms of life — not with fences but by mandating regimented, disciplined work patterns (a need which schools would also fulfill).[43]

This moral imperative to enclose for the sake of those dispossessed was also evident in a report in 1795:

> Where wastes and commons are most extensive there I have perceived the cottagers are the most wretched and worthless, accustomed to rely on a precarious and vagabond subsistence from

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[42] ...presumably the daughter, that is, and not the cow, is the harlot. The author goes on to compare such a travesty to the agricultural wage-laborers who "have their children taught to read and put out to labour early." Quoted in Curtler (1920, p. 196). (This argument anticipates the language of common schoolers, in some ways; and promotes industrious/domestic employment rather than independence.)

[43] Thompson (1967, pp. 96-7) concludes by relating a plan for a system of education that would more efficiently and thoroughly promote the internalization of time-discipline.

> land in a state of nature. When that fails they recur to pilfering and thereby become a nusisance to their honest and industrious neighbors. It may be truly said that for cottagers of this description the game is preserved, and by them destroyed, and when they can earn 4*s*. or 5*s*., and sometimes more, in a night by poaching they will not be satisfied with 10*d*. or 1*s*. a day for honest labour. (quoted in Curtler, 1920, p. 215)

This pro-enclosure crusade against the moral crisis of the rural poor redefined the commons. What had been a basis of community interaction, strength, and cooperation was now cast as a font of immorality. A space that guaranteed the subsistence of the rural poor was now defined as a threat to bourgeois morality and liberal economic conceptions of efficiency.

Later resistance.

Not surprisingly, those dependent on the commons rejected such a redefinition of the means of their survival. Commoners preferred the independence they found through the commons to the life they faced as wage-laborers in factories or on other people's lands — or on poor relief. An ultimately unsuccessful petition in 1797 claimed that the commons allowed the "most rational and effectual Way of establishing Public Plenty" — and the petitioners begged not to be sent off to the factories (Tate, 1967, p, 165). Similarly, an anonymous letter from a laborer in Norfolk to "the Gentlemen of Ashill" protested:

> You have by this time brought us under the heaviest burden & into the hardest Yoke we ever knowed... It is too hard for us to bear, you have often times blinded us by saying that the fault was all in the Place-men of parliament, but...they have nothing to do with the regulation of this parish.
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> You do as you like, you rob the poor of their Commons right, plough the grass up that God send to grow, that a man may feed a Cow, pig, Horse, nor Ass; lay muck and stones on the road to prevent the grass growing....There is 5 or 6 of you have gotten all the whole of the Land in this parish in your hands & you would wish to be rich and starve all the other part of the poor... We have counted up that we have

gotten about 60 of us to 1 of you: therefore should you govern, so many to 1? (quoted in Thompson, 1966, pp. 232-3)

As might be expected, enclosures led to localized rioting, vandalism, and other forms of symbolic protest that paralleled the Luddism of the day. Thompson (1966) maintains that these were not spontaneous outbreaks of mobocracy or revolutionary acts of anarchy, but essentially conservative demonstrations of people's desire to re-assert traditional rights.[44] Commoners resented the imposition of a new and unfamiliar system of values, and responded within the norms of the traditional "moral economy."[45] Thus, once again, these acts of resistance indicate that at least some segments of society still saw alternatives available.

The invention of poverty

The immediate alternative for many, unfortunately, was relief provided through the Poor Laws. These legislative acts over the years variously

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44 Jackson (1970, p. 103) writes of the beginnings of the Whiteboy movement under such circumstances in Ireland in 1761: "It first appeared, near Limerick, as a reply to an attempt by the landlords to enclose stretches of waste land which had been treated as common from time immemorial. This 'waste' was indispensable to scores of peasants as grazing for their cows, sheep, goats, etc. Faced with this calamity the peasants turned out by night, threw down the walls, filled the trenches, ploughed up the meadows and restored the whole 'waste' to its original condition."

45 Yet Thompson (1971, p. 79) maintains that these actions were not apolitical, but "supposed definite, and passionately held, notions of the common weal." People saw newly arrived market mechanisms as impositions on common social arrangements and moral obligations and prerogatives — which they were more than willing to uphold and, under which, they were willing to fulfill their obligations. Ball (1997) also employs the concept of a "moral economy" to ironically deride researchers, whose "incentives and disciplines" are now necessarily self-interested even as they castigate such dynamics in schools. Thus, the idea of competing or conflicting moral economies is useful in understanding the "failure" of some classes of people to effectively engage the market (Reay & Ball, 1997). Bookchin (1986) also employs the term "moral economy," but with more expected connotations, in contrast to "immoral" market economies.

guaranteed subsistence to the unemployed and the unemployable. And, as people were driven off their land, these acts were accompanied by more blatantly coercive measures. The Waltham Black Acts (1723), for example, created fifty new capital offenses out of emerging property crimes of Luddite-type destruction and stealing from enclosed areas — particularly for those caught on enclosed lands with black paint on their faces. People intruding for poaching, trapping, gleaning or fishing on land once theirs might also be met with gruesome "man-traps and spring-guns" (Deane, 1979, p. 42). Such measures effectively extended the dominion of privatized property beyond the land to "the birds of the air or the fish in the streams" (Plumb, 1963, p. 20). The dispossessed were forced into wage-labor in factories, on the large estates, or into the parish-based system of poor relief.

There is not room or reason to go into specifics of the provision of relief here. Generally, on bankruptcy and unemployment, people had to appeal to the parish for subsistence. That relief usually required that the able-bodied be hired out in gangs to work at menial or demeaning projects for local landowners, or be sent to the dreaded workhouses where they were subject to intentionally degrading regimentation and discipline. In the system of "outdoor relief," the large farmers paid a portion of the wages, the rest being subsidized by the parish rates. The result was that landlords could eradicate traditional means of support by privatizing the commons, evict inhabitants, "public"-ize the sustenance of those evicted, and then hire them to work their old lands at subsidized wages (Thompson, 1966, pp. 120-1). Most iterations of the law relegated the poor to the parish of their birth for relief — which limited the mobility of the potential labor pool for

emerging industrial needs.[46] When enclosed estates needed no more labor than what they had already absorbed from the dispossessed peasantry, whole areas became "closed" to itinerant laborers and vagabonds (Lachmann, 1987, p. 137).

Of course, at a time of economic transformation, an immobilized labor force was a liability. Likewise, the concentration of poverty in some areas was proving to be an unbearable burden on some parish resources. Efforts to end the system of poor relief often appeared to the poor to be an attempt to take the last of their inheritance, now that the commons were gone (Thompson, 1966). Attempts to reform the poor laws — like the Speenhamland system — had unfortunate unintended consequences for the poor. That reform intensified rural poverty and undercut the efforts of those who tried to make a living free of charity (Plumb, 1963). Subsidized labor rates drove down the wages on non-relief laborers, who then had to renounce all remaining claims on property in order to qualify for relief to survive.

Polanyi, who wrote extensively on Speenhamland, sees it as part of a process of dehumanization of the poor. Poverty was stigmatized as a symbol of immorality.[47] Even in death, the poor were to be disdained. But according to Polanyi, it was the land owners who were morally degraded:

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[46] Deane (1979), Landes (1969), and Lindemann (1983), complexify this, contending that the dispossessed did not simply flock to factories, but that enclosures initially created higher demand for labor (for physical improvements), indicated by relative population growth in enclosed areas. While this may have remained the case as long as agricultural prices stayed high (while enclosure and fencing was going on) but post-Waterloo price declines often forced many of those remaining off the land (Deane, 1979).

[47] With parallels to the current state of education and welfare reform, Polanyi notes that many thought that "pauperism could be made to pay" in institutionalizing disciplined correction of character. In a frighteningly rationalistic proposal, Bentham wanted to apply his panopticon to the poor,

> The traditional unity of a Christian society was giving place to a denial of responsibility on the part of the well-to-do for the conditions of their fellows... compassion was removed from the hearts, and a stoic determination to renounce human solidarity in the name of the greatest happiness of the greatest number gained the dignity of secular religion. (Polanyi, 1944, p. 102)

Under these new-found laws of economic liberalism, individual circumstances were a result of individual choices.

Discussion

The scale of the enclosures is awesome. After the Norman invasion, about 6% of the peasants were employed as wage laborers, and over half the arable land was in the hands of villagers. Even before 1657, more than seven out of eight peasants had bonds to land. By 1688, that was the situation for 44% of the peasant class (Lachmann, 1987, pp. 16-7). In 1700, about half of all arable land was still used in the open-field system; by 1820, only six counties had more than 3% of their arable land unenclosed.[48] Sale (1996) adds that

> by 1830 not a single county had more than three per cent of its land open to public use. Villagers who had wrested livings from these common lands for centuries were, in an historical eye-blink, forced from the countryside to the city and its slums, doubling urban populations in just over 40 years.

By 1876, approximately 2,250 people owned 50% of the English and Welsh agricultural land, and 98.5% was owned by just 0.6% of the population (Ecologist, 1993). Tate (1967) claims only one village substantially continues in the open-field system, with virtually all residents having land or rights in the commons.

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making them (not steam) the power of a machine (Polanyi, 1944, pp. 106-7). There are current efforts to profit from reformed welfare, with a blame-the-victim ethos (Conniff, 1997; Garland, 1997; Jones, 1998a).

[48] Clapham (1951), cited in Deane (1979, pp. 42-3).

This was a sea change by any definition of the term. Whole village communities were destroyed or forcibly deserted: "where sheep grazed amid ruined homesteads and cattle were stalled in mouldering churches."[49] Vast amounts of wealth were created and concentrated in the hands of large land owners. The locus of authority changed. A new moral universe came into being.[50] Yet enclosures were also integral to a process that expanded the money economy; reconfigured the production of goods for the market, rather than immediate consumption; and increased the amount of productive resources available.[51]

There is some disagreement as to whether or not the fate of the commons was predetermined. Gonner (1912) and Curtler (1920) maintained that the commons reflected a primitive and inefficient form of agriculture that inevitably withered away in the face of inexorable progress and modernity.[52] From a vastly different perspective, Sweezy (1976) agrees that markets are more efficient and productive than feudal arrangements; so, external markets penetrated stagnant feudal arrangements through merchant capital.[53] Hardin's (1968) "Tragedy of the Commons" suggests that common lands could not be sustained in view of rising population

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49 Tawney (1967, p. 149). Such implicitly politicized claims are sometimes disputed, but outlines of villages are still evident (e.g., Tate, 1967, p. 44).

50 Plumb (1963) and Rickard (1961).

51 Clapham (1951); Deane (1979); and Sweezy (1976).

52 Indeed, his argument that the institution of the commons was inherently flawed and needed to end sounds strikingly similar to some arguments against public schools today.

53 Disputed by Brenner (1982); also, Dahlman (1980) demonstrates that, under certain conditions, the maintenance of common lands as commonly-held had some efficiencies as well. This being so, and, in view of constraints on "open access," he implicitly rebuts any automatic application of Hardin's (1968) "tragedy of the commons" to these commons. Indeed, Hardin conflates "commons" regimes with "open access" regimes (The Ecologist, 1993; Pearce & Warford, 1993).

pressures on the land, and consequent incentives towards overuse. If "one less than everyone" treats common holdings as a private good, then it becomes a commodity, in essence, and cannot be maintained in common (Hardin, 1992, p. 144). Indeed, there is evidence that common lands were often overgrazed (e.g., Plumb, 1963). However, that theoretical model (while useful for its intended purposes regarding population growth) does not accurately explain motives for enclosures in this case. Landlords were not simply one of many claimants to the commons, but the predominant local players in the commons. And in every case, enclosures were the result of these landlords taking the initiative to assert private rights in common lands governed by community arrangements; they were not simply responding to the possessive action of a smallholder, and were generally not trying to rescue the commons from overuse.[54] Thus, many interpret the actions of the landlord's as a simple case of "class robbery."[55]

Yet, while Hardin's model may not explain individual instances, it probably reflects the general dynamics of the phenomenon. That is, as a

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[54] Although these dynamic were evident in unenclosed England, it would be inappropriate to assume Hardin's (1968) model represents the reasons for the historic enclosures of commons in England. The historiography shows, instead, a conscious effort by elites for personal gain — not simply to save the commons from overuse (Polanyi, 1944; see also Netting, 1997).

[55] "Enclosure...was a plain enough case for class robbery, played according to fair rules of property and law laid down by a Parliament of property-owners and lawyers" (Thompson, 1966, p. 218); see also Tawney (1967). Polanyi (1944, p. 35) sees "a revolution of the rich against the poor... literally robbing the poor of their share in the commons." Elsewhere: a "war on cottages...the confiscation of rights in the common deprived cottage industry of its two mainstays: family earnings and agricultural background." Rights in the commons "made all the difference... the rationalization of agriculture inevitably uprooted the laborer and undermined his social security" (Polanyi, 1944, p. 92). While Thompson (1966, pp. 229-30) notes the tendency by the 1830s to mythologize a bucolic past, he could be accused of doing so as well. Likewise, Polanyi tends to take a perhaps overly rosy view of the redistributive tendencies in "feudal" societies, even in this century.

local lord enclosed a local commons *in the context of an emerging international market,* that action imposed opportunity costs on other substantial owners in their own localities. Thus, under a market system (and *only* under a market system), large landowners were constrained in their range of alternatives (e.g., Polanyi, 1944, p. 34). Yet, as indicated by the repeated instances of opposition, resistance to change, and attempts to model alternative options, others saw feasible alternatives from different social vantage points. But it is important to remember that those claiming to be most constrained in their options, or claiming that the emerging system represented natural laws finally unleashed from feudal shackles, were also the ones both forcibly promoting and benefiting from the new system.

In conclusion, the obvious question arises, not just of their inevitability, but of the overall desirability of enclosures. That is, in the final assessment, were enclosures beneficial for the general social good and, in particular, did they enable the progress that we now all take for granted? This is, of course, an essentially hypothetical question, since we cannot know the alternatives. Nevertheless, many observers have weighed in on this issue. Whig interpretations see them as an essential progression to modernity.[56] Many Marxists also see enclosures as an inevitable transition to a higher form of social organization in capitalism that was necessary in order for civilization to advance onwards to socialism.[57] Certainly, the enclosures helped advance the industrial revolution, but with

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[56] See, for example, Clapham (1951); Curtler (1920); and Gonner (1912). Clapham's view is recounted and disputed by Thompson (1966, ch.s 6-7).
[57] Lindemann (1983) and Sweezy (1976).

significant costs in terms of human misery — an aspect emphasized by other observers.[58]

The conflict between older community relationships and emerging market liberalism is a largely valuative question that can only be answered by individual observers. The enclosures were definitely the vehicle for much change. Whether that change was for better or worse cannot be answered by simple appeals to evidence.[59] Polanyi (1944, pp. 33-4), for example, notes that enclosures sparked "almost miraculous improvement in the tools of production, which was accompanied by a catastrophic dislocation of the lives of the common people." While they were the source of catastrophic devastation, he contends that they were "ultimately beneficial" in terms of agricultural production and, therefore, society.[60] But he warns against misreading what are essentially social events simply through a liberal economics lens, and thus precludes "long-run" assessments that applaud the progress of a market society — the enclosures did not occur in a market society (p. 37). Thus, it is impossible to evaluate the overall effects of the enclosures. The people who bore the brunt of the enclosures did not often willingly choose to do so, while the benefits of their burdens came to other people and generations (Thompson, 1966, p. 231).

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58 Tate (1967); Tawney (1967); and Thompson (1966).

59 For example, scholars have commented on the change in diets precipitated by enclosures — but not necessarily for better nutrition, just higher status foods (Plumb, 1963, p. 83). Deane (1979, p. 42) claims the rural poor had general dietary degradation — less diversity and meat. Thus, it is not simply a question of whether or how the choices of poor expanded, but how choice is exercised, and if choice is necessarily a good thing.

60 He holds this to be true of enclosures in and of themselves, but maintains they were insidious when people were expelled to make room for pasturage

Themes and Connections

What does all this have to do with education reform in the 20th century and beyond? The remainder of this dissertation concerns itself with exactly that question. And I begin by elucidating some of the main themes from the precedent of the historic enclosures as a metaphor for current penetrations of markets in education. Many of these themes have direct parallels to the patterns we have seen over the preceding chapters.

- *Withdrawal preceded enclosures:* Before enclosures began in earnest, there was a cultural divorce between those who would be the evictors and those who would be evicted. This separation was largely the result of elites withdrawing and distinguishing themselves in cultural and theological terms from those they left behind. Perhaps such a withdrawal was a necessary precursor to a dehumanization of commoners on the part of elites that enabled them to disregard previous social obligations and relationships.[61]
- *There was a relative suddenness and draconian nature of the enclosures:* While enclosures took place over several centuries, they proceeded in fits and convulsions. Thus, particularly from the perspective of local inhabitants, they were sudden impositions. Enclosures were a dramatic sea change, not just in geographical features, but in property and social relations.
- *Enclosures were accomplished through essentially coercive means:* Landlords reverted to coercive measures for overriding opposition.

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61 The world view of a chosen class of people apart from the threatening masses was not unlike the siege mentality emerging in Calvinist settler and plantation communities in Ireland and southern Africa at the time. See also the emerging middle class of Rochester described at the beginning of Chapter 4.

Parliamentary Acts, commissions, and local authorities all served the interests of the large owners, at the expense of smallholders. Even negotiated enclosures operated within economic contexts that gave landlords the upper hand in securing the means of agricultural production. Too often, the enclosures simply abrogated commoners' legitimate rights in a forceful manner.

- *Economic coercion was a cause of enclosure:* The emergence of market forces as the predominant characteristic of human organization also projected opportunity costs across the economy. Thus, owners were effectively paying if they chose not to enclose, relative to their large neighbors. And these costs were felt in proportion to the amount of land one controlled, or could potentially control. (But, again, this is true only under a market paradigm, which not all accepted.) Thus, the dynamics of the "Tragedy of the Commons" transformed into a tragedy for the commoners.[62]
- *In turn, coercion was spawned by enclosure:* Deprived of traditional means of support, rural laborers necessarily put their products and labor up for sale on the market.
- *Control was consolidated:* Like the latifundia of earlier ages, enclosed estates absorbed smaller holdings.[63] Large owners were better positioned to take risks, absorb losses, and invest in capital expenses involving tools and methods. Smallholders in the community were squeezed out.[64] Even when smallholders won exclusive rights over

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62 Or, a "tragedy of enclosure" (The Ecologist, 1993, p. 15).

63 See Cahill (1995, ch. 1) on plight and degradation of *curiales* at hands of large estate owners in the declining Roman empire.

64 Current claims of diversification of options in education markets should be examined in light of the essential standardizations imposed on

their land in enclosure settlements, they were at a competitive disadvantage to large holders in a system now characterized by competition.

- *Land-property became commodified:* Private property was not initiated by enclosures. But the process signified the intensification of the institution of private property as it was applied to land, and trumped previous imperatives toward community obligations. In that, enclosures represent a further penetration into human existence of the idea of exclusive rights to property, to be organized by the market.
- *Time-labor became commodified:* Enclosures enabled the establishment of the idea of "free" labor to be bought and sold on the open market. Enclosures took the emerging industrial model of wage labor in manufacturers and applied it to the production of food. This eroded notions of a "just" wage and a "right to life" that guided earlier arrangements — still evident even in Speenhamland (Polanyi, 1944; Thompson, 1966, p. 220). Thus, if labor was commodified, time was necessarily commodified, which was a relatively new concept in an agricultural community where labor had been used for sustenance, not profit.
- *Efficiency was elevated as an essential value:* Thus, enclosures aided in the ascendancy of the economic liberalist value of efficiency. Efficiency came to be applied as the supreme value in issues of production, management, and even human relations. In fact, the ideological emergence of this value castigated those who did not apply this value to

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agriculture and the eradication of diverse ecosystems by enclosures (The Ecologist, 1993).

others in a disciplined fashion for contributing to the debasement of the poor, and detracting from the general welfare.

- *The commons were redefined:* As an institution, the enclosures redefined the commons away from a source of sustenance and the basis for relationships towards a conception of the commons as a source of inefficiency and debauchery. This redefinition was a conscious effort, in response to a real or imagined crisis of immorality. Landlords specifically set out to undermine traditional and general understandings and relationships that were based in the commons. Furthermore, this redefinition was imposed, over objections and popularly understood conceptions of the commons.
- *Responsibility was individualized:* In the emerging market system, individuals defined themselves (and were defined by others) in terms of material rewards as manifestations of merit. In a system that was to be driven by individual effort, then, material wealth indicated values of industriousness, frugality, intelligence, and determination. On the other hand, poverty came to be associated with bad choices, licentiousness, laziness, and stupidity. While institutions like workhouses supposedly sought to correct character faults by instilling the proper values, in fact, the system also individualized blame even to those victimized by social forces beyond their control.
- *Enclosures depended on the denial of alternatives:* As the course of enclosures progressed, proponents claimed that they represented an organic manifestation of the newly discovered natural laws of economics. At the same time, efforts by those opposed to enclosures to model or maintain alternatives were forcibly suppressed. Still, it is

important to note that at least some people at the time saw room for alternatives, before one paradigm became predominant.

Market-Oriented Education Reform as Enclosure

I could go on for some length discussing the many parallels between the enclosures of the commons and current reforms of education. However, I will have to leave many of the parallels to the reader's imagination, and concentrate only on a few below. Indeed, using the metaphor of enclosure, there are several ways in which market penetration of public education can be seen as forms of enclosure, including, for example: the enclosure of the policy discourse, regarding terminology, and the redefinition of common ideas; the enclosure of common sense, as the logic of markets assumes the role of organic wisdom; the enclosure of public resources for private gain, as the curriculum is reconfigured to meet specific private interests; the enclosure of time and space for schooling, as commercial interests co-opt aspects integral to the learning experience; and enclosures of schools as a public institution, as private investment seeks to profit from public schooling. For the sake of time and space, I concentrate on two examples that are most relevant to the argument in this paper. (Short discussions of these other forms of enclosure, with reference to pertinent sources, are available in the Appendix.)

In applying the metaphor of enclosure to trends in education reform, I contend that public education is being enclosed as private interests hedge off the common space of schooling for individual private interests. Public education serves many purposes. In addition to its private benefits, the public school system produces public benefits as well. Economically or culturally, it may or may not be considered a commons. Those are

questions that are beside the point of my argument.[65] Instead, I hold public education to be a commons in the democratic-political sense — a necessarily common space for democratic deliberation. It is a requisite component in a vibrant democracy because public education is one of the few remaining institutions invested with the potential (if not experience) to cultivate the common good by creating and sustaining common space for democratic discourse. And in that regard it is being enclosed due to its commodification by private interests.

Withdrawal

Just as with the enclosures of common lands in Europe, socio-cultural withdrawal largely precedes enclosures. This withdrawal from public education is part of a broader societal pattern of the withdrawal of the affluent from public areas and institutions, according to writers like Lasch, Reich, and Kozol. Indeed, from their perspective, the successful classes are seceding from common areas of social space in a democracy — including public services, physical and social space, leisure activities, and politics (see Appendix for further explanations). The rise of gated communities are perhaps the best known example of this.

Largely in response to perceptions of these crisis conditions, conscious and articulate people are withdrawing their children and their support from public education. Withdrawal from public schools is a familiar phenomenon, indeed, it has been going on for decades, usually associated with race or class segregation. For years, people have pulled their children

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[65] I approach those questions in the Appendix, concluding that public education is probably not a commons in the economic sense, although it is arguably a commons regime; and public education has not adequately served a role as a common space in cultural terms.

out of public schools to find better options elsewhere. Indeed, whole communities have withdrawn support from schools. However, current trends represent notable instances of this tradition because of their relation to the crisis conditions described above. There is an organized exodus from public schools due to their moral failings. Recent exit movements equate public education with an immoral and intractable threat to "traditional" values. Thus, secession from public education is not simply a matter of convenience, discomfort, or fear. Instead, withdrawal is a moral mandate. And the inefficiencies associated with public schools — indeed, with the public sector in general — lead to a withdrawal not just of participation, but of support in the form of tax revenue, political participation, and so forth. However, Furthermore, this is part of a broader trend of social secession based on claims of moral crises which portrays withdrawal from public education as both a model and a key element of that broader withdrawal.[66]

Enclosure of Resources

As with the earlier enclosures of common land, current enclosures in education suggest a sudden and "revolutionary" transformation in terms of pace and impact. Now this is perhaps best reflected with the relative speed of the implementation of market-oriented school reform in places like the UK and New Zealand. While forms of government and other factors have inhibited the pace of change in the US, it is not for lack of trying by reformers promoting an immediate "paradigm shift" in how people view education.[67] Furthermore, some people have alleged coercive measures on

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[66] See Gabler, Gabler, & Hefley (1985); Simonds (1999); and Weyrich (1999), as well as most of the faith-based literature or appeals to morality that support home and charter schooling, or exit through vouchers.
[67] DeWeese (1994); Durant III (1997); Hornbeck (1996); McGriff (1996b).

the part of some reformers in over-riding opposition, ignoring traditional forms of due process, engaging in underhanded dealings, etc.[68]

There is, however, a very obvious forms of enclosure in education — the enclosure or privatization of public resources. Affluent people are not simply leaving public institutions and spaces for private enclaves, but maintaining and even increasing their claims on the public areas (and resources) from which they have retreated. While education may be perhaps the best example of this phenomenon, it is also evident in other, more publicized, instances. For example, gated communities are not just private enclaves for people retreating from diverse and decaying cities, unsafe neighborhoods, and other hazards of modern life in a pluralist democracy (although they are that too). They can be seen as enclosures due to their ability to *replace* public authority with fee-based private associations, and their walling off of what is typically considered public space — streets, "town" meetings, the benefits of good neighbors, discourse, and the opportunity for diversity. Despite the shielding effects of privatization, these communities are not hermetically sealed from the spillover effects of common goods, if not common costs and common evils. These communities have been known to petition for a public-ization of funding when faced with sudden rising costs for privatized services[69] (and some developers are seeking public resources to build for for-profit charter schools primarily benefiting children in these developments[70]). Thus,

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[68] Dean (1994a). When the votes were not preceding and succeeding at the pace that reformers hoped for (despite financial and administrative incentives), they proposed doing away with the balloting and requiring all to opt-out (Dean, 1992, 1994c, 1995b, 1995c, 1995d); and Dean & Burstall (1995).

[69] Blakely & Snyder (1995, 1997) and McKenzie (1994).

[70] Schnaiberg (1997a). Also, the Disney community in Florida has petitioned the local school district to establish a school in its new development (Burstein, 1995; Ellwood, 1998b; Hannigan, 1998). The latest

their ability to enjoy such common goods, often exclusively, without responsibility for maintaining them, represents a form of enclosure.

Similar patterns are occurring in public education, from both the producer and consumer sides. (I discuss one of the "consumer" angles below under a different heading.) The enclosure of public resources by private "producers" is evident in several ways including the outright transfer of assets purchased with public money to charter owners.[71] The effects of market penetration are now most evident in relatively simple responses to competition like the adoption of marketing techniques, the expansion of programs to match options in the choice sector, or, in the worst cases, the outright sale of school assets to stay afloat.[72] The expansion of the for-profit sector is also evident as private investors seek to open up public schools as an area for investment, which begins a race for venture capital.[73] However, the rise of for-profit educational management organizations (EMOs) quite effectively illustrates this phenomenon of enclosure of public resources. In Michigan, which is lauded by market reformers for the liberality of its charter laws, there has been a dramatic rise in the market share of the charter school sector for these EMOs in the

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word was that they were negotiating over how many of the district's children from outside the Disney town would be able to attend its new schools.

[71] This aspect of Arizona's charter law (Essigs, 1997) is being reconsidered (Mattern, 1999). I discuss the different forms of enclosures from the producer side (management, investment) and consumer (reconfiguration of the curriculum) in the Appendix.

[72] However, we could argue that, in as much as LEA schools find themselves competing with choice schools that have access to private investment capital, it has forced LEAs to search for other revenues or savings: private management, the exclusive cola contracts, advertising (Bushey, 1998; ads in Dowling-Sendor, 1999; Mayes, 1996b).

[73] See Appendix; also, for example Dean & Hackett (1995); DeWeese (1994); Johnston (1997a); Merina (1994); and Walsh (1996, 1998f, 1998g).

last few years.[74] The expectation that market reforms would lead to mom-and-pop varieties of independent schools collecting per-pupil funding is being challenged by role of more substantial players with access to more resources — with implications for innovation, diversity, and choice. Indeed, patterns of consolidation may be coming in to view, as large-scale providers enjoy efficiencies not enjoyed by the smaller independent mom-and-pop schools. These EMOs become super-LEAs not bound by geography or many democratic-equity constraints.

Enclosures of the Space for Democratic Dialogue

In another parallel with the enclosures of common land, the rise of school choice involves the individualization of responsibility. In a choice system for education, schools are held to be responsible for their own success or failure. However, that logic extends to the consumer — or child, as it may be — as well, who is responsible for his or her own course of education. The students in the UK's "sink schools" — the ones least successfully engaging the market — are the best example of this.

Indeed, the individualization of responsibility is the vehicle for the ascending value of efficiency — if everyone is responsible for their own good, the system operates at its highest efficiency. Efficiency as a paramount goal is arguably a direct ideological descendant of the enclosures in that it is a value that trumps other concerns. Certainly, the governance of a commons can seem chaotic: competing claims had to be sorted out; rights and responsibilities had to be distributed; crops planned;

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[74] Now, upwards of 70% of charter schools are run by these EMOs, with the likelihood that an even higher proportion of charter students attend EMO schools because they run the largest operations (Horn & Miron, 1999; Khouri, et al., 1999). These EMOs enjoy access to private capital (without bothersome democratic hurdles) in addition to their economies of scale.

sanctions enforced and administered; harvests divided, and so on. Still, they survived and sustained generations (and still do), and were not necessarily inefficient.[75] But they could not survive commodification in the name of efficiency. Currently, the drive to make efficiency the foremost consideration in all aspects of life encloses the space of public education as a space for democratic deliberation.

Market-oriented education reforms suggest ridding ourselves of a failed institutionalized commons in favor of individualized and group-identity options. Certainly, market-style reforms effectively and efficiently provide for the needs of each individual and group in a "public" (if not common) education system. Indeed, instead of compelling a common educational experience through coercive bureaucracies, such reforms encourage differentiation in education in order to harness the consequent unequal options to promote efficient and effective service.

Market-oriented reformers see the public sphere of institutions as politicized and coercive space. Conflicts between groups over curriculum and values in common or public schools take place in political space, while the market is neutral space for freedom and voluntary interactions. Group and individual preferences are best approximated by moving schools to the neutral terrain of markets, where conflicting interests will sort themselves out by finding their own niche. Each group can then take what it needs from the education system, without impinging on the rights of other groups.

In my analysis, there are three problems with this argument. First, and most obvious, such an approach tends towards social fragmentation, an aversion to shared experiences, and a likely decline in socially desirable

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[75] Dahlman (1980); The Ecologist (1993); and Netting (1997).

goals such as tolerance. Even if schooling is more effective for goals like improving test scores by homogenizing school "communities," this undercuts essential aspects of the generally held social role schools are intended to serve. For all their many and essential faults, common schools at least provide the means (if not the precedent), of counteracting those tendencies.

Secondly, market claims to improve on the commons of schools often refer to the idea of coercion in the state sector (as noted previously). Reformers hold that placing schools into an institutionalized commons is necessarily coercive due to majoritarian control. In this they are correct. Arguments from both Olson (1965) and Hardin (1968) identify coercion as an essential aspect of commons organizations necessary to maintain their collective nature. But market reformers' claims that the market alternative promises non-coercion (e.g., Friedman, Durant) is false. Many groups have experienced coercion in markets, and found liberation in collective organization and public authority. Furthermore — and more relevantly here — the commodification of common goods or the commons themselves is coercive. Commodities require specific types of treatment as commodities. To mandate the *de facto* or *de jure* commodification of a public good forces all others enjoying that good to comply, in view of opportunity costs for both producers and consumers. Friedman's observation — "there is one thing you can depend on everybody to do, and that is to put his interests above yours" — becomes institutionalized and imposing.[76]

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[76] Friedman (1994, p. 101). This is probably more of a hopeful desire than an observation of universal human nature on Friedman's part.

Finally, market advocates are making the same mistake made by common school reformers (and progressives) in trying to pre-empt conflict. Where common schoolers attempted to do this through a bland, generally agreeable curriculum, more recent reforms pursue this end by institutionalizing individual choices for distinct options to "de-politicize" education. The market is "apolitical," according to its advocates. Thus, education mediated through a market would also be free of the messy and inefficient aspects of interest groups, ideology, and conflict.

Of course, markets are not apolitical, as the example of the enclosures indicates. The enclosures demonstrate that the rise of markets was both the method and result of the ascendancy of one set of political interests over others — and the evidence from the quasi-markets in UK shows that markets continue to favor particular segments of the population and political interests over others. Furthermore, it is doubtful that education ever should be, or could de-politicized without serious harm to the body politic. As Cremin notes:

> Aristotle explicated the relationship in the classic discussion of education he included in the *Politics*.... it is impossible to talk about education apart from some conception of the good life; people will inevitably differ in their conceptions of the good life, and hence they will inevitably disagree on matters of education; therefore the discussion of education falls squarely within the domain of politics.[77]

Yet, as market approaches deny the desirability and negate the need for such discussions, they prevent the public production of conceptions of the good life, which irreparably harms the viability of the civic entity (see also, Sandel, 1996). Gutmann (1987) concurs in this, holding conflict and debate as means of diffusion of ideas: "In a democracy, political disagreement is not something that we should generally seek to avoid. Political

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[77] Cremin (1990, p. 85). See also Cremin (1980, p. 487).

controversies over our educational problems are a particularly important source of social progress because they have the potential for educating so many citizens" (p. 5). The tactic of diverting controversies to committees or assigning a commission to study a problem to avoid open conflicts may be politically expedient, but is counterproductive:

> we pay a very high price for their avoidance: we neglect educational alternatives that may be better than those to which we have become accustomed or that may aid us in understanding how to improve our schools before we reach the point of crisis, when our reactions are likely to be less reflective because we have so little time to deliberate.... Unless [a] theory is articulated, citizens cannot assess its principled merits or its policy implications.... we cannot make good educational policy by avoiding political controversy.[78]

Thus, the efforts embedded in market-oriented reforms are effectively enclosing this common space for democratic dialogue.

Privatization of the Purpose of Education

Just as the enclosures commodified the very purpose of land, time, and labor, so too does current market penetration of public education commodify the purpose of schooling. Several market advocates have made the point that their reforms are not "privatization" — that education in their proposals would remain "public."[79] Here, I conclude by focusing on privatization, not of the means of provision of education, but on the privatization of the purpose of education for each individual "user." Even if reforms do not explicitly or completely privatize all of the institutions of public education into profit-making ventures, they do promote, even effectively mandate, the privatization of the purpose of education. This is like the enclosures, where commonly held goods (land, resources, and

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[78] Gutmann (1987, pp. 5-6, my parentheses). See also Habermas (1989).
[79] Chubb & Moe (1990) and McGriff in Williams (1999b).

time-labor) were suddenly reconceived as primarily private commodities in the emerging and efficient market society. That is, whereas the enclosures of common lands divided them up as primarily private goods for exclusive private use by owners, market-oriented reforms enclose education into a private commodity, with citizens now necessarily re-conceived as consumers.

Enclosures negated community control of the commons. Similarly, in privatized education, control is left to multiple private interests. Socially-defined goals such as integration, co-education, tolerance or diversity are vacated unless a producer can see a way to sustain that goal in the market. The market model in land or in education denies a community's ability to define goals without violating the market tenets and creating inefficiencies. This negates the societal right to use institutions like common land or public education for social ends.

The attempt to redefine "public" education is a direct challenge to the traditional, popular, and common symbiosis between public and private spheres. To that extent, it should be seen as a form of privatization or marketization (Chitty, 1997). A market, representing an area of social life where individual actors may exchange goods and manifestations of value, is premised upon the exclusive right of individual owners to dispose of their privately-owned goods as they see fit. It is driven by individual owners seeking to maximize their self-interest. Thus, privatization seeks to put "goods" (products *or* valued benefits) — often goods that were previously under the control of the public — into the hands of individual owners who are believed to be best able (individually and in the aggregate) to manage and exchange the goods in the interest of efficiency and effectiveness of use.

The rhetoric of market-style reform promotes de-publicization, primarily through the vehicle of an explicit redefinition of the "public" in education away from that of an institution for the common good. While in some states, such as Michigan and Arizona, reforms have gone so far as to open the door for private management groups to control the means of provision of publicly-funded education, choice and charter school reforms also illustrate the privatization of the purpose of education. Although this does not necessarily require the transferring of ownership of the means of provision to private hands, the effects are essentially similar, since the "product" is still held before the "consumer" to be treated as a private good, with the same negation of the general common good that would be seen in a purely privatized system.

Conclusion

The social space of public schooling in a democracy is being further fragmented and balkanized by the push for a private-oriented, apolitical conception of schools. Under a model of public schools as commons, schools are the site of democratic discourse. They are not supposed to be used as a method to avoid discussion and shield one's self from difference. Not surprisingly, there is evidence of balkanization, and segregation on religious and racial lines within the structures set up by choice and charters.

This last aspect is perhaps best typified by the intellectual inspiration for market reformers. Chubb and Moe (1990, 1991) focus on efficiency and effectiveness of privately oriented education systems in advancing student learning. Education is to be treated as a private good. Parents are cast as consumers, and students as value-enhanced (or enhance-able) products.

Concern for the common good is almost completely subsumed to an elevation of the private benefits of education. This is epitomized in their discussion of the value of homogeneity in education — an issue at the heart of the common school reformers' stated fear for the future of democracy. Chubb and Moe (1990, pp. 61 ff.) claim that there is a lower level of bureaucratic control over schools where the school and community population is most homogeneous in its constitution and goals for schools. By decreasing bureaucratic and political interference, schools are more effective at pursuing their mission. Although this may very well be true, we must ask, To what end?

The very fact that different people may have different goals for education suggests that there is no firm consensus on the purpose(s) of schools. Certainly, student learning is a consideration, but is it the sole mission of schools in a democratic society? The common school reformers — in their much more pronounced concern for democracy and the common good — would say no. The agenda of making "choice" paramount denigrates the socialization function of schools, a common school idea that, with little reflection, most modern citizens in a democracy would probably also embrace today. In a viable democratic society, the citizens, through the agency of the state, have a compelling interest in guaranteeing some degree of socialization. This should not necessarily be so that schools can cultivate support for the state, or the government, but to guarantee the viability of civil society.[80] This is essential to democracy, because civil society is the necessary prerequisite for democracy, and not simply a convenient externality of the marketplace. Ironically, this balkanization that results

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80 These ideas on the relationships of civil society, democracy, education and the marketplace are largely drawn from Margolis (1998).

from efforts to de-centralize control of education has the potential to further empower the central state as the one authority that can mediate and suppress conflict between social groups.

There have been various paradigm shifts in the course of US public education. If the process of withdrawal-enclosure outlined above is accurate, it is possible that this represents another such sea-change in popular education. In fact, the enclosures serve not only as an apt metaphor, but also represent an early manifestation of the rise of markets — a trend that is now culminating in reforms of education and other endeavors intended to pursue the common good.

In view of the constant claims on public education as a private good, it could be argued that the trends I have outlined suggest continuity more than transformation. Public education is the arena for constant claims of crisis, chronic efforts at reform, and remarkable resistance to change. We might consider, then, how current trends are significant, and why they matter now.

I think that a few aspects of current reforms require a more careful consideration than is afforded by dismissive references to the staying power of the status quo in education. One thing that distinguishes recent reforms is the rise of what Sainath calls "market fundamentalism" — the religious-like faith that the market is a panacea, not unlike the estimation that common school reformers held for public schools. The treatment of disconfirming evidence, and the pervasive of unquestioned belief in the market as "common sense" also lend credence to this analogy.[81]

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[81] Quoted in Rothschild (1997); on this absolute nature of this faith, see also Hilfiker, (1998) and Tamez (1995); and see the Appendix on enclosure of common sense.

Secondly, recent market reforms are distinguished as a relatively well-organized effort on several levels. Think tank and institutional support presses the charge in legal and political forums. Support comes from minority and religious communities, as well as free-marketeers. Neoliberal and neoconservative elements present a formidable, if contradictory, coalition. Therefore, I would argue, this reform effort has a better chance than most of realizing substantive successes.

A third consideration arises from the examples of enclosures. Thompson (1966, p. 221) notes that "no common was ever brought back." And instances of privatization are not likely to be rolled back — areas and functions that have been privatized are likely to stay private (Daley, 1996). In education reform, one lesson that is available to us on continuity and change is that reforms are likely to last if they create discernible and viable constituencies.[82] That is happening with choice (Chubb & Moe, 1992; Moe, 1994).

In conclusion, the discourse around markets in education is largely one of images and metaphors competing for dominance in the language. Thus, terms are used to obscure, just as they are used to clarify. Some-market-oriented reformers have denied that their proposals represent privatization, since, they note, mass education can be provided efficiently by schools that are owned by the public, funded by the public, and open to the public. Thus, many reformers have tried to redefine terms and institutions to obscure market penetration that, in fact, privatizes the purpose of education. Only a few reform advocates have had the courage to explicitly identify democratic control as the problem with public education. And a few others have been

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[82] Cuban (1992); Kirst & Meister (1985); and Tyack (1991).

honest enough to openly call for reforms of governance of public schools so as to "make them private."

But the word *private* comes from the Latin *privare* which means "to steal" or "to rob" or "dispossess," and is related to *privation* and *deprivate*. It also had the sense of "taking away" from the public domain or public affairs — a meaning that continued into its Middle English sense. For that reason, many of the leaders of the early Christian church, for example, opposed private property as theft from the common pool; it denied the social or common use of a good to all others due to one person's claim to exclusive rights to use or dispose of that good.[83] With that in mind, in conclusion, consider some anonymous person's epigrammatic observation of the brutal irony of enclosures of the common lands in England in the first few decades of the 19th century:[84]

> *They hang the man and flog the woman*
> *That steals the goose from off the common*
> *But let the greater felon loose*
> *That steals the common from the goose.*

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[83] Indeed, the Roman concept of private property held that such rights were virtually inviolable. To own something in private guaranteed the right "to use, to enjoy, and to abuse — *jus utendi, jus fruendi, jus abutendi*," with some limitations on the treatment of slaves. See, for instance, Webster's *Unabridged Dictionary of the English Language* (1989, p. 1145), and the *Oxford English Dictionary* (Simpson & Weiner, 1989, v. 12, p. 515f); on the early church and the Roman concept of property, see González (1990).

[84] Quoted in *The New Internationalist.* (January, 1996, No. 275, p. 3). Another version recalls the first line as: "The law doth punish man or woman..." (September, 1995, No. 271, p. 6).

APPENDICES

APPENDIX A

Current Examples of Withdrawal and Enclosures Outside of Education

Many of the patterns and themes evident in the enclosures of common lands are apparent in current life as well. We can witness trends that suggests similarities in the historic model in terms of withdrawal, with similar patterns of coercion, commodification, constrained alternatives, and redefinition of commonly conceived notions of the purpose of institutions. Here are some of those patterns observed more generally in life.

Withdrawal from Public Services

Withdrawal is evident not only in leisurely pursuits, but with more essential services as well — services that are associated with the "general welfare" and, therefore, have normally been provided as public endeavors. The privatization of essentials like sanitation and public safety are symptomatic of an exit by the affluent from shared public space into more exclusive (and efficient) groupings.[1] While such efforts have been tried before (Adler, 1996), current efforts implicate more than simple drives for efficiency by privatizing bureaucratic public services, but the creation of distinct pockets of efficiencies separate from the inefficient whole. Furthermore, Olson (1965) writes of the futility of groups pursuing common goals on a voluntary basis, without the use of coercion to compel efforts in the groups interest. Yet, as homeowners' associations win the right to coerce revenues by taxing people within their areas (McKenzie, 1994), they

[1] Kozol (1995) and Reich (1995).

have thus won the right to define their separate common good exclusive of the whole. Double taxation is unlikely to be popular with those funding private services for themselves and public services for (undeserving) others, and self-interest is likely to prove to be the dominant concern in a system driven by self-interest.

Withdrawal through Leisure Activities

Withdrawal tendencies also appear in modern life of a market society. This is noticeable in areas of leisure, for example. Vacation resorts market themselves in terms pitching their exclusivity of facilities and clientele.[2] Membership is not through an annual fee, but through the ownership of property within the "community," which has much more of a connotation of permanence, exclusiveness, and withdrawal. Thus, those on cruises or with privileges at associated clubs in the Caribbean, for example, can enjoy the sun on private beaches physically walled off from the bothersome and poverty-stricken native population. But this is not simply the case with privately purchased services. The raging trend of building new sports stadiums, mostly with public money, is not to increase overall capacity, but to increase the number of highly profitable corporate suites (Cagan & DeMause, 1998). These are not like the box seats of old, but separate facilities that are often physically sealed off from the rest of the fans — with private and guarded entrances, catered refreshments, and, of course, separate restroom facilities.[3]

2 See for example, Pace (1996) and Shanty Creek (n.d.).

3 Of course, sports have traditionally been a means for class distinctions in patterns of participation (Levine, 1989). Baseball, for example, was originally a leisurely pursuit of the affluent, before becoming popularized in lower classes, at which time the wealthy identified themselves with other pursuits (Levine, 1985). The difference in the present concern is that in mass *spectator* sports, where interest cuts across class lines, the affluent

Withdrawal from Politics

We are also witnessing a withdrawal from the public sphere in the area of democratic politics. Observers have noted this phenomenon as a symptom of widespread apathy, satisfaction with one's condition in the current scheme, or latent dissatisfaction with the lack of responsiveness in the political system as it is presently arranged. Lasch (1979, p. 21) asserts that the "'flight from politics' as it appears to the managerial and political elite, may signify the citizen's growing unwillingness to take part in the political system as a consumer of prefabricated spectacle." However, this withdrawal from politics is more than simply a passive response to the status quo, but a trend actively promoted by various interests. On the New Right, neoconservatives have argued that the public sphere is dominated by a coercive cultural elite that denigrates commonly held values by imposing political correctness.[4] Since the consequent "culture wars" have not substantially changed the cultural course of the nation, significant voices on the Right are calling for a withdrawal from political engagement, and into the separateness of distinct communities (e.g., Weyrich, 1999). For example, Richard John Neuhaus, the Catholic priest who edits *First*

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are defining their participation as physically distinct from the average "fan," with physical contact avoided — not unlike the cultural divorce around entertainment in Elizabethan times.

[4] Bennett (1992); Bloom (1987); and Quayle (1999). Hirsch (1988), of course, does not claim the same political affiliations as the others, but his response of re-asserting common values through education has been widely embraced by the Right. For much of the Right, however, the common culture is to be a Judeo-Christian one. This dynamic element is driven by a theocratic reconstructionism (Clarkson, 1996; Cumming, 1998; Heilbrunn, 1996). For instance, the Rutherford Institute — much in the news in recent times — markets a video by its leader that "shows how another revolution led by those who take the Bible seriously must take place if our civil government is to return to a biblical, compassionate base" (see Whitehead, 1985b).

Things, questioned further participation in the current state of democratic politics in the wake of Congress's failure to override President Clinton's veto of a ban on partial-birth abortions: "It is not hyperbole to say that we are at a point at which millions of conscientious American citizens are reflecting upon whether this is a legitimate regime. That is a solemn moment we have reached."[5] Thus, the withdrawal has been ordained with a theological imperative not unlike the Puritan precedent to the enclosures.

On the other hand, the Left promotes withdrawal from common culture through multiculturalism and identity politics, according to critics. This is somewhat ironic in view of the tradition on the Left of rebutting the hyper-individualism of market ideology. Critics attack the preoccupation (associated with progressive education) with self-esteem that multiculturalists pursue through fostering group identity.[6] Recently, some writers have agreed that the "popular front" aspects of the former New Left fragmented in the face of centrifugal identity politics, which, in some cases, promotes secession from politics.[7]

Is This New?

Similar patterns of withdrawal have been evident for centuries in American life, so the question arises as to why it should matter now. For example, the flight to the suburbs began in the post-war housing expansion

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[5] Heilbrunn (1996). Ex-Nixon aide Chuck Colson (1998) confronts the same issue, and advises re-engagement, rather than withdrawal, from the culture wars.

[6] See, for example, Bronner (1998a); Kronholz (1998); La Ganga (1998); Lewin (1998); Locke (1998); Los Angeles Times (1996); Rodriguez (1998); and Terry (1998); see also Bissoondath (1998); Finn (1990); and Hirsch (1996).

[7] See, for example, Gitlin, Margonis, & Brunjes (1993); Henry (1995); Lasch (1995); and Tomasky (1996).

(see e.g., Tiebout, 1956). The wealthy have traditionally preferred their first-class sections, and left the poor to the slums. How are current trends any different? I see the current patterns of withdrawal as distinct in four respects. First, it is different in degree. The extent of withdrawal in unprecedented; the "privileged class...has never been so dangerously isolated from its surroundings" (Lasch, 1995, p. 4). While part of this may be due to social and economic explanations (see below), withdrawal and isolation are also enabled by the considerable technological infrastructure. Commerce can be done on-line; indoor environments can be controlled; entertainment is largely domestic; and, in the event that one has to leave, a substantial public infrastructure for private transportation helps us avoid contact with the public. Thus, substantial withdrawal is a feasible option further and further down the social scale even into the middle classes, and modern technology makes it more complete.

Secondly, rather than needing the poor to exploit, the poor are increasingly irrelevant to the lives of the non-poor. (Again, this is similar to the earlier enclosures.) "The rich — who happen also to be the most politically powerful — no longer need the poor."[8] In the global economy, the dominance of mobile capital means that businesses do not need a local pool of available labor, since they can shop around the different pools to find the cheapest. Furthermore, much of the most menial work can be outsourced, when it used to be done locally. Domestically, in as much as a menial service needs to be produced locally, consumers increasingly turn to corporate providers whose policies, uniforms, employee codes, and

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[8] Bauman (1997, p. 24). This was a theme with dependency theorists a few years ago (e.g., Cardoso, 1993; Carnoy, 1993).

standardized service mediate the unpleasantness of having to deal directly with the minimum-wage class.

Thirdly, advocates now implicitly or explicitly promote withdrawal based on theoretical and theological arguments. In an interesting confluence of morality and efficiency, neoliberal (and self-described communitarian) proponents argue that separation into self-selected "common interest communities" is a more efficient and effective way of pursuing socially desirable goals — like learning, for example.[9] On the other hand, some religious neoconservatives make the argument that truly righteous people need to withdraw from the immoral "cultural sewer" of the permanently polluted mainstream.[10] The economic argument is significant because it gives scientific credibility to the elevation of the value of efficiency over social concerns regarding segregation — an ordering of priorities that had previously been propped up by vague pseudo-scientific references to racial superiority. Likewise, the religious argument negates earlier theological mandates like the social gospel and the settlement movement which called for interaction, not separation, from the morally afflicted.

Fourth and finally, the current patterns of withdrawal are noteworthy because, consequently, they often promote enclosure. The withdrawal patterns as portrayed by Lasch and others are limited in their explanations

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9 Brandl (1998) and Chubb & Moe (1990).

10 Of course, religious groups have called for separation for centuries. But in American life, religious efforts to be separate have traditionally been forwarded by cults or groups on the periphery (Shakers, Oneida and Amana communities, Anabaptists, etc.). Most religious groups held that the US was essentially a Christian nation and society (even when they used those beliefs to promote separation through racial prejudice). Now, however, Weyrich is saying otherwise, and he is in a position of influence and social respectability never enjoyed by the Christian Identity movement, the Christian Patriot movement, David Koresh, or Joseph Smith in his day (Coalition for Human Dignity, 1995; Southern Poverty Law Center, 1991).

in this respect, unable or uninterested in pursuing the metaphor, as the tendency to retreat is often in turn redirected into an effort to recapture, in many cases.

Enclosures

Some people within the environmental movement are reviving the image of enclosures to describe economic trends associated with resource ownership and use. For example, Seabrook (1997, p. 13) writes:

> Governments in any case can exert only the most marginal moderating influence on the vast privatizations we have seen in the world, as all the global commons have been enclosed, the resources expropriated, people evicted from lands that are required for mineral concessions or agribusiness controlled by the transnationals.[11]

Indeed, the examples of market penetration discussed at the beginning of the second chapter can be seen as enclosures — in corrections, social pensions, health care, defense, spirituality, and life — as private interests divvy up previously public goods. Argyres & Liebeskind (1998) document the enclosures of the "intellectual commons" of university research production, particularly in bio-technology. Economic interests advance the efficiency argument through political channels to privatize production as a more effective incentive structure. But this denies (and is resisted by) the traditional conceptions of a social contract within institution that conceives of its public good role as an intellectual "commons" at odds with the personal profit incentive (see, also Soley, 1995). Several authors have noted trends to turn religion into a commodity or "product" to be purchased, not to be pursued in common (even when a free "service" is equally available).[12]

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[11] See also *The Ecologist* (1993). A limitation of this perspective is that it tends to see commons only in ecological terms, not social or democratic (e.g., Beecher, 1998).

[12] Friend (1996); Reeves (1997a); and Trueheart (1996).

Myron Orfield, a state legislator in Minnesota (and Gary's brother), contends that core-cities and older, working-class suburbs are subsidizing newer, affluent suburbs through region and state payments for infrastructure costs. Specifically, in paying for the new sewers and roads for the growing and affluent suburban periphery, the majority of the money does not come from the new rich suburbanites. Thus, wealthy people withdraw from urban areas, then effectively lay claim on other people's assets in order to support their lifestyle choices.[13]

Do These Changes Represent Paradigm Shifts?

Is the current evidence of enclosures indicative of a transformation or "paradigm shift" in social relationships? Does the further market penetration into formerly non-market areas, of which withdrawal-enclosures are symptomatic, represent the completion of an evolutionary process to a higher form of social organization — the "end of history?"[14] These are important questions for understanding current trends, of which reforms in education are a part.

Of course, it is difficult, if not impossible to answer such questions about one's own times (although some claim to have done so). I do think, however, we can at least explore aspects of these questions based on the evidence that is currently available, and based on the models and patterns that precede us. Thus, I approach those questions under two assumptions. First, the historic enclosures of land in England were very much the

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[13] Also, he claims, inner-city residents commute out to suburbs because that is where the service jobs are, but they cannot afford to live there. So, he sees a case of economic apartheid: low-income people can work in affluent areas, and have to help subsidize the affluence, but cannot live there, go to school there, etc. (Tosto, 1999; Orfield on NightLine, ABC, May 8, 1997).

[14] Fukuyama (1992) and Kuhn (1962).

epitome of a paradigm shift, representing (in Kuhn's sense), a drastic transformation in belief systems for making sense of the world. Secondly, I assume that, whether or not current changes will ultimately be seen as a revolutionary transformation in world-views, they most likely represent at least significant challenges to, or changes in, generally held world-views as manifested in institutional arrangements.

Are These Changes Organic?

With those disclosures in mind, I want to look at two of the assumptions that inform the broader question of upward evolutions of paradigms, as suggested by the preceding model for the metaphor of enclosure. First, there appears to be an assumption that the market model is appropriate for areas of social life like public services and education because it more accurately approximates human nature and is, therefore an organic outgrowth of human interaction on a mass scale. This assumption is quite evident in arrangements such as gated communities, fee-based services, and quite explicit with education reformers like Durant, DeWeese, Friedman, Chubb and Moe. In their estimation (to generalize), markets are a natural state of voluntary relationships between free individuals. Any action by the state represents an artificial and coercive intervention by forces external to the relationship. Thus, market forces reflect the aggregate of these voluntary relationships, and their liberation represents the most natural state of human interactions.

The enclosure metaphor, however raises questions about such claims. In that instance, similar claims about the appropriate and organic arrangements for control of the land contrasted with concerted efforts by large owners to create or impose that outcome. Control of the land did not

simply shift to owners as obsolete and artificial arrangements withered away. Enclosure was by no means a passive phenomenon. Owners' agency and intentionality defined the enclosures, and were met by active resistance from those being dispossessed. Enclosures were a conscious effort, an intentional and deliberate strategy of elites to pursue their self-interest.[15] For example, Thompson (1966) recounts pro-enclosure propaganda by propertied interests, suggesting that it is political power, not natural logic, that tips the scales of change. Similarly, if we look at current changes, we again see evidence of intentionality and concerted agency. Large and well-funded organizations such as the Freedoms Foundation and the Center for International Private Enterprise actively promote the acceptance and advancement of market arrangements around the globe.[16] As Mokhiber & Weissman (1997, p. 17) write (of the related idea of globalization): "Economic globalization is not inevitable. The best proof of this is the enormous efforts multinational corporations undertake in order to create new institutions to lock in, defend and intensify globalization."[17] Thus, just as the enclosures were a conscious commodification of land, we should note the extent to which current patterns of commodification reflect conscious policy decisions, rather than the simple evolution of an organic state of being. If such an evolution would occur regardless of agency, then powerful organizations are wasting considerable time, effort, and resources.

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15 Polanyi (1944) and Tawney (1967).

16 Center for International Private Enterprise (1993, n.d.-a, n.d.-b) and Freedoms Foundation (n.d.).

17 See also Cameron (1997). I have already discussed such organizations as the Mackinac Center, Thatcher's CPS, and others. On the deliberate actions of organizations in this area, see Grant (1989); Multinational Monitor (1997b); Smith (1991); and Yergin & Stanislaw (1998).

Are Alternatives Available?

Second, market reforms and advocacy suggest a lack of alternatives available for policymakers. Indeed, the market-oriented crisis rhetoric indicates two options: the status quo of bureaucracy-bound paralysis, or the market. Alternatives, then, are limited to one of those two diametrically oppositionalized options, or some uneasy compromise in between. This, of course, is related to the earlier assumption that the organic option is readily available in the market. Again, the enclosures suggest that other alternatives are possible — not so much because they are modeled for us (few were), but because the forceful imposition of one alternative excluded consideration of all others, including the "status quo." Consistent opposition indicates that some people saw other courses of action open besides enclosure and commodification. However, the growth of what Polanyi calls the "market society" goes far in precluding not just the demonstration of alternatives, but the conscious contemplation of the possibility of their existence. Where markets were *a* tool available for society, they are now *the* tool. *Homo economicus* becomes not just the dominant model, but the only model in Thatcher's stated quest to "change the soul." Reformers and policymakers increasingly portray institutions that fall outside that model not just as anomalies, but as perversions of the natural order.[18]

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[18] This is demonstrated by more radical voices from market economics and public choice theory that maintain that private provision is preferable in essentially all cases. Institutions such as the military or the courts have traditionally been held distinct from the purview of the market, but the values of choice and efficiency challenge that schism. Friedman (1994, pp. 94-6) disparages the post office, public roads, and even the military because a "socialist institution is a socialist institution is a socialist institution." Benson (1994) argues that policing was historically produced as a private good, but undermined by state reconfiguration of property rights; he holds

Alternatives are limited largely because we have internalized markets as the natural order. Thus, market penetration (some would call it globalization) does not involve only: (1) the expansion of the market into previously untouched geographic areas; or (2) the connection of those areas to the larger "global" market, usually through extractive industries; or (3) even the commodification of minute aspects of daily life; but also (4) the re-orientation of thinking of individuals towards marketization of every aspect of their lives. That is, indigenous peoples in non-market societies, for instance, must be essentially changed in their orientation to the world in order to become a part of the world market. They must see previously uncommodified aspects of their lives (air, water, place to live, labour, family, food, sustenance, religion, etc.) as items of value to the market. Whereas in earlier times, we internalized the authority of institutions into our lives (Katz, 1978), we have since done the same with markets. Enclosures represent an early manifestation of this process.

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that now the public good argument is used to justify public provision, when, in fact, other private alternatives are demonstrably available.

APPENDIX B

Other Examples of Enclosures in Education

How Is Public Education a Commons?

Commons, common good, common goods, common weal, public good, public goods — these terms have different nuances (although some common senses). In the discussion that follows, I refer to "common" primarily in two ways. First, I write of commons in the sense of common lands that were fenced off during the enclosures — a common space of community, not individual, ownership. Secondly, I refer to common goods as in "public goods." Since I have already discussed the first sense of the term in the historical context, I need to clarify the meaning of "common good" or "goods." In that, I look at the possibilities of public education as a commons from several angles: economic analysis, cultural, market options, and political.

Economics.

Economists have established criteria to define a "commons" (or "open-access" resource, with which commons is often conflated) and common or public goods. Commons are usually held to be fixed, exhaustible resources that no individual "owns," but are owned in common. Again, there is a difference between a commons and an open-access resource — neither of which are controlled by individual ownership. In a sense, everyone in a community owns a commons, so, in a commons regime, access rights and responsibilities are distributed and controlled by the community. No one owns an open-access resource, so there are no controls on access, and the

resource is much more vulnerable to depletion.[1] Yet, in both cases, since the resource is fixed or limited, use by any individual negatively impacts the abilities of others to use the resource.

This is related to the views of common or public goods — where we consider the issue more around the sense of what is produced, than the space in which it is accessed. Generally, economists hold that two characteristics define a public good. If the addition of another user does not essentially diminish the use of a good to others to any significant degree, it is said to exhibit a "jointness of supply" or be non-rival: like a parade, or the protection of the military or any inexhaustible resource. Furthermore, within the group, at least, for which it is a common good, if it is available to all and it is not feasible or cost-effective to exclude people, such as non-payers, from the use of a good, it is said to be non-exclusionary: as with public roads or clean air.[2] Neither of these characteristics unequivocally describes public education. The non-rival aspect is arguable, at best. The addition of students to a class, for example, enlarges class size, which impacts "use" for others. And, while it is unconstitutional to exclude students from the public schools as a system, students are often excluded from specific uses based on ability or residency requirements (which approximate a pay system in some ways).

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[1] Argyres & Liebeskind (1998) and Brito, Intriligator, & Sheshinski (1997). Thus, open-access regimes are open to all, and are prone to Hardin's (1968) mis-named "tragedy of the commons" (tragedy in the classical sense of an inexorable ruin made inevitable by the actions of individuals) while commons are governed by the community with well-defined sets of sanctions, and can therefore be used efficiently (Dahlman, 1980; Ecologist, 1993; Netting, 1997; Pearce & Warford, 1993).

[2] Bishop (1995, p. 38); Fisher (1988); and Olson (1965). While Olson notes that others often include jointness in the general understanding, it is not a necessary aspect of his definition (p. 14, n. 21).

In the absence of these aspects, economists look for "spillovers" or externalities (Bishop, 1995). That is, seeing the relationship between the immediate consumer and producer as an economic-type transaction, they look to see if there are secondary effects that are enjoyed by parties outside of the immediate transaction. Mass education is often treated as a public good, according to this definition, because the by-products of multiple transactions are enjoyed by society as a whole: broadly distributed schooling is associated with lower crime rates, higher social cohesion, higher skilled workforce, decreased polarization, and so forth.

Thus, public education is not an open-access resource. Public funding does not in and of itself create a public resource pool in the sense of a commons. Individuals and groups can be excluded from publicly funded goods and services, for example. Although public education could be considered exhaustible in the sense that it requires inputs to maintain its status as a resource, community control defines access and benefits, so it is closer to a commons regime. Schooling is not a public good under economic criteria, but is treated as one due to its externalities. In that sense, coercion is an essential feature, since its maintenance as a commons necessitates constraints on individual freedom of access, and compulsion of support so that the institution provides collective, rather than atomized, ends.[3]

Culturally.

The example of the common schools shows that public schools have not been spaces common to all cultures. In fact, except for the rhetoric of common school reformers, essentially no serious observer or analyst would support the claim that common schools represent common space in their

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[3] Hardin (1968) and Olson (1965).

curriculum, culture, or clientele. Common schools and their legacy have not served as commons. They represent the imposition of a singular, if dominant, set of cultural values which were common, neutral space only to liberal, bourgeois, pan-Protestantism: punctuality, delayed gratification, perseverance, respect for property, etc. — all reflective of white, Protestant, middle-class hegemony. While reformers tried to use schools to proffer their values as the common and universal culture of the Republic, they instead institutionalized and imposed them as the dominant culture. Any claims that these values reflect universally accepted values in 19th century America are false, and even more false as the nation became more diverse. Furthermore, to the extent that the values were generally embraced, it is because they were bland, generic, and non-controversial to those groups with political influence — reflecting a policy of finding "common" or neutral ground between politically articulate groups to avoid conflict between powerful interests that might have undermined the common school agenda (Lasch, 1995).

Since that time, groups excluded (or self-excluded) from the original definition of the common culture of schooling have won some voice in the process of defining cultural values in schooling. Yet this desirable achievement comes with at least three controversial consequences. First, in some respects, this has meant the further generic-ization of the curriculum — particularly from the perspective of those groups whose interests were already well represented in the common school reform. For example, while Mann supported the use of the Protestant Bible in the common schools (despite the objections of Catholics), now, out of recognition of the rights of non-Christian minorities, the Bible is not taught

in public schools (despite the objections of conservative evangelical Protestants).

Secondly, many of the changes that seek to respect and incorporate the views of minority groups into schooling are more symbolic than substantive. The lip service and window dressing of a token time to celebrate distinct ethnic heritage, or the isolated paragraph in the social studies text about women's contributions, stands in contrast to the still dominant hidden curriculum underlying the institution of schooling. That is, the institution of public education writ large is still largely run by white, middle-class, Christian, heterosexual, etc. people; and, consequently and unavoidably, from their own accumulated experiences and perspectives; and, consequently and unavoidably, in the interests of such groups. In as much as reform efforts trying to embrace diverse perspectives filter through that institutionalized culture, they will necessarily be ethnically cleansed of important and valuable cultural distinctives.

Thirdly, it has predictably proven quite difficult to incorporate diverse world views, mores, and languages into a common culture of schooling, even when political climates and circumstances are agreeable to such efforts. Often the path of least resistance is through curricular fragmentation and institutional separation. This approach most accurately and effectively serves the needs of each individual group. But then public education cannot claim to be a commons.

Public Control of Democratic Space as a Commons Regime

In the economic sense, public education is not clearly a common or public good, although it does arguably demonstrate aspects of a commons regime. Public education, as it has been configured, has not fulfilled its

promise to serve as a commons in the cultural sense, but the market alternative appear to be incapable of fulfilling similar promises any better. However, I contend that public education can be seen as a commons in the public-political sense of a space for democratic discourse.

This claim is not without precedent. Much of the rhetoric around markets in education casts schooling as a primarily private good. Consequently, reformers argue, the individual "customer" should control educational resources and decisions. The discourse generally ignores the idea of a "consumptive" role for society, and, consequently, denigrates the idea of broader community role in educational decision-making. But if there are social goods, then there should also be a social role in education. A few observers have recently re-asserted the role of education in pursuing the public good.[4] This is accomplished largely by reviving the idea of broad, societal benefits from education — an aspect that has been lost in the discourse in recent years. The argument points out that, not only do benefits accrue to individuals, but to the general welfare — hence, to co-opt the term, society is the "customer." This application of the idea of benefits fits into a long tradition of identifying the public good not simply in the aggregate private benefits, but in specifically social benefits that are enjoyed collectively (Bellah, et al., 1986).

However, as noted before, there are competing views on abstract values such as the collective good.[5] The imposition of the majoritarian vision is an option, but it is akin to the imposition of a singular conception of private property over everyone with a claim in the commons. Instead, competing

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[4] Goodlad & McMannon (1997) and Labaree (1997c).

[5] For example, while the various authors of the Federalist Papers generally equated the public good with public "happiness," they demonstrated obvious divergence on how that could be achieved (Hamilton, Madison, & Jay, 1961).

visions and claims must be mediated, not suppressed. In order for claims to be aired, considered, and mediated, there must be a space for those claims to be articulated. The institution of public education represents such a common space for discourse. Education both provides, and serves as, the contested terrain where competing claims interact. As with a commons regime, rights are based not simply on usage, but also on benefits. Thus, the commons aspect of public education is located in the deliberative process, where rights and responsibilities are distributed.

Other Enclosures in Public Education

If, as I have argued over the last several sections, public education can be seen as a commons of sorts — a space or terrain for democratic discourse — then, furthermore, market penetration of public education may be seen in terms of enclosure. While this happens in several areas described below, of particular importance for my argument is the final instances of enclosure: the commodification or privatization of the purpose of schooling, and the enclosure of the common space for democratic discourse.

Withdrawal Tendencies in Education

Crisis rhetoric advances market reforms of education (Berliner & Biddle, 1995).[6] Furthermore, as with general social patterns described earlier,

[6] Originally, I had written a chapter trying to explore the relationship between crisis rhetoric and market alternatives for education. However, for the present purposes, this link is illuminated more than adequately in Berliner and Biddle's work, as well as that of Bracey (1997b). Essentially, there are two main manifestations of that crisis rhetoric. In the moral argument, education is in a crisis because its nature as a government institution — its role as a commons, in a sense — prevents it from supporting or teaching values. According to this way of thinking, not only is public education value-neutral, it is value-free and even subverts values

public education has witnessed obvious trends of withdrawal of participation and support from elite, affluent, and even middle-class segments of the population. This withdrawal is quite evident in the media, so there is no need to rehash it here to any great extent. The withdrawal is most obvious around racial lines, where increasing minority populations (and control) of urban districts are accompanied by white flight and voter rejection of ballot measures for funding.[7] Withdrawal tendencies specifically around socioeconomic characteristics are somewhat less obvious, but still evident.[8]

There are multiple reasons and rationales for this withdrawal, often involving moral claims against public education. In turn, people look to set up protected enclaves — gated communities of education. According to some, this is the case as affluent LEAs strengthen the barriers to prevent "intruders" from outside the district from sneaking in.[9] It is also evident in market reforms that enable the establishment of such enclaves. For

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by teaching a moral relativism that undermines necessary morality. By asserting a claim on our children, public schools undermine the family responsibilities for teaching values, and create a moral vacuum instead. Thus, instances of school violence, teen pregnancy, drug use, and other commonly publicized social ills are predictable manifestations of this moral sewer.

In the economic argument, schools are in a state of crisis due to their monopoly status. Shielded from the effects of competition, schools are robbed of the market discipline that keeps other enterprises lean, efficient, and responsive to consumer preference. Therefore, public schools are "black holes" that suck up increasing amounts of money, with declining results to show for it. Together, these two arguments are pervasive in the popular discourse around public schools. In that role, they go far in defining the current state of public education.

7 See, for example, Kirchner (1995) and Kunen (1996). Of course, observers like Orfield and others have analyzed this issue already to a considerable extent (Orfield, Bachmeier, & Eitle, 1997; Orfield, Eaton, & The Harvard Project on School Desegregation, 1996; Tosto, 1999).

8 See, for example, Gearan (1997); Prodis (1996); and White (1996a).

9 Finn (1997a) and Whitmire (1996).

example, in their discussion of charter schools, Vanourek, Manno, Finn, & Bierlein (1997b, pt. 5, p. 15) observe:

> For some, their school is a refuge, a haven, an exception, or an enclave, designed to serve those (children and adults alike) for whom more conventional schools are not satisfactory. They do not see themselves as medical researchers field-testing a new vaccine that, if successful, will become widely used. They are more like refugees than pioneers.
>
> We believe that view should be honored. It is not wrong for parents to care above all about the education of their own children or for teachers to be exacting about what happens in their own classroom but more-or-less oblivious to cross-currents in the larger community and the wider world of education reform. (parentheses in original)

Some observers like Kozol (1991) describe school choice in terms of a withdrawal of support by economic and policy elites from public education. At the moment, the withdrawal from public education may be most clear as an organized ideological movement in the trend toward home schooling.[10]

However, it is not simply the self-protective walls of enclaves that are relevant here, but the intrusive walls that arise when people withdraw from a space, and then turn and enclose or colonize that space. Thus, home schooling and other forms of withdrawal are not of immediate concern to my analysis unless these forms of private education then make a claim on public resources. It is my argument that this is the case with forms of publicly funded consumer choice reforms such as vouchers and charter schools.

Enclosures of Terms in the Policy Discourse

One of the consistent themes throughout this dissertation has been the control of the discourse and the availability of alternatives. While certainly,

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[10] See, for example, Charen (1995); Farris (1997); Finn & Gau (1998); Klicka (1995); Klicka & Home School Legal Defense Association. (1990); Ray (1997); Van Galen & Pitman (1991); Welner (1999); and Whitehead & Crow (1993).

political factions and interests will try to advance their agenda through persuasion in democratic debates, conscious and concerted efforts to manipulate the discourse are inherently undemocratic. In the liberal democratic sense, the conception of policy discourse represents a "marketplace" of ideas, where various views become available, and succeed or fail based on the appeal of their logic and persuasiveness. Ideally, at almost no time should the state try to manipulate that "marketplace" in terms of which ideas are available to the "consumer" — after all, according to these reformers, a market is supposed to be apolitical and neutral space (e.g., Michigan State Board of Education, 1995a).

However, ironically, market reformers, including their allies in the "state" apparatus, are the very people who explicitly admit to trying to constrain, shift, shape, and manipulate the space and terrain of that debate.[11] The idea of redefining terms like "public" effectively demonstrates this strategy.[12] The suggestion by market advocates that they can change the discourse through language and image management demonstrates their elite position, and (particularly in view of support from public officials) belies the claim that they are a populist "movement."[13]

One area where market-oriented reformers attempt to shape the discourse around the need for school reform involves the use and control of

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[11] Examples abound. The Education Leaders Council (including Durant, Arthur Ellis, and Arizona's Lisa Graham Keegan) is "committed to changing the terms of the education debate in this nation" (Education Leaders Council, 1995); DeWeese (1994) is also very forthright on his views on manipulating terms in "the public's mind."

[12] See, for examples of this explicit tactic, DeWeese (1994); Engler (1999a); Engler in Johnston (1997a); McGriff (1996b); Michigan State Board of Education (1995a, 1995b); Thompson in Percy & Maier (1996); and McGriff in Williams (1999c).

[13] This term is used by Powers & Cookson (1998, p. 105). See also Meyerson (1997) for an example of image management strategy; and on hegemonic use of discourse, see Hunter (1991, pp. 56-7).

language to influence the terms and parameters of the debate, and, presumably, people's perceptions and opinions. The choice of words has become extremely important in such public policy debates as abortion rights, tax cuts, international relations, economic policy, and the celebrity trial of the week. The same is true, of course, for education markets to be accepted as a viable reform strategy in the jury of public opinion. Frank Luntz, a GOP pollster and consultant, published *Language of the 21st Century*, which was distributed to targeted policymakers interested in promoting market mechanisms in education. In this manual, Luntz advises public policy players to emphasize a crisis in education in their public speech by repeatedly hitting up talking points such as a public education system in decline, and obstinate teacher unions blocking alternative schools, while avoiding Bob Dole's (and Alfonse D'Amato's) mistake of criticizing teachers, because polls suggest that they enjoy some degree of public respect (AEA1998b). Offering a list of terms and phrases for communicating with the press and public, Luntz recommends that market advocates pursue the themes of violent public schools plagued with drugs and gangs. Furthermore, he indicates that reformers should obscure evidence that public education is not in a state of crisis, particularly the fact that "a fair number of Americans believe that the education system is headed in the right direction."

Similarly, Luntz proposes that public figures should mention "parents" and "children" repeatedly in their rhetoric: "Just as we need to talk about *children* in almost every sentence, we need to refer to *parents* even more often than to schools" (emphasis in original). Thus, we should expect to hear the term "parent choice" as a phrase preferable to "school choice" for some rhetoricians. Likewise, the term "voucher" brings about negative

reactions in focus groups, with only a 23% approval rating. Instead, speakers are advised to use the terms "parental choice" and "opportunity scholarships," which were favored by 66% of respondents — "DON'T USE THE WORD 'VOUCHER'" (Luntz's emphasis). Market advocates are advised to frame market mechanisms as "the civil rights issue of our generation."[14] Elsewhere, reformers attempt to "change the terms of the debate" by reformulating and renaming voucher proposals — which have been rejected in every major referendum — as educational savings accounts or tax credits, most likely to soften the demonstrated negative impact of that phrase.[15]

And such patterns are evident in the choice and charter school discourse, where manipulations of terminology suggest a discomfort in being straightforward with citizens and taxpayers on the reforms they are being asked to accept. Pollsters demonstrate the power of wording; school choice, for example, is much more palatable — going from significant disapproval to an essential tie between those in favor and those opposed — if

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[14] Luntz quoted in Feldman (1997, 1997/1998) and Arizona Education Association (1998b). Several market advocates have suggested or exemplified that the choice agenda be promoted from a race angle by adopting a civil rights approach; see Bennett, Fair, Finn, Flake, Hirsch, Marshall, & Ravitch (1998), Floyd Flake in Murdock (1998a), Chubb & Moe (1992), McCaffrey (1999), Neal (1997), Peterson & Greene (1998), Schneider (1998), Vanourek (1996), Shokraii (1996), and Shales (1998); also Americans United for Separation of Church and State (1997b), and Rethinking Schools (1998a, 1998b). Indeed, Clint Bolick promoted school choice through his Landmark Center for Civil Rights, and home schooling is also often defended on civil rights grounds (e.g., Whitehead & Bird, 1984; Whitehead & Crow, 1993). On the racial issue and support for choice, see Bennefield (1997), Chavis (1994), Farkas & Johnson (1998), Glenn (1998a), Innerst (1997), Rethinking Schools (1996d), Schneider, Schiller, & Coleman (1996), Shokraii (1998), Stanfield (1997, 1998b), and Barnes (1997). And on participation in charter schools, see Manno (1997d).

[15] Feldman (1999); the Nation (1998); and Neal (1997); see also, for example, Coverdall & Riley (1997); Hood (1998); Walsh (1999c); and also Wykoff (1997).

people surveyed are asked if they support funding children to attend the private school of their choice at "government" — rather than "public" — expense.[16] Words are important in the process of image-making, as when Meyerson (1997) — giving the oxymoronic advice that the Watts-Talent "Community Renewal Act" is "an excellent vehicle" for congressional market advocates to "*jump-start*...voucher movements at the *grass-roots* level" — suggests that "congressional hearings can be held in schools where large numbers of low-income students could benefit from vouchers," and that private school educators be portrayed prominently in "media and publicity strategies" as "heroes" (my emphases).[17] Similarly, observers have noted that it has now become unfashionable (if not the much maligned "politically incorrect") to refer to capital-driven market systems as "capitalism" — instead the current discourse has it as "free enterprise," "market economy," or some variation of that.[18] Thus, in Pennsylvania, Governor Ridge has proposed vouchers as "Educational Opportunity Grants" (Justice, 1999). In Ohio, charter schools are called "community

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[16] Rose, Gallup, & Elam (1997). See also, Lacayo, et al. (1997). In the UK, see Bowe, Ball, & Gewirtz (1994a) on the use of the language of free individual consumer choice in the 1988 to promote a political agenda. In California, see Byrd (1999) on the use of the term "accountability" to promote education reforms — in funding and charter schools — that haven't been all that successful in achieving accountability.

[17] The naming of legislation is probably second only to the naming of pressure groups in discourse manipulation. Robert Simonds' "Citizens for Excellence in Education," for instance, was adopted — according to Simonds (1985, pp. 30-1) — "because it is a 'friendly' name to the school board. No one is against *citizens*, or *excellence*, or *education*." (emphasis in original). Other examples in this age of "astroturf" are readily available.

[18] Cameron (1997) and Galbraith (1999). Galbraith (1999) notes that the decline in use of the term "capitalism" slights the role of wealth (and the wealthy) in socioeconomic systems, and makes the myth of neutral objectivity of markets appear real (see views of Thatcher and Hayek in Chapter 4; discussion of Michigan, in Chapter 3).

schools."[19] In Michigan, the legislation refers to them as "public school academies" (Center for Education Reform, 1997b) — suggesting the filtering effect of focus-groups.[20] Therefore, in view of these efforts, the commons of democratic discourse is being hedged in, not so much by market penetration as by market advocates seeking to advance their agenda.

Enclosure of Common Sense

Related to the preceding idea is the enclosure of unspoken logic of "common sense." Interestingly, market advocates such as Thatcher and Reagan often referred to their agenda as an appeal to common sense — a value that had supposedly been lost in the onslaught of "Loony Left" ideology.[21]

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19 Finn & Petrilli (1998a, 1998b, 1998c).

20 Thatcher presents an excellent example of this. She laments the lost opportunity to implement a voucher program (Thatcher, 1993). However, her reforms have essentially the exact dynamics of a voucher program that spans the public system and includes private and quasi-public/quasi-private schools. Although she is not conscious of this (and would not admit it), she has achieved her objective almost completely, except in name. So, one wonders about the extent to which her agenda won acceptance because it was not billed as a "voucher" program. Hence, naming the alternatives is a powerful role in the discourse. Similarly, Florida Legislative Committee chairwoman Evelyn Lynn (R-Ormond Beach), "...didn't even want to hear the word vouchers. 'We are calling these opportunity scholarships,' she reminded committee members, referring to the term Gov. Jeb Bush is using for vouchers."

Another favorite example, coming from the privatizing health care sector of HMOs, involves the Kaiser Permanente executive addressing other HMO managers on cutting costs through quick discharges from hospitals: "We need to get away from the word 'discharge.' There is no such thing as a discharge. We should get rid of the word. You're transitioning the patient into another health care environment" (quoted in Mokhiber, 1998). For an often comically but quite insightful look at manipulation of language, see Lutz (1996).

21 In Ontario, market-oriented Progressive-Conservative Premier Harris billed the election of his administration as the "Common Sense Revolution." See, Reagan, for example, on the cover of *A Nation at Risk* (National Commission on Excellence in Education, 1983); also Allen & Finn (1997); DeWeese (1994); Durant III (1997) and, more generally, Hastert (1999).

A key element of this appeal is the claim of an apolitical alternative represented by the "commonsensical" policy-maker. This returns to the idea that the market is politically neutral — a claim I challenged earlier. What is noteworthy here, though, is the underlying coupling of the market with common sense. It is useful here to recall Gramsci's idea of hegemony as the ability of those in power to define common sense in the prevailing and underlying norms.[22] This association on the part of market advocates represents an attempt (if not the achievement) to further expand the purview of the market into previously non-market areas. If common sense is equated with the logic of markets, then non-market values are illogical and nonsensical. The market has then cornered the market on common sense.

It is interesting to note the many instances when market advocates refer to common sense (often located in allusions to the logic of markets for consumer goods, for instance) in lieu of evidence. This, then, is an essentially ideological endeavor, and not the apolitical revival of a lost folk-wisdom. In as much as market advocates claim that their agenda is a politically neutral appeal to innate logic and sagacity, they represent the enclosure of the idea of common sense.

Enclosures of Public Resources for Private Ends

There are several ways in which public resources are enclosed and rearranged to serve private interests. In this first one, I understand it in the sense of re-configuring the purpose and provision of public education in order to meet the needs of large and influential groups such as employers.

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[22] On Gramsci, see Hoare & Smith (1971); Hunter (1991); Joll (1978); Mouffe (1979); and Sassoon (1982a); and especially (Adamson (1980); Gramsci (1957); Salamini (1981); and Sassoon (1982b).

Of course, there has traditionally has been a role for the marketability or employability of the graduate as a driving force in education for the individual or family (Labaree, 1997c). However, an individual seeking to use schools for social mobility does not have the same political influence as a large economic organization.

There has very clearly been a "business agenda" for schools evident in the school reforms of the last two decades — indeed, going back through the progressive era reforms and even in Mann's appeals to employers. More recently, though, with the emergence of the market as the model for school organization (not just the consumer of school outcomes), businesses have found a new opportunity for reconfiguring the curriculum to meet their employment needs. Employer-sponsored charter schools, magnet schools, and schools of choice promote themes that aid students interested in a particular topic, and enhance their marketable skills. Such schools also support private businesses in the form of publicly-subsidized training (as well as the opportunity for selection).[23] In that sense, private business interests are enclosing public resource by asserting control over their use.

In another sense, ideological interests associated with the private sphere are fencing off a section of the resources of public education. Some people with deeply-held religious convictions that precluded them from participating in public schools are taking advantage of the fragmentitive possibilities of new market-oriented reforms to assert a claim on public resources. Religious schools are opting-in to public funding as nominally secular charter schools; homeschoolers are establishing their own charter schools in order to realize substantial public funding; many of the students

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[23] For example, David Kearns: "It is time" for business "to take ownership of the schools." (Kozol, 1992, 1993a, 1993b).

accepting publicly funded vouchers were already attending private schools at private expense; and pre-existing private schools are opting in to public funding in voucher systems.[24] In as much as these people had previously refused to participate in public schools due to philosophical or moral objections to their commons status, this trend represents an enclosure of public resources for private ends.

Enclosures of Time and Space for Schooling

- In early 1998, several media outlets ran a story about Michael Cameron, a high school senior in Evans, Georgia. Cameron was apparently suspended from school for wearing a Pepsi shirt to school on "Coke Day," thereby disrupting an assembly meant to impress visiting representatives of the Coca Cola Corporation. The school was part of a competition sponsored by Coke.
- A Texas district has plans to rent space to advertisers on the tops of school busses and the schools themselves (they are near a major airport), as well as at sports events, voice-mail, teachers' lounges, etc. (Progressive, 1997d). Said an administrator: "We're looking under every rock we can."
- Joining corporations such as Revlon and Exxon in producing curriculum materials, former Indonesian President Suharto's regime

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[24] For example, James Dobson's Focus on the Family organization endorses charter schools as a way to use public funds to further their agenda — and runs its own charter school in Colorado (according to "Family News in Focus," August 18, 1997; Crawford Broadcasting Company, NY). On "opting in," see also Anderson & Marsh (1998); Benning (1999); Dean (1993a); Finn, et al. (1997a); Kaseman & Kaseman (1999); Manno, et al. (1998a); Oppel (1999); Reed (1994b); Sanchez (1995); Schnaiberg (1999); Simmons (1999); Swope (1997); Van Dunk (1998); and Walsh (1997).

(and its US corporate sponsors) produced social studies curriculum for US classrooms that put the dictatorship in a favorable light (Press, 1997). Such egregious examples of commercialization and privatization of curriculum are becoming more typical.[25]

Yet such events are also indicative of the enclosure of time and space reserved for instruction and learning, which is chipped away by privatizing tendencies. In re-casting education as a private good, media, instruction, and curriculum materials that take up classroom time are available to schools from the private sector — but with a price. While Channel One is but one example of this, many for-profit organizations are willing to grant much needed supplies to schools (while at the same time often advocating for a lowering of their tax burden in support of schools) in exchange for exposure to a captive audience of students, inclusion in or influence over the curriculum, or the right to limit images and ideas from alternative sources.

Enclosures of Schools as Sites for Investment

Quite often, under human capital theory, people refer to schools as the sites for social investment in the next generation. In recent years, venture capitalists and entrepreneurs are beginning to see schools as a site for investment which is profitable in itself. This indicates a realignment of schools, at least from an investment perspective, from that of a public good to one of primarily a private good capable of producing profits. (And is

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[25] Since others have discussed this topic at length, I will not repeat the exercise here; see: (Blevins (1999; Consumers Union of the United States (1995); Fox (1996, 1997b); Harty (1994); Hazen (1998); Hoff (1998); Molnar (1996); New York Teacher (1998); Shaker (1997); Shenk (1996); Sides (1996a); Vine (1997); and West (1997).

somewhat ironic considering the success of large private interests in reducing their tax burden for supporting schools (Reich, 1991b).)

Admittedly, we have a tradition of private benefits coming from schools outside of the individual benefits to learners and employers. For example, schools pay teachers and textbook companies. Now, however, we are seeing a qualitatively different private benefit arising (or at least being sought) from schools as the site for capital investment: an effort to privatize the profitable aspects, and publicize the liabilities and costs of schooling.[26] As influential interests begin to view public education as a space to be exploited for profit (e.g., Hofman, 1998), they will actively promote that view of public education for private advantage — as an under-exploited space to be enclosed by private control for greater efficiencies in extracting profits.

[26] Michael Milken is a good example of this (Hill, 1999; Milken, Michaels, & Berman, 1992; Walsh, 1998g, 1999b). See also Brodinsky (1993); Golle (1994); Merina (1994); Schnaiberg (1997b); Tennessee Education Association (1997); and Walsh (1998f, 1998g).

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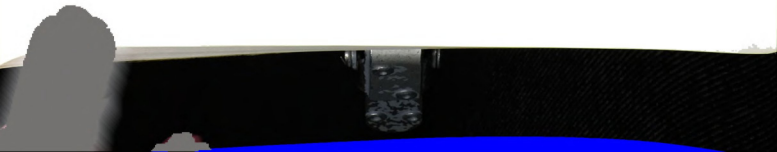
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