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# Master's Tools and the Master's House: A Historical Analysis Exploring the Myth of Educating for Democracy in the United States

Timothy Scott

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**MASTER'S TOOLS AND THE MASTER'S HOUSE:  
A HISTORICAL ANALYSIS EXPLORING THE MYTH OF EDUCATING FOR  
DEMOCRACY IN THE UNITED STATES**

A Dissertation Presented

by

TIMOTHY DAVID SCOTT

Submitted to the Graduate School of the  
University of Massachusetts Amherst in partial fulfillment  
of the requirements for the degree of

DOCTOR OF EDUCATION

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College of Education

Social Justice Education



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## DEDICATION

For all of her early sacrifices and endless love and support, this dissertation is dedicated to my mother, Janille Palmer Santa Ana.

Additionally, I submit this dissertation while in the field volunteering as a trauma social worker at the Oceti Sakowin camp located on the Standing Rock Sioux Reservation, a site of Indigenous resistance to the Dakota Access Pipeline, the fossil fuel industry's destruction of the earth and the genocidal structure that is settler colonialism. This dissertation is dedicated to this historic struggle and Indigenous decolonization struggles everywhere.

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## ABSTRACT

### MASTER'S TOOLS AND THE MASTER'S HOUSE: A HISTORICAL ANALYSIS EXPLORING THE MYTH OF EDUCATING FOR DEMOCRACY IN THE UNITED STATES

FEBRUARY 2017

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Over the past forty-years, neoliberal education reform policies in the U.S. have spurred significant resistance, often galvanized by claims that such policies undermine public education as a vital institution of U.S. democracy. Within this narrative, many activists call to “save our schools” and return them to a time when public schools served the common good. With these narratives in mind, I explore the foundational and persistent power structures that characterize the U.S. as a means to reveal the fundamental purpose of its public education system. The questions that guide my research include: (1) With an understanding that capitalism, white supremacy, settler-colonialism and heteropatriarchy are inherently inequitable, incredibly violent and undemocratic; how can we expect meaningful and lasting social protections or even emancipation within a nation-state constituted by these structures? (2) Consequently, can we then expect public education - an institution constructed and controlled by these structural forces - to be transformed into an equitable and democratic institution? (3) Is it

even possible to attain state protections for the common good within the current global domain of finance capital?

In this extensive historical analysis, I examine these questions using a critical theory lens, historical revisionism and discourse analysis to interrogate primary source materials, scholarly work, news stories, policies and industry publications. This research shows that public education is an extension of a duplicitous and despotic cultural political economy and thus has never been, nor ever could be, an institution that serves democratic or emancipatory purposes. I contend that it is imprudent to strive to transform public education to serve democratic purposes. My research makes evident how current education policies are a continuation of the original design of public education, yet modernized to bolster the imperious and ubiquitous interests of global financialization.



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## CHAPTER 1

### INTRODUCTION

#### Background of Study

We live in a nation founded within a prevailing storyline that characterizes the United States as being an exceptional, enlightened and charitable nation, a “beacon of light...in every corner of the globe,” promising freedom, opportunity, equality and democracy for all (Obama, 2012, para. 56). We also live in a nation that was established to be an empire, whereby imperialism and settler colonialism are endlessly justified and promulgated by an underlying culture that advances free-market logic as common sense—where capitalism—no matter how brutal—is framed with benevolent intent and is thus inviolable. Over time, this has created a national culture wherein white supremacy, racial terrorism, heteropatriarchy and misogyny rationalize dehumanization, dispossession, violence, social inequity and wealth inequality. As a result, the United States is now a nation where mass surveillance, mass incarceration and unending militarism are deemed imperatives to preserve freedom and democratic self-governance (Beard, 1921; Omi & Winant, 2014; Zinn, 1980).

These contradictions are fundamental to the enduring cultural, political and economic foundation of the United States. They are indicative of a nation that was founded by an opulent minority of white men who believed that they had a divine right to freedom and prosperity and thus constructed the structural means to protect their wealth and power from a dispossessed demos and to justify the subjugation and exploitation of entire groups of people (Beard, 2012; Omi & Winant, 2014; Parenti, 1980). Their design for the new nation was based on the “interplay between ideologies and particular

interests” (Stiglitz, 2001, p. viii), whereby the white supremacist and patriarchal ideologies of the wealthy, slave-owning Christian men who founded the nation were fused with the emerging interests of industrial capitalism (Stiglitz, 2001, p. viii).

Thus, the U.S. Constitution was constructed to be an ideological and legal document intended to secure the interests of the virtuous and enlightened gentry who—like royalty—considered themselves to be ordained with the divine right to rule the nation in perpetuity (Beard, 2012; Dahl, 2003; Parenti, 1980). The founders’ declarations and ensuing constitution promoted an overriding myth or “origin story” that defined the new nation as a unified whole, engaging in a virtuous republican mission whereby “all men, rich and poor, magistrates and subjects, officers and people, masters and servants, the first citizen and the last, are equally subject to the laws” (Adams & Adams, 1850, p. 453; Dahl, 2003). Democracy was therefore equated with the ideology of republicanism, whereby the nation’s citizenry was promised equal rights under the law and the inalienable rights to liberty. In this context, individual sovereignty and private property would be protected from the “tyranny of the majority” (i.e., the “mob rule” of a direct democracy) (Besette & Pitney, 2011; Coffman, 2012; Dahl, 2003; Goldwin, 1997).

In practice, the founders constructed a cultural political economy that would permanently advance the interests of a wealthy white minority through institutionalized and impervious methods of domination and extermination. Thus, the origin story generated by the Declaration of Independence that “all men are created equal” and have “inalienable rights” to “life, liberty and the pursuit of happiness” applied exclusively to the founders and their class of men (Beard, 2012; Omi & Winant, 2014; Zinn, 1980). The civil and political rights within the U.S. Constitution were restricted to focus exclusively

on individual and property rights—for some. This design sought to undermine the possibility for the establishment of participatory parity and universal democratic public spheres, not only between the ruling elite, their agents and those they subjugated, but more importantly amongst and between subjugated groups. Thus, complex interdependencies, chains of democratic equivalences, meaningful deliberative processes and solidarities that could threaten the power of the ruling elite were intentionally defused (Blau & Moncada, 2006; Fraser, 1990; Mouffe, 2005). The founders' discourse and origin story myths were intended to serve as empty signifiers, having very different meanings and values with regard to who they applied to and how they were to be operationalized (Laclau & Mouffe, 1985). The discourse of republicanism was ascribed with the interests of the nation's white male Christian aristocracy and to a lesser degree to their citizen agents who occupied the white middle-class. However, the narrative of life, liberty and equality was never intended to pertain to everyone else.

During the nation's infancy, when disorder and uncertainty were widespread, the founders' myths served to define in totality a positive and fully sutured national identity, establishing a foundation for social practices and ideological representations that were instrumental in the social construction of reality and subjectivity for the nation's white citizen subjects (Laclau, 1990). This set forth a process whereby socialization and identity formation were based on the ideological shaping of a cultural imaginary, constituted through what Mouffe (2005) referred to as the logic of equivalence, which is “to create specific forms of unity among different interests by relating them to a common project and by establishing a frontier to define the forces to be opposed, the ‘enemy’” (p. 50). Initially this “common enemy” was the tyranny of the British monarchy, and



subsequently took many forms—the tyranny of majority rule, the threat of the “savage Indian,” the emancipation of slaves, Blackness, recognition rights for women and notions of equity and equality in general. Over time and as the empire expanded, the enemy would include any group—or any idea—that posed a threat to the nation’s prevailing cultural political economy.

Despotic ideologies such as this reject the historical conditions by which social relations are constructed, instead representing them as outside of history, as inevitable and natural, while disguising their underlying belief systems as common sense facts. Presenting events and practices as ahistorical truths allows problematic events to be framed as unproblematic and a "natural" consequence of society. By losing their postulational status, beliefs are transformed into narrative truths that are immune to differing accounts of events (Makus, 1990, p. 1990).

The ideological function of the founders’ origin story myths, cultural imaginaries and their corresponding discourse or “narrative truths” resulted in a “complex interlocking of political, social and cultural forces” known as hegemony (Williams, 1977, p. 108). Cultural theorist Raymond Williams (1977) went on to describe hegemony as:

a whole body of practices and expectations, over the whole of living: our senses and assignments of energy, our shaping perceptions of ourselves and our world. It is a lived system of meanings and values—constitutive and constituting—which as they are experienced as practices appear as reciprocally confirming. It thus constitutes a sense of reality for most people in the society, a sense of absolute because experienced reality beyond which it is very difficult for most members of the society to move, in most areas of their lives. It is, that is to say, in the strongest sense a ‘culture’, but a culture which has also to be seen as the lived dominance and subordination of particular classes. (p. 110)

Within this context, the nation’s founders and their ordained heirs knew that a cohesive, government-subsidized and -operated education system would need to be

established as a primary instrument for social and cultural reproduction to fuel their duplicitous empire. According to Williams, educational systems in any society are “the main agencies of the transmission of an effective dominant culture... [of] major economic as well as cultural activity; indeed it is both in the same moment” (2005, p. 39). Critical scholar Jean Anyon (1979) contended that, "school curriculum" is intended to contribute to "the formation of attitudes that make it easier for powerful groups...to manage and control society" and "express the dominant groups' ideologies...[in order] to form attitudes in support of their social position" (p. 382).

In the U.S., universal public education was designed, and in time firmly institutionalized, to serve as essential infrastructure for U.S. hegemony and to be an apparatus to transmit and “incorporate” citizens into a “selective tradition” (Williams, 1973, p. 9). According to Williams (1973; 1977), a selective tradition is a hegemonic and active sense of tradition that is “a deliberately selective and connecting process which offers a historical and cultural ratification of a contemporary order” (p. 9; p. 116) intended to serve the political, economic and cultural aims of its ruling elite. Thus, the aims of U.S. public education were established to be—and continue to be—systematically shaped by the intersecting cultural and material realities of capitalism, settler colonialism, white supremacy and heteropatriarchy (Keisch & Scott, 2015).

In this paper, I demonstrate that the story of the United States is the story of its public education system. To expound upon this thesis, I begin by framing the problem that motivates my research. I do this by focusing in on more recent historical events as a means to contextualize the 21<sup>st</sup> century cultural political economy and the education policies that are inherent to it. This detailed analysis provides a starting point for my

argument that many people who are resisting current education policies are doing so premised on duplicitous narratives and beliefs that ascribe to the structures and interests those policies serve. I believe this context and argument provides a scaffold for me to then go back further in time to provide a deeper historical analysis of the origins of the U.S. cultural political economy and its public education system. I do this to make evident my central argument that by design, the U.S. is a violently undemocratic nation-state and therefore its public education system has always been and will always be an extension of that design. In Chapter 6, I come back to the present and detail the “nuts and bolts” of the financialized global economy, or what I term the “state-finance matrix.” In doing so, I provide evidence that the state-finance matrix is a natural progression of the U.S. founding fathers’ cultural political economy, while being more extensively authoritarian and thus more resistant to demands for social protections, let alone emancipation.

### **Statement of the Problem**

#### **The Neoliberal Revolution**

According to economist Richard Wolff (2009), “Capitalism has always and everywhere oscillated between two phases” (para. 3). One is known as laissez-faire (or free-market capitalism) or neoliberalism. It is distinguished by a liberal economy where capitalist industry and markets prevail and experience very little government oversight and taxation. In this phase, the state primarily serves as an agent of capitalist interests. The other phase of capitalism is known as Keynesian economics, the welfare-state, state-capitalism or social democracy. This phase entails state intervention via taxation, regulations and price controls; to varying degrees it is a mixed economy driven by both

private and public sectors. Moderate examples of this phase include the New Deal in the U.S. and the social democracies in Western Europe between 1945 until 1990. Extreme examples of this phase include countries in which a significant portion of their societies' productive enterprises are state owned and operated. This phase does not include the political economies of socialism or communism (Wolff, 2009).

The ascendance of neoliberalism began in interwar Europe during the 1940s, but found fertile ground in post-World War II America where it was able to thrive and craft its uncompromising political and cultural narrative. Embraced and transmitted by a network of influential think tanks, business associations, politicians and journalists, its operational opportunity came with the economic crisis of the 1970s. This crisis enabled it to be more widely implemented during the Reagan and Thatcher era of the 1980s. Liberal political parties in the U.S. and Europe were also quick to embrace neoliberal doctrine and have since worked diligently to outdo their more conservative peers in implementing its mandates (Harvey, 2005; Jones, 2014).

In the U.S., many scholars understand this neoliberal revolution to be a response to the Keynesian regulatory and welfare-state mandates initiated during the New Deal, the redistributive gains secured by organized labor and the ongoing recognition demands and liberation struggles of subjugated groups (Hall, 2011; Harvey, 2005; Jones, 2014). These threats along with cultural shifts resulting from the Civil Rights, Black Power, Chicano, Feminist and American Indian movements as well as the Anti-War and New Left movements shook the foundations of the founders' and the current rulers' power and design for America (Fraser, 2013; Hall, 2011; Mahmud, 2010). As Fraser (2012) put it:

[In the 1960s], this “Golden Age of Capitalism” was shattered. In an extraordinary international explosion, radical youth took to the streets—at first to oppose the Vietnam War and racial segregation in the U.S. Soon they began to question core features of capitalist modernity that social democracy had heretofore naturalized: materialism, consumerism, and “the achievement ethic”; bureaucracy, corporate culture, and “social control”; sexual repression, sexism, and heteronormativity. (p. 5)

While racial inequity and terrorism, gender oppression and economic inequality in the U.S. thrived during the short-lived Keynesian (New Deal) era, it softened the blow of capitalism for some, while materially putting the common good on the radar (Hall, 2011). Yet as Fraser (2009) contended, “[T]he feminists of this era recast the radical imaginary. ...Problematizing welfare paternalism and the bourgeois family, they exposed the deep androcentrism of capitalist society. Politicizing “the personal,” they expanded the boundaries of contestation beyond socioeconomic distribution—to include housework, sexuality, and reproduction” (p. 104).

Embedded within the ideology of free-market capitalism is the notion that state intervention should be minimized so that capitalists are free to maximize market exchanges to their advantage, which in turn stimulates economic growth that benefits all of society. As noted previously, ideology in inequitable societies is generated by myths that are constructed for the purpose of social control. The myth of the free-market is an example of this rule in that state intervention on behalf of capitalism is a long-standing practice and necessity. According to Clarke, “[d]espite its compelling qualities (natural, necessary, foundational, universal), [the market economy]...everywhere requires to be supported, nurtured, developed —while being protected from ‘interference’—and these nurturing processes require the care-taking work of states” (2014, p. 101). This includes policies protecting and facilitating economic activity (through trade agreements, tariffs

and subsidies), providing stable and fertile conditions for market growth—including military and covert intervention—and ensuring that a majority of people adhere to its exploitative and inequitable demands through ideological and political means (Harvey, 2005).

More importantly, as Karl Polanyi (1944) poignantly claimed a decade into the Keynesian project, free-market capitalism cannot “exist for any length of time without annihilating the human and natural substance of society; it would have physically destroyed man and transformed his surroundings into a wilderness” (p. 3) “Ultimately,” according to Polanyi (1944):

The control of the economic system by the market is of overwhelming consequence to the whole organization of society; it means no less than the running of society as an adjunct to the market. Instead of economy being embedded in social relations, social relations are embedded in the economic system. (p. 57)

Scripted by market fundamentalists and advanced through private sector and government partnerships, neoliberalism was constructed to serve as the predominant social imaginary that would propel U.S. hegemony into the 21<sup>st</sup> century. Spoken of with sacred reverence and disseminated with the discourse that the free-market is the only rational way of organizing social relationships, neoliberalism imposes market logic on citizenship and the public sphere. Consistent with the founding fathers’ original design, human beings are defined as economic maximizers and governed by individual self-interest, whose value is narrowly equated as being a flexible, self-sufficient worker and uncritical consumer (Scott, 2011). “This consumer citizen is glorified, construed as willing, resourced and capable of making empowered market-led choices” whereby the very idea of democracy is “a function of consumer choices, and the individual is solely

responsible for her or his own well-being, success or failure” (Scott, 2011, p. 271). As Hall, Massey, and Rustin (2013) summarized it, neoliberalism “is a reassertion of capital’s historic imperative to profit through financialisation, globalisation and yet further commodification... [and] includes class and other social interests, new institutional arrangements, [and] the exercise of excessive influence by private corporations over democratic processes” (p. 15).

The neoliberal revolution on a global scale was largely a reaction to emancipatory movements of colonized peoples the world over struggling to take control of their countries and resources from imperial and colonial rule, often accompanied with strivings for agrarian reform (Petras & Veltmeyer, 2015). Tayyab Mahmud (2010) described how the neoliberal revolution set out to impose a social order “across the globe to reverse the setbacks that the economic power and political hegemony of the wealth-owning classes had suffered on account of Keynesian welfare in the West, socialism in Eastern Europe, and nationalism in the global South” (p. 661).

Beginning in the mid-20<sup>th</sup> century, Structural Adjustment Programs (SAPs) became the primary neoliberal instrument, whereby a nation’s illegitimate national debt facilitated financial colonization via the lending institutions of the International Monetary Fund (IMF) and the World Bank. According to the IMF, “the Bank and the IMF are twin intergovernmental pillars supporting the structure of the world's economic and financial order” (Driscoll, 1995, para. 2). SAPs are very specific free-market policies that debt-ridden “developing countries” (countries ravaged by franchise and settler colonization throughout the “global south”) must adopt in order to receive new loans to be able to make payments on preexisting debts. SAPs are billed as the only reliable method of

“reforming” a deficit-ridden economy and putting “undeveloped” economies on the road to (free-market) development to enable them to participate more fully in international trade and commerce (Camdessus, 2015). According to Sabelo J. Ndlovu-Gatsheni (2013), this conception of development “is an ideology of colonial and neo-colonial modernity... linked to liberal ideology and to the idea of progress [that] “became a global ideology of the capitalist world-economy,... another lever of justifying Western intervention and interference in the internal affairs of Africa (p. 41). It implies “that development of any kind could only take place within the parameters of the capitalist world system that manifested its ugly face within the non-Western world in terms of the slave trade, imperialism and colonialism” (Ndlovu-Gatsheni, 2013, p. 41). The term and very idea of development now invokes neoliberal hegemony, impeding alternative imaginaries of progress and growth that are not rooted in the ideology of Western Enlightenment and modernity. Anything that deviates from the neoliberal conception of development is dismissed as undeveloped and primitive (Ndlovu-Gatsheni, 2013).

The IMF (largely controlled and funded by the U.S) and the World Bank are part of a network of powerful industrialized nations and financial institutions that are the drivers and beneficiaries of neoliberalism and financialization. The driving force behind the hardline neoliberal reforms or “conditionalities” attached to SAPs has long resided within the halls of power in the U.S. In 1989, this understanding led the English economist John Williamson (2004) to label these reforms as the “Washington Consensus.” Williamson (2004) reconfirmed this term as “a list of ten specific policy reforms, which I claimed were widely agreed in Washington to be desirable in just about all the countries of Latin America, as of 1989” (p. 1).



The ideologically and operationally reform policies attached to SAP conditionalities include: fiscal discipline; redirecting public expenditure; tax reform; financial liberalization; adoption of a single, competitive exchange rate; trade liberalization (free-trade); elimination of barriers to foreign direct investment; privatization of state-owned enterprises; deregulation of market entry and competition; and secure property rights (Lopes, 2012; Williamson, 2004). This list of ten “desirable” reforms is what power brokers in the U.S. were imposing on Latin America for three decades. It also played a significant role in fueling the surge of “Twenty-First Century Socialism” throughout Latin America (Motta & Cole, 2014; Petras & Veltmeyer, 2011).

Austerity measures are best understood by looking at the impact neoliberal policy mandates have on people's lives once they are enacted. In practice, these vicious instruments of greed and power augment inequality and deepen poverty. Austerity reinforces the fundamental social dynamic of unbridled capitalism, which is that societies depend on the existence of an elite class of “winners” whose power is derived from the domination of a larger class of disposable “losers” (Exchange, 2001; Lissovoy, 2014). The losers of SAPs are those who are most targeted by neoliberal austerity measures—racialized groups, the working-class, the elderly, the sick, the disabled, women and other groups that are systematically exploited, subjugated and disenfranchised. In effect, austerity means massively laying off workers, cutting wages and gutting social safety nets, while also raising taxes and increasing user fees on essential services. Austerity means reducing spending on and/or privatizing public works, utilities, infrastructure, programs and services (water, electricity, education, pensions, affordable housing, public health and safety regulators, healthcare, etc.). It means prioritizing export production at

the expense of production for local consumption. Austerity also requires labor market reform, which in addition to cutting wages and benefits, also requires eliminating or weakening labor laws that protect the health, safety and job security of workers, including their collective bargaining rights. These labor market reforms are code for what is referred to as a “flexible workforce” (The Council of Canadians, 2015; Exchange, 2001; Lissovoy, 2014; Scott, 2011).

The winners of SAPs are the rich, their corporations and their financial institutions (those who control both supply and demand), who are not only the direct beneficiaries of austerity as investor creditors but also as those who take over ownership of government services and infrastructure while receiving a range of government subsidies and bailouts. Of course, the survival, safety and security of the rich do not depend on the public services and programs that are being reduced, eliminated and privatized (The Council of Canadians, 2015). Austerity, as the Council of Canadians (2015) reminded us, “takes from the poor and transfers it to rich multinationals, bondholders and other financial capitalists. ... The more governments are held hostage by private credit rating agencies and the financial elite, the more austerity becomes the norm” (para. 5).

According to ActionAid International Kenya (2009), IMF/World Bank-targeted countries that fail to enact SAPs see their access to international finance cut off. Such threats to impoverished countries amount to blackmail, since many have no choice but to comply. If a borrower country defaults on its IMF/World Bank loans, there are two possible penalties: “reputational costs, which in the extreme could result in absolute exclusion from financial markets, and direct sanctions such as legal attachments of

property and international trade sanctions imposed by the countries of residence of creditors” (Borensztein & Panizza, 2009, p. 3). Thus, the ultimate goal of SAPs is to open up a nation’s economy and natural resources to the profit-seeking interests of powerful international investors and corporations, while undermining the fundamental rights and interests of its people (Exchange, 2001; Shah, 2013). Africa Action (2006) went on to point out how:

The albatross of illegitimate debt diverts money directly from spending on health care, education and other important needs. African countries are forced to spend almost \$14 billion each year servicing old, illegitimate debts to rich country governments and their institutions, the World Bank and the International Monetary Fund (IMF). Much of Africa’s foreign debt is illegitimate in nature, having been incurred by unrepresentative and despotic regimes, mainly during the era of Cold War patronage. More generally, many Africans question the notion of an African ‘debt’ to the U.S. and European countries after centuries of exploitation. They ask, ‘Who really owes whom?’ (paras. 7–8)

Over the past forty years, neoliberalism has escalated the United States’ imperialistic practice of covertly and militarily intervening in countries as a means to install authoritarian governments as part of its inherent and enduring empire-building mission. SAPs have served the important purpose of establishing U.S. outposts to function as logistical techniques of empire and correspondingly with the objective of building neoliberal and financial infrastructural power within client states and their geographic regions (Exchange, 2001; Hiatt, 2007; Sener, 2004). These interventions also served as geopolitical strategies during the Cold War, rationalizing intervention into sovereign nations as a means to stop the expansion of communism (Hiatt, 2007).

Since SAPs are an instrument of financial colonization and have therefore met with mass resistance that has widely exposed their violent and despotic nature, in 1999 the IMF and World Bank “put lipstick” on the SAP model, rebranded it and thereafter

referred to it as a Poverty Reduction Strategy Paper (PRSP) (Malaluan & Guttal, 2014). Accordingly, Malaluan and Guttal (2014) pointed out how “little has changed in the substance, form and process of World Bank and IMF programmes. ‘Poverty’ is used as window dressing to peddle more or less the same Structural Adjustment Programmes (SAPs) to low-income countries that led them into a state of chronic economic crisis to begin with” (p. 45). Malaluan and Guttal (2014) made the point of how this model has not worked:

[This model] has clearly failed over the past twenty years in numerous countries across Asia, Africa and Latin America. Countries as diverse as Kenya, Ghana, Ethiopia, Bolivia, the Russian Federation, Sri Lanka, Bangladesh and Indonesia were all forced to apply the Bank-Fund development model at one time or another, and all have suffered from deep and shattering economic crises as a result... [Y]et today, the same policies continue to be supported even more ardently than before...in a new package called the PRSP.” (p. 45)

It is reasonable to question if this model has actually failed or in fact is a complete success according to its intended purposes.

In its own defense, the IMF claims that its collaboration with its multilateral partners only promotes “good governance” to “combat corruption” (code for countries that pursue more participatory and redistributive political economies) by supporting market integrity, competition and economic development (Camdessus, 2015, para. 2). The IMF goes on to explain that with its instruments of “surveillance, lending, and technical assistance, the IMF covers economic governance issues that fall within its mandate and expertise, concentrating on issues that are likely to have a significant impact on macroeconomic [neoliberal] performance and the sustainability of sound economic policies” (Camdessus, 2015, para 3). Sound indeed, for those who are on the winning end of its efforts.

Since neoliberal hegemony has ensured that financialization reigns supreme in the 21<sup>st</sup> century, SAPs/PRSPs are more freely being imposed and enforced in every region of the planet. In the wake of the European debt crisis beginning in 2008, which was a predictable outcome of the dynamics of global financialization, SAP/PRSP austerity-based conditionalities are being attached to loans for indebted Eurozone nations. In the case of Europe, three institutions known as the “Troika” (European Central Bank, the European Commission and the International Monetary Fund) are the drivers of wide-scale austerity. Depending on one’s ideological point of reference or personal interests, Greece has become a poster child for being either a victim of SAPs/PRSPs or a fiscally irresponsible nation. As Weertman (2013) wrote, when SAPs/PRSPs were offered up to the Greeks, they “didn’t have to look far to see what impact the [PRSP] policies would have on them. Just across the Mediterranean lay an entire continent littered with examples of failed IMF policies” (para. 1). This model has served as a final deathblow for many of the social democracies across Europe.

Ireland serves as both a unique and prime example of how the neoliberal revolution is restructuring nations in the northern hemisphere. With its long history of British colonization, Ireland has systematically been recolonized as an outpost for multinational corporations and banks beginning in the 1950s, and even more so in the 1980s. After the 2008 Eurozone crisis, Ireland was thus well positioned to serve as a laboratory for austerity in the era of financialization. Since then, Ireland has been mythologized by the financial press—and propagandized by the larger corporate media—as the “austerity-and-recovery-model” to be replicated in Greece and across Europe (Hearne, 2015; Mercille & Murphy, 2015; Tax Justice Network, 2015).

In line with what I have previously pointed out, from a winner's perspective, the Irish model is indeed a success, as reported by economist Cillian Doyle in 2015:

Oh sure, there's been a recovery for some. Ireland's richest 250 individuals saw their combined wealth increase by 16% to a whopping 75 billion in the last year alone, so it's fair to say they're doing ok. Then there's the multinationals, whose massive profits continue to enjoy de facto tax immunity. And things are even looking up for the politicians, who are planning to give themselves a pay increase as recognition for masterminding this great "recovery." (para. 17)

What Doyle is referring to is Ireland's sixty-year history of saving wealthy investors billions as an offshore financial center by offering low corporate tax rates, loopholes and laxity as incentives for transnational corporations to relocate to Ireland (often only on paper). In 1987, the "Wild West" of financialization occupied Ireland via a deregulated financial zone called the Dublin-based International Financial Services Centre (IFSC). The zone became notorious for being a host of choice for international "shadow banks." Today Ireland or "Treasure Island" (as some corporations affectionately refer to it) is the home of over half of the world's largest fifty banks and ten out of twenty of the top insurance corporations, while its stock exchange hosts about a quarter of all international bonds (Mercille & Murphy, 2015, p. 1). There is little wonder why Ireland is promoted as the model to be replicated by the financial elite and their proxies in the media—it is an epicenter for global financialization and its instruments of intermediation, securitization, derivatives and hedge fund gambling. Accordingly, the Tax Justice Network (2015) reported that "many toxic developments in 'subprime' markets that triggered the global financial crisis from 2008 can trace their lineage back to Ireland" (para. 2).

As Rory Hearn reported in the *Irish Examiner* in July 2015, the Irish losers of the Troika who imposed austerity measures following the 2008 Eurozone crisis have been forced to endure the usual hardships. Between 2008 and 2014, unemployment, child-poverty and single-parent poverty have soared in Ireland. There have been major cuts in public housing and a marked increase in home repossessions, leading to a homelessness crisis in many parts of the country. Cuts to welfare benefits are decimating children's benefits, fuel assistance programs, access to clothing and footwear and rent support. These cuts are especially hard for one-parent families and people with disabilities and their caretakers. Ireland's poor face higher user fees that limit their access to essential services, including water distribution, school transport, prescription drugs, accident and emergency services, chemotherapy treatment, etc. Spending on public infrastructure such as hospitals, schools, roads, transportation, internet and water and sewage treatment has been drastically reduced. Studies show that the quality of secondary- and primary-level education is declining due to cuts in public school funding along with teacher and other student support reductions. School dropout rates are on the rise, while spending on postsecondary education is being cut. Funding for youth organizations and drug prevention and treatment has been significantly reduced. As is always the case in austerity-ravaged countries, large numbers of Irish youth are being forced to emigrate to find work. In addition, a recent study by Ireland's National Suicide Research Foundation found that since these austerity measures have been in place, there has been an increase in self-harm rates by 31% in men and 22% in women and the male suicide success rate has increased by 57% (Hearn, 2015).

In the United States, the SAP/PRSP model has been imposed more duplicitously over the course of the last 40 years (explanations of this were presented earlier in this chapter and will be further interrogated in Chapter 6). This successful imposition of this model has involved a succession of corporate-inspired and state-facilitated policies that are reflective of SAP/PRSP conditionalities that have led to creeping austerity. These policies were complemented by a series of both related and unrelated events beginning in the 1970s, including an influx of women (resulting from the women's movement) and immigrants (due to mass dispossession throughout Latin America) into the labor force, along with technological advances in production and new corporate governance models that prioritized the maximization of shareholder profits by cutting labor costs. All together, these events, along with intensifying attacks against organized labor, led to a surplus of workers and perpetual wage stagnation that enabled debt to become the fundamental catalyst for aggregate demand. Capitalism in the U.S. was once again being unbound from any form of democratizing and redistributive elements, while simultaneously being empowered by the deregulation of banking and finance along with the Federal Reserve's intentional lowering of interest rates (Wolfe, 1997; 2016).

This new "state-finance matrix" extensively unleashed the reach of financial markets throughout society, primarily entangling Black, Brown and Indigenous people, poor whites and the working-class in general in a new credit-debt driven economy (Harvey, 2011; Mahmud, 2012). In the wake of escalating neoliberal austerity mandates, finance capitalism and its predator creditor character thus became the supreme arbiter of wages, job security and working conditions as well as a means to access essential (and privately controlled) goods and services including housing, public utilities and



infrastructure (including education), social services, health care, pensions, etc.

(Polychroniou, 2014).

According to the United Nations International Labor Organization (ILO) (2013), “the international integration of financial markets has been a major driver of falling wage shares...in advanced economies” (p. 50). Referring to the ascendance of neoliberalism, the ILO (2013) went on to claim that the “switch in the 1980s to corporate governance systems based on maximizing shareholder value and the rise of aggressive returns-oriented institutions, including private equity funds, hedge funds and institutional investors, put pressure on firms to increase profits, especially in the short term” (p. 50). Greased by neoliberal ideology and practices, finance capital’s call for even more profits has only intensified demands for even greater worker flexibility within a landscape with very little to no worker protections and union density (ILO, 2013).

Lost within financialization is the long run perspective for a “real economy” (one that produces goods and services) and sustainability of emerging surplus accumulation patterns and trends. Instead, the financialized economy prioritizes buying and selling in financial markets and depends on a short-term and quick time approach to maximizing shareholder power, enticing speculative returns from every circuit of global capital and exploiting variations in interest and foreign exchange rates in different capital markets (Dasgupta, 2013; Hein, 2009). Since it cannot derive high rates of surplus from the real economy for expansion, it depends on “labor in transit” in order to guarantee the requisite surplus generation to further the cause of finance (Dasgupta, 2013, p. 11). Continuous movement is its primary feature in that workers move from job to job and back and forth from unemployment to employment while also continuously moving from one location to

another (Dasgupta, 2013). Naturally, these dynamics make labor solidarity even more difficult.

Working in concert with financialization, neoliberal ideology reinforces the market-based belief in individual responsibility, which complements the restrictive legal parameters by which subjugated groups are expected to engage in desperate strategies for survival. People are therefore made to think, feel and act as neoliberal subjects who are expected to engage in the speculative financialized economy as risk-taking “debt instruments” who alone are responsible for determining if they survive or thrive. As Haiven (2010) aptly put it:

[Financialization] offers up a toolbox for understanding social life. In an age of neoliberal austerity, we are all encouraged to approach ourselves as isolated risk-managers, judiciously investing our energies towards our own personal goals and objectives and seeking always to better our position and “corner the market” in whatever sphere of life. (p. 16)

The regime of austerity that is attached to unfettered capitalism requires those who are systematically impoverished to endure a perpetual gauntlet of unemployment, low-wages, job and housing insecurity, food insecurity, exposure to toxins, psychological stress, chronic health conditions, medical emergencies, expensive and highly inadequate health care and no social safety nets. This forces the most vulnerable in society to take on insurmountable debt as targets of predatory lending tactics through the provision of “overextension” (loans or extensions of credit that are larger than what the borrower can repay) (Mahmud, 2012). Overextension is also known as subprime lending, which is a term that found its way into the national lexicon via the mortgage crisis associated with the “Great Recession” of 2008.

Overall, the unleashing of financial capitalism on already inequitable societies, such as that of the U.S., has only intensified neoliberalism's debilitating impact on social movements worldwide, notably though "the mechanisms of the debt crisis in the Global South and mass layoffs at the heart of the labor movement in the Global North" (Arrighi & Silver, 2011, p. 66). This is a landscape where debt is sutured with discipline and where mass suffering fuels an economy that strengthens pre-existing power structures, while creating immense wealth for a few from nothing of intrinsic value (Korten, 2011; Mahmud, 2012).

Plagued by overwhelming debt from mortgages, student loans, credit cards, automobile loans and other predatory schemes; workers are even more fearful of upsetting their employers. This especially holds true in terms of workers taking collective action to make basic improvements in their wages and working conditions. For those whose wages do increase, instead of buying the consumer goods they produce, it is immediately extracted by creditors, health and other insurance companies and drug monopolies. Those who still aspire to live "The American Dream" by becoming homeowners are forced to lock themselves even further into debt serfdom through high cost and high interest home mortgages. In this landscape, corporations not only profit from labor through employment, but also by lending to workers as customers (Hudson, 2015; Greenwood & Scharfstein, 2013; Martin, Kersley, & Greenham, 2014).

As has always been the case under capitalism, desperation, uncertainty, exploitation, inequity and inequality are central to its power. Financialization is considered to be a natural stage of capitalist development and takes these realities to a whole new level. Its power structures are aligning domestic and international policy

agendas to fit its interests, resulting in the expansion and intensification of militarism, imperialism, colonization, genocide, exploitation, inequity and disenfranchisement. Since these forces are driven by Western powers, white supremacy and Christian hegemony (and their associated constructs of patriarchy) are deeply embedded within their ideologies and practices, particularly in the U.S. (Hudson, 2015; Mahmud, 2012; Martin et al., 2014).

It is important to remember that capitalism was born from the imperialist settler colonial and chattel slavery empires of Europe and the Americas. This made for a perfect union between the ideology of white supremacy and the economic and political relations under capitalism, especially since imperialistic aspirations, settler colonial rule and capitalist structures all require certain people to be ideologically constructed as inferior to enable them to be identified as disposable and/or exploitable labor. Capitalist production was well positioned to be an integral component of structural racism, therefore incentivizing more intensive and expansive racialized methods of resource appropriation and accumulation by dispossession. These structural dynamics provided fertile ground for neoliberalism and financialization to flourish in the 21<sup>st</sup> century.

As Butler (2015) stated, “Racism—more precisely, white supremacy—has been a constitutive element of colonialism and the establishment and expansion of capitalism in the modern era, from the 15<sup>th</sup> century to the present” (p. 28). According to Bhattacharya, Gabriel, and Small (2002), “capitalist expansion has depended so heavily on mythologies of race and their attendant violence that the double project of racial and economic subjugation is a constitutive aspect of this expansion” (p. 34). In effect, capitalism and white supremacy are structurally bound.

Neoliberal-fueled financialization strengthens capitalism's imperialist propensity to seize and occupy territory and material and virtual sources of wealth in order to racialize and subjugate its occupants so as to exploit and dispose of them at will. According to Bhattecharyya et al. (2000), "The power of whiteness lies in its capacity to impoverish, starve, contaminate and murder, all seemingly within the bounds of legality" (p. 9). Arturo Escobar (2008) named these horrific global realities "social fascism," while S.B. Banerjee (2008) referred to these forms of structural violence as "necrocapitalism" or death capitalism (Butler, 2015, p. 31). Butler (2015) claimed that the term necrocapitalism "captures the ideological and material context of unfettered market forces in which capital's right to profit legally and legitimately eradicates livelihoods and subjugates life, thus producing death" (2015, p. 31).

As the corporate media currently focuses on how the fallout of the European debt crisis and the Central Banks' (the Troika) austerity prescriptions are affecting (or inflicting) European countries, finance capital continues its original mission of targeting and pillaging entire continents populated by Black, Brown and Indigenous people. In this persistent quest, billions of people are subjected to a life of unrelenting hardship and suffering, while the perpetrating institutions and governments refuse to acknowledge the racialized power structure that is fueling the global political economy. Since the Western power structures that are responsible for the brutality of neoliberalism and financialization are the "rule of law," formal redress and accountability is nonexistent. Instead, racial violence is effectively denied and veiled by racially coded discourses that invoke color-blindness, soft multiculturalism, and philanthropic intent or by hiding behind airs of neutrality and economic rationalism. The slick beneficiaries and agents of

neoliberalism and financialization deflect and spin charges that their wealth is derived from exploitation and barbaric practices of dispossession, while denying the actuality of racialized structural and historic inequities (Bhattacharya et al., 2002; Butler, 2015).

Under this globalized cultural political economy, seeking relief or justice within state institutions and civil society is largely futile. In the 21<sup>st</sup> century, civil, political and economic rights are more than ever at odds with the interests of capital. Governments either function as proxies for finance capitalism or face being subjugated by it. This ensures that national governments are even more unresponsive to the needs and demands of those who reside within their borders, borders that are non-existent for financial investors and increasingly punitive for dispossessed groups (often referred to as “illegal immigrants”) (Dasgupta, 2013; Hein, 2009; Wolfson & Epstien, 2013). As Nancy Fraser (2016) put it, there is “a new form of imperialism that doesn't have the clean geography of the colonists there and the colonized here” (para. 6). In this landscape, banks and other global financial institutions are setting and enforcing the rules that govern social relations in societies across the globe, including relations between states and their citizens. States have largely become subjects of bond markets and Central Banks, such as the Troika. These are the layers of power that operate above states and control what states can or cannot do (Fraser, 2016). The plutocrats of this finance empire have no national loyalties, they possess no conscience, their domain knows no borders, their institutions have no center and their wealth has no real material value.

Thus, looking to the state for protections or engaging in traditional strategies of resistance needs to be seriously reconsidered (Dasgupta, 2013; Hein, 2009; Wolfson & Epstien, 2013). This particularly holds true in the U.S. and for those who are seeking to

somehow transform public education into something that it was never intended to be nor ever could be based on its being an extension of the founders' duplicitous cultural political economy, which is now even more intensely embodied in global financialization.

### **Back to Basics and Beyond**

Just as the development of a cohesive and standardized mass public education system was established in the U.S. to augment the founders' cultural political economy, the more recent neoliberal education reform policies in the U.S. serve to modernize that mission to augment the state-finance matrix.

The origins of this project are tied to the emergence of the neoliberal revolution during the 1970s, when the conservative and business sponsored "Back to Basics movement" surfaced, calling for public schools to return to their original and strict social efficiency model of schooling. Influenced by Reagan administration advisor and iconic free-market economist Milton Friedman (who had argued for market-based reforms of U.S. schools as early as 1955), Reagan's notorious 1983 policy report "A Nation at Risk: The Imperative For Educational Reform" was the answer to that call. It set in motion the cultural and political framework for neoliberal education reforms that have since driven education policy (Scott, 2011).

The neoliberal-based Back to Basics movement was part of the larger backlash to the cultural, political and economic shifts resulting from social movements of the 1960s and 1970s, whereby key aspects of the "selective tradition" of public education were being disrupted and reconsidered to various degrees. This led to a more child-centered

curriculum and pedagogy, the inclusion of ethnic studies and revisionist histories and democratic models of education. Education inequities were also being addressed legislatively and legally, resulting in school desegregation, affirmative action and Head Start, leading to a shrinking achievement gap for Black high school students during the 1970s and 1980s (Barton & Coley, 2010). Back to Basics was not just an effort to return to a strict, scientific management model of schooling emphasizing “the three R’s”; it was also an effort to ensure that public education returned to its original nationalistic function within the emerging era of neoliberal globalization.

Within this period of time, the Cold War was coming to a close and the U.S was positioning itself to be the lone global superpower. While most of the goals and designs of the neoliberal education project are consistent with the original design of U.S. public education, what is unique is its demand to fully marketize and transform public education at large into highly profitable market segments (Scott, 2011).

Over the proceeding decades’ neoliberal governments, corporate foundations, trade associations and finance capital systematically imposed systems of “accountability” on public schools. Accountability is code for the implementation of instruments that include school choice, charter schools, rigid disciplinary practices and rote memorization attached to standardized curriculum and tests that are designed by—and benefit—corporate foundations and financial investors. The 2002 No Child Left Behind Act (the realization of policy efforts over the preceding decade) broadly imposed these neoliberal reforms on U.S. public schools and created a boon for the education reform industry, siphoning billions of public funds towards corporations and the financial investors’ sector (Burch, 2009; Scott, 2011). To implement this, private industry (particularly education



technology companies), corporate trade associations and venture philanthropists draft and/or influence policies that seed and facilitate the market segments, where they then become the primary vendors of layers upon layers of profitable education products. These include, but are not limited to digitized standardized curriculum, test preparation assessments/tests, scoring, data analysis and management systems, remedial and supplemental education materials, etc. The fully marketized online education business is also booming, which includes the development and delivery of digitalized curriculum, hardware on which curriculum is loaded, online technical support aligned to the curriculum, and instructional materials used with online curriculum. Traditional books are being replaced by digital materials, creating a boon in the buying and leasing of software in prescribed core content areas. To keep it all aligned, major education corporations are taking over and profiting from existing teacher education programs in higher education institutions, or are investing in and operating independent programs. Mandated ongoing teacher development materials and trainings are also a source of profit in this market sector (Burch, 2009; Scott, 2011).

Education reform policies are engineered to carry out the same objectives as structural adjustment programs (SAPs). To do so, federal policy mandates are attached to federal education funds intended for states. These mandates are conditional on states, imposing a specific “reform” formula on municipal school districts. This formula can vary from state to state and is currently being redesigned by new education technologies (see Chapter 7), but often involves the imposition of standardized curriculum and associated assessments. Sanctions are imposed on schools whose students perform poorly on the tests, which set in motion an increased involvement of for-profit companies in the

role of supplier of all of the aforementioned education products. This leads to an increase in rote learning and a greater narrowing of curriculum, whereby teachers function as technicians who teach to the test or other assessments while their pay and job security is dependent upon measured student performance outcomes (Scott & Keisch, 2015). This formula is augmented by the larger neoliberal landscape, as documented in an article entitled "Education, Inc.":

Synergistically working with testing systems, market notions of choice are implemented by states at the same time as austerity measures are applied throughout society, creating the rationale for cuts in school funding, and creating additional market mechanisms where schools compete against each other for public funds and customers (students). This allows public schools to be further drained of essential resources, and even more so when coupled with schools being identified as failing due to poor test scores and "bad teachers," creating further "customer" dissatisfaction with public schools— - so that privately owned and operated charter schools (extensively marketed, rapidly expanding and deceptively touted as being superior) become a desperately sought after "choice" by parents who are understandably concerned about their children being "winners" in an increasingly competitive dog-eat-dog job market and a world with fewer and fewer public services and social safety nets. (Scott & Keisch, 2015, para. 21)

When a school's over all test scores are persistently low or the school fails to make "adequate yearly progress" by improving student test scores (or more accurately fails to produce the intended outcomes), they can be labeled "turnaround" schools. This initiates a process whereby principals and unionized teachers can be terminated and schools can be "redesigned," often with the result that the schools are taken over and operated by union-free private education management companies or charter schools or are permanently shuttered (Scott & Keisch, 2015). All combined, these "reform" instruments are hugely successful for the venture philanthropists, financial institutions and neoliberal politicians who are designing and implementing them. In fact, the structural adjustment

policies known as No Child Left Behind and Race to the Top would be realized as a boon for investors, according to *Fortune Magazine's* 1998 prediction, which claimed that “education, broadly defined, will emerge as one of the leading investment sectors over the next 20 years” (Justin, 1998, p.198). Ultimately, these profit-generating policies also serve as a social engineering project, whereby generations of children are being sorted, controlled and trained according to their future value and risk within global financial markets (Haiven, 2014; Scott & Keisch, 2015).

Market-based education policies are rationalized in part by rhetoric that ranges between equity- and charity-based justifications, which in effect avert attention away from persistent inequities in public schools that cannot be decoupled from the nation’s underlying cultural political economy. They are also rationalized by the more authentic (yet deceptively coded) intention of better aligning the goals and outcomes of schooling with the “global economy” to ensure that the U.S. can maintain its position as the supreme—yet enlightened and therefore benevolent—world super power. As to be expected, those in the financial sector are more candid about their motives, as reported in the *Business Insider* in 2012: “Investors are signaling optimism that a golden moment has arrived. They're pouring private equity and venture capital into scores of companies that aim to profit by taking over broad swaths of public education” (Simon, 2012, para. 8). Many who are critical of these intentions see a more fundamental objective, one that is in line with the original social control designs of U.S. public education (Education Radio, 2012).

Embedded within this larger objective, as was documented in the article “U.S. Education Reform and the Maintenance of White Supremacy through Structural

Violence,” are “[t]he realities of structural racism coupled with the ruthless nature of neoliberalism—broadly and within education reform” and how together they further dehumanize “Black and Brown youth as commodities within the for-profit education marketplace, while also intensifying their disposability on a massive scale” (Keisch & Scott, 2015, p. 8). Within this design, Black, Brown and Indigenous youth are expeditiously being sorted into an inescapable school-to-prison nexus, which is feeding a booming and insatiable for-profit prison industry (Keisch & Scott, 2015).

### **A Profile of Resistance**

Since the imposition of Bush’s No Child Left Behind Act, augmented by Obama’s Race to the Top, scattered resistance to these authoritarian policies have gained momentum on a local, statewide and national level. As a whole this resistance is demographically diverse in nature, representing varied objectives and social identities within the U.S. landscape (Dixson, Buras, & Jeffers, 2015; McKenna, 2015; Lipman, 2013; Ravitch & Kohn, 2014, Strauss, 2015; Williams, 2014; Zernikenov, 2015). Analyzing the complex dimensions and variations within and between the varied groups that comprise this diffuse yet burgeoning social movement is an ambitious project in itself. For the purposes of this paper, I will categorize them into three basic groups: (1) conservative white working - and middle-class activists, (2) Black and Brown activists in urban centers and (3) white middle-class liberal and progressive activists.

The first group comprises a growing segment of resistance whose members tend to be ideologically aligned with the market-based and traditional American curricular designs yet are primarily called to action by federal government intrusions into their state,

local and private affairs. This especially applies to the imposition of a common national curriculum initiated by a Black president. This group's motives are often reminiscent of the anti-federalist sovereignty narrative that is associated with states-rights and the modern libertarian-adopted slogan of "Don't Tread on Me" (Hopkins, 2013; McKenna, 2015; Murphy, 2014; Tippin, 2013; Williams, 2014; Whitman, 2015).

The second group appears to be the most organized and dynamic, often led by Black parents and community leaders—in some cases in alliance with teachers and youth—in impoverished urban centers nationwide, particularly in New Orleans, Chicago, New York City, Detroit, Philadelphia and Newark. Since Emancipation, Black Americans have habitually been forced to endure the dehumanizing realities of anti-Blackness in public education. Being Black has systematically been constructed as being uneducable or unworthy of an education and thus segregated into resource-starved public schools, serving as instruments to further devalue Black life in the U.S. (Dumas, 2016). Despite this, many Black neighborhood public schools also came to serve as community and cultural centers (sites for subaltern counterpublics), often providing holistic and nurturing forms of education directed towards the specific needs of children within their communities (Dixson, et al., 2015; Frankenberg, Siegel-Hawley, & Wang, 2010; Joseph, 2015; Karp, 2012; Miron, Urschel, Mathis, & Tornquist, 2010; National Opportunity to Learn, 2013).

The systematic violence and suffering that is the legacy of anti-Blackness in public education has provided the rationale for corporate reformers and neoliberal governments to target impoverished public schools in Black and Brown neighborhoods. This targeting is masked in a discourse of social equity, where neighborhood public

schools are labeled as “underperforming” as a means to expeditiously impose disciplinarian reform measures that rigidly control the minds and bodies of Black and Brown children (Dixson, et al., 2015; Education Radio, 2012; Frankenberg, et al., 2010; Joseph, 2015; Miron, et al., 2010). This is increasingly pervasive in urban charter schools, which have become synonymous with the disciplining and policing of Black and Brown children.

The practices of KIPP (Knowledge is Power Program) charter schools, a national chain that was launched in 1994 by two Ivy Leaguers who went on to become Teach for America alum, is one of many examples. Jim Horn (2013), a professor of education at Cambridge College explained that KIPP charters (like most other urban charter school chains) are racially segregated schools in impoverished urban centers that operate within a model of schooling that demands strict obedience practices through highly punitive “touch love” and “no excuses” behavioral interventions. *The New York Daily News* reported in 2013 how a tiny padded room at a KIPP elementary school became “a real-life nightmare for two young boys who were repeatedly detained in the tot cells” (Monahan & Chapman, para. 1). Regarding the same incident, the article went on to report:

He was crying hysterically, said Teneka Hall... a mom whose son, Xavier, was rushed to the hospital after he panicked and wet himself while he was holed up in the padded room. “It’s no way to treat a child. The school’s so-called “calm-down” room is small, about the size of a walk-in closet, said Hall, who visited it with her son at the start of the school year. It [was] empty, but for a soft mat lining the floor and a single light on the ceiling... [W]hen 5-year-old Xavier was confined to the room on Dec. 3, he suffered an anxiety attack so severe that staffers called for emergency workers to take him to the hospital. (Monahan & Chapman, paras. 2–5)

According to Mike Klonsky (2013), a retired professor of education at the University of Illinois at Chicago, in KIPP schools:

No divergence is permitted and deviants are quickly labeled, punished or expelled. KIPP has the highest student attrition rate in the nation. I recall one KIPP school where African-American children were made to sit on a bench with a sign around their neck that said, 'CRETIN.' (para. 8)

As reported in *The New York Times*, KIPP schools use a “classroom behavior technique called Slant, which instructs them to sit up, listen, ask questions, nod and track the speaker with their eyes” (Tough, 2006, p. 6). According to legendary educator Deborah Meier (2013), Slant is a “military style behavior” that accompanies KIPP’s overall behavior control approach of “public shaming” that also includes “children being ‘exiled’ to a special table at lunch, required to wear their KIPP shirts backwards, and other forms of public embarrassment” (paras. 4–5).

Horn (2013), claimed that “KIPP requires the poorest urban children...to earn everything at KIPP, from paychecks for good behavior and working hard to the very shirts they wear. At some KIPPs, children must even earn their right to sit at a desk (rather than on the floor) for 8 to 10 hours a day” (Horn, 2013, para. 3). One KIPP teacher recounted to Horn (2013) how students can “lose their desks as a form of punishment” and how some group activities would "dissolve into the students sitting on the floor and writing lines, 100 times—I will not disrespect our time with team and family'— because maybe they didn’t transition in a straight enough line to team and family. Maybe they were talking too much” (paras. 6–8). Another teacher told Horn (2013) that “at any given time you could go into a classroom and see from one to 10 kids sitting in the back room or the whole class on the floor” (para. 7).

As is often the case with policies of dispossession and subjugation, education reform policies are accompanied with moral justifications and political spectacle that tie “economic aid” to profiteering interests, with the intent of intensifying control over Black minds, bodies, schools and communities. According to Dumas (2015), the neoliberal reform project also sets up “a symbolic, largely voluntary approach to school resource equality, in which something, anything Black is offered aid” as a means to subvert the systematic interrogation and resistance of “the racialized maldistribution of capital.” Dumas (2015) is critical of the violence that is enacted through education reform policies, while also emphasizing the fact that public schools in the U.S. have always been “sites of Black material and psychic suffering and anti-Black violence.” According to Dumas (2016), long-standing racial disparities in education are facilitated, if not exacerbated, by “disdain and disregard” for Blackness (p. 17). Dumas (2016) goes on to point out that:

Differences in academic achievement; frequency and severity of school discipline; rate of neighborhood school closures; fundraising capacity of PTAs; access to arts, music, and unstructured playtime—these are all sites of antiblackness. That is to say, these are all policies in which the Black is positioned on the bottom. (p. 17)

It is within this broader context that many Black community organizers are resisting education reform efforts with a focus on saving or restoring their neighborhood public schools while also fighting for more equitable policies that would ameliorate schooling conditions for all Black and Brown children (Education Radio, 2012).

A third group resisting education reform policies is largely comprised of white and middle/upper class urban and suburban parents with a liberal bent who are taking action against education reform in a variety of ways. Many parents in this demographic—parents who are more likely to take advantage of school choice and have children who



will benefit from it—are quick to flee public schools altogether and send their children to the safe and holistic havens of private schools or locally managed boutique charter schools. Others work to actively keep their white, high performing public schools racially and economically segregated to protect them from punitive state interventions (Cucchiara, 2013; Lipman, 2013; Noguchi, 2011; Rawls, 2012). Finally, there are those in this group who keep their children in public schools and resist neoliberal reforms, and do so for various reasons, including concern for their own children, concern for all children in their community of interest and/or for broader social justice purposes. The concerns of public school teachers in this group tend to parallel those of this latter subgroup of parents, in addition to their own self-interests relating to their working conditions and the desire to maintain professional self-determination (Hopkins, 2013; Jones, 2015; Lahm, 2014; Murphy, 2014; Rizga, 2015)

The parents and educators in this group often express outrage that the nation's long held social contract of the promise of universal public education has been broken in the era of neoliberal education reform. Based on principle or pragmatism, many are organizing to “take back” or “reclaim” their locally controlled public schools, often associating the assault on public schools with a larger assault on American democratic principles (Oregon Save Our Schools, 2012; Stoddard, 2015). Outraged with losing control of their protected islands of resourced, locally controlled/property tax funded public schools, many are not fully aware or concerned that their experience with public education is starkly different from the public schools impoverished and working-class Americans have experienced, particularly in Black, Brown and Indigenous communities. Since this demographic has historically been endowed with more social agency, they

have experienced public spheres as genuine sites of contestation (Howe & Means, 2012; Murphy, 2014). Yet in the forty-years of neoliberal rule, many in this group (particularly white, educated professionals) who are privileged by the founders' cultural political economy and have thus served as agents of American capitalism and white supremacy, have experienced a decline in their standard of living and social agency.

This overall privileging has reinforced a false belief that universal and equitable public education for all children is attainable in the U.S., according to the basic tenets of the U.S. Constitution and the promise of The American Dream. In line with this narrative, in a 2014 interview, Diane Ravitch, an education historian and a darling of white middle-class education activists, expressed concerns over the future of public education in the age of education reform by claiming, "I believe it is one of the foundation stones of our democracy: So an attack on public education is an attack on democracy" (Moyers & Company, para. 3). In a 2015 Independence Day posting on her blog titled "The War Against Our Public Schools...Is an Assault on Our Democracy," Ravitch wrote "We must rededicate ourselves on this day to saving our democracy, to restoring the belief that America is meant to be 'of the people, by the people, and for the people'...[O]ur elites are pushing hard to persuade the public that selfish individualism... is true Americanism" (2015, paras. 3-4).

### **The Public Reconsidered**

What is often missing from narratives concerning public spheres in the U.S. is an underlying understanding that social equity and equality are prerequisites of participatory parity, which is a precondition for the existence of substantive democratic public spheres

(Fraser, 1990). As capitalism, settler colonialism, white supremacy and heteropatriarchy are antithetical to equality and equity, participatory parity is an impossibility in the U.S. These structural dynamics make a universal, democratic public sphere in the U.S. entirely unattainable and make public education incapable of functioning as an engine for democracy, let alone emancipation (Rhode, Cooke, & Ojha, 2012).

Throughout U.S. history, public spheres—including public schools—have served as nominal sites of deliberation and contestation for dominant groups while largely functioning as spheres of social control and violence for subjugated groups. This holds true today as it has in the past (Fraser, 1990). These realities make it all the more important to disrupt the prevailing myth that local control of schools is a measure of democratic education in the U.S. As I emphasized in Chapter 5, just as structural restrictions for social integration were woven into the fabric of U.S. society, so was the primary method of funding locally based public schools: property taxes based on local home values (Kelly, 1995). The very idea that access to, and the quality of, a “public” education (both determined by and a determinant of social status) was tied to private property *is* the story of “American Democracy.” As a reflection of the larger U.S. cultural political economy, education inequities between public school districts cannot be remedied by local control. In fact, local governance and financing only contribute to the wide disparities among school districts and communities’ abilities to adequately fund and participate in local public schools. It is the built-in structural inequities and ideological myths operationalized within U.S. society at large that guarantee that affluent communities—mostly white, with higher tax bases and ample social agency—can sufficiently fund and have some level of influence in their local public schools, while

disenfranchised and impoverished communities cannot (Cibulka 2001; Kozol 1991; Noguera & Akom, 2000). To some degree local control exists, but only in terms of which groups and individuals are anointed by the social agency to serve as local agents, advocates and stakeholders of the larger cultural political economy. This understanding largely holds true in all formal and informal dimensions of public life in the United States.

This research project provides evidence that supports these arguments, while simultaneously understanding that the doctrine of neoliberalism has led to the marketization and financialization of public education on a massive scale. It also recognizes that neoliberalism *is* intensifying existing education inequities and other forms of violence and is inflicting harm in a multiplicity of ways that are proportional to one's race, ethnicity, culture, class and gender. It is therefore reasonable for parents, youth, teachers and others to feel compelled to take action that is within their means to alleviate suffering here and now. Within the era of education reform, it is also pragmatic for education workers—and their unions—to resist education reform within their schools, local communities and beyond to fight to preserve their jobs and to maintain and improve their working conditions and professional integrity.

Yet, as I argue in this paper, based on its foundation as a despotic institution of domination, it is unreasonable to expect the U.S. nation-state (as constituted) to emancipate or provide substantive and sustained protections for the very people it is designed to subjugate. The protections that have existed came about through accommodations to social movements; have proven to be superficial and/or temporary;

and have ultimately resulted in additional layers of domination. Protections have largely involved softening the blow of structures of domination as a means to maintain them.

Today, many groups and civil society organizations (some legitimized by the state) seek emancipation through protections from the state, while others strive for emancipation through marketization. Fraser (2016) argued that tensions between state protections and marketization have historically precluded emancipation, and contends that under the domain of neoliberal financialization, emancipation needs to be forefronted. For Fraser (2016), emancipation in relation to marketization and state protection is narrowly framed, whereby emancipation by way of recognition, redistribution and parity of participation becomes a mediating force between marketization and protection. I view this notion of emancipation to be too narrowly confined within a false dichotomy; or as Sparsam, Eversberg, Haubner, Mader, Muraca, and Pahl (2014) put it, Fraser's "[e]mancipatory forces thus have the choice between the devil and the deep blue sea: They are either midwife to marketization or they foster protection, risking the continuity of domination" (p. 22). While I disagree with Fraser's (2016) notion of emancipation, I find her concepts of parity of participation and "subaltern counterpublics" to be valuable organizing strategies and essential components in the construction of a radical social imaginary, yet not the ends in and of themselves.

Therefore, I maintain that organizing and movement-building efforts for social equity, economic equality and parity of participation as antecedents of emancipation require us to critically interrogate the underlying cultural political economy of the U.S. and how it intersects with the overlying state-finance matrix. With disruptive education strategies forming the backbone of effective organizing, such efforts need to be informed

by an authentic analysis of power that disposes of the empty, deceptive and counterproductive rhetoric attached to the ideological myths ascribed to the origin stories and selective traditions of the United States.

For affluent white families, it is still possible for public, quasi-public and private schools to meet the needs of their children without having to focus on dismantling the nation's underlying structures (which their privilege depends upon). Needs are determined by interests approximated to power. Therefore, members of this group are still able to be accommodated by the nation's founding structures based on some variation of their cultural (white, Christian, male, heterosexual, able-bodied) and social (education, income, lifestyle and living conditions) capital. For the time being, many in this group are able to endure the impact of sweeping austerity attached to the demands of finance capitalism. It is this acknowledgement that determines if and how one will accept or disrupt the underlying structures that privilege them (me), yet inflict violence and suffering upon countless numbers of people.

Recognizing how public education is an extension of the despotic foundational structures of the U.S. is the basis of my argument in this dissertation. I built upon this argument by detailing how neoliberal financialization is ravaging already ravaged communities and societies across the planet. I emphasized how the financialized global economy is drastically changing the ways in which the autonomy of nation-states, public spheres and their centers of power are structured, making nostalgic notions of the short-lived state protections associated with Keynesian accommodations of the past impractical at best. This also holds true for sentimental revolutionary aspirations associated with 20<sup>th</sup> century socialism. The pervasiveness of market hegemony attached to the imperious and

boundless empire of finance capital with its highly sophisticated global security apparatuses largely undermine past strategies and tactics of collective resistance. My interrogation of these dynamics attempted to detail the scope and scale of the problem, with the hope that they would be able to form new insights as a means to reconsider narrow and futile resistance strategies.

For resistance to education reform policies to be more than a pragmatic undertaking seeking illusive state protections while maintaining the violent status quo, resistance must be part of a larger emancipatory social movement, rooted in the principles of participatory parity, status equality and the equitable distribution of wealth. It must be anchored in a fundamentally different construct of the public sphere, one that is constituted by cultural political economy with a radically different racial order and that is the antithesis of capitalism, of settler colonialism and heteropatriarchy.

Many white middle-class education activists, including activist members and leaders of the two major education unions in the United States, operate within the hegemonic myth of the existence of a single and equivalent public sphere. This not only applies to public schools, but also to other government institutions and spaces, maintaining the belief that this construct of “public” is the only legitimate discursive arena to enact agitating activities based on the myth of constitutional rights of justice and equity. Conceptually, the notion of the public sphere was developed for the purpose of creating a communicative generation of public opinion flows within narrow formal democracies (Fraser, 2007). Within romanticized notions of democratic societies, it is presumed that this process is inclusive and fair, as Fraser (2007) put it, so that it can

“discredit views that cannot withstand critical scrutiny and to assure the legitimacy of those that do” (p. 7). Fraser (2007) went on to explain:

Thus, it matters who participates and on what terms. In addition, a public sphere is conceived as a vehicle for marshaling public opinion as a political force. Mobilizing the considered sense of civil society, publicity is supposed to hold officials accountable and to assure that the actions of the state express the will of the citizenry. Thus, a public sphere should correlate with a sovereign power. (pp. 7–8)

Jointly, the “normative legitimacy and political efficacy of public opinion” underlie how the public sphere was conceived within democratic theory. Otherwise, the idea of the public sphere has no critical value and is politically pointless (Fraser, 2007, p. 7).

Because the public sphere in the U.S. is reflective of its underlying structures, notions of “normative legitimacy and political efficacy of public opinion” are unachievable. Thus, according to Fraser (1990), “members of subordinated social groups - women, workers, peoples of color, and gays and lesbians-have repeatedly found it advantageous to constitute alternative” public spheres (p. 67). Subaltern is a term that refers to the condition of subordination under forms of economic, social, racial, linguistic, and/or cultural dominance (Beverly, 1999). In effect, a plurality of public spheres through “subaltern counterpublics” can function as “parallel discursive arenas” whereupon members of subordinated groups can share and develop new knowledge and invent and circulate counter discourses and emancipatory strategies in relation to common needs, identities and interests. This realm can reduce, although not eliminate, the extent of their disadvantage in formally sanctioned public spheres. As Fraser (1990) pointed out:

[I]n stratified societies...subaltern counterpublics have a dual character. On the one hand, they function as spaces of withdrawal and regroupment; on the other hand, they also function as bases and training grounds for agitational activities



directed toward wider publics. It is precisely in the dialectic between these two functions that their emancipatory potential resides. (p. 68)

An understanding of Fraser's dialectic model of emancipation from systems of domination requires subjugated groups that are composed of members with multiple, intersecting identities to co-create emancipatory strategies to disrupt current hegemony guided by a more inclusive cultural, political and economic vision of society. This entails rejecting past notions within social movements through which participants were often reduced to an equivalent social position within narrow white bourgeois hegemonic conceptions of class and "the public sphere." Instead, subaltern counterpublics should remain distinct, yet join together to work in solidarity to form "chains of equivalence" within wider public spheres occupied by dominant groups as a means to establish participatory parity. Within the wider public sphere, subordinated groups allied within a chain retain their differences and maintain their specific relations to existing hegemony, to ensure that each subordinated group's subjectivities and interests are irreducible to the others (Fraser, 1990; Laclau & Mouffe, 1985).

This model is not new within social movements. In the U.S., it had been in line with labor unions and other worker associations before the state began to regulate them under the Keynesian-initiated National Labor Relations Act of 1935. More recently, this model is in many ways reflective of the current Black Lives Matter movement.

### **Purpose Statement**

The purpose of my research is to provide evidence that U.S. public education is an extension of a duplicitous and despotic cultural political economy and thus it has never

been, nor ever could be, an institution that serves the emancipatory purposes of political, social and economic equity or equality. Because of this, I believe it is short-sighted to strive to “return” or transform U.S. public education to serve democratic, social justice or emancipatory purposes, especially when current neoliberal/financialized education reforms are at once a continuation of the original design of public education and a modernized one that serves as an instrument of financialization. I have provided evidence that it is futile to attempt to delink the institution of public education from the underlying undemocratic and inherently violent structures it was constructed to and continues to augment. Additionally, I argued that the 21<sup>st</sup> century “state-finance matrix” was born from, expands and reinforces these foundations, thus making efforts to appeal to the state to enact or enforce protective regulations even more of an impossibility.

My research was guided by the understanding that neoliberal and finance capital are a natural and direct consequence of the founders’ original design for the nation and its education system, which was “resurrected from the historical dustbin” of liberal economics to authorize a renewed and “sustained assault on the very idea of egalitarian redistribution” (Fraser, 2012, p. 5). To this effect, the purpose of this research was guided by the basic premise captured best by Audre Lorde’s (2003) claim: “For the master's tools will never dismantle the master's house. They may allow us temporarily to beat him at his own game, but they will never enable us to bring about genuine change” (p. 2). In the case of U.S. public education, it is both the “master’s tool” *and* the “master’s house.”

### **Significance of the Research**

Within my review of the interdisciplinary realm of critical studies, a substantial body of literature exists that critically examines and theorizes the nature of domination and emancipation within the context of the cultural, political and economic history of the United States. A significant proportion of this scholarly work is generated from the disciplines of cultural studies, sociology, political science, history and economics. This body of knowledge is rich and ranges in frameworks with universal application that include personal narratives and storytelling as well as complex theories concerning the origins and dynamics of social, political and economic power within nation-states. Much of this includes democracy- and redistributive-based solutions to structural inequalities. Many critical historians have contributed to this body of knowledge through revisionist histories that disrupt the ideologies that are generated through the dominant discourse of U.S. history. Within this broad body of literature, when public education is referenced, it is within the cultural, social, political and economic contexts that are being examined, but its structural lineage is not deeply chronicled or questioned.

Critical education scholars have also contributed significantly by documenting, critically examining and then theorizing the oppressive purpose and emancipatory potential of universal public education throughout U.S. history and around the globe. Many contemporary critical education scholars are documenting the intentions and impacts of neoliberal and financialized education reform policies from micro and macro lenses, with some postulating resistance strategies. While many of these scholars chronicle and interrogate public education's structural lineage, these interrogations tend to provide a context for more current events and do not have a comprehensive historical focus on structural connections to the nation's founding.

The predominant body of education literature is largely generated by curriculum scholars, practitioners and historians who document, examine and theorize within the domain of U.S. hegemony. While some scholars within this domain are critical of public education's institutional role in reproducing systems of domination, they tend to offer solutions within dominant narratives concerning the exceptional nature of U.S. democracy and the potential of realizing it through liberal educational reforms. Some of the more influential "progressive" scholars within this domain have postulated that universal public education has the potential - as if it were a sovereign institution - to be an engine for social and economic equity and to further democratize U.S. "democracy." Ultimately, scholars within this domain function as intentional or unintentional guardians in the maintenance of public education's intended hegemonic function.

In my review of the literature, I have found an absence of scholarly literature that provides a comprehensive critical analysis that documents the historical origins of U.S. public education as tied to the cultural, political and economic structural foundations of the United States. While many critical scholars are currently documenting and theorizing about the spatial challenges posed by financialization in terms of rights, redress and the state, much of this analysis is not education centered. I believe that my research for this dissertation is significant because it attempts to fill this void, thus contributing to the field of critical education studies.

### **Personal Significance**

My understanding of the purpose of U.S. public education and systems of domination has evolved over the course of my adult life. I came of age during the first

two decades of the neoliberal revolution. Before I was conscious of the structural dynamics of oppression throughout U.S. history, I came to understand their material impacts within the context of neoliberalism through my early life experiences.

I grew up in the conservative, working-class city of Ogden, Utah, with parents who had dropped out of high school (eventually getting GEDs) and married when they were 17, had three children and then were divorced by age 21. My father was immediately drafted and sent to fight the imperialist war to suppress Vietnamese liberation, while my mother began her lifelong job working for the federal government, while also raising two children (their first child died). My father died of cancer at the age of 36 due to prolonged exposure to chemicals at his blue-collar civilian job with the U.S. Air Force. Several of his co-workers also died from the same exposure.

I was not a “good student” throughout my K–12 years. I was often the kid whose desk was moved to the front of the classroom facing my peers and next to the teacher’s desk. I was sorted into special education and labeled with learning disabilities and behavior problems during junior high school. I did, however, love U.S. history – which, by design, fostered strong patriotic beliefs in me. With regular visits to detention, accumulating suspensions and a growing juvenile arrest record, I was tracked into the U.S. Army Infantry at the age of 17. Being enlisted in the Army sowed the seeds for my burgeoning consciousness about race and class domestically, while the training, culture and deployments of army units at the time opened my eyes to U.S. militarism generally. This was a period when the Cold War was winding down and the U.S. Army was overtly and covertly escalating its imperial and colonial wars against liberation movements throughout Latin America in support of the neoliberal surge. While I didn't quite

understand it very clearly at the time, I did begin to see that I was not fighting on the side of freedom and democracy, as I was indoctrinated to believe.

One of my first jobs after the Army was as a security guard working at two agricultural canneries in Watsonville, California. I started this job when the union for the canneries' immigrant Latinx workforce was beginning what would turn out to be a prolonged labor strike and a historically significant labor struggle. I worked there for over a year as a night shift guard and then as a replacement worker (historically referred to as "scabs") driver, realizing over time that I was again on the wrong side of an important struggle. Eventually, I moved back to Ogden to attend a small state commuter college with no admission standards. I worked full-time jobs throughout my five years of undergraduate studies.

While in college, a white South African friend and roommate invited me to go home with him during an August break, with all expenses paid for by his parents. At the time the South African apartheid system was on its last legs due to intensifying internal resistance and growing external pressure. While there, I attended a student and Black labor union demonstration at the University of Cape Town, which the South African police violently disrupted with tear gas, beatings, bullets and mass arrests. I got swept up in it all, but when it was over I was able to walk away due to my whiteness and American passport. When I returned to Ogden, I began to recognize how white supremacy was benefiting me at home, too, in a country that I grew up believing - and so wanted to believe - was founded on liberty and justice for all.

These formative experiences, along with subsequent reading, listening, reflection and conversation offered me powerful insights into the true nature of U.S. domination

and violence, within an historical and late 20<sup>th</sup> century context. The first time I remember seeing the term neoliberalism and understanding its meaning was when I read a Noam Chomsky book in the mid-90s. I was beginning to become an activist in New York City while working as a public junior high school counselor and then as a harm reduction clinician in Harlem and the South Bronx. These were my first professional jobs after receiving a Master of Social Work degree. The new conceptual framework of neoliberalism soon became an informative structural lens in my professional career and as an activist. In my life outside of work, I threw myself into organizing projects that centered on the impacts of bi-partisan policies that resulted in the dismantling of welfare programs, the elimination of affordable housing and the intensifying of the criminalization and incarceration of Black and Brown people.

My developing neoliberal lens was also informative in understanding how financial deregulation under Bill Clinton was connected to the undoing of Keynesian policies through the bi-partisan ideology of neoliberal deregulation. Critical historians revealed to me how these events predated the Reagan era, and included Jimmy Carter and Senator Edward Kennedy's efforts to deregulate the trucking, natural gas, broadcasting and airline industries. This allowed me to make sense of why both Clinton and Kennedy were eager proliferators of Reagan era neoliberal education policies, with Kennedy partnering with G.W. Bush on the No Child Left Behind Act. Historical context has helped me to both see through individual policy makers and to look more deeply into the past and beyond the present moment to recognize the nature of larger structural forces. This developing lens informed my subsequent international solidarity work concerning U.S. imperialism and colonialism well into the 21<sup>st</sup> century. Through this, I learned that

neoliberalism was much more than a modern economic concept and instead was the latest formation of the violent structures that Indigenous peoples have been resisting for centuries. Between 1999 and 2008, this developing worldview applied to organizing activities that focused on resisting a series of interrelated enterprises, including the Iraq Sanctions, the proliferation of free-trade and structural adjustment policies in support of the IMF and World Bank practices, the Israeli occupation of Palestine and the U.S. invasions and occupations of Afghanistan and Iraq.

After burning out as an organizer in 2008, I refocused on my work as a clinical social worker while attempting to integrate my years of organizing work with doctoral studies in Social Justice Education. In my studies, my research focused on the impacts of federal and state education reform policies, understanding that they are intended to be a primary hegemonic and material instrument in the neoliberal revolution. In 2011, I started to publish on the topic and founded a project with a group of educators and parents that was simply called *Education Radio*. This was an activist radio program that produced weekly on-air, podcast and internet-based documentary programs that reached a national audience. Education Radio's expressed mission was to "expose the profit driven interests fueling current education policies while addressing issues of true equity and access in public education" (Education Radio, 2012).

Over the course of a year and a half, we produced thirty-eight hour-long programs on a range of topics including the expansion of charter and virtual schools; the violent nature and consequences of high stakes testing, particularly of Black and Brown youth; the structural forces, groups and people behind these policies; and the ongoing assault on ethnic studies education. To do so, we traversed the country (physically and virtually)



making audio recordings of interviews about the impacts these policies were having on people's lives and of their stories of resistance. By doing this work, the Education Radio collective was able to become public education activists, joining with the growing national movement of parents, students, teachers, unions, scholars and others who were resisting what has often been referred to as "the corporatization of public education." Since this project ended, members of the Education Radio collective have gone on to become activist leaders as parents, academics and union officials. Following that, I spent time as an elected leader in a large, statewide teachers' union as part of a reform caucus, which had formed to stop the union from collaborating with neoliberal reforms and instead join with others to resist them.

Altogether, I have gained a deep understanding of the foundational cultural political economy of the U.S. as well as a recognition of the ideologies and discourses it generates by ongoing and interrelated domestic and international practices of domination. More recently these dynamics have coalesced into a powerful new hegemony and social control apparatus for neoliberalism in the 21<sup>st</sup> century, abstractly known as the "War on Terror."

My earlier life experiences combined with my scholarly work and activism with Education Radio have provided the generative themes that inform this research project. Due to this process, I have a deeper understanding of how the intended function of public education - both historically and contemporarily - is an extension of, and thus cannot be disentangled from, the underlying cultural political economy of the United States. This research paper is an attempt to further my knowledge along these lines so that I can better

contribute to disrupting discourses of domination and more effectively contribute to struggles for emancipation.

### **Research Questions**

In support of my statement of the problem, my research primarily relies on historical context as evidence. For example, there were limited yet quantifiable cultural and material shifts in education during the 1960s and the 1970s with regard to school desegregation, greater access to early childhood education, more child-centered pedagogy, the inclusion of ethnic studies and curricular disruptions in the “selective tradition.” These shifts were only realized for a few and were the direct result of larger social movements challenging many of the institutional frameworks of U.S. society. However, these were limited accommodations, were largely temporary and are an example of a consistent pattern throughout U.S. history. Therefore, I contend that on one level, the nation’s governing contract - the U.S. Constitution - and the cultural, political and economic infrastructural power that operationalizes it is designed to effectively bring order back under its domain when disruptions take it too far from the contract’s core aims. On another level, this reality is extensively bolstered by the imperious and ubiquitous character of empire of global financialization. As Stuart Hall (2011) puts it:

[T]he market/free enterprise/private property discourse persists cheek by jowl with older conservative attachments to nation, racial homogeneity, Empire and tradition. “Market forces” are good for restoring the power of capital and destroying the re-distributivist illusion. But in moments of difficulty, one can trust “the Empire” to strike back. (p. 713)

These points are aligned with the three questions that guided my research: (1)

Given that capitalism, white supremacy, settler colonialism and heteropatriarchy are

inherently inequitable, incredibly violent and unquestionably undemocratic, how can we expect meaningful and lasting protections or emancipation within a nation-state where these structures are fundamental to its existence? (2) Consequently, can we then expect public education - an instrument that is constructed and controlled by these intrinsically despotic structural forces - to be transformed into a democratic institution, let alone an instrument of emancipation? (3) Is it even possible to attain state protections for the common good within the current global domain of finance capitalism?

### **Methodology**

In this historical analysis, my position is supported by primary source materials, scholarly work and the writings of critical theoreticians and cultural critics. Utilizing a Critical Social Theory (CST) lens, historical revisionism and discourse analysis, I examined the origins, characteristics and function of power and domination dating back to European conquest and colonization of “the Americas” and the first 150 years of the United States as a means to expose the fundamental purpose of its public education system to this day. To do this, I also critically examined the discourse and actions of powerful and influential historical figures that contradict many of the origin stories, cultural scripts and selective traditions associated with U.S. nationalism. In researching and examining neoliberalism and financialization, I drew upon the research and writings of scholarly articles and books, civil society documents, news stories and policy and public relations materials published by investment banks, investors, trade associations and venture philanthropists.

## **Theoretical Framework**

This analysis was broadly guided by Critical Social Theory (CST) and informed by its more integrated undertaking known as Cultural Political Economy. As Jean Anyon (2008) explained, CST utilizes “various types of scholarship that critique domination and subordination, promote emancipatory interests and combine social and cultural analysis with interpretation, critique, and social explanation” (p. 2). Fraser (1989) took the perspective that CST “frames its research program and its conceptual framework with an eye to the aims and activities of those oppositional social movements with which it has a partisan - though not uncritical - identification, [so that] the question it asks and the models it designs are informed by that identification and interest” (p. 113). This position was particularly influential in my attempt to interrogate and disrupt hegemonic narratives perpetuated by Americans generally and public education activists specifically, many of whom I have a certain amount of affinity toward. In doing so, I attempted to follow Hall’s (1988) position that “the purpose of theorizing is...to enable us to grasp, understand, and explain—to produce a more adequate knowledge of—the historical world and its processes; and thereby to inform our practice so that we may transform it” (p. 36).

Fraser’s theoretical perspectives were influential in my research, particularly in how she defines and charts pathways for alternative models of democracy. She does this through the application of the key concepts of subaltern counterpublics; parity of participation; recognition, redistribution and representation; and marketization, protection and emancipation.

Cultural political economy was salient to my analysis in that it "emphasizes the lifeworld aspects of economic processes—identities, discourses, work cultures and the social and cultural embedding of economic activity" (Sayer, 2001, p. 688). Sayer (2001) went on to claim that "one of the hallmarks and prime achievements of cultural political economy is its explorations of the 'embedded' nature of economic activities—how they are set within social relations and cultural contexts that make a difference to those economic processes" (p. 697). Dumas and Anyon (2006) continued in that vein:

Cultural political economy allows us, in one moment, to step in for a close examination of the meaning of a specific act or utterance, and in another moment (or often simultaneously), to step back in order to bring into view the various social, historical, economic and cultural contexts within which actions and utterances are situated. In so doing, we can make connections between the global and local, between ideology and social practice, and between institutional structures and individual human agency that drive policy implementation. (pp. 151–152)

I defined the U.S. cultural political economy as encompassing the intersecting imperialistic structures of capitalism, white supremacy, settler colonialism and heteropatriarchy, contending that Christian hegemony is deeply embedded within these structures.

To examine the nature of U.S. hegemony and nationalist ideology, I applied Ernesto Laclau and Chantal Mouffe's theory of discourse, which attributes words and meaning as symbols of power relations to examine "the workings of hegemony and contemporary social struggles, and their significance for democratic theory (Bohm 2014; Sutherland, 2005).

I also applied a modified version of Michael Mann's (2012) "IEMP model" of social power—ideological, economic, military and political—as a means of examining

the construction of the U.S. as an industrial empire. To bridge Mann's (2012) IEMP model with my cultural political economy definition, I substituted his use of the term "ideological" with "cultural" and folded his inclusion of "military" into the "political" realm. I applied Mann's (2012) concept of infrastructural power to my analysis to analyze and describe how the founders' sources of power—cultural political economy—were systematically established to radiate far and wide via logistical techniques as the impermeable structural foundations of the United States. Logistical techniques are state and civil society institutions that function as social control mechanisms (such as schools), and are deployed across a national territory "to broadly diffuse new forms of nationalism" in the service of empire (Vom Hau, 2007, p. 4).

### **Key Concepts and Terms**

The following key concepts and terms are those that were not defined or explained within my other chapters: capitalism, white supremacy, imperialism and empire, colonialism, heteropatriarchy, social divisions and culture.

### **Capitalism**

This refers to an economic order based on the values and practices of property rights and self-interest, whereby a small minority of a population owns the means of production and a majority of the population is required to work for them for wages in order to access the means for life. Capitalism strives to increase production efficiency and market share while minimizing material and labor costs to enable capitalists to maximize their personal wealth in order to reproduce the system of capitalism as well as their cultural, political and economic dominance.

Historically, it has been shown that a capitalist system ultimately dehumanizes workers, whereby their humanity becomes a commodity that they must sell in the labor market for a pittance, while the profits of their work creates wealth for others. Capitalism also requires the existence of a disposable pool of unemployed labor, or as Marx called it, a “reserve army of labor.” This serves as a mechanism that keeps wages from rising above the limits that are conducive to the profitability of capitalists, while keeping workers in a constant state of servitude (Basu, 2012, p. 1). Capitalist economies can vary in scope based on the level of state intervention and oversight.

Financialization is an advance stage of deregulated capitalism that involves a highly disciplined neoliberal landscape where state power structures and private technologies facilitate and protect the activities and interests of finance capitalism over all else. Within this insulated environment, financialization occurs via securitization, which simply described, is a process where financial institutions bundle together (illiquid) financial assets – primarily loans – and transform them into (liquid) tradable securities that can be expeditiously bought and sold in secondary financial markets. Within this globalized environment, digital securities trading – including “fictitious” trading, hedging and speculating in derivative markets – generates “phantom wealth”; whereby the exchange of capital, money and currency is detached from material or labor value. In the 21<sup>st</sup> century, debt is the new global currency and is a primary source of (intangible) wealth accumulation (Haivan, 2014; Harvey, 2005).

## **White Supremacy**

The origins of white supremacy can be traced back a thousand years to the beginning of the Crusades, when the Catholic Church enlisted its proxy European monarchies in a murderous, centuries-long war of imperialism and occupation against Muslim nations (Johns, 1934; Tyerman, 2006). Under the auspices of trade and exploration, the Catholic monarchies of Portugal and Spain embarked on an era of conquest and colonization known as the “Age of Discovery” by fanning out across Southeast Asia and Africa in the mid 15<sup>th</sup> century in search of riches and advantageous trade routes (Newcomb, 1992). It was during this period that Portuguese and Spanish “adventurers” established the African slave trade in Europe. Their “discovery” of the Western Hemisphere in the early 16<sup>th</sup> century coupled with the entrance of England, France and the Dutch Republic into the frenzy of plundering launched the Transatlantic Slave Trade, and the genocidal structure of settler colonialism would soon become firmly entrenched. These European empires thereafter would encircle the world. Just over three hundred years later, after exterminating most of the Indigenous peoples within its borders and with the foundations of its powerful capitalist economy being built by Black slaves, the United States would emerge as the reigning global empire (Newcomb, 1992; Parry 1966).

White supremacy defines the U.S. and is constituted by three distinct, yet interrelated, pillars and corresponding logics. One pillar of white supremacy is constituted in a logic that the subjugation of Black people is natural, rendering Black people as intrinsically enslavable whereby they are perpetually positioned to legal, political, cultural and economic conditions that are as close to slavery as possible. Throughout U.S. history, this has been enacted by chattel slavery, debt bondage,



lynching, sharecropping, chain gangs, poverty-wage jobs, welfare to work programs and as ward's (i.e. property) of the state. In the latter—and at unprecedented levels today—Black bodies are being extensively controlled by the state through cradle to grave criminalization and incarceration, whereby the “war on drugs” and the primacy of anti-Blackness fuels a booming prison industry filled to capacity with a Black labor force. Ultimately, this pillar of white supremacy operationalizes anti-Black state terrorism and an ideology that Black people are only worthy of disgust and disdain, deemed non-humans and deserving of suffering, violence and death (Alexander, 2012; Dumas, 2016; Glenn, 2015; Smith, 2010).

The second pillar of white supremacy is enacted by the logic of genocide, which serves as an anchor for settler colonialism. This logic necessitates the disappearance of Indigenous peoples so that white settler states can “rightfully” claim and occupy their land, exploit their resources and then appropriate their spirituality and culture. The genocidal policies and practices targeting Indigenous peoples by the U.S. government were executed in two phases. The first entailed mass murder and displacement, while the second focused on assimilation once Native armed resistance ended in the 1880s (Glenn, 2015; Smith, 2010). According to Smith, “federal Indian policy turned decisively toward assimilation, or as it was often dubbed, ‘Americanization.’ The aim was to phase out Indian treaty rights and other special statuses so as to absorb Indigenous peoples into settler society. The twin prongs of Indian assimilation policy were land allotments and education” (Smith, 2010, p. 58). The United States exists only because of the logic and practice of genocide.

The third and final pillar of white supremacy is constituted by the logic of “Orientalism,” which according to Edward Said (1978) is the “subtle and persistent Eurocentric prejudice against Arabo-Islamic peoples and their culture” (p.56). Said (1978) argued that a long-standing tradition of exotic and romanticized imagery of Asian and Middle Eastern civilizations and cultures served to justify the colonial and imperial ambitions of European nations and the United States.

Orientalism became a broader ideological framework whereby white colonial powers defined themselves as being superior civilizations, cultures and races of people in opposition to an inferior “Other,” namely all people whose ancestry was not of European descent (Said, 1978; Smith, 2010). While not identified as inherently enslavable (although a commodified workforce is a mandate in the age of neoliberal globalization) or in need of being completely obliterated, orientalism categorizes certain peoples and nations as inferior, thus undeserving of their resources and therefore fairly targeted as persistent threats to the aspirations of white colonial empires. According to McIntyre (2011), “Capitalist accumulation requires imperialist expansion, and...this expansion creates a “raced” surplus laboring population” (p.1). To preserve and expand the U.S. Empire, the logic of orientalism justifies and operationalizes continuous war and genocide. Quoting Sora Han (2006), Smith (2010) made the important point that “the United States is not *at* war; the United States *is* war. For the system of white supremacy to stay in place, the United States must always be at war” (p. 69).

Race is a social construct, manufactured by a dominant group for the purpose of imposing dehumanizing categories upon entire groups of people as a means to establish racial superiority over them to justify their exploitation, subjugation and murder. Through

conquest, enslavement and colonization, whiteness (as in white people) was forcefully established as the dominant and thus superior racial category centuries ago, thereafter normalizing the humanness of white people and the disposability of Black, Brown and Indigenous people (Goodman, 2005; Lusca, 2008; Moses, 2004). As Dumas (2016) pointed out, in comparison to being Black, white “does not describe a group with a sense of common experiences or kinship outside of acts of colonization and terror. Thus, white is employed almost solely as a negation of others—it is... nothing but false and oppressive” (p. 13).

It is also important to understand that the wealth of all white western empires over the past five-hundred plus years has largely been generated—be it through imperialism, colonialism, mercantilism or capitalism—by the subjugation, ownership, dispossession and exploitation of Black, Brown and Indigenous bodies. In the U.S., white supremacy, settler colonialism and capitalism cannot be unlinked.

### **Imperialism and Empire**

Since colonialism and imperialism are often confused, I differentiate the two by defining imperialism as: The ideological and hegemonic rationales (political economy, nationalism, white supremacy, etc.) by which nations exercise dominance—formally or informally—over nations, societies and peoples as a means to build or maintain empire. The operational structures attached to imperialism often include franchise colonialism, settler colonialism, chattel slavery, apartheid systems, constitutions (legal systems and political processes) militarism, mercantilism and capitalism. I contend that nation-states

can employ imperialism both externally and internally (Clayton, 1996; Doyle, 1986; Wolfe, 1997).

Throughout what is called the modern era (1500–2000) —or the era of western conquest and domination—national sovereignty was the cornerstone of European and U.S. imperialisms. The establishment of sovereign territorial boundaries was fundamental to building and maintaining empire through colonization and economic expansion. More importantly, it determined the center of imperial power by which rule was exerted and permeated out over external and internal territories through a network of logistical techniques (think tentacles) that are the basis for infrastructural power. Basically, imperialism was a means to extend the sovereignty of nation-states beyond their own territorial boundaries for the purpose of absorbing and controlling new territories and their inhabitants (Hardt & Negri, 2001; Mooers, 2006). Accordingly, Hardt and Negri (2001) explained:

Eventually nearly all the world's territories could be parceled out and the entire world map could be coded in European colors: red for British territory, blue for French, green for Portuguese, and so forth. Wherever modern sovereignty took root, it constructed a Leviathan that overarched its social domain and imposed hierarchical territorial boundaries, both to police the purity of its own identity and to exclude all that was other. (p. xii)

Empire characterizes itself as having no boundaries and its rule as having no limits.

It advances the ideology of “spatial totality” where no territorial boundaries can restrict its sovereign rule. Instead of portraying itself as a historical regime that is born from conquest and domination, it maintains that it is a result of the natural order and is thus eternal. In terms of the European and American empires that have dominated during the modern era, the intersection of Christianity, white supremacy and capitalism became the

basis for this natural order—the way it was always meant to be and will always be. This is the natural order of the white Christian God and is therefore at the end of history (Hardt & Negri, 2001; Mooers, 2006). According to Hardt and Negri (2001), the rule of Empire

not only manages a territory and a population but also creates the very world it inhabits. It not only regulates human interactions but also seeks directly to rule over human nature. The object of its rule is social life in its entirety, and thus Empire presents the paradigmatic form of biopower. (p. xv)

Empires always characterize themselves as being committed to universal peace, justifying their brutality as righteous or for the purpose of self-preservation (Hardt & Negri, 2001; Mooers, 2006).

As I will argue in Chapter 2, the material and ideological frameworks of the U.S. Constitution enables imperialism and establishes a legal framework for empire. Inheriting the British model of imperialism inspired by the Doctrine of Christian Discovery, the nation's founders were empowered to establish an effective infrastructure for empire that was anchored by white supremacy, settler colonialism and capitalism

### **Heteropatriarchy**

I understand patriarchy to be an ideology and system of domination enacted through violence and terror— through the primacy of pervasive and sanctioned ideologies positioning females as less than human and inferior to males. It was established and institutionalized in the U.S. as an arm of Christian patriarchy and was intrinsically linked to white supremacy and capitalism. Christian patriarchy was built into the nation's power structures by the white male aristocrats who founded the nation,

naturalizing their domination over all women, Black and Brown men and the natural world (Chengu, 2015). As Chengu (2015) put it, “Just as violence cannot be separated from colonialism,” (para. 5) patriarchal Christianity cannot be separated from colonial violence and its legacy of terrorism, slavery and genocide the world over. Accordingly, Carol P. Christ (2016) defined patriarchy as:

A system of male dominance, rooted in the ethos of war which legitimates violence, sanctified by religious symbols, in which men dominate women through the control of female sexuality, with the intent of passing property to male heirs, and in which men who are heroes of war are told to kill men, and are permitted to rape women, to seize land and treasures, to exploit resources, and to own or otherwise dominate conquered people. (para. 2)

Native Feminist theories focus on critiquing the intersection between settler colonial nation-states and the ideologies of heteropatriarchy, white supremacy and capitalism, which informs liberatory social imaginaries for social movements that seek to dismantle structures of domination. Native Feminist theories posit that the logic of heteropatriarchy naturalizes social hierarchy, and in the same way that patriarchs rule over families, elites of nation-states rule over their citizens. Accordingly, when British Christian settler colonists first came to North America, they immediately set out to instill the logic of heteropatriarchy via Christian doctrine in Indigenous peoples as a pacification technique so that Indigenous communities would more easily submit to a natural and inevitable social order rooted in settler colonialism, imperialism, monarchism, parliamentarism, mercantilism and racialization. Settler colonizers understood that until Indigenous peoples accepted the doctrine of Christian heteropatriarchy, which underlies these social hierarchies, they would more ardently

resist the colonizers God-given right to permanently claim and settle Indigenous land as territory of the nation-state of Great Britain (Arvin, Tuck, & Morrill, 2013; Smith, 2008).

According to bell hooks (2013):

Patriarchy is a political-social system that insists that males are inherently dominating, superior to everything and everyone deemed weak, especially females, and endowed with the right to dominate and rule over the weak and to maintain that dominance through various forms of psychological terrorism and violence. (p. 1)

University of Glasgow professor Val Wright (2015) described patriarchy as being more than a system of male domination; it also constructs heteronormativity and gender oppression. The gender binary and the biological or social basis for sexism is constituted and operationalized under the domain of patriarchy. A patriarchal culture establishes and maintains the notion that the heterosexual male is the supreme power and the superior being, and thereafter embedded in a nation's educational, media, legal, political and economic institutions (Wright, 2015).

### **Social Divisions**

States are effective in reproducing ideologies tied to their sources of power that legitimize forms of domination and exclusion and result in social divisions. Under capitalism, economic class divisions are constructed between the capitalist class, their agents in the middle-class and the working class, based on the unequal distribution of property and power. Capitalism is effective in constructing and reproducing class divisions and benefits and then pitting them against other social divisions as a means to divide and therefore better control its sources of exploitable labor (Butler, 2015).

Economic class is not the only significant social division within capitalist societies. Racial, ethnic, gender and sexual divisions predate capitalism and persist to this day. The categorized binaries of male-female, masculine-feminine, straight-gay, able-bodied-disabled, religious-secular, civilized-barbarian, etc. exist outside of and figure differently from capitalism's class distinctions in terms of distribution of material resources and value (Hall, Massey, & Rustin, 2013). As Hall, Massey and Rustin (2013) go on to describe it:

[These social divisions come with their own distinct] systems of reward and scarcity (paid/unpaid, legitimacy/illegitimacy, normal/ abnormal, saved/damned). They position the bodies of their subjects differently in the Nature/Culture continuum. They “govern” different moments of the life-cycle and attribute to people different subjective capacities (paternal/maternal, emotional/ cognitive, duty/pleasure). (pp. 16–17)

Social divisions occupy “privileged sites of operation (for example, home/workplace, private/public) and distinct disciplinary regimes (patriarchal power, property inheritance, unpaid domestic labour, control of sexuality, gendered and racially-differentiated wage rates)” (Hall et al., 2013, p. 18). They deploy unique forms of domination, “religious persecution, social and sexual discrimination, racialization” and construct orders of “othering” and acceptance by way of “discrimination, stereotyping, prejudicial speech, inferiorisation, marginalisation, abjection, projection, fantasizing and fetishisation” (Hall et al., 2013, p. 18).

Under capitalism these social divisions are aligned with—and intensified by—its system of class domination, while still retaining relative autonomy. Additionally, capitalism thrives on social divisions based on “othering” as a means to divide and conquer by pitting workers against workers in the labor force. These realities force us to



frame social relations under capitalism from intersectional and multidimensional perspectives (Hall et al., 2013).

## **Culture**

My understanding of culture is informed by the cultural theorist Stuart Hall (1997), who posited that culture

is concerned with the production and exchange of meanings—the 'giving and taking of meaning'—between the members of a society or group... [C]ulture is about feelings, attachments and emotions as well as concepts and ideas....Above all, cultural meanings are not only 'in the head.' They organize and regulate social practices, influence our conduct and consequently have real, practical effects” (p. 2).

In systems of domination, ideology (via discourse) is the instrument by which dominant groups generate cultural codes or “maps of meaning” attached to social knowledge and events that constitute the parameters of social reality for subordinated groups as a means to legitimate power relations (Davis, 2004; Hall, Morley, & Chen, 1996). Beliefs, cultural myths and imaginaries are embedded within ideology.

Hegemony is established when ideology is infused deeply into a society and commanded by the domains of cultural, moral, ethical and intellectual authority, resulting in subjugated groups articulating their interests as being those of the dominant groups (Hall et al., 1996).

## **Overview of Dissertation Chapters**

In Chapter 2, The Violent and Despotic Foundations of the U.S. “Democracy,” I began by tracing the origins of European imperialism and colonialism back to the

Catholic Church's Crusades. It was at this period that the Doctrine of Discovery was born and was the basis by which empire building and colonialism were justified and enacted throughout the world. I chronicled how the Doctrine of Discovery evolved into the structure of settler colonialism in North America.

I then examined the duplicitous motives of the nation's founding fathers when they staged a "palace revolution" to establish a new republic as a means to protect and advance the property rights and the political power of their aristocratic class of Christian white men. To do so, I delved into the cunning political wrangling between the Federalists' and Anti-Federalists' factions that occurred during the Constitutional Convention as they constructed a constitution that appeared egalitarian in nature, yet intended to preserve slavery and to impede social equality and equal distribution of wealth through, as Madison put it, "agrarian attempts" and "symptoms of a leveling spirit" (White, 1989, p. 77).

Following the time frame, I chronicled how Thomas Jefferson was both an innovative slave owner and capitalist as a means to expose how the "Father of American Democracy" is an exemplary representation of the true nature of the "enlightened" U.S. democracy. I critically examined the role that imperialism, colonialism and the establishment of infrastructural power played in the violent expansion of national borders by way of a cruel and despotic political economy. In doing so, I attempted to further disrupt the ideologically driven cultural myths built into the nation's nationalistic narrative concerning exceptionalism, democracy, rights, equality and justice to further expose the dehumanizing and repressive intentions that have been deeply imbedded within the institutional fabric of U.S. society.

Chapter 3, *Emancipation and Empire*, examines the exceptionally violent era that encompasses the Civil War and Reconstruction periods. This was not only due to the brutality of the “War Between the States” (as the Anti-Federalist-oriented Confederacy called it), but was also a result of federal policies, most notably, the Pacific Railroad Act, the Homestead Act and the Morrill Act. Together these policies exponentially accelerated the growth of industrial capitalism and western conquest, both of which expedited social inequality and American Indian genocide. In presenting this material, I disrupted some of the “selective traditions” associated with this era of U.S. history by critically examining Abraham Lincoln’s record as a railroad lawyer, empire builder and a resistant “emancipator.” Concealment of the facts by the dominant cultural scripts emanating from this era is one of the most glaring examples of how the entrenched cultural political economy—enshrined in the U.S. Constitution—enabled anti-black state terrorism to prevail long after Emancipation.

I then examined how the intersection between white supremacy, the U.S. Constitution, state and federal legislative bodies and (in)justice systems—most notably the U.S Supreme Court—systematically succeeded in failing to truly emancipate Black Americans following the Civil War. As part of this examination, I also chronicled how the series of federal Civil Rights Acts and Enforcement Acts along with the 13th, 14th and 15th Amendments, ratified between 1865 and 1875 only served as “parchment barriers” against the ensuing wrath of white supremacy (Leibiger, 1993, p. 447). What prevailed were the legalized brutality of Jim Crow in the south and the normalization of anti-Black state terrorism nationally. My review of these events set out to reveal how racial segregation, lynching, incarceration, exploitation and the degradation of Black

Americans was—and continues to be—both culturally and constitutionally permissible in the U.S.

Chapter 4, *The Ideology of Public Education*, begins with an exploration of the early private and quasi-public origins of primary education in the original British colonies. During the early 17<sup>th</sup> century, school attendance was non-mandatory and those who did attend found a curriculum that was oriented towards providing a Puritan-based Christian education for white boys from affluent families. Over time, in some colonies, a basic formal education became more widely accessible for white boys and, to a lesser degree, white girls.

I next analyzed the origins of public education, which began after the American Revolution, by examining the founding fathers' attempts to establish the roots for a system of white mass public education. In their view, public education was both a pragmatic and ideological apparatus of social order and social reproduction within their empire-building project. These initial steps were taken through the provision of federal land grants in western lands, which over time became a basis for the creation of permanent school funds in almost every state of the Union. The chapter concludes with a review of Thomas Jefferson's failed attempts to establish a system of white public education in Virginia as an instrument of social and cultural reproduction.

Chapter 5, *The Institutionalization of Schooling*, begins by chronicling the process by which a disorganized array of white, non-compulsory schools was established and regularly funded as the demand for education increased in new and existing states, cities and towns during the early 19<sup>th</sup> century. The chapter goes on to critically examine the early stages and challenges in the development of white mass public education,

conceptualized as being universal, publicly funded, state mandated, standardized and staffed by professionally trained teachers. As industrialization flourished from the 1820s through the 1840s in northern states and cities, social and labor unrest mushroomed due to growing wealth disparities and social and economic hardships for the white citizen and immigrant working-classes. Viewing poverty as moral decay, non-English-speaking and Catholic immigrants as cultural threats and labor solidarity as insurrection, wealthy and influential Protestant politicians, industrialists, professionals and civic leaders began to develop strategies that fostered social cohesion through the advancement of civic nationalism (or “democratic citizenship”). These members of the “minority of the opulent” knew it was critical to create a sense of common culture and purpose for all white people within the young republic, especially against a mounting threat of a dispossessed majority.

Following the cultural scripts of the founding fathers, these late 19<sup>th</sup> century men understood the social control utility of a basic and compulsory white public education system in providing a “moral education” for future generations of the labor force in order to instill “character, discipline, virtue and good habits.” Out of this class of men arose the ones who became the early pioneers of the common school movement in the U.S., with one in particular, Horace Mann in Massachusetts, taking the lead. The chapter also emphasizes how the initial institutionalization of common schools under Mann’s leadership was based on a nationalistic “Americanized Prussian model” of universal primary education.

Chapter 5 also chronicles the origins of secondary education in the U.S. from its early and elite private beginnings to its expansion (as industrialization flourished) into a

scattered array of non-compulsory public schools in northern cities and towns. It examines how U.S. society at large was reflected in the historical trajectory of secondary public education in the second half of the 19<sup>th</sup> century. During this period less than five percent of 14–17 year olds attended secondary schools; those that did were primarily middle-class girls and boys. During reconstruction, 81% of Black Americans were illiterate compared to 8.5% of white people; 9.1% of Black children attended some level of school compared to 50% of white children. Between 1870 and 1880, enrollment rates in primary education for Black children increased nationally from 10% to 34%. Near the end of the century, as racial apartheid and racial violence intensified, the U.S. Supreme Court further institutionalized white supremacy by legalizing racially segregated public schools, thereby hindering access to secondary education for Black children (Snyder, 1993).

At the approach of the 20<sup>th</sup> century, the influence of Social Darwinism and Eugenics—ideologically driven scientific rationales for domination based on race, class, ability and gender—became entrenched within the entire foundational framework of society and would become an enduring legacy of schooling in the U.S. It is within this context and during a time of domestic instability due to vast economic inequality and social inequity and intensifying U.S. imperialist pursuits that elite consensus determined that a racially segregated yet comprehensive public secondary education system would be established.

I then analyzed how this foundational public institution was intended to serve the primary purpose of social control and sociocultural reproduction to expedite the social aims of industrial capitalism. These aims, fueled by the hegemonic functions of

nationalism, social efficiency and the practical instrument of scientific management, established the purpose and design for public secondary education in the United States thus supporting my argument concerning the enduring purpose of public primary and secondary education as tied to inherently duplicitous structural foundations. Essentially, the unabated foundational structures preserved by the founders' governing contract and the infrastructural power that operationalizes mass public education in the U.S. are unyieldingly violent. Chapter 5 concludes by disrupting the "theology" of local control of public schools as an entry point to bridge the historical analysis found in previous chapters.

Chapter 6, *The Realization of the American Dream*, details how neoliberalism—as a natural outgrowth of the founding fathers' cultural political economy—laid the framework for the global financial empire of the 21<sup>st</sup> century, which I refer to as the state-finance matrix. I began by examining the "nuts and bolts" of financialization through its primary instruments of intermediation, debt, securitization, pooling of risk and speculation. I explored how these and other instruments, orchestrated by a wealthy, financially elite class, oversee a borderless global economy based on "phantom wealth" and unaccountable power, whereby nation-states function as their proxies and subjects. In doing so, I described the financial institutions involved and chronicled a number of examples of how players at different levels within the state-finance matrix use various hegemonic schemes to restructure and align societies and economies across the globe to fully serve their interests through mass subjugation and exploitation by way of militarized austerity.

Chapter 7, the Authoritarian Democracy, analyzes how schooling is being rebooted in the 21<sup>st</sup> century to more officiously serve the state-finance matrix. To do so, I interrogate how schooling is being redesigned (“reformed”) to more effectively serve the state-finance matrix as tied to the Big Data and Internet of Things “ecosystem.” This superstructure imposes cradle to grave “personalized” surveillance technologies that serve as the crucial authoritarian instrument of social control for a cultural political economy that is rapidly disposing of any pretenses of being a democracy.

Chapter 8, Conclusion, begins by examining the fact that despite significant collective struggles over status recognition, redistribution and parity of participation over time, political, cultural and economic victories and accommodations have been nominal and mostly short-lived. With this examination, I demonstrated how the founders’ original design has remained steadfast in its ability to bring deviations back in line when any make attempts to divert its original autocratic structures too far away from their intended aims. I also revealed how the ascendancy of neoliberalism financialization was intended to reinforce this design and its aims on a much larger scale. This analysis supports my original argument that nostalgic efforts to seek accommodations and state protections of yore are not only misguided but also futile within the current state-finance matrix. And certainly, mere resistance has not been enough to offset the wide scale human suffering and ecological catastrophe that has resulted from the founders’ cultural political economy, a result that is only intensifying under the domain of the state-finance matrix. I concluded the chapter by arguing that because of the ubiquitous nature of the current organization of power, revolutionary visions and strategies on an international level are the only way forward if emancipation is to be achieved.



## CHAPTER 2

### THE VIOLENT AND DESPOTIC FOUNDATIONS OF THE U.S. DEMOCRACY

#### The Doctrine of Genocide

The Crusades were launched in 1095 by Pope Urban II and his papal bull, Terra Nullius. Terra Nullius, Latin for “land that belongs to no one” permitted European Christian kings and princes to “discover” and claim land occupied by non-Christians (Nayer, 2015). During the Crusades in 1240, the canon lawyer Pope Innocent IV penned a legal commentary on the rights of non-Christians that would go on to influence subsequent papal bulls, the evolution of the Discovery Doctrine and legal theory into the 16<sup>th</sup> and 17<sup>th</sup> centuries (Miller & D'Angelis, 2011). In this legal commentary, Pope Innocent IV first questioned if it was “licit to invade a land that infidels possess or which belongs to them” and then responded that it was, because the Crusades were “just wars” and were being fought in “defense” of Christianity and to take back lands that rightfully belonged to Christians (Miller & D'Angelis, 2011, p. 10). Innocent asserted a Christian right to legally dispossess pagans of sovereignty and property. In justifying invasions of non-Christian territory in defense of Christianity, Innocent referenced theologian St. Augustine’s claims that reconquering lands previously seized by infidels was legal (Miller & D'Angelis, 2011).

In 1452 Pope Nicholas V issued the papal bull Dum Diversas, which gave King Alfonso of Portugal the God-given right to conquer and enslave sub-Saharan Africans. In the bull, Nicholas V mandated Alfonso to “invade, search out, capture, vanquish, and subdue all Saracens [Muslims] and pagans whatsoever ... to reduce their persons to perpetual slavery, and to apply and appropriate to himself and his successors... and to

convert them to his and their use and profit” (Stogre, 1992, p.65). In 1455 Pope Nicholas V issued another bull, the *Romanus Pontifex*, to King Alfonso - and extended to all Catholic monarchies - the right of “discovery” and seizure of all lands that were not inhabited by Catholics. It also encouraged the enslavement of the non-Christian inhabitants of all stolen lands (Miller, Lesage & Escarcena, 2010). Thus, when Christopher Columbus “discovered,” and then landed, on Guanahani island in 1492, he performed a "take possession" of the land ceremony in the name of the king and queen of Spain. Columbus was also following the discovery doctrine when he wrote in his personal diary about his intentions for the Indigenous people he encountered by claiming “I could conquer the whole of them with 50 men, and govern them as I pleased” (Petras, J., & Veltmeyer., 2014, p. 50).

A year later in 1493, Pope Alexander VI issued the papal bull *Inter Caetera*, which gave Spain the Western Hemisphere, while Portugal was given Africa (and soon after land that would become Brazil), for the purposes of colonization and to convert and enslave the continent's Indigenous inhabitants. *Inter Caetera* also justified the enslavement of Africans. *Inter Caetera* established the Law of Nations (also known as the Law of Christendom), a papal and thus legal decree stating that “one Christian nation did not have the right to establish dominion over lands previously dominated by another Christian nation” (Johns, Joyce & Pahuja, 2010, p. 22). Law of Nations was to become what is now called “international law” and was fundamental in the establishment of sovereign rights in settler colonial nation-states (Frichner, 2010; Miller, Lesage & Escarcena, 2010). Combined, these papal bulls - that came at the close of the Christian Crusades and are their lineage - launched the “Age of Discovery,” the legal basis for what

is known as the Doctrine of Discovery (also known as the Doctrine of Christian Discovery) (Frichner, 2010). These papal directives served as a bedrock for the ideology of white supremacy as tied to the establishment of international law, thereafter legalizing European claims to own, occupy, colonize and exploit the continent of Africa and the entire Western Hemisphere, condemning Indigenous peoples to a subhuman status in domestic and international politics (Miller, 2010; Watson, 2011). Within Western nation-states, these directives advanced the structural foundations (political/legal, cultural and economic) for the transatlantic slave trade and the genocidal policies and practices of colonization across the globe.

With the “discovery” of the Americas, the imperialist nations of England and France followed the new doctrine of discovery and quickly used it to claim rights and powers of first discovery in North America. In 1496, England’s King Henry VII issued a Royal Charter, which commissioned an expedition led by John Cabot - in the name of England - “to find, discover and investigate whatsoever islands, countries, regions or provinces of heathens and infidels, in whatsoever part of the world placed, which before this time were unknown to all Christians... to conquer, occupy and possess whatsoever such towns, castles, cities and islands by them” (Ferguson, 2008, p. 3). Based on Cabot’s explorations, England laid claim to his “discoveries” from Newfoundland to Virginia. France contested England’s claims, and declared first discovery rights of ownership and sovereignty over North America. At the time both countries were Catholic, making them cautious to violate papal bulls, not to mention that it would take decades for both nations to have the military and economic capacity to compete with Spain and Portugal in this “Era of Discovery” (Hart, 2003). It would not be until the end of the 16<sup>th</sup> century when

France, England and the Netherlands were able to compete with Spain and Portugal for supremacy over the lands and bodies of Indigenous peoples on a global scale (Hart, 2003). In the 16<sup>th</sup> century, France and England both developed their own discovery theories to work around the Church's, with England's stating that:

King Henry VII would not be in violation of the 1493 papal bulls if English explorers restrained themselves to only claiming lands not yet discovered by any other Christian prince. This new definition of Discovery was further refined by the Protestant Queen Elizabeth I and her advisers to require the occupancy and actual possession by Europeans of non-Christian lands as crucial elements of a Discovery claim. Consequently, Henry VII and his successors, Elizabeth I and James I, instructed their explorers to discover and colonize lands "unknown to all Christians" and "not actually possessed of any Christian prince. (Miller, 2010, p. 848)

By the late 16<sup>th</sup> century, England freed itself from papal rule, attached the name and principles of the 1095 papal bull Terra Nullius to Queen Elizabeth I's definition of discovery rights, and thereafter proclaimed that only Christian nations could discover and claim territory, conditioned on the establishment of permanent settlements that cultivated the land (Garrison, 2009; Miller, 2006; Miller, 2010). This version of the doctrine of Terra Nullius was to become the "eighteenth-century convention of European international law – it being held that any land which was unoccupied or unsettled could be acquired as a new territory by a sovereign State, and that the laws of that State would apply in the new territory" (Pike, 1986, p. 505).

According to professor of Indian Law, Robert Miller (2005):

The Doctrine of Discovery was the international law under which America was explored and, from the very earliest times, was the legal authority the English Crown used to colonize America and to obtain Indian lands. Thus, it should come as no surprise that the principle was adopted and used by the American colonial governments and courts. After the American Revolutionary War, the new American states and their courts also continued exercising the tenets of Discovery and controlled all purchases of Indian lands and sovereign interactions with tribes

because they thought these were powers that belonged to their governments. (p. 21)

Thus, the Discovery Doctrine became the legal and ideological basis for settler colonialism in the English colonies and the United States, and became further entrenched as the centerpiece of land rights and Native law in the U.S. by the time of the 1823 U.S. Supreme Court decision, *Johnson v. M'Intosh*. This decision affirmed that the "Doctrine of Discovery" was indeed a well-established legal principle of English and American colonial law and had carried over to become the law of the land in U.S. states and the federal government (Miller, 2005). According to Julian Brave NoiseCat (2015), "Justice John Marshall used the doctrine to support the majority opinion of the court, which found that Indians... could not own, the ancestral homelands where their people had lived, loved, worshipped, married, mourned and died for millennia" (para. 5). The *Johnson v. M'Intosh* decision stands to this day. As NoiseCat (2015) put it,

[t]he doctrine has had a significant influence on Indian law and set a precedent that resonates even in modern decisions. Justice Ruth Bader Ginsburg -- widely considered the most liberal justice on the Supreme Court -- even cited cases based upon the doctrine as recently as 2005 to deny a land claim brought before the court by the Oneida Nation. For many native leaders today, the doctrine is a fundamental impediment to the realization of indigenous rights to lands, resources and sovereignty. (paras. 7-8)

### **U.S. Settler Colonialism: "Destroy to Replace"**

The nationalistic narrative attached to the Doctrine of Discovery inspired the notion of Manifest Destiny and conjured up a social imaginary where heroic white immigrant pioneers courageously settled a vast continent that was there for the taking. The counter narrative to this tale is best described by settler colonialism, which frames

this undertaking not as a set of distinct historical events, but as a persistent and ongoing cultural, political and economic structure:

...in which newcomers/colonizers/settlers come to a place, claim it as their own, and do whatever it takes to disappear the Indigenous peoples that are there. Within settler colonialism, it is exploitation of land that yields supreme value. In order for settlers to usurp the land and extract its value, Indigenous peoples must be destroyed, removed, and made into ghosts. (Arvin, Tuck & Morrill, 2013, p. 12)

According to Iyengar (2014),

The settler-nationalist rhetoric of the American Revolution claimed that the whites of North America were compelled to fight against their “colonial” status and to free themselves from the “slavery” of taxation without-representation. In reality, of course, white settlers were neither colonized nor enslaved – but the separation from Britain did allow them to take charge of a nation-building project that would be firmly rooted in both slavery (perpetrated against Black peoples) and colonization (of Native land). (p. 34)

As a nation-state, the United States is defined by the genocide of Native people (and the enslavement of Black people), and would not exist if not for the genocide of Indigenous people. In fact, genocide is not an aberration of U.S. democracy and instead is foundational to it (Smith, 2005, p. 58). According to Sandy Grande (2015):

American Indian tribes are viewed as an inherent threat to the nation, poised to expose the great lies of U.S. democracy: that we are a nation of laws and not random power; that we are guided by reason and not faith; that we are governed by representation and not executive order; and finally, that we stand as a self-determined citizenry and not a kingdom of blood or aristocracy . . . From the perspective of American Indians, “democracy” has been wielded with impunity as the first and most virulent weapon of mass destruction. (p. 50)

The colonization of North America by Christian whites - especially after the formation of the U.S. - differed significantly from “franchise colonialism” (or extraction-oriented colonialism) that was practiced in other parts of the world, such as in India under British rule. According to Wolfe (2012), “Franchise colonialism required a situation

where whites oversaw a system in which natives worked for them” (Kauanui & Wolfe, p. 247). Wolfe (2012) goes on to explain that “Europeans in franchise colonies like India... didn’t go to get rid of Indians [in India] and import English people in their place. Quite the contrary, the colonizers went to sit on top of native society and set it to work for them” (Kauanui & Wolfe, p. 247). Thus, franchise colonialism differs from settler colonialism in that its “message to Native populations is ‘You, work for me,’” while “the settler-colonial message is ‘You, go away’” (Veracini, 2011, p. 1). Settler colonialism, as Wolfe (2006) puts it, “destroys to replace” by erecting “a new colonial society on the expropriated land base... [where] settler colonizers come to stay [and] invasion is a structure not an event. . .to get in the way of settler colonization, all the native has to do is stay at home” (p. 388). While in some instances white settlers in North American and U.S. settlements enslaved Indigenous peoples for their labor, their primary motive was not to “sit on top” of Indigenous societies (Iyengar, 2014). Instead, the ultimate goal of the U.S. settler state was to eliminate them altogether (Kauanui & Wolfe, 2012; Iyengar, 2014; Wolfe, 2006).

Soon after the American Revolution, Congress passed the Naturalization Act of 1790, which claimed, “any Alien being a free white person, who shall have resided within the limits and under the jurisdiction of the United States for the term of two years, may be admitted to become a citizen...” (Congress, 1790). According to Benjamin Griffith Brawley (1921), the term “white” was referenced in legal discourse dating back to 1691, with a Virginia law constructed to avert “that abominable mixture and spurious issue which hereafter may increase in this dominion, as well by negroes,

mulattoes, and Indians intermarrying with English, or other white women, as by their unlawful accompanying with one another” (p. 28).

As Iyengar (2014) put it, the “1790 U.S. settler conception of whiteness had most definitely been constructed over and against the notions of blackness and Indian-ness. Black people were not legally regarded as persons, but as property – and I should note that the linking of blackness to slavery meant not only that enslaved Black people were treated as property under the law, but also that all Black people, including ‘free Blacks,’ were ultimately deprived of personhood (that is, of the status of human beings) since blackness itself was associated with enslavement” (p. 35). Wilderson (2010) explains, “the Indigenous position is one for which genocide is a constitutive element, not merely an historical event, without which Indians would not, paradoxically, ‘exist’” (p. 10). Iyengar (2014) critically points out that “[e]ven the lowest-status whites (Jews, Irish peasants, indentured servants) were legally white – i.e. Human – by virtue of not being Black (i.e. Slave) or Indian (i.e. Savage-to-be-vanquished). This was the racial paradigm that allowed the U.S. Congress to establish that any “free white person” who had resided in the United States for two years was thereby eligible for citizenship in the growing settler nation” (p. 36).

Despite nationalist ideologies, the social structure of settler colonialism cannot be reduced to distant and unfortunate “birth pangs” of a young nation as it strived to live up to its enlightened values and institutions. The violence of settler colonialism is reasserted each and every day of the occupation for as long as it lasts. Its violence is inherently



entwined in other persisting forms of violence. Accordingly, Arvin, Tuck & Morrill (2013) explain:

Extracting value from the land also often requires systems of slavery and other forms of labor exploitation. These simultaneous processes of taking over the land (by killing and erasing the peoples with previous relationships to that land) and importing forced labor (to work the land as chattel slaves to yield high profit margins for the landowners) produced the wealth upon which the U.S. nation's world power is founded. Profit is obtained by making property out of the land, as well as out of the body of the slave. The triad relationship among the industrious settler, the erased/invisibilized Native, and the ownable and murderable slave is evident in the ways in which the United States continues to exploit Indigenous, black, and other peoples deemed "illegal" (or otherwise threatening and usurping) immigrants, which is why we describe settler colonialism as a persistent structure. (2013, p. 12)

In addition to frontier homicide, other genocidal strategies of elimination and social control characterized by the U.S. settler colonial nation-state include: systematic and state facilitated assimilation techniques via schooling, interbreeding, child abduction, religious conversion, the breaking-down of native title into alienable individual freeholds (Dawes Act of 1887), criminalization, incarceration, economic dispossession and minoritizing (Wolfe, 2006). Additional strategies include, blood quantum laws (Indian blood laws) designed to decrease recognition of Indigenous land claims over generations, as well as laws that enable white settlers to make claims of indigeneity (claim membership in an indigenous group) (Kauanui, 2008; Simpson 2008). Accordingly, Sherman Alexie (1996) claimed that "in the Great American Indian novel, when it is finally written, all of the white people will be Indians and all of the Indians will be ghosts" (para. 20). The racial construction of Native people is naturally embedded within the ideology of eugenics, whereby the destiny of their Indigenous identity will be diluted and disappear over generations and white settlers can more legitimately claim native

status. Due to this and other reasons, Arvin, Tuck & Morrill (2013) emphasize that “settler colonialism must be understood as a multi-fronted project of making the First Peoples of a place extinct; it is a relentless structure, not contained in a period of time” (p. 13).

### **A Revolution for “Great and Overgrown Rich Men”**

For over a century prior to the American Revolution, an elite class of white male landowners, slaveholders and large-scale merchants dominated the political, economic and cultural landscape of the thirteen British settler colonies. In 1770, Boston’s top 1% of the population owned 44% city's wealth. In the late 17<sup>th</sup> century the wealthiest 10% of all colonists owned approximately 47% of all the wealth; and by 1775 the wealthiest 10% owned roughly 65% of all the wealth. During the 18<sup>th</sup> century approximately 30% of all British colonists were free white men, with about 50% of those men owning land, though most of them did not own enough land to be considered wealthy. Approximately 20% of all colonists were Black slaves, and 50% were poor white indentured servants (Nash, 1979).

At the outset, the privatization of land in the British settler colonies occurred through the genocidal project that is settler colonialism and later through the transfer or privatization of state (“public”) land. Seized land was often awarded to individuals and families based on their location to power and influence within seats of government and became the basis for commercial pursuits and further accumulation of private wealth. Increasingly during the 18<sup>th</sup> century, land acquisition and allocation was sold for profit and speculation (Engerman & Gallman, 2000; Weinberg, 2003).

The leaders of the Sons of Liberty, the first and second Continental Congress and Continental Army Officers primarily came from the landed gentry of settler colonial society. With high unemployment and hunger fueling class upheaval following the French and Indian War, aristocratic colonial leaders faced the prospect of waging war against Britain, while also “maintaining control over” the discontented “crowds at home” (Zinn, 1980, para. 8). During the delegates elections for a convention to frame a Pennsylvania constitution in 1776, a Committee of Privates (composed of working class enlisted militiamen), “urged voters to oppose ‘great and overgrown rich men’ for ‘they will be too apt to be framing distinctions in society’” (Zinn, 1980, para. 21). These sentiments led the Committee of Privates to draw up a bill of rights for the convention stating, "an enormous proportion of property vested in a few individuals is dangerous to the rights, and destructive of the common happiness, of mankind; and therefore every free state hath a right by its laws to discourage the possession of such property" (Young, Raphael & Nash, 2011, p. 80).

The populist discourse of the Declaration of Independence, which declared the right to “popular control over governments, the right of rebellion and revolution, indignation at political tyranny, economic burdens, and military attacks,” proved to unite large enough numbers of white settler colonists to actively rebel against Britain (Zinn, 1980, para. 70). This propaganda-based document was highly effective in shaping popular opinion by appealing to the yearnings of disenfranchised white settler colonists as a means to unite against a common enemy. Of course large populations were left out of the populist cause elicited by the Declaration of Independence; namely Black slaves, Native people and in many regards white women. This reality would only become further

institutionalized following the War of Independence. It would also turn out that the aristocratic founders were indeed “apt to be framing [class] distinctions in society” as many white working class men had feared (Young, Raphael & Nash, 2011, p. 78).

In 1776, immediately after issuing the Declaration of Independence from Great Britain, a committee of the Second Continental Congress was charged with drafting the first U.S. Constitution known as the Articles of Confederation and Perpetual Union. It was signed by Congress in 1777 and ratified by representatives from all thirteen states in 1781. The Articles established the U.S. to be a confederation of sovereign states, with appointed representatives from the thirteen states making up a national government. Under the Articles the national government was composed of a legislature consisting of one house in which states had equal voting power. There was not an executive branch or a general judiciary. This new national government was charged with overseeing domestic relations with Native tribes, international diplomacy and conducting the war with Britain (Wood, 1969).

At the end of the War of Independence in 1783, establishing a cohesive economy and infrastructure overseen by common laws proved to be difficult under the decentralized system of government outlined by the Articles of Confederation. This was especially challenging during a time of economic instability due to immense war debt. Congress lacked the authority to tax and collect debt directly, to stabilize legal tender and regulate commerce since state legislatures were often unresponsive to these demands, operating without legal restrictions or judicial oversight. For many in the ruling class, the form of government under the Articles was failing to secure the protection and advancement of personalty (movable property) that was enjoyed under the consolidated

power structure of the British monarchy. Federalists, former colonial noblemen who made up a majority in most state legislatures and the Continental Congress, believed that only a more powerful federal government could protect their property interests and thus set out to correct these shortcomings (Beard, 2012).

### **A Constitution for “The Minority of the Opulent”**

The eruption of Shay’s Rebellion in 1786 only strengthened the Federalist cause. This indebted settler farmer rebellion against the state of Massachusetts was fueled by high taxes and farm foreclosures in western Massachusetts, a mounting crisis that was sweeping across the new republic (Cain & Dougherty, 1999). General Henry Knox, a major public securities holder, wrote to George Washington in response to this “desperate debtor” rebellion of farmers, laborers and Revolutionary War veterans:

The people who are the insurgents have never paid any, or but very little taxes - But they see the weakness of government; They feel at once their own poverty, compared with the opulent, and their own force, and they are determined to make use of the latter, in order to remedy the former. Their creed is "That the property of the United States has been protected from the confiscations of Britain by the joint exertions of all, and therefore ought to be the common property of all. And he that attempts opposition to this creed is an enemy to equity and for justice, and ought to be swept from off the face of the earth." In a word they are determined to annihilate all debts public and private and have agrarian Laws, which are easily effected by means of un-funded paper money which shall be a tender in all cases whatever. (Brooks, 1900, pp. 194-195)

As Beard (2012) explains, “the southern planter was also as much concerned in maintaining order against slave revolts as the creditor in Massachusetts was concerned in putting down Shays' ‘desperate debtors’” (p. 30). This proved to be a precarious time for the new nation’s elite, which was exalting the virtues of freedom, liberty and democracy while simultaneously taking action to establish new and improved systems of domination.

Insurrection was indeed a clear and present danger to the post-war aristocracy within this decentralized and tumultuous landscape.

In 1787 the Federalists in Congress called on state legislatures to send delegates to a Convention in Philadelphia for a single and stated purpose of revising the Articles of Confederation. The underlying motivation for the calling of this convention was to protect the existing four central components of personalty interests: money capital, public securities, manufacturing, and trade and shipping (Beard, 2012). Members of Congress quietly went to Philadelphia, with a majority of them intent on constructing a federal government powerful enough to protect their class interests. The first order of business for the convention delegates was to agree to a secrecy clause concerning their decision-making deliberations (Fresia & Fresia, 1988; Hoffert, 1992). Delegates were not only acting to protect their personalty interests from foreign competitors, but more importantly, against the threat the domestic unpropertied masses posed to their wealth and power (Beard, 2012).

James Madison receives endless accolades for his enlightened roles in the founding of the United States, including the title of “Father of the Constitution.” Like most of the founding fathers, Madison was explicit in his undemocratic aims for the new nation. During the construction of the U.S. Constitution, when deliberating over two of the pillars of a substantive democracy - universal suffrage and the equal distribution of resources – Madison argued, “if elections were open to all classes of people, the property of the landed proprietors would be insecure,” and “agrarian law would soon take place,” one that distributes land to the landless (Coffman, 2012, p. 532). Therefore, Madison argued, “our government ought to secure the permanent interests of the country” through

the protection of property rights (Coffman, 2012, p. 532). More explicitly, Madison went on to pronounce, “Landholders ought to have a share in the government, to support these invaluable interests” thus making the charge of government “to protect the minority of the opulent against the majority” (Coffman, 2012, p. 532).

According to some legal historians, under the terms of the Articles of Confederation, which was the law of the land during the Philadelphia Convention, the 1787 Constitution was in fact an illegal usurping. The Articles were clear in stipulating that there had to be unanimous approval of all thirteen states to approve constitutional change. Yet those who attended the Philadelphia convention unilaterally changed the ratification rule to nine states, which was by no coincidence the number of states that initially ratified the Constitution of 1787. This strategic and unconstitutional move on the part of the Federalists in Congress was an attempt to work around the significant opposition from Antifederalists (a coalition of elites and rural settler farmers) who feared the Federalist intent of consolidating federal power within the new Constitution (Dahl, 2003; Lazare, 1998). According to Lazare (1998), “the assertion that ‘We the People do ordain and establish this Constitution for the United States of America’ implies a right not only to create new frames of government but to abrogate old ones when they are no longer serving their purposes” (p. 40).

When it came to electing delegates to the Philadelphia Convention, propertied representatives were mostly appointed by state legislatures. Many added the additional requirement that delegates also had to be freeholders, meaning they could not be indebted landowners (Beard, 2012; Dahl, 2003; Lazare, 1998). Beard (2012) explains how aristocratic state legislators:

were able by the sheer weight of their combined intelligence and economic power to secure delegates from the urban centres or allied with their interests. Happily for them, all legislatures which they had to convince had not been elected on the issue of choosing delegates to a national Convention: and did not come from a populace stirred up on that question. Thus the heated popular discussion usually incident to such momentous political undertaking was largely avoided, and an orderly and temperate procedure in the selection of delegates was rendered possible. (p. 72)

Essentially, the majority of the new nation's inhabitants and citizens were intentionally excluded from participating in the construction of the United States Constitution.

When voting rights for citizens of the new nation were being decided, Madison expressed his concern that if they were extended "equally to all...the rights of property or the claims of justice may be overruled by a majority without property" (Coffman, 2012, p. 550). John Jay, a founding father and a member of Congress who went on to become the first Chief Justice of the Supreme Court, is famous for making the intent of the Constitution even more explicit by boldly stating, "The people who own the country ought to govern it" (Hill, 2007, p. 173). James Madison cautioned his peers to consider the imminent rise of the industrial working-class and the threat they pose to ruling class liberties if they organize themselves:

In future times a great majority of the people will not only be without landed, but any other sort of, property. These will either combine under the influence of their common situation: in which case, the rights of property & the public liberty, will not be secure in their hands. (Sanderson, 1856, p. 278)

Madison also expressed his concerns that if given suffrage rights, the ominous industrial masses could be coerced or bribed into doing the bidding of divergent ruling class political ambitions. As Madison put it, the unpropertied, "will become the tools of opulence & ambition" (Sanderson, 1856, p. 278). Clearly one of Madison's primary



concerns was how the expansion of suffrage could undermine his desires to create a republican fiefdom.

While the convention's secrecy clause conveniently provided cover for its author's' anti-republican and anti-democratic intentions, Madison's unapologetic and forthright style reveals how the Constitution was, in its own words, "a republican remedy for the diseases most incident to republican government" (Ovstron, 2008, p. 83). Accordingly, Wood (1980) explained, "the source of their difficulties came from too much local democracy, and that the solution was to limit this local democracy by erecting a more aristocratic structure over it" (p. 16). The designers did allow for a semi-popular lower house of congress, yet counterbalanced with the advent of the U.S. Senate, which was to be elected by state legislatures with rotating terms of six years. The Senate should then be composed of, as Madison put it, "a portion of enlightened citizens whose limited number and firmness might seasonably interpose against impetuous councils" (King, 2012, p. 44). The founders often referenced the virtuous qualifications of "enlightened citizens" and "men of substance," which served as code for those with the right race, gender, aristocratic breeding, wealth, education, and experience that bestowed one with a God given right to rule (Parenti, 1980, p. 49).

In all, 70 delegates were appointed by states to attend the Constitutional Convention while only 55 showed up, with many antifederalists refusing to attend and a number leaving as it progressed, with others refusing to sign in protest. Rhode Island declined to send a delegate (Polin & Polin, 2006). Anti-federalists accused the Federalists of working to reproduce an order similar to the British Crown. They viewed the Constitution as an "aristocratic document" designed to construct a powerful and

centralized federal government that would usurp local and state governance and restrict individual and property rights (Wood, 1980, p. 3).

With this fear in mind, a number of Anti-Federalists agreed to ratify the U.S. Constitution only on condition that a bill of rights was included as a means to put limits on federal power. Federalists in Congress begrudgingly agreed, despite their opposition to the idea. Federalists were concerned that by making certain rights explicit “the people” would expect protections for those rights alone, thus limiting future interpretations of the Constitution (Wood, 1980; Parenti, 1980). James Madison in particular felt that a declaration of such rights would be “parchment barriers” (superficial protections) and wanted to rely on the sturdier measures already in place (Leibiger, 1993, p. 447).

According to Federici (2011), by parchment barriers, Madison meant:

...the relationship between the written and unwritten constitutions. There are paper boundaries and limits, what the Framers called “parchment barriers”, and there are unwritten boundaries and limits that are not so much legal as they are cultural, ethical, and religious. The preservation of a constitutional order depends, to a great extent, on the preservation of the unwritten boundaries and limits. (p. 49)

From Madison’s perspective, the great protectors of the private rights of the opulent against an organized majority included the “extent of territory” spelled out in the Constitution which separated people geographically; along with the “multiplicity of interest” between the classes (Goldwin, 1997, p. 66-72). To Madison these classes included, “those who are without property...those who are creditors, and those who are debtors... [a] landed interest, a manufacturing interest, a mercantile interest, a moneyed interest...actuated by different sentiments and views” (Bessette & Pitney, 2011, p. 545).

According to Madison:

If a majority be united by a common interest, the rights of the minority will be insecure...the society itself will be broken into so many parts, interests, and classes of citizens, that the rights of individuals, or of the minority, will be in little danger from interested combinations of the majority. (Bessette & Pitney, 2011, p. 550)

Always the brilliant political operative, Madison took on the task of drafting a bill of rights with the belief that the disorderly demand for such rights was on the one hand a grave problem, yet also presented an opportunity for a strategic solution. His proposed amendments were jubilantly ratified in 1791, effectively thwarting Anti-Federalist efforts to alter the Constitution while successfully garnering loyalty for the Constitution from “the great mass of the people” (Goldwin, 1997, p. 184). More importantly, by engendering a sturdy "national sentiment" in support of the Constitution, Madison:

...took the decisive step toward establishing an independent force in the society, a devotion to the Constitution powerful enough to restrain a malevolent majority. Madison saw that the proposed amendments could make the Constitution universally revered...he saw the Constitution itself, not the amendments, as the sturdy barrier to fend off majority oppression and defend private rights. A bill of rights added to the intact Constitution would bring to it the only thing it presently lacked - the support of the whole people. (Goldwin, 1997, p.100-101)

Madison not only outwitted the Anti-Federalists, but more ominously, he constructed a highly effective hegemonic instrument whereby the Bill of Rights would be widely considered as a sacred and uncontestable scroll embodying the epic virtues of U.S. democracy.

### **A Government “Over the People”**

At its core, the U.S. Constitution is said to outline all the things the federal government cannot do, known as negative rights. The Bill of Rights only reinforced prohibitions on Congress (as an elected body) concerning intervention in the press,

speech, religion, assembly, bearing of arms, etc. By doing so, these purported “civil liberties” fortify the Constitution’s undemocratic foundations and its primary function of harnessing the majoritarian menace to further buttress, both legally and ideologically, the primacy of property rights (Blau & Moncada, 2006; Dahl, 2003; Goldwin, 1997; Lazare, 1998).

By doing so, the Constitution and its Bill of Rights assign responsibility for civil liberties to the Supreme Court, essentially relieving the elected branches of government, chiefly Congress “institutionally irresponsible” and civil liberties “de-politicized”

(Lazare, 1998, p. 29). Lazare (1998) goes on to explain:

Thus was born the peculiar rhythm of American politics in which politicians or the people at large go on periodic rampages in which they lynch, terrorize, and generally trample democratic rights until they are finally brought up short by the courts. Then everyone involved congratulates themselves that the system has worked, that the abuse has been corrected, that the majority has been reined in—until some new eruption sets the cycle going again. (p. 29)

Furthermore, the rights of speech, press, assembly, etc., are the means by which the commercial and propertied class instills their ideological, political, economic and social agenda via a free-marketplace of ideas; whereby access is determined by one’s wealth, race, gender, religion and influence. Not coincidentally, the Bill of Rights only applies to federal and state government action, not to the actions of private business and its agents (Dahl, 2003; Lazare, 1998). All in all, the “commons” became the property of the opulent.

The U.S. Constitution created a form of government and a political system that prevented “the people” from finding horizontal cohesion and instead “was designed to dilute their vertical force, blunting its upward thrust upon government by interjecting

indirect and staggered forms of representation” (Parenti, 1980, p. 49). To do so, a system of checks was constructed to safeguard against Madison’s expressed fears of "agrarian attempts" and "symptoms of a leveling spirit" (White, 1989, p. 77).

The First Amendment of the U.S. Constitution is widely heralded as the foundational gem of the Bill of Rights and the unambiguous signifier of “American Freedom and Democracy” It reads:

Congress shall make no law respecting an establishment of religion, or prohibiting the free exercise thereof; or abridging the freedom of speech, or of the press; or the right of the people peaceably to assemble, and to petition the government for a redress of grievances. (Volokh, 2016, para. 1)

However, it can also be regarded as one of the most duplicitous instruments of U.S. hegemony.

A 1799 interpretation of the First Amendment by Supreme Court Chief Justice Oliver Ellsworth made it clear that based on English common law, “this country remains the same as it was before the Revolution,” specifically in terms of the doctrine of “no prior restraint” (Abu-Jamal & Hanrahan, 2011, p. 281). According to Howard Zinn (1990), to this day, under no prior restraint the First Amendment has an important caveat in that:

You can say whatever you want, print whatever you want. The government cannot stop you in advance. But once you speak or write it, if the government decides to make certain statements "illegal," or to define them as "mischievous" or even just "improper," you can be put in prison. (p. 186)

This little known yet significant twist on American freedom of expression criminalizes dissent (after the fact) while also having a powerful chilling effect. Zinn (1990) goes on to explain how, “An ordinary person, unsophisticated in the law, might respond, ‘You say

you won't stop me from speaking my mind—no prior restraint. But if I know it will get me in trouble, and so remain silent, that is prior restraint" (pp. 186-187).

Yet in the subsequent two centuries, the U.S. federal government (including the Supreme Court) successfully restricted freedom of expression using “prior restraint” (in advance) under the rationale of “national security,” often times in relating to those who attempt to expose the nation’s nefarious covert and undemocratic activities around the globe (Zinn, 1990). While the First Amendment is explicit in that "Congress shall make no law... abridging the freedom of speech," just seven years after Congress passed the amendment, Congress turned around and did just that in 1798 with the Alien and Sedition Acts (Volokh, 2016; Zinn, 1990).

President John Adams and other Federalist leaders expedited the passage of the Alien and Sedition Acts under the rationale that French and Irish revolutions would spark an egalitarian revolution at home, incited by French and Irish immigrant agitators and foreign spies (Chiasson, 1995). Feeding this narrative, a Federalist newspaper of the time claimed Jacobin (egalitarian) French tutors were attempting to corrupt America's youth, "to make them imbibe, with their very milk, as it were, the poison of atheism and disaffection" (Andrews, 2000, p. 108). Long-time Massachusetts politician and Federalist Harrison Gray Otis declared in 1797 that he "did not wish to invite hordes of wild Irishmen, nor the turbulent and disorderly of all parts of the world, to come here with a view to disturb our tranquility, after having succeeded in the overthrow of their own governments” and landing in the U.S. “to cavil against the Government, and to pant after a more perfect state of society" (Carter, 1970, p. 334).

The Alien Acts included “An Act Concerning Aliens” (enacted June 25, 1798, with a two year expiration date) which authorized the president to deport any resident alien considered “dangerous to the peace and safety of the United States” (Knight, 2003, p. 779). The Alien Acts also included “An Act Respecting Alien Enemies” (or Alien Enemies Act), which was enacted on July 6, 1798 (with no expiration date), authorizing the president to detain and deport resident aliens whose home countries were at war with the United States (Knight, 2003).

Enacted July 14, 1798, with an expiration date of March 3, 1801, the Sedition Act applied to U.S. citizens, authorizing the prosecution, imprisonment or large fine of any person who:

...shall write, print, utter or publish, or shall cause or procure to be written, printed, uttered or published, or shall knowingly and willingly assist or aid in writing, printing, uttering or publishing any false, scandalous and malicious writing or writings against the government of the United States, or either house of the Congress of the United States, or the President of the United States, with intent to defame the said government, or either house of the said Congress, or the said President, or to bring them, or either of them, into contempt or disrepute; or to excite against them, or either or any of them, the hatred of the good people of the United States, or to stir up sedition within the United States, or to excite any unlawful combinations therein, for opposing or resisting any law of the United States, or any act of the President of the United States, done in pursuance of any such law, or of the powers in him vested by the constitution of the United States, or to resist, oppose, or defeat any such law or act, or to aid, encourage or abet any hostile designs of any foreign nation against United States, their people or government. (Bentham, 1821, p. 10)

As Zinn (1990) pointed out, “the Sedition Act was a direct violation of the Constitution. But here we get our first clue to the inadequacy of words on [“parchment”] paper in ensuring the rights of citizens” (p. 186).

The Alien Enemies Act of 1798 was revised and further codified by Congress with the passing of the Espionage Act of 1917, which was intended to repress popular dissent against World War I and resistance against the inequitable social conditions of the time (Long, 2005; Zinn, 1990). The Espionage Act of 1917 in part read:

Whoever, when the United States is at war, shall wilfully make or convey false reports or false statements with intent to interfere with the operation or success of the military or naval forces of the United States or to promote the success of its enemies and whoever when the United States is at war, shall wilfully cause or attempt to cause insubordination, disloyalty, mutiny, refusal of duty, in the military or naval forces of the United States, or shall wilfully obstruct the recruiting or enlistment service of the United States, to the injury of the service or of the United States, shall be punished by a fine of not more than \$10,000 or imprisonment for not more than twenty years, or both. (Nearing, 1919, p. 36)

In 1918 the Sedition Act was passed as an amendment to the Espionage Act and further restricted free expression. In part reading:

Whoever, when the United States is at war... shall willfully make or convey false reports, or false statements... or incite insubordination, disloyalty, mutiny, or refusal of duty, in the military or naval forces of the United States, or shall willfully obstruct... the recruiting or enlistment service of the United States, or... shall willfully utter, print, write, or publish any disloyal, profane, scurrilous, or abusive language about the form of government of the United States, or the Constitution of the United States, or the military or naval forces of the United States... or shall willfully display the flag of any foreign enemy, or shall willfully... urge, incite, or advocate any curtailment of production... or advocate, teach, defend, or suggest the doing of any of the acts or things in this section enumerated and whoever shall by word or act support or favor the cause of any country with which the United States is at war or by word or act oppose the cause of the United States therein, shall be punished by a fine of not more than \$10,000 or imprisonment for not more than 20 years, or both. (Nearing, 1919, pp. 36-37)

During World War I, federal prosecutors enacted the Espionage Act in over 2,000 cases. While no convictions resulted from charges of spying or sabotage, 1,055 convictions resulted from prohibitions on free speech under the Espionage and Sedition Acts and targeted labor leaders, civil rights activists, Black and leftist journalists and



publishers, war critics, pacifists, anti-conscription activists, socialists, communists, anarchists and civil libertarians (Scheiber, 2013; Strassfeld, 2004). Examples of these prosecutions illuminate the nation's cultural political economy and the duplicitous nature of the founders' Constitution and governing structures.

In 1919 the Supreme Court actively safeguarded the Espionage Act against constitutional challenges in *Schenck v. United States*. This case involved Charles T. Schenck, the secretary of the Socialist Party of America, who was convicted by a lower court under the Espionage Act after engaging in counter military recruitment activities by distributing leaflets that encouraged prospective military draftees to refuse military service (Feldman, 2009; Montgomery, 2009). According to Montgomery (2009), the first side of Schenck's leaflet argued that the Conscription Act (the draft) violated the Thirteenth Amendment's prohibition on involuntary servitude and was a "monstrous wrong against humanity" (Montgomery, 2009, p. 145). It urged recipients to "petition for the repeal of the act" because the war was being spun by "cunning politicians and a mercenary capitalist press" (Montgomery, 2009, p. 154). Schenck appealed his conviction to the Supreme Court, arguing that his First Amendment rights were violated. The Court ruled against Schenck, with Justice Oliver Wendell Holmes, Jr. stating:

The most stringent protection of free speech would not protect a man in falsely shouting fire in a theatre and causing a panic... The question in every case is whether the words used are used in such circumstances and are of such a nature as to create a clear and present danger that they will bring about the substantive evils that Congress has a right to prevent. (Feldman, 2009, p. 473).

Thus, legal rationale against "falsely shouting fire in a theatre" became a metaphor for the limits of free speech in America, namely serving as code against dissent that disrupts

U.S. hegemony. Schenck went on to serve six months in a federal prison (Montgomery, 2009).

During the same period, the U.S. Supreme Court also upheld the conviction of labor leader and Socialist Party of America presidential candidate Eugene Debs, who was charged under the Espionage Act for making an anti-war speech in 1918. Debs was sentenced to ten years in prison (Nearing, 1919). This was not the first time Debs had been imprisoned for his “un-American” activities, yet the Espionage Act served its purpose in making it easier to silence Debs (and other dissidents), hopefully once and for all (Zinn, 2014).

The Supreme Court case of *Stokes v. United States* (1920) involved the prosecution of reproductive rights and labor activist Rose Pastor Stokes, who was given a ten year prison sentence for simply writing in a local newspaper, “No government which is for the profiteers can also be for the people, and I am for the people, while the government is for the profiteers” (Ginsberg, 2016, p. 51).

In 1917 Chandler Owen and A. Philip Randolph, the publishers of the Black political and literary magazine *The Messenger*, were arrested under the Espionage Act when they wrote:

Our claim is to appeal to reason, to lift our pens above the cringing demagoguery of the times... Patriotism has no appeal to us; justice has. Party has no weight with us; principle has. Loyalty meaningless; it depends on what one is loyal to. Prayer is not one of our remedies; it depends on what one is praying for. We consider prayer as nothing more than a fervent wish; consequently, the merit and worth of a prayer depend upon what the fervent wish is. (Anderson, 1983, p. 83)

Some Supreme Court decisions that reinforced the Espionage and Sedition Acts did not target radicals or dissidents. One such case involved the *United States v. Nagler* in 1918, which led to the conviction of the Assistant Secretary of State for the State of Wisconsin, Louis B. Nagler (Hutchinson, 1992). Nagler was prosecuted after simply telling a group of canvassers for the war efforts of the American Red Cross and the YMCA who showed up at his office door, “I am through contributing to your private grafts. There is too much graft in these subscriptions. No, I do not believe in the work of the YMCA or the Red Cross, for I believe they are nothing but a bunch of grafters” (Hutchinson, 1992, p. 179).

In the case of the *United States v. Motion Picture Film The Spirit of '76*, Robert Goldstein, the producer of the patriotic Revolutionary War movie *The Spirit of '76*, was charged under the Espionage Act in 1917 for his film’s graphically unfavorable portrayal of Great Britain, which was America’s primary World War I ally. Federal prosecutors charged that Goldstein had deliberately made a pro-German movie to impugn America’s ally, incite disloyalty and obstruct military conscription (Fischer, 2004). Goldstein who was Jewish (Anti-Semitism was rife in the U.S.) and of German descent, claimed that his intent in making the film was to make money and boost the patriotic mood of the country (Manchel, 1990). He was given a ten-year prison sentence and fined \$5,000 (Fischer, 2004).

As documented by Peterson (2011), Steven Aftergood of the *Project on Government Secrecy for the Federation of American Scientists*, claims, “The Espionage Act is so vague and poorly defined in its terms, that it’s hard to say exactly what it does and does not cover” (para. 14). The Sedition Act was repealed in 1921 while the Alien

Enemies Act of 1798 and the Espionage Act of 1917 has endured into the 21<sup>st</sup> century (Kiriakou, 2015).

The Constitution dictates that an Electoral College, not the general electorate or a majority of citizen voters, will choose the U.S. president. Within this undemocratic scheme, voters are actually casting a vote for presidential “electors” tied to the major elite political parties of each state, the numbers of which are based on the number of state Congressional seats. These electors are collectively known as the Electoral College (Weingast, 2007). According to Article II of the Constitution, “Each state shall appoint, such manner as the legislature thereof may direct, a number of electors equal to the whole number of Senators and Representatives to which the state may be entitled in the Congress” (Stimson, 1908, p. 112). Translation: state legislatures, not citizens within a state, decide which presidential candidate will receive the state’s electoral votes. These appointed electors, who make up the anonymous Electoral College, are in essence political establishment insiders, who are subject to lobbying efforts, and in many states can roguely decide who they vote for, or if they will even vote at all. For a presidential candidate to win an election within this system, one must receive over half of the Electoral College votes (in the 21<sup>st</sup> century, that would be 270 electoral votes out of the 538 national electors) (FairVote, 2015). The result is that elections are largely symbolic exercises intended to keep the masses tied to the established order, where the democratic principles of public reason and one-person one-vote are prohibited.

The U.S. Supreme Court was established to exist outside of any form of democratic deliberation. Instead, Supreme Court justices are appointed for life by a president, confirmed by a semi-aristocratic Senate who are chosen by state legislatures.

The more popularly elected House of Representatives are excluded from these deliberations (Dahl, 2003; Lazare, 1998). This leaves the least democratic branch of government responsible for deciding if and how the rights of the masses are recognized and dispersed, while “elected” representatives stand idle. Accordingly Lazare (1998) notes, “rallying behind the Supreme Court” means “rallying behind the Constitution *in toto*” and “ignoring the constitutional system’s many unsavory aspects” (p. 23).

The founders’ crafty and abstruse power-sharing arrangement made it difficult to determine where true authority lay, be it in Congress, the Presidency, the Supreme Court or the citizenry at the municipal, state or federal level. Instead of having a form of government that would serve as “an instrument that ‘We the People’ would create and shape to further our own rule” the Constitution solidified a system of government intended to “create and shape the people in order to further its own rule” (Lazare, 1998, p. 15). Instead of being a government “of the people” it would be a government “over the people.”

In keeping with their desire to disenfranchise the majority, the founders included these "auxiliary precautions" that were “designed to fragment power without democratizing it” (1980, p. 46). Parenti (1980) goes on to explain,

In separating the executive, legislative, and judiciary functions and then providing a system of checks and balances among the various branches, including staggered elections, executive veto, Senate confirmation of appointments and ratification of treaties, and a bicameral legislature, they hoped to dilute the impact of popular sentiments. They also contrived an elaborate and difficult process for amending the Constitution. (p. 46)

Article 5 of the U.S. Constitution plays a crucial role in the founders’ undemocratic design by requiring a process whereby a proposed Constitutional amendment has to first

pass a two-thirds majority in both the House and the Senate, or through a convention called by Congress based on a request from two-thirds of the states. If a proposed amendment successfully traverses its way through either pathway, it then has to be ratified by three-quarters of state legislatures. As University of Chicago Law School professor Eric Posner (2014) describes it, “Any proposal to amend the Constitution is idle because it’s effectively impossible... an amendment requires a supermajority twice—the pig must pass through *two* pythons” (paras. 3-4). Two hundred years later, after 11,539 proposed amendments, only 27 have been ratified. The 13<sup>th</sup>, 14<sup>th</sup>, and 15<sup>th</sup> amendments which expanded status rights to former slaves, passed only because the defeated and occupied South was strong-armed into ratifying them, yet as examined later, were not compelled to enforce them. Between 1870 and today only 12 amendments have been enacted, with the last one taking 203 years to be ratified (Posner, 2014). This labyrinth has led to a reliance on begging the Supreme Court to interpret the Constitution in new ways by hiring “lawyers to formulate their proposals as already reflected in the Constitution rather than argue that the Constitution got the position wrong and so should be changed” (Posner, 2014, para. 10). According to Gordon Wood (1980), the very concept of democracy was hijacked and appropriated by the U.S. Constitution in that:

By the end of the debate over the Constitution, it was possible for the Federalists to describe the new national government, even with its indirectly elected president and Senate, as "a perfectly democratical form of government." The houses of representatives lost their exclusive connection with the people. Representation was now identified simply with election; thus, all elected officials, and, for some, even those not elected, such as judges, were considered somehow "representative" of the people. Democracy rapidly became a generic label for all American government. (p. 15)

In addition to the undemocratic federal government, all 50 states would, in time, establish state constitutions modeled after the federal constitution, with legislative and executive branches that are semi-popularly elected to develop and administer policies and laws; with state supreme courts that preside over legal appeals. State constitutions also establish mechanisms for local governance at the county, municipal or township level where voters popularly elect some variation of town or city managers and/or councils to make and administer local policies and ordinances. It is at the municipal level that the more direct forms of democracy were possible, at least for white men. The town meeting model, where all eligible voters meet to make local governance decisions and elect officials to implement their decisions, was a common form of local governance during the 18<sup>th</sup> and 19<sup>th</sup> centuries (National League of Cities, 2013). State and municipal governments also have a sordid history concerning suffrage rights, often disenfranchising groups of people based on race, ethnicity, religion, class and gender.

The original Constitution left complete discretion to individual states in determining voter qualifications, rules on absentee voting, polling hours and election funding. In most states there is a lot of leeway given to counties in crafting their own ballots, designing and implementing their own voter education programs, deciding how they will handle overseas ballots, the ability to hire and train poll workers, choosing polling locations and in how to maintain their voter registration lists (FairVote, 2015).

Over time (between 1870 to 1972), with the enactment of the 14<sup>th</sup>, 15<sup>th</sup>, 19<sup>th</sup>, 23<sup>rd</sup>, 24<sup>th</sup> and 26<sup>th</sup> Constitutional Amendments, various forms of legal discrimination were explicitly prohibited when establishing qualifications for suffrage. It is still legally permissible for states to deny the "right to vote" for other reasons and many have

effectively done so as a means to continue to disenfranchise groups of people based on race, ethnicity and class. The 17<sup>th</sup> Amendment, which enabled U.S. Senators to be directly elected, did not result from popular democratic strivings. Instead, it resulted from pundit and legislator frustrations over corruption, instability, conflict and deadlock due to the indirect process hampering legislative efficiency (Gailmard & Jenkins, 2009). In her book *Electoral Dysfunction: A Survival Manual for American Voters*, Victoria Bassetti (2012) sums up suffrage rights this way:

The original document establishing our government acknowledges and weaves slavery deeply into our society. Women cannot vote. Two of the three major federal officers, President and Senator, are not voted on by the people. And there is not a right to vote in the Constitution. The word 'vote' appears in the Constitution as originally drafted only in relation to how representatives, senators, and presidential electors perform their duties. Representatives vote. But the people's vote is not mentioned. (p. 4)

The Bill of Rights did not change this fact. Over two hundred years later the Supreme Court appointed George Bush to be president, and in the process reaffirmed this point in their decision by stating, "The individual citizen has no federal constitutional right to vote for electors for the President of the United States" (Soros & Schmitt, 2013, para. 1). The double rub here is that the court was referring to a citizen's rights to vote for Electoral College electors, not the right to vote directly for a presidential candidate.

While allowing citizens to feel as though they have a voice in the political system, the form of "democracy" outlined in the Constitution is clearly designed to impede the citizenry from determining both domestic and foreign policy. Ultimately, the founders crafted a system that allowed select groups of people to have the right to citizenship, privileging a smaller proportion of them to indirectly choose the best "men of substance," filtered through narrowly prescribed partisan commitments as a means to preserve the



wealth and power of the post-revolutionary ruling class. Within this constitutional framework, hegemonic cultural scripts tied to institutional authority perpetuate systemic inequities. Even within a republican form of government, without positive constitutional rights that mandate parity of political participation and economic redistribution, whilst remedying existing cultural prohibitions on recognition and representation rights; social equity and economic equality will persistently be denied, undermined and contested.

One can choose to believe the various cultural myths about how the freedom loving founders despised slavery, but did not work to end it based on a variety of factors, including: timing, not wanting to disrupt a widely accepted and profitable institution, and the need to accommodate the southern plantation system. No matter the rationale, the truth is that it was not in the founders' political and economic interests to do so, nor is there evidence that they had the moral capacity to end one of the most horrific enterprises in human history. What is clear is that the U.S. Constitution was written to protect slavery while empowering slaveholders in numerous ways. This was demonstrated by General Charles Cotesworth Pinckney's boastings in front of the South Carolina House of Representatives following the Constitutional Convention about how slavery was secured within the Constitution:

We have a security that the general government can never emancipate them [slaves], for no such authority is granted and it is admitted, on all hands, that the general government has no powers but what are expressly granted by the Constitution, and that all rights not expressed were reserved by the several states. (Finkelman, 1981, p. 30)

In the Constitution's three-fifths clause, states were allowed to count three-fifths of their slaves in apportioning representation in the U.S. House of Representatives and the Electoral College. This effectively increased the political power of southern states and

thus granted greater protections for the institution of slavery. This disproportionate political power through the Electoral College led to Thomas Jefferson 1800 presidential win. The Constitution also had a provision that aided slaveholders in recovering fugitive slaves, particularly those who sought sanctuary in free states and territories. It protected slave-owners rights to human property and made the act of aiding a fugitive slave a constitutional offense. The Constitution also empowered the federal government to intervene to protect slave-owners from slave insurrections (Fields, 1990; Finkelman, 2003).

Another Constitutional provision focused on the highly lucrative enterprise that was the Atlantic slave trade. It read in part, “[t]he migration or importation of such persons as any of the states now existing shall think proper to admit, shall not be prohibited by the Congress prior to the year 1808” (Boyer, Clark, Halttunen, Kett & Salisbury, 2013, p. A5). It also allowed for “a tax or duty” to be “imposed on such importation...” for as long as the trade remained legal (Boyer et al., 2013, p. A5). This did not mean that slavery was to be abolished in 1808, but only that the import of new slaves would be discontinued.

As with settler colonialism, America’s domestic slave trade *is* the story of the founding of the United States. The slave trade was a major economic engine, which fueled the prosperity of the new nation, with profits from enslaved people flowing to many locations in the North and South. Traders and slave owners throughout the South profited by selling human property while others profited from the forced labor it provided in the cotton and sugar fields. So did intermediary suppliers along with carriers in the steamboat, railroad and shipping industries. Naturally, Northern capitalists profited as

investors in banks in the exchange of money for people as did the companies that provided insurance for the owners' investments in enslaved labor. So did foreign investors in Southern securities, some of which were issued on mortgaged slaves. The hub of the nation's cotton textile industry was based in New England, where many enlightened gentry enriched themselves from the misery of southern slave labor (Du Bois, 2007; Finkelman, 2014; McInnis, 2015).

Following its Constitutional mandate, the Act of 1807 was the legislation that officially ended U.S. participation in the international slave trade, but not the domestic slave trade. It levied heavy fines and possible imprisonment on those who attempted to import slaves to the U.S.. This piece of legislation was underfunded and often not enforced, and when it was enforced, it was another source of revenue with its stiff fines and valuable legal merchandise. These realities enabled a smaller yet profitable human smuggling industry to exist in the U.S. until the middle of the 19<sup>th</sup> century. When illegal smugglers were caught, their human merchandise was seized and sold to U.S. slaveowners (Du Bois, 1896; Fehrenbacher, 2001; Finkelman, 2001). The Constitution would continuously be used until the Civil War to defend the institution of slavery from federal intervention and actions taken by an increasingly militant abolition movement (Finkelman, 2003).

In 1857 the Supreme Court ruled on the Dred Scott v. Stanford case, based on Scott's lawsuit to gain his and his family's freedom in the slave state of Missouri after they had previously lived in a free state and territory. In delivering the majority decision against Scott, Chief Justice Roger Taney held that under the terms of the U.S. Constitution, Black people "were not and never could be citizens" of the United States

(Kahn, 2010, p. 234). Taney explained that when the Constitution was ratified, Blacks were "regarded as beings of an inferior order, and altogether unfit to associate with the white race, either in social or political relations; and so far inferior, that they had no rights that the white man was bound to respect; and that the negro might justly and lawfully be reduced to slavery for his own benefit" (Tyler, 1872, p. 579).

The standing of free Black Americans under the Constitution remained vague for decades to come. The Bill of Rights did not defend free Black Americans from municipal and state laws intent on depriving them of Constitutional rights. This cultural and legal reality set the stage for Jim Crow laws in the South and its manifestations nationwide into the 21<sup>st</sup> century (Tischauer, 2012).

In an 1852 Fourth of July speech, the formidable Fredrick Douglas called out the true nature of the institution of slavery in the United States:

What, to the American slave, is your Fourth of July? I answer: a day that reveals to him, more than all other days in the year, the gross injustice and cruelty to which he is the constant victim. To him, your celebration is a sham; your boasted liberty, an unholy license; your national greatness, swelling vanity; your sounds of rejoicing are empty and heartless; your denunciation of tyrants, brass-fronted impudence; your shouts of liberty and equality, hollow mockery; your prayers and hymns, your sermons and thanksgivings, with all your religious parade and solemnity, mere bombast, fraud, deception, impiety, and hypocrisy—a thin veil to cover up crimes which would disgrace a nation of savages. (Calarco, 2008, p. 104)

While the Bill of Rights and a few subsequent amendments have provided some democratizing effects, they have strictly been limited to affirmative remedies for injustices. These tend to be reformist in nature and as Fraser (1995) frames such measures, are “aimed at correcting inequitable outcomes of social arrangements without disturbing the underlying framework that generates them” (p. 82). These often come

from state and private powers making limited and ultimately temporary accommodations to justice-seeking collective struggles, often through the utilization of disruptive tactics and strategies. In contrast, the inherently violent cultural, political and economic structures that are protected by the U.S. Constitution prohibit transformative remedies intended to soften the blow of, or to eliminate, the root causes of social inequity and economic inequality (Fraser, 2007). According to historian Howard Zinn (2014) the American Revolution and its resulting Constitution, “was a work of genius” in that it “created the most effective system of national control devised in modern times, and showed future generations of leaders the advantages of combining paternalism with command” (p. 47).

At its core, the U.S. Constitution was designed to safeguard a settler colonial society overseen by the supreme laws of capitalism, Christianity, white supremacy and heteropatriarchy. By doing so, it entrenched deep structural disparities in participation that subvert collective strivings for social, economic and political justice. This denial of the basic means and opportunities for all inhabitants of a society to directly contest and deliberate as equals violates the very nature of public reason, the principle by which liberal democracies define themselves (as the U.S. defines itself). Moreover, for a society to be authentically democratic – as an essential determinant of justice – parity of participation is required to serve as the idiom of public contestation and deliberation whereby status equality and the equitable distribution of wealth can be attained. This would require a constitutional framework derived from the principles and practices of participatory parity, where positive rights as well as equality of opportunity and equality of outcome are indisputable.

With the advent of the U.S. Constitution and its consolidation of cultural, political, and economic power; slave owners and captains of industry alike were made to feel more secure knowing that a state or territorial governor could rely on a swift federal response when domestic disturbances were beyond the control of local police and state militia (Beard, 2012).

With the arrival of the 19th century, mercantilism and the smaller agrarian economy were quickly being toppled, largely influenced by the 1776 publication of Scottish economist Adam Smith's *Wealth of Nations*. Smith's magnum opus became the recipe for free-market capitalism, was enthusiastically embraced by the founders of the New Republic, and became the ideological and structural framework for the U.S. political economy (Hetzl, 1984; Marroquiín, 2002). In *Wealth of Nations* Smith (1776) affirmed, over a decade prior to the drafting of the U.S. Constitution, that a, "Civil government, so far as it is instituted for the security of property, is in reality instituted for the defense of the rich against the poor, or of those who have some property against those who have none at all" (p. 257).

Decades after the drafting of the Constitution, Thomas Jefferson wrote to John Adams proudly declaring, "from 15 to 20 legislatures of our own, in action for 30 years past, have proved that no fears of an equalization of property are to be apprehended from them" (Weinberg, 2003, p. 9). The Constitution did indeed guarantee that inequality would be the supreme law of the land, but even more so, it served as the bedrock of the ideological infrastructure of capitalism. In the decades ahead, as industrial capitalism flourished and the settler colonial empire expanded, so would U.S. nationalism, constructing an ideological infrastructure Jefferson and his peers could have only

dreamed of; one that would perfectly buttress the despotic structures they deeply embedded within the U.S. Constitution (Mann, 2012).

### **The Freedom Loving Founding Father and His “Vigour of Discipline”**

Thomas Jefferson is often referred to as the “Father of American Democracy” and that title, along with the truth about his views and actions, further exposes the myths about “American Democracy.” As president, Thomas Jefferson opposed the slave rebellion in Haiti that led to the establishment of the first Black Republic in the Americas (Matthewson, 1996). This act was indicative of how his personal worldview intersected with his national agenda. Jefferson, who was popular with his fellow slave owners, was not shy about sharing his white supremacist beliefs. According to Jefferson (1955), Black people were “inferior to the whites in the endowments of body and mind” while their capacity for love was devoid of “a tender delicate mixture of sentiment and sensation” (p. 270). He believed that Black people’s “griefs are transient” and “their numberless afflictions...are less felt, and sooner forgotten with them” and “[i]n general, their existence appears to participate more of sensation than reflection” (Jefferson, 1955, p. 265). Jefferson thought emancipated slaves were “pests in society” and how their “amalgamation with the other color produces a degradation to which no lover of his country, no lover of excellence in the human character can innocently consent” (Feagin, 2013, pp.98-99).

His views are not surprising if one considers that slavery requires the full dehumanization of Black people. Thus, as a slave owner, Jefferson was unsurprisingly cruel. He punished some of his slaves by selling them away from family and friends,

while subjecting others to “a vigour of discipline to make them do reasonable work” (Egerton, 2013, p.113). He often dispensed this “vigour of discipline” on younger black boys, “the small ones,” by having them whipped to motivate them to work harder (Wienczek, 2012, p. 120). According to Jefferson’s records, his renowned Monticello plantation functioned on carefully regulated brutality (Wienczek, 2012).

In the late 1780’s into the 1790’s, Jefferson’s personal agricultural crop mostly shifted away from tobacco to the more valuable commodity crop of wheat. This required fewer workers than tobacco farming, leaving him a large pool of young field slaves at the ready for specialized training for Jefferson’s ventures into manufacturing. It was then that “Jefferson embarked on a comprehensive program to modernize slavery, diversify it and industrialize it” by starting a nail and textile factory, coopering and charcoal burning operations, and building a flour mill with an accompanying canal to power it (Egerton, 2013, p. 92). His slave labor plans for these new enterprises began in early childhood with, “children till 10. years old to serve as nurses. from 10. to 16. the boys make nails, the girls spin. at 16. go into the ground or learn trades” (Egerton, 2013, p. 92). His labor force became hierarchical whereby some slaves would have more value, and thus better treatment, based on their level of skill and level of productivity (Wienczek, 2012).

As capitalists do, Jefferson began to track in detail his labor costs (Egerton, 2013). As Egerton (2013) documented, Jefferson discovered that “he was making a four percent profit every year on the birth of black children. The enslaved were yielding him a bonanza, a perpetual human dividend at compound interest” (p. 8). Jefferson penned, “I allow nothing for losses by death, but, on the contrary, shall presently take credit four percent. per annum, for their increase over and above keeping up their own numbers”



(Egerton, 2013, p. 8). Writing to one his plantation managers, Jefferson claimed, “A child raised every 2. years is of more profit than the crop of the best laboring man [slave]. in this, as in all other cases, providence has made our duties and our interests coincide perfectly” and with “respect therefore to our [slave] women & their children I must pray you to inculcate upon the overseers that it is not their labor, but their increase [birthrate] which is the first consideration with us” (Wienczek, 2012, p. 7). As Wienczek (2012) notes, it was clear to Jefferson that his plantation was yielding infinite human assets. This led Jefferson to openly advance slavery as a futures investment strategy, even chiding a friend who was struggling financially that he “should have been invested in negroes” and advising him that his remaining money should be “laid out in land and negroes, which besides a present support bring a silent profit of from 5. to 10. per cent in this country by the increase in their value” (Wienczek, 2012, p. 1).

While slaves had long been considered assets that could be seized for outstanding debts, Jefferson took a different path when he used his slaves as collateral for a sizable loan he took out in 1796 from a Dutch bank to rebuild his beloved Monticello. Thus, Jefferson not only forged the industrialization and diversification of slavery he also established the monetizing of slaves. Jefferson’s transition into being an innovating and enterprising capitalist appears to have paralleled his pulling back from his earlier proclamations about the immorality of slavery and advocating emancipation. In his will after his death, Jefferson did not free most of his slaves. He did however free a few of his most industrious and favored slaves, while selling off – as slaves – their closest family members. In the months after Jefferson’s death, before the auction of his property, one of his freed slaves, Joseph Fossett, attempted to bargain with

prospective buyers of his wife and six of his children. With his oldest child already “gifted” to Jefferson’s grandson, Fossett found a sympathetic buyer to purchase his wife, his son Peter, and two of his daughters to keep them together. He was forced to helplessly witness the auctioning off of three of his younger daughters to different buyers (Egerton, 2013; Wiencek, 2012). Egerton (2013) describes how Fossett,

...spent ten years at his anvil and forge earning the money to buy back his wife and children. By the late 1830s he had cash in hand to reclaim Peter, then about 21, but the owner reneged on the deal. Compelled to leave Peter in slavery and having lost three daughters, Joseph and Edith Fossett departed Charlottesville for Ohio around 1840. Years later, speaking as a free man in Ohio in 1898, Peter, who was 83, would recount that he had never forgotten the moment when he was “put up on the auction block and sold like a horse. (p. 4)

### **The Power of Sacralized Nationalism**

Between 1790 and 1860, agricultural production progressively become mechanized and subjected to market forces. This corresponded with the introduction of innovative technologies in harnessing the power of steam, coal and gas. This enabled new mass production technologies to fuel growth in the textile, iron, machinery, lighting, mining, cement, chemical, paper and transportation industries (Engerman & Gallman, 2008; Weinberg, 2003). As industrial capitalism ascended, economic exploitation, racial violence and genocide become the unholy trinity of the sacred doctrine of American Exceptionalism. The constitutionally unprotected majority of the U.S. population suffered tremendously under this nationalistic reign that was powered by capitalism, settler colonialism, white supremacy and religious fundamentalism. The systematic murder and removal of Native people intensified while the number of Black slaves grew from 697,624 in 1790 to 3,953,760 by 1860. Urbanization resulting from industrialization

created a disposable white labor force composed of new European immigrants, with children increasingly making up its base (Stannard, 1993; Weinberg, 2003). From mercantilism and rural agrarianism to industrial and monopoly capitalism, the country's undemocratic political, economic and cultural foundations efficiently fueled a social order that became an exemplar of merciless violence.

Between 1492 until 1890, when the Spanish began slaughtering the Arawak people of Hispaniola until the massacre of members of the Sioux tribe by the U.S. Army at Wounded Knee, the native populations throughout the hemisphere decreased by as many as 100 million people (Stannard, 1993). According to Churchill (1998), "a hemispheric population estimated to have been as great as 125 million was reduced by something over 90 percent" (1998, p. 1). Prior to colonization, it is estimated that there was between 10-15 million Native people in what is now the U.S. By 1890 only 250,000 remained (Thornton, 1987). According to U.S. military records, between 1776 to 1907 there were at least 1,470 military actions waged against Native people (Utter, 1993). This does not include "unofficial" actions and atrocities committed by settlers, private industry, municipalities, territories and states (Stannard, 1993; Thornton, 1987; Utter, 1993).

Historian David E. Stannard (1993) claims, "The destruction of the Indians of the Americas was, far and away, the most massive act of genocide in the history of the world" (p. x). These horrendous facts have led many historians to refer to this history as the "American Holocaust" or the "American Indian Holocaust" (Churchill, 1998; Stannard, 1993; Thornton, 1987). The American Indian Holocaust resulted from state-sponsored terrorism and policies intended to exterminate and subjugate Indigenous

people across North American as tied to the dominion of settler colonialism. Its methods entailed murder, dispossession, torture, biological warfare, kidnapping, enslavement, mutilation, sexual assault, starvation, internment, relocation, forced marches, impoverishment and a multitude of permanent institutional methods of destroying (“civilizing”) Indigenous traditions, customs, beliefs and identities (Chalk & Jonassohn, 1990; Churchill, 1998; Thornton, 1987; Utter, 1993). These strategies are embodied by U.S. Army Colonel Richard I. Dodge when he advised a group of British hunters in 1867 to, "Kill every buffalo you can. Every buffalo dead is an Indian gone" (Chalk & Jonassohn, 1990, p. 201).

The terms and conditions associated with the initial extension of citizenship and suffrage to Native people is representative of this history. In 1887 the General Allotment Act was passed by Congress with the intentions of “breaking up Indian reservations, destroying tribal governments, and transferring land from Indian ownership to non-Indian ownership” while providing “the legal mechanism for Indians to become citizens” (Ojbwa, 2012, para. 2; Washburn, 1975). According to the act, citizenship for Native people was conditioned upon individuals abandoning their tribes to adopt “the habits of civilized life” by becoming “Christian, English-speaking farmers” (Ojbwa, 2012, para. 2). Unsurprisingly, U.S. citizenship was attached to private land ownership. Congress would eventually pass the Indian Citizenship Act in 1924 granting citizenship to all Native people, giving them the right to participate in the American electoral system (Washburn, 1975). Unsurprisingly, after being endowed with suffrage rights, social agency and basic material security remained unattainable for Native people, as was the

(re)possession of life and the restoration of lands. As long as settler colonialism persists, true justice and emancipation for American Indians will never be realized.

By the end of the 19<sup>th</sup> century, conquered Native tribes had become wards of a violent nation-state, one that would go on to inspire Adolph Hitler's extermination methods during the Jewish Holocaust (Toland, 2014). In his book *Adolph Hitler: The Definitive Biography*, Pulitzer Prize winning author John Toland (2014) claims:

Hitler's concept of concentration camps as well as the practicality of genocide owed much, so he claimed, to his studies of English and United States history... [h]e admired the camps...for the Indians in the wild west; and often praised to his inner circle the efficiency of America's extermination—by starvation and uneven combat—of the red savages who could not be tamed by captivity. (p. 19)

With the mass extermination of Native people well underway, so was the conquest of the West into the 1830's, allowing white settlers (often distrustful of federal intrusion) to thrive and experiment with local forms of self-governance. This period saw the expansion of suffrage applied to working-class white men, many of whom were new immigrants. In some territories and townships, local authorities extended voting rights to women and former slaves (Foner, 1998). Outside of urban centers prior to the civil war, the economy was mostly a local matter with business control of local governments being the norm. As the U.S. continued to develop its infrastructure under the purview of federal and state governments in partnership with industrialists, suffrage rights again retreated (Foner, 1998; Weinberg, 2003).

According to Greenfield (2001), nationalism not only corresponds chronologically with the growth of industrial capitalism, but is also “believed to be caused by capitalism and industrialization” (p. 4). As Stokes (1986) notes, “nationalism is the initial form of political reorganization produced by the explosion of the supernova of

industrialization” (p. 598). Gellner and Breuilly (2008) contend that "nationalism is not a function of industrialization but rather that nationalism, as the idea of industrialization, is the agent of social change" (p. xxxix). According to these perspectives, early U.S. nationalism reflected or expressed "the centrality of standardized culture in industrial societies” (Gellner & Breuilly, 2008, p. xxxix).

More explicitly, nationalism is a form of ideological discourse transmitted by nation-states to construct a social consciousness, which legitimizes state authority as a means to achieve social control. To this end, nationalism also serves as a cultural script with undisputable belief systems, attached to a lens through which a cognitive and moral organization of reality is perceived and experienced. Therefore, nationalism “represents the foundation of the moral order of modern society, the source of its values, the framework of its characteristics - national - identity, and the basis of social integration in it” (Greenfield, 2001, p. 24). This is a dynamic process whereby a state’s political ideologies are steadily translated into hegemonic cultural scripts and the pervasiveness of the state is expanded into the everyday lives of its subjects to bring about social cohesion.

In constructing distinct normative values, reasoned scripts, inspirational symbols, incontestable myths, and reflexive rituals, nationalism intends to stir emotional attachments and shared meaning; fused with specific points of reference that create a sense of a common national unity and purpose. These reference points are often based in awe inspiring folklore, intended to reinforce four distinct and intersecting sources of power within nationalistic states - ideological, economic, military and political (Mann, 2012; Vom Hau. 2008). As specified in Chapter I, I condense these four sources of power into three: cultural, political and economic power. Effectively, nationalism assembles a

powerful hegemonic apparatus that cultivates an economy based national identity, which determines citizenship, the state mechanism by which membership rights are bestowed and allegiances are solidified. As Howard Zinn (2005) asked, “Is not nationalism -- that devotion to a flag, an anthem, a boundary so fierce it engenders mass murder -- one of the great evils of our time, along with racism, along with religious hatred? These ways of thinking -- cultivated, nurtured, indoctrinated from childhood on -- have been useful to those in power, and deadly for those out of power” (para. 2). In its projection of a national community, nationalism presents state actions as representative of national interests and portrays the apparatuses of governance as extensions of the national collectivity and the common good (Vom Hau, 2008).

The prevailing hegemonic discourse in the U.S. advances a self-contradictory notion that the nation was born of divine will, bound by evangelical Christian ideology, yet also as an enlightened secular nation. This cultural script quickly evolved into a sacralized nationalism, or a “Civil Religion,” infused with the intersecting dogmas of patriarchy, settler colonialism, white supremacy and free-market capitalism (Scott, 2013, para. 8). This creedal script mandated all U.S. citizens (and potential citizens) to pledge their allegiance to the divineness of the founders’ Declaration of Independence and their duplicitous Constitution. The new republic was self-proclaimed as exceptional and “ordained by God and endowed with a special mission to be the new ‘city upon a hill’ to shine the beacon of liberty upon the world—and, at times if deemed necessary, to spread its form of democracy by force of arms to other parts of the world” (Scott, 2013, para. 8).

As ambivalence concerning the tensions between state power, property rights and personal liberties became socially and legally entrenched, nationalism in the U.S. would

in time be framed as patriotism. Thus, patriotism in the U.S. is in itself based on cultural scripts of U.S. nationalism that attaches itself to notions of a homeland instead of the nation state. The distinction between patriotism and nationalism as social constructs is primarily related to their intergroup attitudes. As such, patriotism is normally attached to feelings of prideful identification with one's country, yet based within liberal values of tolerance for diversity that are compatible with international cooperation. On the other hand, nationalism is associated with intolerance, superiority and authoritarianism resulting in international relations that are based in unilateralism and militarism (Li & Brewer, 2004).

This emerging civil religion - infused with its nationalistic scripts - solidified the nation's cultural political economy. It formed the basis for the commanding quasi-religious ideology known as "American exceptionalism," which endowed the U.S. with a distinctively moral and benevolent character, and was therefore entitled, if not ordained, to unilaterally intervene anywhere in the world (Chomsky, 2013; Mann, 2012). In 1845, an article penned by John L. Sullivan in "Democratic Review" proclaimed, "the fulfillment of our manifest destiny [is] to overspread the continent allotted by Providence for the free development of our yearly multiplying millions" (Horseman, 1981, p. 219). Thus the Doctrine of Discovery was Americanized and rebranded to further operationalize American exceptionalism. Claudio Saunt (2015) reminds us of this fact in his article "The Invasion of America:"

US title to the land depends on legal fiction, crafted by the colonists to benefit themselves. Under the 'Doctrine of Discovery', which had its origins in the Crusades and underpinned the pioneering navigators of the 15th century, ultimate sovereignty over any pagan land belonged, courtesy of the Vatican, to the first Christian monarch who discovered it. Embraced by imperial powers around the



world, the doctrine was adopted by the US Supreme Court in 1823. The US did not rely on Papal Bulls alone, however. It also extinguished the land title of the continent's first peoples by treaty, executive order, and federal statute. (para. 13)

This obvious, or manifest, destiny for the U.S. to invade and occupy most of the North American continent (and beyond) was linked with an imperialistic justification to wage war against Mexico in 1846 to annex Texas. Historian Donald Scott (2013) goes on to aptly point out how Manifest Destiny, “was also clearly a racial doctrine of white supremacy that granted no native American or nonwhite claims to any permanent possession of the lands on the North American continent and justified white American expropriation of Indian lands” (para. 1). Operationalizing the civil religion of American exceptionalism, Manifest Destiny coalesced the powers of nationalism, imperialism, settler colonialism, industrial capitalism and heteropatriarchy to encompass a singular American identity (Mann, 2012). Twelve years prior to Sullivan’s “Democratic Review” article, a Presbyterian minister and Second Great Awakening (a mass evangelical revival that infused itself into the public arena during the 1830’s) leader named Lyman Beecher stated, “this nation is, in the providence of God, destined to lead the way in the moral and political emancipation of the world” (Noble, 2005, p. 37).

For this grand empire-building project to be realized, greater infrastructural power - a critical apparatus of nationalism - would be required. As conquered territories were incorporated into the empire, U.S. political power was institutionalized, whereupon authoritative power radiated “outward from center” to the periphery, “and more diffuse economic and ideological power” followed (Mann, 2012, p. 18). While there were grave differences in how this process applied to conquered Native tribes compared to the citizen settlers that followed, infrastructural penetration and its regulatory aims applied.

This essential step required the installation of “logistical techniques” which were designed to aid nationalistic purposes through connecting central state authorities with managerial satellites throughout the manifested domain (vom Hau, 2008, p. 4). With this intent and commercial interests in mind, the U.S. Marshal Services and an array of Army outposts were established, followed by federally appointed governors to oversee occupied territories before state governments could be established. Transportation and communication infrastructure was also prioritized, for the same purposes, resulting in the use of waterways, the creation of roads, the building of regional and national railroads and the institution of the electrical telegraph system and the pony express mail service (Department of Justice, 2014; White, 2012; Wooster, 2009).

These infrastructure projects allowed for other vital logistical techniques (or strategies) to be employed, including the social control devices of identifying, registering, taxing, policing and educating U.S. citizens (vom Hau, 2008). vom Hau (2008) goes on to explain:

The presence of “logistical techniques” across national territory such as a largely literate population or road networks allow state authorities to broadly diffuse new forms of nationalism. Moreover, infrastructurally powerful states can draw on a variety of social control mechanisms at their disposal to routinize official national discourses in organisational practices, collective rituals and daily life interactions. (p. 4)

The legitimacy of the state is also reinforced by infrastructural power. According to vom Hau (2008), “infrastructurally powerful states marshal the...presence necessary to actively intervene in the socialization of their citizenry” whereby “just the presence of the state in daily life may foster a sense of emotional commitment to the collectivity the state claims to represent (p.1). Since nationalism tends to be an outcome of capitalism,

political and economic power are therefore shared, ensuring that the interests of the capitalist class will be infused throughout society with the state functioning as the steadfast agent (Mann, 1984). Infrastructural penetration into civil society is also part of the overall schema, where mutually beneficial and syntonetic relationships develop to more thoroughly implement these directives (Mann, 2012). Ideological power - or hegemony - is thus constructed and disseminated from this power-sharing partnership. Within this agreement, states like the U.S. strategically deliver, or at times tolerate, certain logistical techniques framed as public goods intended to bring about social cohesion. These “public goods” are not intended to serve “the common good” and instead serve the purpose of social control. More specifically, the delivery of social programs and public services augment the dispersal of ideological projects amongst the restless majority to “protect the minority of the opulent” (Holton, 2008, p. 196). This furthers an acceptance of the legitimacy of state and constitutional authority and the purity of capitalism, while advancing their self-serving cultural scripts that justify the dehumanization of entire groups of people.

## CHAPTER 3

### EMANCIPATION AND EMPIRE

#### The Resistant Emancipator and Eager Imperialist

The duplicity, brutality and cultural myths entrenched within the U.S. design are further exposed when reviewing certain events during the civil war, particularly with regard to the celebrated emancipator Abraham Lincoln.

As Southern states moved rapidly towards secession from the Union, President James Buchanan requested in December of 1860 that Congress draft an "explanatory amendment" that would preserve slavery in the United States as a means to preserve the Union. That same month, Senator John J. Crittenden of Kentucky proposed the "Crittenden Compromise," which encompassed six constitutional amendments that sought to make slavery in the south inviolable (Kantrowitz, 2009; McPherson, 2003). The Senate voted down Crittenden's proposal 25 to 23, with 14 senators from states that had already seceded, or were about to secede, not voting. One of the articles that was part of this vote, added by Illinois Democratic Senator Stephen Douglas, read:

The United States shall have power to acquire from time to time districts of country in Africa and South America, for the colonization, at expense of the federal treasury, of such free negroes and mulattoes as the several States may wish to have removed from their limits, and from the District of Columbia, and such other places as may be under the jurisdiction of Congress. (Kantrowitz, 2009, p. 1371)

In March 1861 U.S. Representative Thomas Corwin and Senator William H. Seward led a proposal for another compromise amendment. Seward, who was also in favor of the Crittenden Compromise, would go on to serve as Lincoln's Secretary of State

(Rhodes, 2012). The amendment, known as the Corwin Amendment, was on its way to becoming a 13<sup>th</sup> Amendment to the U.S. Constitution, simply reading:

No amendment shall be made to the Constitution, which will authorize or give to Congress the power to abolish, or interfere within any State, with the domestic institutions thereof, including that of persons held to labor or service by the laws of said State. (Rhodes, 2012, p. 413)

By March 2, 1861 both houses passed the Corwin Amendment by the requisite two-thirds majority vote, two days before Lincoln's took office. During his first inaugural address, President Lincoln was explicit in his support for the Amendment:

I understand a proposed amendment to the Constitution . . . has passed Congress, to the effect that the Federal Government shall never interfere with the domestic institutions of the States, including that of persons held to service. . . . I have no objection to its being made express and irrevocable. (Lincoln, 1861, p. 45)

The third and final step for ratifying the constitutional amendment, whereby three-fourths of state legislatures had to confirm the proposed Amendment, was disrupted by the eruption of the Civil War after Confederate forces fired on Fort Sumter. By then, Ohio and Maryland had ratified it, while Illinois later endorsed it during the state's 1862 Convention (McPherson, 2003; Rhodes, 2012).

During his inaugural address, Lincoln was clear that he had no intention of ending slavery based on Article IV of the Constitution by claiming, "I have no purpose, directly or indirectly, to interfere with the institution of slavery in the States where it exists. I believe I have no lawful right to do so, and I have no inclination to do so" (Lincoln, 1861, p. 41). Lincoln emphasized his commitment to states rights under the Constitution, "especially the right of each State to order and control its own . . . property [slaves], peace and security" of which will not be "endangered by the now incoming Administration" (Bacon, 1865, p. 131).

In 1864, Massachusetts Senator Charles Sumner proposed an amendment to Congress at the behest of the Women's National Loyal League, which had gathered 400,000 petition signatures for a constitutional amendment to abolish slavery. Lincoln opposed this attempt to abolish slavery throughout the nation, maintaining his belief in the principles of the Corwin Amendment whereby slavery should be left to states to resolve (Tsesis, 2010, p. 29; Weiner, 2012).

Ultimately, Lincoln's primary concern during his presidency was to ensure the sanctity of the Union:

My paramount object in this struggle is to save the Union, and is not either to save or to destroy slavery. If I could save the Union without freeing any slave I would do it, and if I could save it by freeing all the slaves I would do it; and if I could save it by freeing some and leaving others alone I would also do that. What I do about slavery, and the colored race, I do because I believe it helps to save the Union. (Lincoln & Basler, 2001, p. 652)

As the civil war progressed, Lincoln's shifting stance on slavery was based on military strategy, not moral considerations. In fact, his Emancipation Proclamation was not critical of slavery; instead it was advanced solely as a military strategy. Emancipation was only offered to slaves in certain counties within ten states that were "in rebellion against the United States" leaving over 800,000 out of 3.9 million people enslaved (Bigelow, 2012, para. 10; Holzer, Medford, & Williams, 2006).

Like all large-scale social change, full emancipation resulted from an increasingly influential social movement grown out of a decades long abolitionist struggle composed of freed and escaped slaves and white evangelicals (Foner, 2012). As Foner (2012) put it, "Slavery died on the ground, not just in the White House and the House of Representatives" (para. 6). Additionally, over 200,000 Black women and men served and

fought against the Confederacy as soldiers, officers, nurses, surgeons, chaplains, cooks, laborers, scouts, spies, steamboat pilots and teamsters. As General Sherman's Union troops burned through Georgia and the Carolinas, many slaves were in full-blown rebellion, seizing and occupying the land they had worked (Foner, 2012).

Consistent with the cultural scripts that apply to the founders, Lincoln is considered to be a morally courageous and enlightened leader. Lincoln's former law career was consistent with how he governed - according to the duplicitous dictates of the Constitution and the savagery of U.S. nationalism. He once represented a slave owner who attempted to recover runaway slaves and practiced as a corporate attorney for banks, manufacturers and mercantile, insurance and gas companies. Mostly though, Lincoln built his reputation as a railroad attorney who represented the economic interests of the emerging railroad tycoons, protecting them from public accountability and claims of damages as they amassed great wealth with the support of state and federal land grants, tax exemptions, and eminent domain (Dirck, 2008; Lueckenhoff, 1996).

In the spring of 1862, President Lincoln signed into law three major empire-building projects that were crucial in the expansion of the nation's economic, military, ideological, and political infrastructure. These included the Pacific Railroad Act, which set forth the construction of the transcontinental railroad and an accompanying telegraph line; the Homestead Act, a program of public land grants for settler farmers that served as a means to further conquer, colonize and economically develop the continent; and the Morrill Act, a major economic and workforce development project for the rapidly advancing agricultural and industrial based economy (Billings, 2012; Severson; 2004). The Morrill Act's military training requirement served as the precursor for the Reserve

Officers' Training Corps (ROTC), which initially trained soldiers for the civil war and the colonization of the west, and over time became a major source in the production of military leaders throughout the 20<sup>th</sup> century and beyond. ROTC was replicated in secondary education with the establishment of the Junior Reserve Officers' Training Corps (JROTC) in 1916 (Duemer, 1997).

The building of the Pacific railroads fed the steel industry, which produced farming machinery, rails, railroad cars and engines, while transforming "the nation's commercial sphere from an atomized array of small farmers and merchants into a much smaller group of corporate titans powerful enough to rival the government itself" (Millhiser, 2015, p. 54; Billings, 2012).

During the civil war, the conquest and plundering of Native homelands (or known within the realm of the settler colonial empire as "public land"), through giving away vast land grants to railroads and mining companies; and the selling off "government land" to speculators, corporations and individuals at public auction resulted in the commodification of western lands. The resulting markets shaped by the growth of simple commodity production was unified by a transcontinental railroad system, and ultimately monopolized American industrial capital by the protective tariffs pushed by Lincoln and his party during and after the Civil War (Billings, 2012; Post, 1982). Lincoln biographer David Donald claims that Lincoln and Republicans "intended to enact a high protective tariff that mothered monopoly, to pass a homestead law that invited speculators to loot the public domain, and to subsidize a transcontinental railroad that afforded infinite opportunities for jobbery" (making private profit out of a public office) (Donald, 2011, p. 106).



Although President Lincoln's position towards Native people was no different than his predecessors, his policies were far more expansive, and thus destructive. The Pacific Railroad Act, the Homestead Act and the Morrill Act were in effect programs of genocide whereupon the extermination, dispossession, displacement and pacification of Native people was intensified and systematically operationalized. In his second Annual Message to Congress in 1862, several months after signing these acts, Lincoln stated:

The Indian tribes upon our frontiers have during the past year manifested a spirit of insubordination, and at several points have engaged in open hostilities against the white settlements in their vicinity... (Richardson, 1899, p. 132)

In March of 1863, with fears that more Native tribes would join with members of the Cherokee, Choctaw, Chickasaw, Seminole, Catawba, and Creek tribes and side with the Confederacy; Lincoln invited a group of fourteen Chiefs representing six tribes (Apache, Arapaho, Caddo, Cheyenne, Comanche and Kiowa) to the White House for a "peace summit" of sorts. At one point during this summit while explaining the differences between white people and Native people, Lincoln proclaimed, "Although we are now engaged in a great war between one another [Union vs Confederacy], we are not, as a race, so much disposed to fight and kill one another as our red brethren" (Lincoln, 2008, p. 152; Malcomson, 2000). Clearly it took an unenlightened agent of white supremacy to make such a claim to this audience, especially as the bloodbath of the Civil War waged on between his "white brethren," who had long ago established and normalized the savagery of slavery, conquest and settler colonization.

Eight months later during his third Annual Message of 1863, Lincoln declared "the removal of certain Indian tribes have been carried into effect. Sundry treaties have been negotiated...[t]hey contain stipulations for extinguishing the possessory rights of the

Indians to large and valuable tracts of lands” (Richardson, 1899, p. 187). With a benevolent tone, Lincoln emphasized the continued need for pacification, however:

Sound policy and our imperative duty to these wards of the Government demand our anxious and constant attention...to that moral training which under the blessing of Divine Providence will confer upon them [Natives] the elevated and sanctifying influences, the hopes and consolations, of the Christian faith. (Richardson, 1899, p. 187)

Lincoln also reported that the occupation of indigenous lands through the establishment of new U.S. territories was moving along and was “generally satisfactory” although “Indian disturbances in New Mexico have not been entirely suppressed” (Richardson, 1899, p. 182). He followed this bad news with good news about sought after plunders by claiming, “[t]he mineral resources of Colorado, Nevada, Idaho, New Mexico, and Arizona are proving far richer than has been heretofore understood” (Richardson, 1899, p. 182)

According to Post (1982), the Civil War, and Emancipation and Reconstruction “marked the end of the U.S. social formation’s ‘phase of transition’, dominated by the process of primitive accumulation, and the beginning of the phase of industrial capitalist expansion, dominated by the capitalist accumulation of capital” (p. 51). When summarizing Lincoln’s presidency, conservative economist Thomas DiLorenzo noted:

Lincoln was arguably the most successful president in U.S. history, in that he accomplished exactly what he set out to do--something that American politicians in the Federalist/Whig tradition had failed to achieve during the preceding seventy-five years, namely, turning the United States into one consolidated empire. (DiLorenzo, 1998, p. 268)

### **From Slavery to Anti-Black State Terrorism**

On December 6, 1865, the 13th Amendment to the U.S. Constitution was ratified. While it formally abolished slavery, its language is illuminating: "Neither slavery nor involuntary servitude, except as a punishment for crime whereof the party shall have been duly convicted, shall exist within the United States, or any place subject to their jurisdiction" (Zinn, 2003, p. 146). Essentially, the U.S. Constitution made it legally permissible for those who are incarcerated to be enslaved by a white supremacist system of government, which empowered its institutions and citizens with the unalienable right to murder, enslave and fully dehumanize Black, Brown and Indigenous people with impunity (Taylor, 2015).

This reality made Confederate General Robert V. Richardson's claim all the more salient when he stated in 1865, "The emancipated slaves own nothing, because nothing but freedom has been given to them" (Foner, 2007, p. 6). Richardson was making explicit a U.S. based definition of freedom whereby self-ownership is restricted to wealthy white landowners and emancipation essentially casted largely illiterate and vanquished former slaves into a violently anti-Black free-market labor force (Foner, 2007).

One of the first acts of the Republican Congress during reconstruction, with great resistance from Democrats, including President Andrew Johnson (Lincoln's Vice president), was the passing of The Civil Rights Act of 1866. The act proclaimed "That all persons born in the United States and not subject to any foreign power, excluding Indians not taxed, are hereby declared to be citizens of the United States" (Rutherglen, 2013, p. 179). In defining the rights of American citizenship, the act read:

[s]uch citizens, of every race and color, and without regard to any previous condition of slavery or involuntary servitude, ... shall have the same right in every state and territory in the United States, to make and enforce contracts, to sue, be

parties, and give evidence, to inherit, purchase, lease, sell, hold, and convey real and personal property, and to full and equal benefit of all laws and proceedings for the security of person and property, as is enjoyed by white citizens, and shall be subject to like punishment, pains, and penalties, and to none other, any law, statute, ordinance, regulation, or custom to the contrary notwithstanding. (Rutherglen, 2013, p. 179)

The act also made it unlawful to deprive a person of any of these rights of citizenship on the basis of prior condition of slavery or involuntary servitude, “except as a punishment for crime...or by reason of his color or race, than is prescribed for the punishment of white persons, shall be deemed guilty of a misdemeanor...” (Rutherglen, 2013, p. 179). Then, in 1867 Congress passed the Military Reconstruction Act, which under military supervision granted suffrage rights to Black men in ten former Confederate states (Rutherglen, 2013, p. 57).

The passing of the Fourteenth Amendment in 1868, which extended “full and equal benefit of all laws” to “all persons born in the United States” was a highly contested process, beginning with fundamental questions about slavery (Curtis, 1990, 104). Foner (2006) explains that, “slavery was absolutely central to American life, politics, constitutionalism, economics before the Civil War. The abolition of that institution...raised all sorts of questions about what new systems, what new institutions, what new principles had to be implemented” (p. 429). According to Foner, “one of the purposes of the Fourteenth Amendment was to secure the supremacy of the Republican Party in the nation” because the Dred Scott supreme court decision “hovered over all of these deliberations” (p. 430). Foner goes on to explain,

It was a warning against the Supreme Court usurping power. But there was also a long tradition of...alternative constitutionalism which had no legal standing before the Civil War but had been articulated by abolitionists and some Radical Republicans. This other tradition of a unified nation-state with a single national

citizenship with all citizens enjoying the same rights, that vision had been legitimated, so to speak, by the Civil War and emancipation, and that's part of what a lot of members of Congress thought they were doing in drafting the Fourteenth Amendment. (p. 430)

To reenter the Union, Southern states were required to incorporate the mandates in the Thirteenth and Fourteenth amendments into their constitutions (Foner, 1988).

Despite these requirements, between 1865 and 1866 white state legislatures throughout the South had already begun to pass a body of laws known as the “Black Codes,” that became unofficial rules and practices by southern municipal authorities. In some states, Black Codes restricted property rights for Black Americans along with operating certain businesses and working in the skilled trades. Former slaves could not testify in court against whites, could not carry firearms or be interracially married (Appiah & Gates, 2005). Over all, Black Codes were sets of laws, statutes, and rules enacted to reassert white supremacy and to re-enslave freed slaves, ensuring an endless supply of cheap labor (Oshinsky, 1997). They involved vagrancy laws that deemed Black people who were unemployed or without permanent residence as being vagrant and subject to arrest and fines, and if unable to pay a fine, to be bound out as labor. Apprentice laws permitted the "hiring out" of orphans and other dependent youth to whites, who were often their former slave owners (Appiah & Gates, 2005). In the antebellum south, the practice of renting out poor white convicts, many of whom were debtors, was common practice.

Yet, Black Codes extensively criminalized Blackness and conveniently operationalized the Thirteenth Amendment’s stipulation whereby “slavery” and “involuntary servitude” are permissible in the case of “punishment for crime” (Zinn, 2003, p. 146). They also

violated the Civil Rights Act of 1866, which made it illegal to deprive rights of citizenship on the basis of prior enslavement “or by reason of his color or race, than is prescribed for the punishment of white persons...” (Rutherglen, 2013, p. 179). With Black Codes in place, as the federal government stood on the sidelines, Black “crime” and incarceration rates soared. The stage was set for the former slave owning class to turn to “convict leasing” whereby “localities leased convicts to the highest bidder, who then had the right to their labor” (Merritt, 2016, para. 5). Merritt (2016) goes on to explain:

In many instances, convict leasing was akin to a death sentence. One prison bureaucrat bluntly remarked that “if tombstones were erected over the graves of all the convicts who fell either by the bullet of the overseer or his guards during the construction of one of the railroads, it would be one continuous graveyard from one end to the other .(par. 6)

Between 1840 to 1860 professional police departments were established in northern industrialized cities following a quasi militarized model; at the behest of industrialists and protestant leaders, for the purpose of social control This was during the same period of time (and for the same purposes) that compulsory education was being instituted in the midst of growing fears that urbanization, immigration, poverty, labor strife, disease and “moral decay” were threatening the founders’ cultural political economy (Conser, Paynich, Gingerich and Gingerich, 2011, Kaestle, 2011, Reese, 2011). In the South, organized policing dates back to 1704 in the Carolina colonies with vigilante “Slave Patrols,” which functioned to capture and return runaway slaves, to terrorize slaves to prevent them from running away and to discipline slaves via “summary judgment” when plantations rules were violated (Potter, 2011, para. 6). Slave Patrols went on to serve as the template for the establishment of professional police forces in southern municipalities following Emancipation as a means to manage the surge in crime

of which Black Codes constructed (Conser, et al., 2011; Potter, 2011). As Potter (2011) puts it, the establishment of professional policing in the South served “as a means of controlling freed slaves who were now laborers working in an agricultural caste system... enforcing ‘Jim Crow’ segregation laws, designed to deny freed slaves equal rights and access to the political system” (para. 6).

As some Black Americans took steps to exercise their rights as U.S. citizens in the South with the protection of federal troops, most Northern states were still denying these rights or were taking new action to ban Black suffrage. Due to mounting backlashes against emancipation nationwide, many freed slaves, white abolitionists and “Radical Republicans” in Congress continued to work to enact laws and constitutional amendments to further protect the civil rights of Black Americans (Constitutional Rights Foundation, 2015; Foner, 1988). After Ulysses S. Grant narrowly won the presidency, with strong Democratic Party opposition, Republicans in Congress proceeded to pass the Fifteenth Amendment in 1870, due in large part to the newly established southern Black male vote. It read in part, “The right of citizens of the United States vote shall not be denied or abridged by the United States or by any State on account of race, color, or previous condition of servitude” and “The Congress shall have the power to enforce this article by appropriate legislation” (Library of Congress, 2015).

As reconstruction proceeded and despite the Civil Rights Act of 1866, the Military Reconstruction Act of 1867 and the passing of the Fourteenth and Fifteenth Amendments; white supremacist groups such as the Ku Klux Klan along with their allies in white state and municipal governments remained determined to maintain white supremacy. They did this through the strict enforcement of Black Codes and racial

terrorism, whereby the social control tactic of lynching became common practice. This often took the form of a celebratory public spectacle that involved a variety of techniques, including rape, torture, mutilation, dismemberment, immolation and hanging. These actions naturally traumatized newly emancipated Black Americans and threatened the prospective southern Black voting base of Republicans (Lynching in America, 2015).

With Congressional authority being challenged in the South, a series of Enforcement Acts were enacted to reinforce the Fourteenth and Fifteenth Amendments. The first of such, called the Enforcement Act of 1870, restated the Fifteenth Amendment's prohibition on "voter registration discrimination on the basis of race, color, or previous condition of servitude, laid out instructions for election officers and also outlined how the federal government would legally enforce it (Wang, 1994, p. 1021). The Enforcement Act of 1871 required all elections in the North and South to be under federal control, allowed federal circuit judges to appoint election supervisors and authorized U.S. Marshals to employ deputies to maintain order at polling places. The Ku Klux Klan Act passed in 1871 to reinforce the provisions of the Fourteenth Amendment by providing federal legal and military protection from groups conspiring to violate it (Wang, 1994). The final Reconstruction Era federal legislation was the Civil Rights Act of 1875, which made it explicit that Black Americans would have equal access and treatment in public facilities as well as commercial spaces that included inns, restaurants, theaters, buses, trains, etc. It also protected their right to serve on juries. The Act put the federal government in charge of enforcing its provisions. (Civil Rights Act of 1875, 2015).

In the decade after the Civil War, while a small proportion of Black Americans in the South voted, won elected office, and served on juries, most former slaves languished



in poverty and had no true social agency. Black Americans in the South desperately struggled to find jobs in order to survive while many white planters sought cheap labor. These dynamics, reinforced by Black Codes and racial terrorism within an economy that lacked cash or an independent credit system led to sharecropping; whereby white landlords (many were Antebellum plantation owners) kept former slaves (and many poor whites) in bondage as indentured tenant farmers (Ortiz, 2005).

In 1877 the Republican party was divided nationally, and the federal occupation of the South ended, leaving only the “parchment barriers” of the Constitution to protect Black Americans from the violently racist caste system known as Jim Crow, which entrenched itself across the South and beyond over the next 100 years (Leibiger, 1993, p. 447; Lynching in America, 2015). The system of Jim Crow enacted laws and social rules that further institutionalized Black Codes and racial segregation, with lynching serving as an ever-present instrument of racial terrorism and social control. Between 1877 until 1950, lynching claimed the lives of 3,959 men, women and children, passively aided by states and the federal government (Lynching in America, 2015).

In 1883 the Supreme Court ruled the Civil Rights Act of 1875 to be unconstitutional, arguing that prohibiting the segregation of public spaces violated the Constitution's sanctity of individual rights. This decision essentially signaled the federal government's support of Jim Crow. Naturally, many Black Americans were enraged by this decision, including a highly influential Black leader from Georgia named Henry McNeal Turner (1893) who described it as a “barbarous decision” that:

...entails upon the colored people of the United States every species of indignities known to proscription, persecution and even death itself...The world has never witnessed such barbarous laws entailed upon a free people as have grown out of the decision of the

United States Supreme Court...For that decision alone authorized and now sustains all the unjust discriminations, proscriptions and robberies perpetrated by public carriers upon millions...It has made the ballot of the black man a parody, his citizenship a nullity and his freedom a burlesque. (p. 3)

This Supreme Court decision was a foreshadowing of the Court's 1896 *Plessy v.*

*Ferguson* decision where it established that separate but equal facilities for Blacks and whites were indeed constitutional. The Court's finding that it violated individual rights under the Constitution meant that it also violated property rights by extending civil rights into the realm of commerce, as the Act did, and by doing so it violated the fundamental objective of the U.S. Constitution. The Civil Rights Act of 1875 was also a Congressional overreach in that it extended positive rights to Black Americans when it proclaimed, "That all persons within the Jurisdiction of the United States shall be entitled to the full and equal enjoyment of..." (Civil Rights Act of 1875, 2015).

Federal actions to emancipate former slaves expose how invulnerable the Constitution and its cultural, political, economic power structures are to emancipatory and democratic strivings. Additionally, it is an example of the Constitution's true power as an instrument of hegemony and a purveyor of hope for those who long to enjoy the rights it bestowed upon the founders and the white elite, who became the beneficiaries of the post-reconstruction economy. The ideological scripts that emanate from the Declaration of Independence and the U.S. Constitution make up the genetic code of the powerful nationalistic smoke screen that deceptively shapes the beliefs, attitudes and actions of the U.S. citizenry. In fact, it is these codes, or scripts, that define and determine U.S. citizenship. Thus, the murder, enslavement, exploitation and disenfranchisement of Native, Black and Brown people, immigrants, women and the working-class become

irrelevant, or are viewed as isolated events, when we are made to believe that as citizens of a democracy, “We hold these truths to be self-evident, that all men are created equal...are endowed by their Creator with certain unalienable Rights [natural and legal rights]...Life, Liberty and the pursuit of Happiness.” Or when we believe in the fairytale that is the Constitution’s preamble, “We the People of the United States, in Order to form a more perfect Union, establish Justice, insure domestic Tranquility, provide for the common defense, promote the general Welfare, and secure the Blessings of Liberty to ourselves and our Posterity...”. Still, the biggest dupe is the fact that this preamble is quite accurate when one considers its author - Thomas Jefferson - and to whom he was referring.

Fundamentally, what General Robert V. Richardson knew when he wrote, “The emancipated slaves own nothing, because nothing but freedom has been given to them” was that the U.S. Constitution - despite the “parchment barrier” freedoms the Thirteenth, Fourteenth and Fifteenth Amendments afforded to Black Americans - would not allow for the founders’ social order to be subverted by emancipation (Foner, 2007, p. 6; Leibiger, 1993, p. 447). Richardson knew that Congress, according to the founder's’ directives, would not provide positive rights to newly freed slaves through reparations in the form of land, money and a guarantee social agency. He also knew that the Constitution was bound to first and foremost protect the property rights of “the opulent” and that the political system was rigged to benefit his social class, the very same social class of the founders (Coffman, 2012, p. 532). It was clear to all of the guardians of the Constitution and the social order it maintained that these three amendments and their corresponding Civil Rights Acts only afforded negative rights - that permitted or required

federal inaction - while restricting recognition rights and forbidding distributive rights. This allowed white supremacist power structures to return with a vengeance under the brutal reign of Jim Crow, within the states' rights mandate and defended by the Supreme Court.

### **Retaining “Racial Solidity”**

After Spanish conquistadores conquered and nearly razed the Aztec capital of Tenochtitlán in 1521, Spain established the capital city of the Kingdom of New Spain (Spain's land claims north of Panama) on the site of Tenochtitlán. The city, later named Mexico City, would go on to rule over the colonized region that would three hundred years later become the nation of Mexico. The establishment of Mexico City was part of the Spanish Requerimiento, an extension of the Doctrine of Discovery that declared Spain's divine right to conquer, colonize, subjugate and exploit Native peoples in the Americas. Subsequently, Spain constructed a complex racialized caste system that reflected the interbreeding between and amongst the Spanish colonizers, the Natives they conquered and the Africans they enslaved. In their early colonies, most Spaniards were men and most of the women were Natives and (former or current) Black slaves. Thus, as part of the violence that is inherent to colonization, this “mixing of races” also resulted from widespread sexual violence (Black, 1995; Cushner, 2005, Martinez, 2004).

In the Spanish caste system in the America's, three major racial categories of people were constructed: Peninsulares, (white Spanish/Europeans) Native people, and Black Africans - that were then broken down into numerous subcategories. Under Peninsulares were Gauchapines, who were European born whites and Criollos, who were

whites born in New Spain. Mestizos were mixed blood Spanish-Native. Mulattos were mixed blood Spanish-Black. Castizos were people with one Mestizo parent and one Spanish parent, three parts Spanish, one-part Native. Cholos were persons with one Native parent and one Mestizo parent, three parts Native and one part Spanish. Morisco, a person with Mulatto and Spanish parents, three parts Spanish, one-part Black. Albino, a person with Morisco and Spanish parents, seven parts Spanish, one-part Black. Zambo, a person with Native and Black parents. Chino, a person with Mulatto and Native parents, one part Spanish, one-part Black, two parts Native. At their required Catholic baptism, all children in New Spain were assigned to their caste for life by the presiding priest (Martinez, 2004; Rodriguez, 2008).

Initial Spanish colonization policies in North America were spearheaded by Catholic Jesuits and conquistadores (Spanish soldiers and explorers), who served as appointed agents of the Spanish Crown. Together, they established missions and Haciendas (estates) as plantations, mines and factories on Crown-allotted Spanish land claims. Native people who lived on these land grants were considered an exploitable labor force for Catholic missions and haciendas. Within this structure, known as *encomienda-repartimiento*, entire Native villages were often forced to assimilate to Spanish beliefs and customs and to become servile Christian serfs and slaves. Thus, each Spanish mission and hacienda was structured around having a pool of Native laborers who were forced to work the farms, brick factories and silver and gold mines for Spanish overlords. As a form of franchise colonialism, the mission and *encomienda-repartimiento* system served to maintain and expand the wealth and power of the Catholic-Spanish empire through methods of domination intended to subjugate and assimilate Native

peoples to become “civilized” and loyal subjects of the racialized Spanish caste system (Black, 1995; Cushner, 2005; Valencia, 2005).

By the 18th century in New Spain’s northern territories, it was clear that the *encomienda-repartimiento* system was a failed policy due to persistent Native resistance and uprisings as well as increasing territorial threats posed by other imperialist powers (France, England and in time the U.S). Instead, settler colonization began to be prioritized by Spain, while missions and their “civilizing” and Christianizing charge persisted (largely in California) into the early 19th century (Weber, 1992).

The Mexican War of Independence (1810-1821) was largely fought by those at the bottom of the Spanish caste system who were seeking emancipation from Spanish domination. Following independence, Mexico officially ended the cast system, whereupon it persisted as a racialized class system. Slavery in Mexico was abolished in 1829 (Cushner, 2005; Valencia, 2005; Vincent, 1994). The low density and racially mixed population in Mexico’s North American territories made it easier for white settlers from the U.S. to deem these regions theirs for the taking, starting with Texas. Under the pretext of the Doctrine of Discovery, rebranded as Manifest Destiny, the U.S. declared war on Mexico in 1846 as a means to annex the entire southwest. When the war ended in 1848 under the Treaty of Guadalupe Hidalgo, the U.S. had annexed Mexico’s northernmost lands that would eventually become Texas, California, New Mexico, Arizona, Nevada, Colorado, Utah, Wyoming and Kansas (Perea, 2003). As Perea (2003) described it:

White supremacy was a central component of the ideology of Manifest Destiny, which justified the conquest of Mexico as a divine Anglo-Saxon racial right. The mixed races of Mexicans posed an affront to Anglo ideals of racial purity. Some

white politicians believed the mixed races of Mexicans posed a grave threat to democracy itself. Ultimately, these racial factors played a decisive role in determining the amount and location of Mexican territory that the United States would keep as the spoils of war. (p. 285)

In the U.S., colonization enacts structural racialization as a means to sanction conquest, slavery, annexation and exploitation. These horrifically violent and flagrantly undemocratic structures, policies and practices are trans-generational and a constant throughout U.S. history (Blauner, 2001). As settler colonialism has done with Native people once they were conquered, policies were imposed on Mexican Americans intended to constrain and regulate their future generations.

As reported by sociologist Robert Blauner, one of three conditions associated with colonized subjects “is that of forced entry into the larger society or metropolitan domain (p. 46). In terms of the annexation and conquest of Mexico’s territories, this includes the U.S. objective of expanding slavery into Texas and the right to exert supremacy over the inconceivable existence of the racially mixed Mexican citizenry. When Mexico initially refused to give up its northern territories, the U.S. seriously considered conquering the whole of Mexico. This idea met with steep opposition in terms of what it would mean to incorporate such a large population of “inferior races” (Delgado, 2003). Reflective of popular white attitudes of the time, writer and journalist Rufus Sage (1859) wrote:

There are no people on the continent of America, whether civilized or uncivilized, with one or two exceptions, more miserable in condition or despicable in morals than the mongrel race inhabiting New Mexico... To manage them successfully, they must... be held in continual restraint, and kept in their place by force, if necessary,- else they will become haughty and insolent. As servants, they are excellent, when properly trained, but are worse than useless if left to themselves. (p. 226)

John Calhoun, a prominent Democratic Senator, was outspoken about his opposition to the annexation because of these implications, claiming in 1845:

[It is without example or precedent, either to hold Mexico as a province, or to incorporate her into our Union. We have conquered many of the neighboring tribes of Indians, but we have never thought of holding them in subjection-never of incorporating them into our Union. They have either been left as an independent people amongst us, or been driven into the forests. I know further, sir, that we have never dreamt of incorporating into our Union any but the Caucasian race-the free white race. To incorporate Mexico, would be the very first instance of the kind of incorporating an Indian race; for more than half the Mexicans are Indians, and the other is composed chiefly of mixed tribes. I protest against such a union as that! Ours, sir, is the Government of a white race. Are we to associate with ourselves as equal, companions, and fellow citizens, the Indians and mixed race of Mexico? Sir, I should consider such a thing as fatal to our institutions. (pp. 64-65)

Calhoun went on to declare, "I hold it in reference to this war a fundamental principle, that when we receive territorial indemnity, it shall be unoccupied territory" (p. 56). The press celebrated this position, with the Washington Post referring to it as being "encumbered by only 100,000 Mexicans" (Merk & Merk, 1963, p. 189).

The U.S. politicians who were drafting and would ratify the Treaty of Guadalupe Hidalgo had concerns about Mexican participation in political processes and therefore modified some provisions of the treaty in order to undermine Mexican participation. In Article VIII of the treaty, while Mexicans who chose to stay in the conquered territories were to become U.S. citizens, Congress did so knowing that the Constitution left it up to state's to determine voting rights. Additionally, the final version of Article IX of the treaty gave Congress discretion to admit states that contained larger populations of Mexicans when Congress decided it to be the "proper time." The Article stated:

The Mexicans who, in the territories aforesaid, shall not preserve the character of the citizens of the Mexican Republic... shall be incorporated into the Union of the United States and be admitted, at the proper time (to be judged of by the Congress



of the United States) to the enjoyment of all the rights of citizens of the United States according to the principles of the Constitution. (Green, 2015, p. 24)

White fears of legal equity for Mexicans was calmed by the final treaty, as reflected in the New Orleans Picayune in 1848:

In the annexation of New Mexico and California the United States will incur none of the danger which have been predicted of admitting a race of men, differing from us in language, religion, descent, laws, manners, and social condition to an equal participation in the benefits and responsibilities of free government. The country thus acquired is comparatively unsettled, and by the time it has a population enough to send a member of Congress, will be thoroughly Americanized. So all of the forebodings concerning the appearance in the Senate or House of Representatives of a thorough-bred Mexican or half-breed Mexican will be dissipated. (Joseph & Rosenberg, 2001, p. 148)

Native tribes on the newly conquered lands were Mexican citizens, but were denied U.S. citizenship under the Treaty of Guadalupe Hidalgo (Klein, 1996).

Due to the California gold rush, the state's white population dramatically increased and soon became the majority. Since California's 1849 state constitution only granted suffrage rights to white males, it was promptly allowed to become a state in 1850. Texas was granted statehood as early as 1845 because it too maintained white political control. In contrast, New Mexico remained a federal territory for another sixty-two years due to fear that its majority Mexican population would rule over white settlers (Delgado, 2003).

In 1902 a bill was introduced before Congress proposing statehood for New Mexico Arizona, and Oklahoma. In the Senate the bill came to Senator Albert Beveridge, the Chairman of the Senate Committee on Territories. While leading hearings about the bill, Beveridge centered his questioning on the fitness of New Mexico for statehood based on "the differences in the races, and the relative proportions of each" and the

prominence of the Spanish language, particularly amongst children (Delgado, 2003, p. 300). Due to these concerns, Beveridge recommended to indefinitely withhold statehood for New Mexico and Arizona. When Beveridge reported his committee's conclusions, he wrote:

On the whole, the committee feel that in the course of time, when education... shall have accomplished its work; when the masses of the people or even a majority of them shall in the usages and employment of their daily life have become identical in language and customs with... the American people; when the immigration of English-speaking people who have been citizens of other States does its modifying work with the "Mexican" element-when all these things have come to pass, the committee hopes and believes that this mass of people, unlike us in race, language, and social customs, will finally come to form a creditable portion of American citizenship. (Prince, 2010, p. 100)

In 1910 New Mexico was granted statehood after a simple majority of its population was determined to be English-speaking. The New Mexico Enabling Act of 1910 mandated that public education "shall always be conducted in English" while the "ability to read, write, speak and understand the English language without an interpreter shall be a necessary qualification for all state officers and members of the state legislature" (Delgado & Stefancic, 1998, p. 76). In this regard, Beveridge wrote, "since we are about to admit this Territory as a state of the Union, the disposition of its citizens to retain their racial solidity, and in doing so to continue the teaching of their tongue, must be broken up" (Delgado & Stefancic, 1998, p. 600).

The Mexican Revolution (1910-1920) created massive economic and political turmoil throughout Mexican society. This resulted in over one million Mexicans migrating north between 1910-1930 to find work in U.S. agribusiness and industry (Ruiz, 2003). In doing so, "they settled into existing barrios and created new ones in the Southwest and Midwest (Ruiz, 2003, p. 23). Ruiz goes on to explain how this surge in

immigration, as well as more that would follow, created “a unique layering of generations...in which ethnic/racial identities take many forms—from the Hispanos of New Mexico and Colorado, whose roots go back to the 18<sup>th</sup> century, to the recently arrived who live as best they can in the canyons of northern San Diego County” (2003, p. 23). As has always been the case with all racialized groups in the U.S. democracy, the inherent violence of the nation’s cultural political economy has persistently resulted in the dehumanization, persecution, impoverishment, criminalization, exploitation and murder of Mexican Americans. For example, during the era of Jim Crow following Reconstruction and into the 20<sup>th</sup> century, approximately 600 lynchings of men and women of Mexican origin occurred mainly in the Southwest, but also in western and southern states (Delgado, 2009). Many of the precipitating events were similar to those of the lynching of Black Americans - being “uppity,” taking white jobs, to obtain land, men showing interest in white woman, women resisting sexual advances of white men. Many Mexican and Mexican Americans were also lynched for speaking Spanish or for being “too Mexican” (Delgado, 2009, p. 299). As with Black Americans, Mexican lynching’s often occurred as celebratory public spectacle with full knowledge and participation of white law enforcement and other state officials (Delgado, 2009).

At the approach of the 20<sup>th</sup> century the population increased, borders broadened and the intensely inequitable industrial economy became a primary determinant of social conditions; while the nation's white political elite turned their attention to developing even more extensive and efficient mechanisms of social control. Expansion of the nation's public education system was prioritized as an essential component of its growing infrastructural power, fueled by the canons of social efficiency and nationalism; whereby

schooling serves the function of implanting the essential “selective traditions” and cultural scripts that bolster an inherently inequitable cultural political economy (Williams, 1973). The foundation for this system of mass education as a primary instrument of hegemony was established three decades prior to the Civil War.

### **Fear of the “Yellow Peril”**

Within the shadow of the U.S. Naturalization Act of 1790, which allowed only "free white persons" to become naturalized citizens, Chinese immigrants poured into recently conquered Mexican and Native lands of western North America (Wepman, 2002, p. 366). Beginning in the 1850s, Chinese immigrants became a reliable low-wage source of labor of which the mining, agricultural, garment and railroad industries eagerly exploited. In the decades following the Civil War, as Chinese immigrant numbers swelled and white labor unions were gaining prominence within a panorama of white supremacy, industrial capitalism and perpetual economic crisis; a wave of state and federal laws and Supreme Court Decisions that targeted Chinese and Asian people generally were instituted (Abrams, 2005). Within this context, animosity and violence against Chinese workers who worked for less pay and “worked too hard, saved too much, and spent too little” became commonplace (McClain, 1994, p. 10) Using a white supremacist rationale, Chinese and other Asian ethnic groups were demonized as stealing jobs away from true Americans, who could only be white workers regardless of their citizenship status (Abrams, 2005).

This was an era when slave rebellions and other emancipatory struggles were disrupting the Atlantic Slave trade and the structure of chattel slavery within European

colonies across the globe. Many colonies therefore turned to importing Chinese “coolies” (forced labor or indentured servants) as a new slave labor force. Many scholars and historians agree that during this period, Chinese workers in the U.S worked voluntarily as independent laborers, as contract labor with companies or as members of worker co-operatives (Center for Race and Gender, 2012). The coolie label became a political weapon used against Chinese immigrants by white labor unions, state and federal lawmakers and civil society. According to Ngai (2012), as documented by the University of California, Berkeley Center for Race and Gender, “the ‘coolie’ myth rose in part due to a racial investment in the trope, suggesting that white workers, California politicians, and later, historians, positioned Chinese miners within a framework of African American slavery in order to ‘write them out of citizenship’” (para. 2). Berkley’s Center for Race and Gender (2012) goes on to report that Ngai decodes “the ‘coolie’ conceptualization of Chinese miners as consistent with Orientalist ideas that do not ascribe workers with individuality, personality, or will” (para. 2).

With the passage of the Fourteenth Amendment in 1868, the Naturalization Act of 1790 was amended in 1870, extending naturalization rights (symbolically) to "persons of African nativity or descent" while continuing to deny Asians and Native people citizenship rights (Ngai, 1999, p. 81). Within this context, also in 1870, labor unions comprised of mechanics and shoemakers in California held an "Anti-Chinese Convention" in San Francisco as part of organized labor’s entry into California state politics. Thus, while the convention generated a political platform that advocated for the eight-hour workday, it also called for the exclusion of Chinese people from California. The platform was justified by linking Chinese coolie labor as not only undermining white

workers, but also American democracy (Stimson, 1955; Abrams, 2005). As documented by Abrams (2005) in the *Columbia Law Review*, documentation from the Anti-Chinese Convention in part read:

[T]he system of importing Chinese or Asiatic coolies into... the United States, is in every respect injurious and degrading to American labor, forcing it, as it does, into unjust and ruinous competition, placing the white workingmen entirely at the mercy of the coolie employer, and building up a system of slavery in what should be a free land...[T]his evil attacks the most sacred rights of the American people, the stability of our Government and its institutions... and as such must be classed as a national calamity, to be removed and crushed out by the enactment of laws, having for their end the entire suppression of Chinese importation or immigration, whether voluntary or otherwise (p. 652).

In the early 1870s, the majority of Chinese women who migrated to the U.S. came as prostitutes (“indentured servant girls”), while a small percentage were the wives of merchants and laborers, “confined to the domestic sphere and subordinated by men, with few opportunities to maneuver against the constraints imposed by racism and sexism” (Ngai, 1996, para. 7). The Page Act of 1875 exploited these circumstances and on face value sought to ban Chinese prostitution as being an affront to American moral values. This federal legislation effectively labeled Chinese women as prostitutes and served as the pretense for excluding Chinese women from the U.S. in general; in effect preventing the birth of Chinese American children and impeding the growth of Chinese American communities (Chan, 1991; Abrams, 2005). Therefore, the Page Act was a method that served a larger goal:

Without women there would be no children. Without women Chinese men were marked as temporary ‘sojourners’ - a vulnerable and temporary ‘bachelor society’ whose allegiance was challenged, whose gender identity questioned, and whose civic status was precarious” (National Women’s History Museum, 2016, para. 2).

Although the population of Chinese immigrants was modest, anxieties about Chinese immigration only intensified as the century unfolded, “imagined” as a “yellow peril” and “the thin edge of an invasion by millions of ‘heathens’ and ‘coolies’” that “was much less about the Chinese... than sentiment among whites that they held a racial entitlement to the resources of the West” (Ngai, 2015, para. 5). In 1879 President Rutherford Hayes warned against the “Chinese invasion” as being “pernicious and should be discouraged” (Wepman, 2002, p. 165). Hayes went on to exclaim, “[o]ur experience in dealing with the weaker races--the Negroes and Indians ... is not encouraging... I would consider with favor any suitable measures to discourage the Chinese from coming to our shores” (Wepman, 2002, p. 165).

Fomented by these events, in 1882, 1913, 1917, 1920, 1923, 1924 and 1934 Congress passed a series of exclusionary laws, supported by Supreme Court decisions (1884, 1889, 1895, 1905, 1922 and 1923), that prohibited immigration from China, India, Japan and the Philippines and denied citizenship and property ownership for members of those groups who resided in the U.S. (Lowe, 1996). While these federal laws did not explicitly identify Asians as one racialized category, combined with the eventual repeal acts that overturned them following WWII; they constructed “a common racial categorization for Asians that depended on consistently racializing each national-origin group” as being inferior to whites (Lowe, 1996, p. 19).

Decades before American businessmen overthrew the Hawaiian monarchy in 1893 facilitating the U.S. empire to then seize the Hawaiian Islands in 1898 as a strategic military and trade colony; U.S. missionary settlers established large sugar cane plantations and processing corporations known as the “Big Five” (Kent, 1993; Okihiro, 2015; Whitehead, 1999). The Big Five went on to rule over Hawaii as a white oligarchy, effectively dispossessing the Islands indigenous people and controlling all aspects of government, the economy and social and cultural life (Coffman, 2003; Okihiro, 2015). These events along with the introduction of western born disease annihilated Hawaiians and led to their depopulation (Stannard, 1989). In the 1880’s, with the U.S. Chinese Exclusion Act of 1882 largely ridding Chinese labor from Hawaii, the Hawaiian (via the Big Five) and Japanese governments negotiated an agreement to recruit large numbers of young and mostly male Japanese farmers as contract labor to work as cheap contract labor for Hawaii’s sugar cane industry (Kent, 1993).

During a period of economic hardship and a fungus blight in vineyards in Portugal during the 1870s, the Hawaiian government (the Big Five) Portuguese farmers to immigrate to Hawai’i to work in sugar plantations (Comen, 1903). Although recruitment for Chinese and Japanese laborers in Hawaii emphasized single men, the same did not hold true for Portuguese laborers, who overwhelmingly were able to bring their families with plans to stay permanently immigrate (Shoemaker, 1940). According to the Hukilau Network (2016),

As Europeans, the Portuguese were treated differently than Asian workers - they were offered an acre of land, a house and improved working conditions - but remained below haole [white] owners in the plantation hierarchy. Portuguese were often employed as middlemen between owners and Asian workers, becoming lunas or supervisors. They also worked as strikebreakers during labor



disputes. While Portuguese proved themselves good workers, few renewed their contracts, preferring instead to buy their own land and work their own farms. (para. 4)

Unlike Chinese and Japanese laborers, as white Europeans the Portuguese easily became U.S. citizens once Hawai'i was formally seized as a U.S. Territory (Hukilau Network, 2016)

By 1887, Hawaiians had been reduced to 17% of the labor force and by 1899 they only comprised 3% (Barkan, 1999). By 1900, according to Barkan (1999), "the ethnic distribution of people in the Islands was as follows: Hawaiian, 29, 799; Part-Hawaiian, 9,857; Caucasian, 26, 819; Chinese, 25, 767; Japanese, 61,111; Negro, 233; and Other Groups, 415. The Caucasian population was divided into 18,272 Portuguese and 8,547 "Other Caucasians" (p. 268).

Well into the 20<sup>th</sup> century, Asian ethnic groups who emigrated to the U.S. were collectively characterized by many white Americans, government officials and industry leaders as a threat to "American values" and often referred to as a "Yellow Peril" (Lee, 2007). During the late 19<sup>th</sup> century, Japanese immigration to the U.S. Pacific Coast flourished, most entering as laborers working for vegetable industries in California and railroad companies throughout the Northwest. Within the context of the racist "Yellow Peril" narrative and as tensions mounted between the U.S. and Japan leading up to World War II, Japanese American citizens and residents (already legally prevented from owning property and interracial marriage) were further subjected to discrimination and violence, rationalized by unfounded suspicions of disloyalty (Saito, 1997). Although German and Italian American's were not feared to be agents of Hitler and Mussolini, Japanese

Americans were cast as a sinister race and inherent agents of Imperial Japan (JARDA, 2005).

In early 1941 President Roosevelt took steps to address fears of the sinister intent of Japanese Americans by appointing a number of investigators, most notably a wealthy businessman (and alleged intelligence agent) named Curtis B. Munson to investigate Japanese Americans on the Pacific Coast to determine if they were a national security risk. Munson spent months traveling throughout the region interviewing military officers, military commanders, municipal leaders, FBI agents, Japanese Americans and those associated with them (Kashima, 2011; Munson, 1946). When Munson's investigation was complete, he turned in an intelligence report on November, 7, 1941 titled *Report on Japanese on the West* (better known as the Munson Report), which concluded:

There is no Japanese 'problem'... [t]here will be no armed uprising of Japanese. There is far more danger from Communists and people of the Bridges type [homeless people]... than there is from Japanese. For the most part the local Japanese are loyal to the United States or, at worst, hope that by remaining quiet they can avoid concentration camps or irresponsible mobs. We do not believe that they would be at least any more disloyal than any other racial group in the United States with whom we went to war. (Kashima, 2011, p. 40)

Additional intelligence reports communicated to FDR during this time included a letter from John Steinbeck, which was solicited by an intelligence agent who knew that Steinbeck was closely associated with the Japanese community in Salinas, California. Steinbeck summarized his thoughts by writing, "there is no reason so far to suspect the loyalty of Japanese-American" (Daniels, 2011, p. 212). According to Durand (2010) in October 1941 Munson confided (not in his report), "the Japs here are in more danger from us than we are from them" (p. 74).

The U.S. declared war on Japan on December 8, 1941, the day after the Japanese attack on Pearl Harbor. Two months later, ignoring his own administration's intelligence findings and defying his Attorney General's (Francis Biddle) council against it, FDR signed Executive Order 9066 on February 19, 1942 (Ng. 2002). This presidential action ordered the evacuation and indefinite incarceration of 120,000 people of Japanese descent, of all ages, most of whom were U.S. citizens, with many more being legal permanent resident "aliens." The evacuation involved those who lived in "military areas" that included all of California and much of Oregon, Washington and Arizona (Hatamiya, 1994; Kashima, 2011).

In February 1942, as World War II intensified and Japanese American incarceration was being enacted, Curtis B. Munson warned, "we are drifting into a treatment of the Japanese corresponding to Hitler's treatment of the Jews" (MacDonnell, 2005, p. 85). In the same month U.S. Army General Ralph Van Deman, known as the "The Father of American Military Intelligence," expressed that the removal of Japanese communities from the West Coast is "about the craziest proposition that I have heard of yet" (Persico, 2002, p. 168).

Racist fervor only intensified across the U.S., propelled within the nation's "halls of power." This included Congressman and New Deal Democrat John Rankin, who in 1920 proposed a bill to prohibit interracial marriage and opposed bills that would have made lynching a federal crime, claiming on December 15, 1941, "I'm for catching every Japanese in America, Alaska, and Hawaii now and putting them in concentration camps... Damn them! Let's get rid of them now!" (Neiwert, p. 125). General John L. DeWitt, the commander of Western Defense Command, went on to declare, "A Jap's a

Jap, and that's all there is to it...[t]he Japanese race is an enemy race, and while many second and third generation Japanese born on American soil, possessed American citizenship, have become 'Americanized,' the racial strains are undiluted" (Wu, 2003, p. 96). In January 1942, Hearst syndicated columnist Henry McLemore wrote a widely distributed column claiming:

I know this is the melting pot of the world and all men are created equal and there must be no such thing as race or creed hatred, but do those things go when a country is fighting for its life? I am for immediate removal of every Japanese on the West Coast to a point deep in the interior. I don't mean a nice part of the interior, either... Herd 'em up, pack 'em off and give them the inside of the badlands. Let 'em be pinched, hurt, hungry, and dead up against it. (Kashima, 2011, pp. 71-72)

In February 1942, FDR appointed Secretary of War Henry L. Stimson wrote in his diary, "their racial characteristics are such that we cannot understand or trust even the citizen Japanese" (Neiwert, 2015, p. 124). To (re)humanize these violently dehumanizing narratives, Satsuki Ina (2001) explains,

Acts of racism are generally impersonal, based not on who the victim is or what the victim does, but on the very fact of his/her existence as a person of color. The psychological sequelae [ramification] of being accused, demeaned, and then stripped of freedom because of one's race, however, is a particularly difficult trauma to bear. Inherent in this dehumanization process is the threat of death or serious injury, and its ensuing fear and helplessness. With the suspension of their protection under the Constitution of the United States, and in the absence of any organized advocacy on their behalf, the Japanese Americans were defenseless and without recourse. (p. 13)

The stage was set for Congress to pass Public Law 503 on March 21, 1942 as an enforcement measure in support of Executive Order 9066. The only expression of concern to the law came from Ohio Republican Senator Robert A. Taft (notorious for further restricting union rights under the Taft-Hartley Act) when stated, "I think this is probably the 'sloppiest' criminal law I have ever read or seen anywhere" (Kashima, 2011,

p. 99). Taft went on to add, "I have no doubt that in peacetime no man could ever be convicted under it, because the court would find that it was so indefinite and so uncertain that it could not be enforced under the Constitution" (Kashima, 2011, p. 99). In response to these action, FDR attorney general Francis Biddle wrote, "The Constitution has not greatly bothered any wartime President" (Baker & Stack, 2006, p. 25).

In 1942, as an act of conscience and civil disobedience, a young Japanese American student named Gordon Hirabayashi refused to obey Executive Order 9066 and Public Law 503, which resulted in his prosecution, imprisonment and an appeal to the U.S. Supreme Court, in what is known as the *Hirabayashi v. United States* case. In 1943, the U.S. Supreme Court ruled against Hirabayashi, once again upholding the constitutionality of racism. These totalitarian federal actions were again upheld by the Supreme Court in the 1944 case of *Korematsu v. United States* (Hirabayashi, 2013). Both of these Supreme Court rulings, along with many others, further reveal the true intent of the founding fathers social order. They also confirm the legality of British military and political leader Oliver Cromwell's infamous maxim that "necessity hath no law" (Dougherty, 2008). In terms of the United States, the "necessity" in these and other legal cases is the preservation of white supremacy.

Treated as prisoners of war, incarcerated Japanese Americans were dispersed to live in ten military prison camps located in remote areas of Colorado, Arizona, Wyoming, Arkansas, California, Idaho and Utah. Within these "camps" (prisons) they were guarded by armed military personnel, surrounded by high barbed wire fences, housed in military style barracks and subjected to weather conditions that were often extreme (Ng, 2002; Thomas & Nishimoto, 1969). Families (those who were kept together) lived in one room

cells, heated by a small stove and slept on Army issued cots and blankets. Bathing and laundry entailed sharing larger common areas with other families, while meals were served in military style mess halls where they were forced to eat bland innutritious food. At one prison in Arizona, “7,700 people crowded into space designed for 5,000. They were housed in mess halls, recreation halls, and even latrines. As many as 25 persons lived in a space intended for four” (Thomas & Nishimoto, 1969, p. 39). At another prison in Idaho, “everyone was forced to use outhouses since the sewer system had not been built. For about a year, the residents had to brave the cold and the stench of these accommodations” (Kashima, 2011, p. 160). As Satsuki documents (2001),

The most insidious stress resulted from the humiliation and psychological assaults that internees suffered. Tagged with numbers like prison inmates, many experienced feelings of shame or self-blame. Not unlike victims of rape, they felt somehow responsible for their fate. The indignities of the daily lack of privacy in all aspects of their lives took its toll. However, the racism underlying the suspicions of disloyalty caused the broadest psychological assault. Stripped of their civil liberties and denigrated because of their ethnicity, the fact that race was a primary factor behind the internment, magnified the feelings of helplessness of the Japanese Americans. (p. 12)

For those who were incarcerated, according to Jenson (1997), “[l]ong-term health consequences included psychological anguish as well as increased cardiovascular disease... former internees had a 2.1 greater risk of cardiovascular disease, cardiovascular mortality, and premature death than did a non-interned counterpart” (p. 12). The suicide rate for prisoners was two times higher than the national population and “as much as a four fold increase over pre-incarceration rates” (Jenson, 1997, pp. 12-13).

George Takei, who famously played Lt. Hikaru Sulu in the television series Star Trek, was imprisoned as a child in one these prison camps. At the age of five, according to Takei, he and his family “were forced from our home in Los Angeles at gunpoint by

U.S. soldiers and sent to Rohwer, all because we happened to look like the people who bombed Pearl Harbor” (Madoff, 2014, para. 6). His describes how his childhood during those years was spent “in the swamps—fetid, hot, mosquito-laden. ... Block 6, Barrack 2, Unit F. We were little more than numbers to our jailers, each of us given a tag to wear like a piece of luggage. My tag was 12832-C” (Madoff, 2014, para. 6).

When the war ended in 1945, Japanese American citizens deemed to have “undisputed loyalty” were permitted to return to the West Coast (Close, 2014, p. 125). The last prison closed in March 1946. After their release, many former prisoners were subjected to hostility, discrimination, harassment as well as acts of terrorism and physical violence. One such case involved the Doi family in California, who after being imprisoned, returned to the home they owned in a community they had resided in for a long-time (Niiya, 2016). According to Brian Niiya (2016), upon their return,

...the Dois were confronted with a two night ordeal that involved the attempted dynamiting and burning down of their packing shed, followed by shots fired at their house from passing cars. One of the Doi sons, Shig, was at that time serving in the 442nd Regimental Combat Team in Europe, having just taken part in the rescue of the Lost Battalion. As he recounted in a later interview, "See, I was getting shot at from the enemy, and then at home in my own country, people were shooting at my dad. I was risking my life for this country, and my government was not protecting my folks. And they come home from camp with nothing. (para. 3)

The four men responsible for the attack on the Doi family were eventually arrested. Leading up to their trial, one of the men confessed and implicated his three co-defendants. Making no attempt to argue their innocence, their defense attorney instead referenced the Bataan Death March as means to argue that their violence was defensible because "[t]his is a white man's country" and that the jury should help to keep it that way. All four of the men were acquitted of all charges (Niiya, 2016, para. 5).

In 1948 Congress passed a law that reimbursed those who were imprisoned. It was not until 1988, after many prisoners had died, that Congress agreed to compensate each survivor twenty thousand dollars for the violation of their civil liberties (Minami, 2004).

### **Another Look at Franklin Delano Roosevelt**

President Franklin Delano Roosevelt is widely celebrated by American “progressives” for fathering the New Deal, which encompassed financial regulations, union rights and a number of social programs. While FDR’s extramarital affairs are well known, what is less known is his racist and anti-Semitic worldview and white supremacist loyalties, which contributed to the suffering and death on millions of the most vulnerable people.

According to historian Greg Robinson (2009), in a 1923 essay FDR expressed how Japanese, Chinese, Filipinos, and Indians “should be excluded, on racial grounds, from equal citizenship and property rights with whites” (p. 38). Robinson (2012) goes on to report that FDR claimed this was necessary “to protect America’s racial purity” (p. 17). FDR penned an article in 1925 that stated, “Anyone who has traveled to the far east knows that mingling Asiatic blood with European or American blood produces, in nine cases out of ten, the most unfortunate results” (Robinson, 2009. p. 40).

When elected president in 1933, FDR inherited the racist and unconstitutional program known as the “Mexican Repatriation Program” (Pegoda, 2013). In the midst of the Great Depression when unemployment was high and Jim Crow was flourishing, racist targeting of Mexican Americans and Mexican laborers intensified (Lassiter & Crespino,



2010). Within this context, the Mexican Repatriation Program, coordinated between federal, state, local governments and industry deported to Mexico more than one million people of Mexican ancestry living in the U.S (Balderrama & Rodriguez, 2006).

Approximately sixty percent of those were Mexican American citizens (Johnson, 2005).

According to Johnson (2005):

It is clear today that the conduct of federal, state, and local officials in the campaign violated the legal rights of the persons repatriated, as well as persons of Mexican ancestry stopped, interrogated, and detained but not removed from the country. The repatriation campaign also terrorized and traumatized the greater Mexican-American community. (p. 5)

Roosevelt actively supported the program during his first term in office and thereafter passively allowed the program to continue into the 1940's. When World War II led to a shortage of farm workers, FDR negotiated the 1942 Bracero Program with Mexico, which was a "guest worker" program that allowed Mexican farm laborers to enter the U.S. on a temporary basis (Castillo, 2016; Meier & Ribera, 1993; Saenz & Murga, 2011; Mize, 2005). According to Mize (2005), "[t]hrough the specific link has not been directly demonstrated, it is certainly more than coincidence that only six months previously, thousands of Japanese farmers and farm laborers (mostly residing in California) were detained as suspected 'dangerous enemy aliens'" (p. 284).

As a presidential candidate and during his four terms in office, Roosevelt had a close relationship with Southern Jim Crow Democrats ("Dixiecrats") and often went out of his way to not disrupt the "southern way of life" of Jim Crow (Katznelson, 2013).

Thus, he remained silent on segregation and in 1935 refused to support the federal anti-lynching legislation of the Costigan-Wagner bill (McAdam & Kloos, 2014; Poole, 2006; Katznelson, 2013). In 1937 FDR appointed Hugo Black, a U.S Senator from Alabama

and known member of the Ku Klux Klan, to the U.S. Supreme Court. Black went on to validate FDR's decision to incarcerate Japanese Americans by writing the court's majority opinion in the case of *Korematsu v. United States* (Gannis, 2011; King & Smith, 2011; Serrano & Minami, 2003). In 1941 FDR appointed James F. Byrnes, a former U.S. Senator from South Carolina and staunch segregationist to the U.S. Supreme Court. Barnes left the court a year later to serve as FDR's Director of Office of Economic Stabilization and between 1943-1945 served as the Director of FDR's Office of War Mobilization (Chappell, 2004; Mihalkanin, 2004). Barnes was on FDR's short list for Vice President in 1944 (Mihalkanin, 2004; Pederson, 2009).

Catering to the demands of Dixiecrats, FDR excluded Black workers from key provisions of the New Deal "to preserve the quasi-plantation style of agriculture that pervaded the still-segregated Jim Crow South" (Perea, 2011, p. 98). To do so, the New Deal was crafted to to exclude agricultural and domestic workers from the Social Security Act (old-age benefits), the National Labor Relations Act (union rights) and the Fair Labor Standards Act (pay and hours standards) which established federal minimum wage and maximum working hours mandates (Perea, 2011). At the time, sixty-five percent of the Black workforce were agricultural and domestic workers. Filipino, Native, Japanese and other subordinated groups also made up a significant portion of the farm and domestic labor force (Kushner & Corona, 1975). Writing in the *Ohio State Law Journal*, Juan Perea (2011) goes on to explain:

During the New Deal Era, the statutory exclusion of agricultural and domestic employees was well-understood as a race-neutral proxy for excluding blacks from statutory benefits and protections made available to most whites. Remarkably, despite these racist origins, an agricultural and domestic worker exclusion remains on the books today, entirely unaltered after seventy-five years. Section

152(3) of the National Labor Relations Act still excludes agricultural and domestic workers from the protections available under the Act. (p. 96)

Immediately following the 1936 Berlin Olympics hosted by Nazi Germany, FDR only invited white U.S. Olympians to the White House, excluding eighteen Black athletes, including the four-time gold medal winner Jesse Owens (Reed, 2015). Owens would go on to comment, “Hitler didn’t snub me—it was our president who snubbed me. The president didn't even send me a telegram” (Reed, 2015, para. 17).

FDR came from a wealthy aristocratic family who, like many patrician families of the time, were openly anti-Semitic. While serving as an Overseer of Harvard University in the 1920’s, FDR initiated quotas on Jewish admission to the University (Duffy, 2010). In a 1925 article, FDR called for restricting European immigration “for a good many years to come” so that the U.S. could “digest” and Americanize those already here (Robinson, 2012, p. 16). Thereafter, according to FDR, the U.S. should only admit the most “assimilable,” or more specifically, those with “European blood of the right sort” (Robinson, 2012, pp. 16-17). Based on his later actions (or inactions) and statements as president, it can be surmised that he was in part speaking of European Jews. In 1936, outraged over a tax maneuver the recently deceased publisher of the New York Times, FDR characterized a tax maneuver by the Jewish publisher of the New York Times as “a dirty Jewish trick” (Duffy, 2010, p. 198).

During November 1938, at the encouragement of the Nazi government, violent mobs unleashed a two-day reign of terror on Jewish communities throughout Germany, Austria and the Sudetenland. As police and fire brigades stood by, 91 Jewish people were murdered, 267 synagogues and 7,500 Jewish businesses were burned, looted and

vandalized and numerous Jewish cemeteries hospitals, schools and homes were severely damaged. Kristallnacht is considered a pivotal turning point in the Nazi escalation of the Jewish Holocaust (Medoff, 2014; US Holocaust Memorial Museum, 2016).

FDR's condemnation to Kristallnacht was both delayed, tepid and brief.

According to Rafael Medoff, the founding director of The David Wyman Institute for Holocaust Studies, when FDR did respond, he "did not mention either the Hitler regime or its Jewish victims. He said that 'the news of the past few days from Germany' had 'shocked public opinion,'" and he 'could scarcely believe that such things could occur in a twentieth century civilization'" (Medoff, 2014, para. 6). Instead of suspending or severing U.S. relations with Nazi Germany, FDR only called for the U.S. ambassador in Berlin to return to Washington "for consultation" (Medoff, 2014, para.7). As Medoff puts it, "Roosevelt was still anxious to avoid criticizing any Nazi leaders by name, so as not to harm America's relations with Nazi Germany" (Medoff, 2014, para. 13).

Following Kristallnacht, FDR's Secretary of Labor, Frances Perkins, convinced FDR to extend the visitors' visa's for an additional 6 months for 15,000 Germans Jews who were already in the U.S. (Caestecker & Moore, 2010; Newton, 1996; Madoff, 2014). According to Madoff (2014), Roosevelt refused Perkins proposal to grant visitor visas to "would-be German Jewish immigrants in general" as a way of circumventing the restrictive U.S. immigration laws that FDR inherited (para. 8). Roosevelt refused this proposal and thereafter went on to consistently block Congressional and Jewish American efforts to allow more European Jews to immigrate to the United States. This decision was reflected in 1939 when nine-hundred and thirty Jewish refugees fleeing the Nazi's aboard the German ship St. Louis implored the FDR administration through

telegrams at sea to allow them entry into United States (Duffy, 2010; Martin, 2010). Telegrams sent directly to FDR were not responded to, while a State Department response to passengers stated they must "await their turns on the waiting list and qualify for and obtain immigration visas before they may be admissible into the United States" (Martin, 2010, p. 163). Also in 1939, the Wagner-Rogers bill was introduced in Congress that would have allowed 20,000 German Jewish children into the U.S. above and beyond the existing quotas. FDR refused to support Wagner-Rogers (Duffy, 2010; Raphael, 2008). Accordingly, Rafael Medoff (2013) reports "there is evidence" that FDR once dismissed pleas from Jewish refugees as "Jewish wailing" and "sob stuff" (p. 5).

The book titled *The Diary of Anne Frank* details the 15-year-old Anne Frank's personal saga of when she and her family were hiding in an attic apartment for two years during the Nazi occupation of the Netherlands (Frank, 2003). In the years leading up to the Frank family going into hiding, their eventual capture and Anne, her sister and mother's death; Otto Frank (Anne's father) desperately applied for U.S. visas for his family on numerous occasions (Cohen 2007). In a futile attempt to use personal connections within the U.S. to secure visas, Frank wrote to his influential American friend Nathan Straus Jr. in 1941 pleading, "I would not ask if conditions here would not force me to do all I can in time to be able to avoid worse... perhaps you remember that we have two girls. It is for the sake of the children mainly that we have to care for. Our own fate is of less importance" (Cohen, 2007, para. 2) As Professor of History at American University Richard Kreitman (2007) frames it, "Frank's case was unusual only in that he tried hard very late—and enjoyed particularly good or fortunate American connections.

Still, he failed. The fact that Anne Frank was one of those who did not make it is a poignant reminder of what was lost" (p. 7).

Roosevelt friend and donor Breckinridge Long was appointed as the Assistant Secretary of State that oversaw immigration in 1940. In his diary Long noted that when he described his visa procedures to FDR, "I found that he was 100% in accord with my ideas" (Folsom & Folsom, 2011, p. 30). Thus, at the behest of the president, Long made already strict immigration laws even stricter. This resulted in ninety percent of the stringent quota slots available to immigrants from countries ruled over by Nazi's and Italian fascists never being filled. If this was not the practice, it is estimated that up to 190,000 Jews would have escaped the Holocaust under the restrictive polices alone (Folsom & Folsom, 2011; US Holocaust Memorial Museum, 2016). According to Klein (2008), at the behest of FDR, Long "obstructed rescue attempts, drastically restricted immigration, and falsified figures of refugees admitted" (p. 40). In a 1940 intra-department memo, Long wrote:

We can delay and effectively stop for a temporary period of indefinite length the number of immigrants into the United States. We could do this by simply advising our consuls to put every obstacle in the way and to require additional evidence and to resort to various administrative devices which would postpone and postpone and postpone the granting of the visas." (Tucker & Roberts, 2005, p. 2036)

In response, one refugee aid worker wrote, "We cannot continue to let these tragic people [German Jews] go on hoping that if they comply with every requirement, if they get all the special documents required...if they nerve themselves for the final interview at the Consulate, they may just possibly be the lucky ones to get visas when we know that practically no one is granted visas in Germany today" (Jones, N.D., para 4.). The simple

fact remains, if the U.S. would have relaxed its immigration policies and actively intervened to rescue European Jews instead of mollifying Hitler, hundreds of thousands (if not millions) of lives would have been saved (Folsom & Folsom, 2011; US Holocaust Memorial Museum, 2016). This belief was shared by Freda Kirchwey, the editor in chief of *The Nation Magazine* (2013), when in 1943 she wrote:

You and I and the President and the Congress and the State Department are accessories to the crime and share Hitler's guilt," she wrote. "If we had behaved like humane and generous people instead of complacent, cowardly ones, the two million Jews lying today in the earth of Poland and Hitler's other crowded graveyards would be alive and safe. And other millions yet to die would have found sanctuary. We had it in our power to rescue this doomed people and we did not lift a hand to do it - or perhaps it would be fairer to say that we lifted just one cautious hand, encased in a tight-fitting glove of quotas and visas and affidavits, and a thick layer of prejudice. (para. 3)

In 1942, FDR appointed Johns Hopkins University president Isaiah Bowman (a known racist and anti-Semite) to lead the Office of Post-War Planning, tasked with examining population resettlement after the war with a focus on "problems arising out of racial admixtures and...the scientific principles involved in the process of miscegenation [interbreeding]" (Robinson, 2012, p. 21). One such concern of FDR's that was posed to Bowman was if the darker "South Italian stock" was "as good as the North Italian stock" and how their biological characteristics compared with other national groups (Robinson, 2012, p. 23). FDR also expressed concern about Jewish influence in postwar North Africa, fearing they would "overcrowd the professions" (Hamerow, 2008, p. 349). FDR had also expressed similar concerns about Jews in the U.S. and elsewhere. FDR expressed that Jewish quotas,

would further eliminate the specific and understandable complaints which the Germans bore towards the Jews in Germany, namely, that while they represented a small part of the population, over fifty percent of the lawyers, doctors, school

teachers, college professors, etc, in Germany, were Jews. (Doenecke & Stoler, 2005, p. 8)

FDR had also made the claim that anti-Semitism in Poland resulted from Jews dominating the economy (Michael, 2005).

As documented by FDR's Vice President Henry Wallace, when approving a post-war plan recommended by Bowman, Roosevelt expressed his desire to "to spread the Jews thin all over the world" (Price, 2008, p. 130). According to Wallace's diary, FDR claimed to have done this during his time as a prominent resident of Merriwether County, Georgia "and at Hyde Park [New York] on the basis of adding four or five Jewish families at each place. He claimed that the local population would have no objection if there were no more than that" (Madoff, 2013, para. 3). At the behest of the president, Bowman's Office of Post-War Planning went on to distribute reports throughout the Roosevelt administration that warned against racial mixing and allowing significant numbers of non-Protestant Europeans would jeopardize America's racial hierarchy (Robinson, 2012; Wyman Institute for Holocaust Studies, 2016). Bowman implored, "Our civilization will decline unless we improve our human breed... [t]o support the genetically unfit and also allow them to breed is to degrade our society" (Smith, 2003, pp. 249-250).



## CHAPTER 4

### THE IDEOLOGY OF PUBLIC EDUCATION

#### The Engines of the Empire: Religion, Morality and Knowledge

The history of the U.S. public education system during the nation's first century has elite origins that were deliberately universal and standardized in order to consummate the cultural, political and economic aims of "the minority of the opulent" (Coffman, 2012, p. 532). The first publicly funded primary schools were established in Boston in the early part of the 17<sup>th</sup> century. These non-mandatory schools were reserved for white boys from more affluent families, were grounded in the ideology of English Puritans, and promulgated the structures of settler colonialism, mercantilism and heteropatriarchy. Some colonies, particularly Massachusetts, made basic education more widely accessible for white boys and to a lesser extent to white girls during the 17th and 18th centuries. For most working class white boys and young men, an informal vocational education began early through direct work experience or within a more structured process of learning a craft by way of apprenticing (Bowles, 2014; Goldin, 1999).

Dr. Benjamin Rush was a physician, Philadelphia civic leader and influential educator who became a signer of the Declaration of Independence and a member of the First Continental Congress. He was also an outspoken advocate for public education in Pennsylvania and across the new Republic. Writing in 1786, Rush argued for states to establish tax funded public school systems for the purpose of social cohesion that would bestow the interrelated virtues of Christianity, republicanism and commerce (Glenn, 2012). Rush advocated for, "producing one general, and uniform system of education" for the sake of rendering "the mass of the people more homogeneous, and thereby fit

them more easily for uniform and peaceable government” (Runes, 1947, Par. 3).

Understanding that public education, tasked with an ideological mission, is the most efficient means of social control, Rush claimed:

Above all, let both sexes be carefully instructed in the principles and obligations of the Christian religion. This is the most essential part of education-this will make them dutiful children, teachable scholars, and, afterwards, good apprentices, good husbands, good wives, honest mechanics, industrious farmers, peaceable sailors, and, in everything that relates to this country, good citizens. (Runes, 1947, para. 8)

Rush would go on to boldly declare, “I consider it is 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 government of the state” (Glenn, 2012, p. 44).

Rush’s views on public education also applied to the primary purpose of educating girls and women since “the first impressions upon the minds of children are generally derived from the women” (Runes, 1947, para. 9).

After the United States signed the peace treaty with Britain in 1783, land east of the Mississippi River and south of the Great Lakes was claimed to be the property of the United States. One of the first undertakings of Congress was the massive task of empire building based upon a belief in a God given right to possess the entire continent. With massive war debt and growing land speculation, the emerging federal government took action to expedite westward expansion, to fend off other imperial powers (England, France and Spain), govern new and existing white settlements (to ensure loyalty to the republic), and to institute criteria for territories to become states (Northwest Ordinance, 2005). In 1784, one of the first steps in this process included negotiating the cession of the existing colonies’ (now states) western land claims to the new federal government.

This largely ended western land speculation, while shoring up the federal debt and finances for decades to come through attaining an abundance of the primary determinant of wealth at the time: Land (Usher, 2011; North & Rutten, 1987).

The United States Continental Congress proceeded to approve the Land Ordinance of 1784 and 1785, followed by the Northwest Ordinance of 1787. In total, these laws and their impacts over time arguably represent the most significant imperialistic undertakings in world history, and in practice became programs of genocide (Frymer, 2011). The utilitarian purpose and orderly manner of each act would be impressive if they were not so lethal.

The Land Ordinance of 1785 detailed the methodical plotting of each territory's lands to be systematically divided for the disposal of a public domain for the purpose of creating self-governed settler townships (North & Rutten, 1987). As outlined in the Land Ordinance of 1785, all new townships would reserve a section of land in a central location for the support of public schools:

There shall be reserved for the United States out of every township, the four lots, being numbered 8, 11, 26, 29, and out of every fractional part of a township, so many lots of the same numbers as shall be found thereon. There shall be reserved the lot No. 16, of every township, for the maintenance of public schools within the said township (Library of Congress. 2015)

The reserved plots of lands for schools were not inevitably going to be where schools were to be constructed. Instead, the reserved lands were to be rented to settlers, and the revenue was to be used to pay for schools (Kaestle, 1988). This policy expanded over time with more lands being reserved in support of public schools and along with additional land grants being created to support other public institutions. From a historical

perspective, primary and secondary public education is considered to be the major beneficiary of this major land grant endeavor (Usher, 2011).

The Northwest Ordinance was more expansive in its designs and essentially defined the basis of governance for the Northwest Territory and the criteria for a territory's entrance into the Union as a new state. Although many of the original colonies had charters claiming ownership of Native lands that extended to the Pacific Ocean, the Northwest Ordinance covered Native lands that now include the states of Ohio, Indiana, Illinois, Michigan and Wisconsin (Harrell, Gaustad, Boles & Griffith, 2005; Usher, 2011). Section 14, Article 3 of this law in part read, "Religion, morality, and knowledge, being necessary to good government and the happiness of mankind, schools and the means of education shall forever be encouraged" (The Avalon Project, 2008, para. 17). The second part of Section 14, Article 3 only adds more evidence of the duplicity of the new settler colonial empire:

The utmost good faith shall always be observed towards the Indians; their lands and property shall never be taken from them without their consent; and, in their property, rights, and liberty, they shall never be invaded or disturbed, unless in just and lawful wars authorized by Congress; but laws founded in justice and humanity, shall from time to time be made for preventing wrongs being done to them, and for preserving peace and friendship with them (The Avalon Project, 2008, para. 17)

The U.S. practice of setting aside seized land for the purpose of schools was inherited from European nations, and can be traced back to the Roman Empire, ancient Greece and early Egypt. This imperialist tradition was also practiced by the British Empire in the American colonies during the 17<sup>th</sup> and 18<sup>th</sup> centuries where private colleges and elementary schools were established through the provision of land grants or for the purpose of selling, renting or reserving "public land" for public schools (Usher, 2011).

The Founders understood that a comprehensive state controlled education system was essential for social and cultural reproduction and the survival of the emerging cultural political economy. This was also an act of foresight on their part with the expectation that more land was to be seized as a means to construct future states. With this understanding coupled with the need for social and economic stability during a time of disorder in settler colonial territories and the scattered economy in general, it was imperative that dominant beliefs, norms and a common national identity needed to be institutionalized. In essence, the advancement of the General Land Ordinance and Northwest Ordinance was not about establishing public institutions (including education) to serve as engines for democracy and the common good. Rather they served the utilitarian function of establishing the infrastructural power for building an empire and its institutional apparatuses for social order (Frymer, 2011; Hughes, 1987; Sempa, 2008).

In reality, the land ordinances' direct effect on schools systems in the states born out of the Northwest Territories was limited. This specific system of school support would prove to be plagued by apathy, fraud, delay and disorganization. Local school advocates grew frustrated by the highly inadequate funds from these school lands, eventually prompting state and local governments to seek more sustainable methods for funding schools (Kaestle, 1988). Despite these clear limitations, some education historians argue that these land ordinances provided - or seeded - the necessary incentive and ideological foundation for public education. Kaestle (1988) argued that since the ordinances invoked inspiring language and represented an initial attempt by the federal government to support public education, they were in fact successful in that:

The ordinances stated an ideal of education for orderly progress...that presumed an activist government promoting popular education; they also provided a modicum of support through land grants, a system that reformers could bemoan, react against, and strive to improve. But the creation of state-regulated, free, public schools awaited more than a half-century of political and cultural developments, not just on the frontier but in the East as well. School supporters had to overcome opponents' indifference, parsimony, and preoccupation with other priorities; they also had to overcome much principled opposition to taxation and state regulation. (para. 30)

Together the Northwest Ordinance's empire building and infrastructural function along with the Land Ordinance of 1785 furthered the practice of propertizing land to fund education and set up two important and complementary precedents: (1) The notion that property is a common sense method of funding public education; and (2) the federal government's role in seeding and subsidizing state and local education for nationalistic purposes. The latter would soon be known as federal land grants, which formed the basis for a long history of the federal government using federal resources to keep public schools on track with the country's larger nationalistic social aims.

Federal land grants for the purpose of infrastructure were included in all Enabling Acts, which was the mechanism that authorized states to enter the Union once they had met the conditions outlined in the Northwest Ordinance. In doing so, states would enter into a bilateral compact with the federal government that would become the basis for state constitutions. Many Enabling Acts had varying specifications for schools in their land trusts. For example, Ohio's land trust was "for the maintenance of schools," Colorado's was "for the support of common schools," while Oklahoma's was for "the use and benefit of common schools" (Usher, 2011, p. 10). Some enabling acts also specified land grants to support secondary schools and universities. While many of the original thirteen settler colonies, and later states, used lands within their borders to support the

establishment of schools, many of those states eventually wanted, and would go on to establish similar federal land grant programs for their schools (Bird, 2003).

Over time, school land grants would also be the basis for the creation of permanent schools funds in almost every state of the Union. This was mostly ushered in by way of the land ordinances, then codified in new state constitutions; whereby states became trustees for the schools and other institutions funded by the sale or leasing of federal lands. In return for receiving the federal land grants, states gave up their right to tax the lands and had to only use the lands, or revenue generated from them, for the purpose of school funds. According to Margaret Bird (2003), “[t]he school lands were either leased or sold to generate revenues” such as “for grazing or agriculture during the early settlement of most states” and were later leased for “commercial developments” and the extraction and development of natural resources by private industry (p. 3).

Some states established school funds separate from the Land Ordinance, and were given names such as the Common School Fund, Permanent School Fund and State School Fund (Bird, 2003, p. 3). Connecticut was the first state to establish a school fund in 1795 after selling land in its western reserve (now part of Ohio). New York followed suit in 1805 and Massachusetts did the same in 1834. States that did not receive federal land grants, or did and sought additional funding, created school funds from sources such as “licenses, lotteries, taxes, forfeitures, fines, escheats” and “money derived from the sale of swamp or vacant lands” (Bird, 2003, p. 5).

With the influx of poor and working-class Europeans into U.S. cities during the 1820’s and 1830’s, establishing and funding public schools became a priority in northern states (Kaestle, 2011). The urgency was felt by many public school advocates, including

biblical scholar Calvin Stowe (married to author Harriet Beecher Stowe), who advised in 1836, “Unless we educate our immigrants they will be our ruin. It is no longer a question of benevolence, of duty, or of enlightened self-interest but the intellectual training of our foreign born population has become essential to our own safety; we are prompted to it by the instinct of self-preservation” (Dickson, 1999, p. 20). Stowe’s reasoning reflected the sentiment of the majority of religious social reformers of the time who would go on to make up the emerging common school movement.

In 1836, with a large surplus of money, Congress passed the Surplus Distribution Act as a means to distribute 28 million dollars amongst the states in four planned installments. The fourth would never be distributed due to an economic crisis that swept the nation beginning in 1837. Although there was not a mandate by the federal government in how states should spend this money, many states put significant amounts of it into their respective school funds (Keith & Bagley, 1920).

### **The Jeffersonian Plan for Educating the “Rubbish”**

Thomas Jefferson, believing that U.S. citizenship applied to “free white inhabitants of every of the states,” was an early advocate of a form of public education that reflected the ideological foundations of the United States (Carpenter, 2013). Jefferson’s aristocratic nature as well as his view that education serves as a site of social and cultural reproduction was clear in his attempts to establish public education in Virginia with his 1779 “Bill for the More General Diffusion of Knowledge.” The Virginia legislature did not pass his bill. In 1817 Jefferson made another failed attempt by proposing a slightly revised version. Altogether, Jefferson’s bills would have established



a public primary education system throughout the state, which would be locally controlled by parents. He envisioned state funded schools that would be voluntary and accessible to all white boys and white girls for a three-year period between the ages of 6 to 8 years old. It would include a core curriculum comprised of arithmetic, history, geography, reading, and grammar (Carpenter, 2013). According to Jefferson, “The first stage of this education...the great mass of the people will receive their instruction, the principal foundations of future order will be laid here” (Cogliano, 2006, p. 26). Jefferson went on to explain the vision of his education plan:

It is highly interesting to our country, and it is the duty of its functionaries to provide, that every citizen in it should receive an education proportioned to the condition and pursuits of his life. The mass of our citizens may be divided into two classes, the laboring and the learned. The laboring will need the first grade of education to qualify them for their pursuits and duties; the learned will need it as a foundation for further acquirements. (Hess, 2010, p. 47)

In Jefferson’s proposed second stage of schooling, there would be regional grammar schools (secondary education) established for ages 9-16 years (Jefferson, 1984). This level of schooling would not be state funded or universal, but would only be available for white families who could pay for it with an exception: a school official would annually, “chuse the boy, of best genius in the school, of those whose parents are too poor to give them further education, and to send him forward to one of the grammar schools...for teaching Greek, Latin, geography, and the higher branches of numerical arithmetic” (Jefferson, 1984, Query XIV, p. 21). Jefferson thus proposed that only a select few of poor white male students would have an opportunity to advance – funded by the state - based on their individual merit. The father of American Democracy was quite explicit in his meritocracy-based views on education, explaining “this means twenty of the best

geniuses will be raked from the rubbish annually, and be instructed, at the public expense, so far as the grammar schools go” (Carpenter, 2013; Jefferson, 1984).

Those “geniuses” who were sorted out of the “rubbish” would then be granted a free secondary education for two-years before another sorting process occurred where “the best genius of the whole” would be “selected, and continued six years, and the residue dismissed” (Conant, 1963, p. 4). For those who remained, at the end of six years of grammar school, half would be “discontinued,” many of whom would become grammar school masters (Conant, 1963, p. 4). The other half, “who are to be chosen for the superiority of their parts and disposition” were sent to three years of college “in the study of such sciences as they shall chuse” (Conant, 1963, p. 90).

Jefferson implied that only “genius” white boys - not white girls - would be allowed to advance beyond primary education. Thomas Jefferson’s belief in an inequitable natural order is not only racially and class based, but also applied to gender. This is reflected in an 1818 letter where he wrote, “A plan of female education has never been a subject of systematic contemplation with me. It has occupied my attention so far only as the education of my own daughters occasionally required” (Jefferson, 1903, p. 93). Of course this is the same founder of the nation who claimed in 1788:

But our good ladies, I trust, have been too wise to wrinkle their foreheads with politics. They are contented to soothe & calm the minds of their husbands returning ruffled from political debate. They have the good sense to value domestic happiness above all other, and the art to cultivate it beyond all others. (Jefferson, Appleby & Ball, 1999, p. 543)

Jefferson’s vision for public education in Virginia did not make it through the legislative process. Other wealthy landed men who occupied the Virginia legislature opposed the idea of their taxes funding any type of education for the white masses, no matter how

circumscribed (Conant, 1963; Jefferson, 1984). Much of Jefferson's plan and what he was trying to achieve foreshadowed schooling in the U.S. over the next two hundred years.

## CHAPTER 5

### THE INSTITUTIONALIZATION OF SCHOOLING

#### Moral Stewardship and Investing in the Labor Force

As the U.S. seized more land and claimed it as territory, sculpted into new states, more and more schools were established from the sale of those lands. Since these state funds in time proved to be limited, and as the demand for schooling grew along with their populations, towns turned to other means to fund schools. In time local taxes (primarily property taxes) and parental tuition payments known as “rate bills” became the primary school funding methods (Goldin & Katz, 2003). Education was not yet compulsory and many of these free or low-cost arrangements offered a limited number of grades or years for all white children, often times only boys, while “continuation” grades or schools would be available for more affluent families who could afford to pay. Teachers in the initial grades were often from the white working-class and had limited education themselves, while the teachers for those who continued on tended to be more educated. This structure of schooling determined whom had access to an education as well as the quality of an education based on class, gender, and certainly race; while the most affluent landowning families had the option of sending their children away to elite private schools (Goldin & Katz, 2003; Jeynes, 2007; Kaestle, 2011).

In large towns and cities during the early 19<sup>th</sup> century, the children of the white middle-class had abundant access to private tuition-based schools, while wealthy parents could afford expensive private boarding schools. Motivated by benevolent moral stewardship in the Calvinist tradition, by industrial social control, or both; philanthropic

associations of business, political and society leaders organized to finance individual schools to provide basic literacy instruction and character training for poor and working-class white children (Katz, 2009; Kaestle, 2007).

A significant segment of these philanthropic education efforts (known as “free schools”) were comprised of the British conceived Lancasterian monitorial schools, which had a significant presence within U.S. cities in the northeast and Mid-Atlantic States. At a time when European working-class children were increasingly being consumed and exploited by industrial factories, a London-based schoolmaster named Joseph Lancaster launched the monitorial model throughout the colonized world with his 1803 pamphlet “Improvements in Education.” Intended to operate as “moral and intellectual machines” (Tschurennev, 2008, p. 248), this industrial model of elementary education was designed whereby, “one master alone can educate one thousand” boys and girls (Lancaster, 1807, p. 24). In actuality teachers did not have to go it alone, instead they chose a number of their slightly older and more advanced students, who through their own merit, were promoted to work as instructional assistants. These assistants, known as monitors, transmitted rote instruction in basic reading, writing and arithmetic to groups of 10-12 students, sorted together according to aptitude (Upton, 1996). According to Pavla Miller (1998), the monitorial school structure and curriculum also “contained lessons in Christian docility, humility; and the virtues of hard work” where a student's effort was expected to come from “a restless and striving to maintain and improve one's own place in a transparent hierarchy of achievement” (p. 159).

In these schools, students were expected to compete against one another for merit-based rewards, including a chance to move higher in the circle to the monitor, to become

a monitor, to earn school scrip (fake money), or for merit badges and various other trinkets. Rewards were typically attached to catching the monitor or other students in minor errors during recitation (Baker, 1816; Kett, 2012). According to Kett (2012), “advocates of monitorial schools conceded that students were too eager to correct small mistakes to move up” (p. 104). Monitorial schools did not use corporal punishment as discipline, instead relying on subjecting students to various indignities related to infractions. The anticipation “of being promoted and the fear of being downgraded were seen as incentives to industry and discipline” (Tschurennev, 2008, p. 248). As Lancaster boasted in 1812:

In a school properly regulated and conducted on my plan, when a master leaves the school, the business will go on as well in his absence as in his presence, because the authority is not personal. This mode of insuring obedience is a novelty in the history of education. (Lancaster, 1812, p. 114)

As Miller (1998) put it, monitorial schools were factories “of desire and ambition, a marketplace of competitive individual achievement, and an engine of disciplinary power” (p. 158). With an efficiently ordered system of reward and punishment based on individual merit, dog-eat-dog competition and a cultivated obedience to authority, Lancaster’s schools effectively emulated capitalist morality. In doing so, monitorial schools effectively prepared its students for the harsh realities of working-class industrial life. Monitorial schools formed large networks in New York City and in Philadelphia and became the physical and organizational basis for those cities’ public school systems (Kaestle, 2008).

Into the 1830’s, access to a basic education for working class white children was aligned with the capitalist discourse of ownership and consumption and thus billed as

“free,” a conceptual framework that only exists in reference to the social construct of private property. The “free school” model of education was framed as a charitable handout, yet doled out attached to moralistic directives and social and economic conditions, which promised a return on the “philanthropic” investment in the labor force. It was in effect an innovative enterprise intended to create a fine-tuned instrument of social efficiency during an era when the intent of the founders, and their Constitution, was firmly being executed (Kaestle, 2011). The distinction between "private" and a specific type of "public" education as a means to fuel U.S. nationalism had yet to fully crystallize (Kaestle, 2008, para. 11). As the symbiotic relationship between state power and industrial capitalism solidified - requiring the hegemonic cover of nationalism - the utility of a mass public education would be recognized and eventually realized.

### **Primary Education as the Advancement of Civic Nationalism**

In the U.S. and Europe, mass compulsory public education was born out of the marriage between nationalism and industrialization with regard to timing (late 18<sup>th</sup> to early 19<sup>th</sup> centuries) and utility (vocational education and the transmission of ideological scripts). The American Revolution was an ideological one, whereby the notion of rights became infused with market notions of individual self-sufficiency and individual merit, enacted by patriotic commitments to strive for moral improvement through one’s labor power. This hegemonic script, along with the solidification of modern political parties and the expansion of universal white male suffrage; aided in making universal white education appealing to large numbers of industrialists, legislators and white citizens throughout the Northeast and Midwest. The nationalistic project of empire building

across North America along with imperialist strivings beyond also propelled the cause for mass public education far into the future.

Mass public education is an essential instrument in creating citizen subjects, the “societal members” who are endowed with (or led to believe they have) certain rights of participation in political, social, cultural and economic institutions as outlined by established laws (Meyer, Ramirez & Soysal, 1992, p. 158). Citizenship is also attached to duties and expectations relating to the maintenance, success and preservation of the nation-state in both domestic and international affairs. As a principal instrument of nationalism, mass public education instills in children, as future citizens, a homogenous national identity and unequivocal loyalty to the nation-state - as an idealized and hallowed homeland - often attached to a transcendental authority. Simultaneously it equips embryonic citizen subjects with the skills and worldview that enables them to eagerly participate in, or passively acquiesce to a nation’s sources of cultural, political and economic power (Meyer, Ramirez & Soysal, 1992; Mann, 2012).

In the U.S., a state supported mass educational system was constructed as a means to transform white settler colonists into citizens (yet restricting suffrage rights of white women) based on the legal and hegemonic expressions of the U.S. Constitution. Foundationally, this project required the construction of a uniform and standardized system of schooling in order to produce a common fidelity to the nationalistic aims of the elite; and to deeply ingrain those aims as cultural scripts - unequivocal beliefs and attitudes that are attached to awe inspiring symbols related to the polity. While the U.S. Constitution left education to be a responsibility of individual states, an intention to imbue public education with nationalism was clearly transmitted in the writings of the



founders in their Land Ordinances and subsequent land grants, and in some cases through efforts in their home states (Carpenter, 2013; Meyer, Ramirez & Soysal, 1992; North & Rutten, 1987).

Simply, mass public education had to be universal, publicly funded, state mandated, standardized and staffed by trained and disciplined teachers. Instituting this top down project presented significant ideological and logistical barriers in the decades following the American Revolution. To begin with, citizen rights in the U.S. - in practice and as an idea - were attached to one's individual sovereignty and autonomy; as the imperialist project of nation building was chaotically unfolding. The former was soon tempered by the institutionalization of schooling, wielded over subjugated and disenfranchised groups through Protestant orthodoxy. As for the latter, the establishment of the logistical technique of mass public education could only proceed after other infrastructure projects were firmly established, including law and order through state and municipal governments, systems of transportation and communication, commercial activity, cultural and civil life; and basic schooling customs initiated by federally granted lands. Once these essential logistical techniques of social control by an infrastructurally powerful federal government were radiated outward in common cause with state and municipal governments; could influential Protestant social reformers, businessmen and government officials take steps to impose mass public education on the children of poor white citizen subjects (Kaestle, 2011; Meyer, Ramirez & Soysal, 1992; Mann, 2012).

The 1820s through the 1840s was a time of escalating social and labor unrest due to growing wealth disparities and social and economic hardship for the naturalized and immigrant white working-class (Wagoner & Haarlow, 2002; Winslow, 2015). Wealthy

and middle-class Protestants - who associated poverty with moral decay, non-English-speaking and Catholic immigrants as cultural threats and labor solidarity as insurrection - began to unite to save souls and foster social cohesion through the advancement of civic nationalism (a concept that would later be referred to as “democratic citizenship”) (Reese, 2011). Intent on creating a common culture within the republic, many members of this elite class advocated for common schools as an efficient means to provide a “moral education” for future generations of the labor force in order to instill “character, discipline, virtue, and good habits” (Kaestle, 2011, pp. 99-100). Basic literacy skills also fit into this plan, yet “analytical ability” and “knowledge of the world” did not (Kaestle, 2011, pp. 99-100). This righteous calling required an autocratic apparatus, one that can pacify and instill loyalty in its subjects while disciplining their minds and controlling their bodies. One that is vested in, and is the most capable of, executing social and cultural reproduction. Common schools were set up to become that instrument: a mass public education system with the nationalistic aim of shaping future workers, whether "native or foreign born, rural or urban” into a God fearing, capable and loyal industrial citizenry (Wagoner & Haarlow, 2002, para.14).

As these efforts were gaining traction in the North and Midwest, the South’s economy was tied to plantation agriculture, chattel slavery and subsistence farming for poor whites. During this first half of the 19<sup>th</sup> century, tensions were intensifying between southern states and the federal government and northern states over trade policy, economic determinism, slavery’s expansion into new territories, states rights and abolitionism, and diverging cultural worldviews. These mounting conflicts resulted in many southern states establishing public schools separate from public education

movements and motivations in the North. Overall, the South resisted the infusion of mass public education until Reconstruction, whereupon Jim Crow laws sculpted intensely segregated public education systems (Kaestle, 1976; Weingast, 1998).

The Protestants fueling the mass public schooling agenda in the North were sympathetic to the abolition of slavery and were leaders of the Second Great Awakening. They were typically Anglo-American and were a mixture of businessmen, clergy, philanthropists, professionals and politicians who saw themselves as social reformers (Reese, 2011). Kaestle (2011) explains how their common views “provided the ideological context for the creation of state school systems” that were “centered on republicanism, Protestantism, and capitalism, three sources of social belief that were intertwined and mutually supporting” (p. 75). Kaestle then goes on to describe the cultural scripts this group (comprised of white men) intended to advance through education,

...the sacredness and fragility of the republican polity (including ideas about individualism, liberty, and virtue); the importance of individual character in fostering social morality; the central role of personal industry in defining rectitude and merit; the delineation of a highly respected but limited domestic role for women; the importance for character building of familial and social environment (within certain racial and ethnic limitations); the sanctity and social virtues of property; the equality and abundance of economic opportunity in the US; the superiority of American Protestant culture; the grandeur of America’s destiny; and the necessity of a determined public effort to unify America’s polyglot population... (pp. 76-77)

These inspired social reformers, while conceptually clear about what the nation needed, began to look beyond their national borders for a model of mass schooling that would be compatible with their vision of the republic. Unfolding events in Prussia that were shaping a national system of education that looked promising to many American social

reformers. After Napoleon's conquest of Prussia in 1806, the Prussian monarchy began to systematically restructure and modernize its military, state and economy along industrial lines. This was all part of a developing nationalist effort to unify long conquered and splintered Germanic states along cultural and economic lines. At the core of this project were major education reforms that synthesized into one of the first compulsory public education systems in the world. In the decades after Prussia helped to defeat Napoleon at Waterloo in 1815, its highly efficient and standardized industrial education system, staffed by a cadre of disciplined professional teachers, became the model to be replicated by industrializing nations the world over (Barkin, 1983; Franciosi, 2004; Ramirez & Boli, 1987).

The Prussian primary education system introduced a free and compulsory graded system of schooling that involved an eight-year course of primary education for both girls and boys, including kindergarten. It mandated a prescribed national curriculum for each grade, which focused on teaching the technical skills – reading, writing, math, science, technology - needed to modernize the Prussian state and economy. It also required national testing to determine students' vocational aptitudes. Prussian primary schools also provided music (mostly singing) and religious education that were important in transmitting a common culture and national identity with a strict ethos of duty, discipline and temperance. For its teachers, the Prussian state required advanced professional training by specialized private seminaries, state certification and national oversight of instruction through ongoing supervision. The state recognized teaching as a profession, which included a basic salary (Barkin, 1983; Franciosi, 2004; McEvoy, 1911; Rothbard, 1979).

Many education reformers in the United States and elsewhere became enamored with Prussia's primary, secondary and higher education systems. The 1834 publication titled "Report on the State of Public Education in Prussia," further compelled U.S. educators and some state legislatures to replicate the Prussian model. When constructing its state constitution in 1835, Michigan used the Prussian model to design its primary, secondary and university system (Franciosi, 2004; Gutek, 2012).

Horace Mann, a Protestant moralist, member of the pro-business Whig Party and a phrenologist (a form of scientific racism), served as a Massachusetts State Senator, the first Secretary of the Massachusetts Board of Education and in the U.S. House of Representatives (Glenn, 1988). As other American education leaders were doing at the time, Mann traveled to Prussia in 1843 to study its primary education system and its teacher education seminaries (normal schools) (Chas, 1887). With the Prussian emphasis on social cohesion, Mann was particularly interested in how they were using their primary public schools to unify the German people.

Upon his return to Massachusetts, Mann was even more determined to attach his elite and pious vision of society to a statewide public education system. Understanding that lasting social reforms must begin with children, Mann took up the mantra "Men are cast-iron, but children are wax," to advance his "Americanized Prussian model" of schooling (Reynolds, 2014, p. 7). Mann's lobbying efforts for its adoption in Massachusetts persuaded enough of his political allies in the private sector and the state government to support a statewide compulsory system of public primary schools (or common schools), modeled after the Prussian system. Mann's efforts led to the enactment of a compulsory primary school attendance law in 1852, which was the first in the nation

(Gutek, 2012). Mann's critics, "accused him of wanting to establish a "Prussian-style tyranny" in the schools, arguing that the Prussian model was based on a presumption that government was wiser than the citizenry, while in America the presumption was the reverse" (Reynolds, 2014, p. 7).

In line with this model, Mann worked to advance more "objective" methods of assessing teaching and learning, which led the state of Massachusetts to adopt formal written standardized tests in place of the traditional, and more subjective, oral exams. In his pursuit of greater efficiency in education, Mann's tests quantitatively assessed students' rote knowledge to determine the effectiveness of teaching and learning in the burgeoning state's public schools. The test results allowed district and state authorities to then monitor and compare teachers and schools, to classify students, to streamline pedagogical practices; and to insure that there was a uniform curriculum that fostered civic nationalism (Gallagher, 2003; Feuer, 1992). According to assessment and evaluation specialist, Ralph Tyler:

At a time when...universal education was developed, the testing movement furnished both an ideological and an instrumental basis for the practice of schools and colleges in sorting students rather than educating them ... it promoted the simplistic notion that important outcomes of schooling could be adequately appraised by achievement tests... (Gallagher, 2003, p.85)

Mann is most often remembered as a principled education and social reformer who was authentically motivated in all of his roles by well meaning, albeit religious, convictions. According to Mann's Annual Reports during his first four years as the Secretary of the Massachusetts Board of Education, he generally presented himself as being such a broker. Yet in his Fifth Annual Report in 1841, Mann made a case for how the value of a common school system would largely be based on the economic interests of the Boston

business elite (Bowles, 2014). In this report, Mann (1841) was explicit about his views of the hegemonic function of schooling:

Finally, in regard to those who possess the largest shares in the stock of worldly goods, could there, in your opinion, be any police so vigilant and effective, for the protection of all the rights of person, property and character, as such a sound and comprehensive education and training as our system of common schools could be made to impart...Would not the payment of a sufficient tax to make such training universal, be the cheapest means of self-protection and insurance? (para. 28)

In 1845 a prominent group of businessmen praised Mann for his achievements by declaring, "You have demonstrated that the arm of industry is served, and the wealth of the country is augmented, in proportion to the diffusion of knowledge, so that each humble schools-house is to be regarded, not only as a nursery of souls, but a mine of riches" (Vinovskis, 1995, p. 103). In 1863, an eminent educator named John D. Philbirk reminisced about how Mann's Fifth Annual Report had "probably done more than all other publications written within the past twenty-five years to convince capitalists of the value of elementary instruction as a means of increasing the value of labor" (Vinovskis, 1995, p. 103).

Mann's standing in the larger Whig Party influenced many of his fellow reformers to adopt the same model of elementary public education (along with normal schools), in their states (Groen, 2008). Ultimately, the Prussian model and Mann's common schools went on to serve as a standard by which rural and urban public education systems were organized throughout the nation. This led to a uniform network of school districts piloted by municipalities, but centrally controlled by state governments, and influenced through federal funds. Public schools became organized within an industrial model of efficiency and standardized in terms of graded classrooms, common curriculum and instruction,

methods of assessment (written and multiple choice tests attached to letter grades) and uniform schedules and built environments. Mann's "Americanized Prussian model" also laid the foundation for formalized teacher education and formal credentialing (Reynolds, 2014, p. 7).

### **"Kill the Indian...Save the Man"**

All together, the Catholic Church's Doctrine of Discovery, the structure of settler colonialism and the U.S. founding fathers' cultural political economy resulted in the American Indian Holocaust during the 19th and 20<sup>th</sup> centuries. In 1813, Thomas Jefferson predicted this outcome when he proclaimed, "this unfortunate race, whom we had been taking so much pains to save and to civilize, have by their unexpected desertion and ferocious barbarities justified extermination, and now await our decision on their fate" (McDonald, 2013, p. 91).

As David Wallace Adams (1995) states in his book *Education for Extinction*, "after all this, the schools. After all this, the white man had concluded that the only way to save Indians was to destroy them, that the last great Indian war should be waged against children. They were coming for the children" (p. 23).

As early as 1619 in the settler colony of Virginia, the Anglican Church authorized the "education" of Native youth for the purposes of assimilation (Juneau & Fleming, 2013). In 1655, the Harvard Indian College was established to educate Indian students "in knowledge and godliness" (Harvard Yard Archeology Project, 2016, para. 1). Thirty years later the Indian School at William and Mary College in Virginia was established so "that the Christian faith may be propagated amongst the Western Indians, to the glory of



Almighty God” and “be thought Sufficient to be sent abroad to preach and Convert the Indians" (William & Mary, 2016, para. 3). As the Virginia Governor, Francis Nicholson put it at the time, "any great [Indian] nation will send 3 or 4 of their children thither" to be “civilized” they could then be "sent back to teach the same things to their own people" (William & Mary, 2016, para. 4). In 1754, Moor's Charity School was established in Connecticut for the purpose of training Native men to become Christian missionaries within Native tribes (Calloway, 2010). In 1769, Moor's was reopened in New Hampshire as Dartmouth College, chartered:

...for the education and instruction of Youth of the Indian Tribes in this Land in reading, writing & all parts of Learning which shall appear necessary and expedient for civilizing & christianizing Children of Pagans as well as in all liberal Arts and Sciences and also of English Youth and any others.” (Calloway, 2010, p. 22)

After the American Revolution, education would go in to serve as a primary instrument in the settler colony strategy to “destroy to replace” based on tactics of cultural genocide. To do so, Protestant ideology was the conduit to “civilize” and thus Americanizing Natives according to values attached to private property, material wealth, white supremacy and patriarchal nuclear Christian families. Learning from previous and failed attempts to “civilize” Native adults through the English missionary and charity schools of the 17<sup>th</sup> and 18<sup>th</sup> centuries, the U.S. began to target Native children before they were fully acculturated to Native customs and spiritual beliefs (Calloway, 2010; Juneau & Fleming, 2013; Native American Rights Fund, 2013).

In collaboration with Christian churches, in 1802 Congress authorized appropriations of up to \$15,000 annually to “promote civilization among the savages” (Sawyer, 2003, p. 112). In 1803 Congress authorized appropriations of up to \$3,000

annually to “civilize and educate the heathens” (Juneau & Fleming, 2013, p. 69). In 1819 the Indian Civilization Fund Act was passed allotting \$10,000 annually for the purpose of forming benevolent societies whereby Christian missionaries would “civilize” and “Christianize” Native children through intensive education (Juneau & Fleming, 2013, p. 69). In doing so, the goal was to not only to strip Native children of their cultural identities, they were to be transformed into disciplined Christian farmers and laborers (Native American Rights Fund, 2013).

As part of the U.S. Department of War, the Office of Indian Affairs (to become the Bureau of Indian Affairs (BIA) was established in 1824 to allot funds from the Civilization Fund to the churches that would then oversee education. That year the Fund supported thirty-two schools that enrolled 900 Native students. By 1830 it funded fifty-two schools that enrolled 1,512 students (Native American Rights Fund, 2013).

According to the Native American Rights Fund (2013), “Indian treaties augmented the program, frequently without consultation with or consent of the Tribe signatory to the treaty” (pp. 2-3). In 1849 the BIA became part of the Department of the Interior, where it oversaw the education of Native people within its “Civilization Division” (Heart & DeBruyn, 1998, p. 63). Between 1819 and 1879 most of the Christian Indian schools were on, or located near, reservations or the homelands of their students, enabling most students to return home on a daily or weekly basis. This resulted in children being exposed to and maintaining their cultural customs and beliefs, thus leading to reformers to call for polices where Native children would be removed and isolated from their families and tribes in distant boarding schools (Heart & DeBruyn, 1998). In 1869 Congress established the Board of Indian Commissioners that accompanied President

Grant's "Peace Policy," of which a federal boarding school policy was created to fulfill two goals: "the replacement of corrupt government officials, called the "Indian Ring," with religious men, nominated by churches to oversee the Indian agencies on reservations; and... to Christianize the Native tribes and eradicate their culture and religion, primarily through removal of the children from reservation settings" (Native American Rights Fund, 2013, p. 5). In 1886, Indian School Superintendent John B. Riley, summarized the problem and solution this way:

If it be admitted that education affords the true solution to the Indian problem, then it must be admitted that the boarding school is the very key to the situation. However excellent the day school may be, whatever the qualifications of the teacher, or however superior the facilities for instruction of the few short hours spent in the day school is, to a great extent, offset by the habits, scenes and surroundings at home — if a mere place to eat and live in can be called a home. Only by complete isolation of the Indian child from his savage antecedents can he be satisfactorily educated. (Native American Rights Fund, 2013, p. 4)

At a time when settler colonists and the U.S. Army had largely eradicated American Indians within the empire's borders, the boarding school policy effectively shifted the focus from one form of genocide to another. This strategy was taken because, "it was, in fact, simply too expensive to enter into an extended campaign of genocide on the heels of an expensive Civil War. It was estimated that the annual cost to maintain a company of United States Cavalry in the field was \$2,000,000" (Native American Rights Fund, 2013, p. 4).

In 1878, as part of this genocidal project, the Hampton Normal and Industrial School in Virginia (a vocational post-secondary school for freed Black slaves), took in a group of defeated Plains Warriors who were being held as prisoners of war in Florida. Hampton was established and run by a Union Civil War officer, General Samuel

Chapman Armstrong, who was a mentor of a young Hampton student named Booker T. Washington (Molin, 1988). The “Hampton Method” of education was organized around disciplined routines akin to military culture that involved being trained in various trades (teachers, farmers, etc.), while also working jobs as laborers to pay for their board and education. As part of Armstrong’s method, he incorporated a “divide and conquer” approach, or as he called it “tender violence,” between Black and Indian students, where Black students,

...were told to swallow their resentment over the broken promises of Reconstruction, to be grateful for what they had, because, after all, the Indian students were even worse off than they. Native Americans, on the other hand, had to endure constant unflattering comparisons of their work habits, their language skills, and their general progress with those of black students. The hope was that Natives' hostilities toward whites would be redirected toward blacks. In general, the plan seems to have succeeded brilliantly. (Divide and Conquer, 2016)

As Armstrong wrote in 1888, "You see I've only...boosted darkies a bit, and so to speak, lassoed wild Indians all to be cleaned and tame by a simple process I have invented known as the 'Hampton method'" (Lindsey, 1995, p. 112).

Modeled after the Hampton school, another Army General named Richard Henry Pratt opened the infamous Carlisle Indian Industrial School in 1879 in Carlisle, Pennsylvania on the site of a century’s old Army barracks (now the site of the Army War College). Pratt was a Civil War veteran, who had also commanded Black troops or “Buffalo Soldiers” against Native tribes in the west. The Carlisle school was also modeled on a prison school Pratt had established for a group of 72 Indian prisoners of war at the Fort Marion prison in Florida, the same prison that sent the first wave of students to Hampton (Morton, 1962). Pratt’s mission, in his own words, was to, “[t]ransfer the savage-born infant to the surroundings of civilization” so that “he will

grow to possess a civilized language and habit" (Malott, 2010, p. 97). According to Pratt, "a great general has said that the only good Indian is a dead one .... I agree with the sentiment, but only in this: that all the Indian there is in the race should be dead. Kill the Indian in him and save the man" (Malott, 2010, p. 96). The Carlisle school was the first federally funded Indian boarding, took Native children from across the nation, and in its 35 years of existence, more than 10,000 Native children from 140 tribes attended the school. Overall, only 158 graduated (Kearns, 2016). In that time, 1,842 children escaped and close to 500 died while in Carlisle custody; which was between 3.5 and 4.5 times the national average. Many who died, did so from starvation and disease due to inadequate diets and medical care. When children and teens were captured after running away, they were punished with beatings, physical restraints, isolation in dark cellars and/or in unlit and unventilated jail-like buildings (Native American Rights Fund, 2013).

By 1890, attendance in full-time distant boarding schools was being enforced by the federal government via threats of incarceration or by denying food and other needed supplies to conquered tribes. When students, parents or tribes did resist – which many did - federal troops or local law enforcement resorted to force. For example, in 1890 parent resistance led to soldiers entering the Hopi community of Orayvi in Arizona, kidnapping 104 children and taking them to the Keams Canyon Boarding School. Keams was overcrowded, notoriously unsanitary and was commonly plagued with outbreaks of mumps. Despite this, when Hopi resistance persisted, during the winter months in sub-zero temperatures and snow on the ground, the government cut off food supplies and stopped needed building and well construction. Police then proceeded to forcibly take more Hopi children to Keams. As Hopi resistance continued into 1894, federal troops

arrested tribal leaders, resulting in 19 Hopi men serving a one-year prison sentence in Alcatraz (Jacobs, 2004; Whiteley, 2008).

Based on the Carlisle model, federal (BIA) and private Christian boarding schools became the model of schooling for Native children into the 20<sup>th</sup> century, totaling 500 boarding schools in 18 states. The common standards within this model began with children leaving their homes and communities against their will; then being subjected to sterile, strict and regimented militaristic conditions where their spirits were crushed and their bodies and minds were controlled, trained, abused and neglected. Held year round for an average of eight years, the children were forced to worship as Christians, while being stripped of their language, beliefs, customs, traditional dress, hair and anything attached to their native identities. Students would be severely punished for any display or utterance of their cultural identities. The elimination of Native languages was considered to be a primary obstacle to "acculturation," leaving full discretion for teachers to create a broad range of punishments for children who did not cooperate (Native American Rights Fund, 2013; Heart & DeBruyn, 1998; Smith, 2007). As Navajo activist Byron Wesley (2007) recounts, "I was forced to eat an entire bar of soap for speaking my language" (para. 8). As the Native American Rights Fund (2013) has documented, "[t]hey were intentionally and systematically inculcated with shame for being Indian through ridicule of their religions and their life-ways; shame that became internalized as self-loathing and emotional disenfranchisement for their own cultures" (p. 6).

School staff normally perceived the children as being savages and subhuman, therefore in need of taming and "civilizing." For many children the only physical touch that came from their adult overlords, were in the form of beatings, and often times, from

sexual abuse by the adults or older students who had also been victimized (Heart & DeBruyn, 1998; Smith, 2007). According to the Native American Rights Fund (2013), “[r]eports include the disappearance of children born to boarding school students as the result of rape. Unaccounted for thousands of children died from disease, malnutrition, loneliness and abuse. Survivors reported that many of the dead were buried anonymously, some in mass graves, on the grounds of the residential schools. The remains of these children have never been returned to their families or communities” (p. 7). According to Native American Bar Association President Richard Monette, a former student in a North Dakota boarding school,

Native America knows all too well the reality of the boarding schools... where recent generations learned the fine art of standing in line single-file for hours without moving a hair, as a lesson in discipline; where our best and brightest earned graduation certificates for homemaking and masonry; where the sharp rules of immaculate living were instilled through blistered hands and knees on the floor with scouring toothbrushes; where mouths were scrubbed with lye and chlorine solutions for uttering Native words. (Walker, 2007, p. 232)

Sammy Toineeta, founder of the National Boarding School Healing Project, claims that “...it is one of the grossest human rights violations because it targeted children and was the tool for perpetrating cultural genocide. To ignore this issue would be to ignore the human rights of indigenous peoples, not only in the U.S., but around the world” (Walker, 2007, p. 232).

By 1973, there were still 60,000 American Indian children enrolled in off-reservation boarding schools, with a handful of schools remaining open through the 1980s (Native American Rights Fund, 2013; Sturtevant, 1988).

### **The Social Control Function of Secondary Education**

During the first half of the 19th century secondary schools were mostly elite private academies or seminaries and urban institutions (Brown, 1898). As industrialization grew, so did small numbers of public secondary schools, mostly in northern towns and cities (Goldin, 1998). In 1867 the Department of Education was established to support and facilitate the expansion of mass public education by:

...collecting such statistics and facts as shall show the condition and progress of education in the several States and Territories, and of diffusing such information respecting the organization and management of schools and school systems, and methods of teaching, as shall aid the people of the United States in the establishment and maintenance of efficient school systems, and otherwise promote the cause of education throughout the country. (Sniegowski, 1995, p. 3)

In the department's first report in 1870, it was reported that close to 7 million children were enrolled in elementary schools, while 80,000 were enrolled in secondary schools. In that year, 57 percent of 5 to 17 year olds went to public schools, with over 98 percent of those in primary schools, mostly in 1st through 5th grades. Enrollment in primary school for white girls and boys was mostly even during this period. From the Civil War until the 20th century, less than 5 percent of all 14-17 year olds attended secondary schools. In 1910 just under 10 percent 14-17 year olds in the U.S. graduated from high school (Goldin, 1998; Snyder, 1993).

Most public secondary school students in the later part of the 19th century were from the white middle class and were mostly girls who would go on to become primary school teachers. White boys at this level of schooling normally went on to become clerks or professionals. Very few of those who attended or graduated secondary school went on to attend college, but were able to maintain the class-status of their parents. Schools were mostly coeducational and had curriculum that was generally rote in nature and entailed



textbook readings and recitation that revolved around Christian and other nationalistic (patriotic) cultural scripts. From the 1890s through the 1910s public secondary schools, which were primarily located in cities with large European immigrant populations, were highly disciplined environments with curriculum that focused on assimilation, manners, hygiene and gender-based vocational skills (Gidney, 1990; Goldin, 1998; Goldin & Katz, 2000).

### **In the Shadows of Plessy v. Ferguson**

As public secondary education was being institutionalized according to social class for white students, the education of Black children had a very different trajectory. Since the founding of the republic, formal education for free and enslaved Black children was restricted, with a small proportion receiving basic literacy education as early as 1796 by religious organizations and wealthy abolitionists.

During reconstruction the U.S. census reported that 81% of Black people in the US were illiterate, compared to 8.5% of white children; and 9.1% of Black children attended school, compared to 50% of white children. Yet, during this period enrollment rates for Black children increased nationally from 10 percent in 1870 to 34 percent by 1880. Over the next 20 years the enrollment rate for black children mostly stayed the same while enrollment for white children dropped slightly (Snyder, 1993). Although there was limited success in building racially integrated schools during the 1870s in New Orleans, the public schools created in the South during Reconstruction quickly became racially segregated. Public schools in the North were also largely segregated (Kousser, 1988). Southern public schools were poorly funded compared to the North and public

schools created for Black children were significantly underfunded compared to white schools (Cameron, 1998). The major aim of public education for Black children across the nation at the time, especially in the South, was to ensure they conformed to their place as workers and disenfranchised “citizens” within the white supremacist social order.

The 1896 U.S. Supreme Court case *Plessy v. Ferguson*, upheld the Constitutionality of racial segregation in public institutions under the “separate but equal” doctrine, thus enshrining the legitimacy of racially segregated public education. In practice, separate and unequal was the lived reality for Black Americans. *Plessy* also played a role in discouraging secondary education for Black children (Kousser, 1988). At the approach of the 20th century, racial apartheid and anti-Blackness was further institutionalized nationwide, especially under Jim Crow in the South, while further legitimized by the ideologies of Social Darwinism and eugenics (both of which will be further analyzed later in this article) (Moore, 2003).

During this period two influential Black educators, W. E. B. Du Bois and Booker T. Washington engaged in a contentious public debate about the objectives of Black education. Du Bois, from his Northeastern pulpit was a politically radical visionary who advocated for a rich liberal arts education as a means to arm new generations of intellectual Black leaders with the critical capacities that would inspire social transformation. Washington, a southern-based education leader, promoted an industrial and vocational model of education as a means to expand economic opportunities for Black people. His concern was that a nation operating under the ideology of white supremacy, especially in the South, would not yet tolerate Black intellectualism and trying to advance it would be impractical and futile. While their positions differed

dramatically, when pressed, both Dubois and Washington agreed that access to some variance of both models of education would ultimately empower Black Americans. Many scholars today suggest the major difference between these two positions had more to do with strategy in regards to the full emancipation of a recently enslaved and traumatized people who were struggling for basic recognition rights in the face of ongoing state sanctioned anti-Black violence (Dubois, 1903; Washington & Du Bois, 1907; Moore, 2003).

While the Dubois/Washington debate centered primarily on postsecondary education, it was largely moot in secondary education since most states and municipalities refused to provide universal secondary education for Black children (Anderson, 1988). This practice was endorsed by the *Cumming v. Richmond County Board of Education* Supreme Court decision in 1899 when it upheld the Richmond County, Georgia school board decision to shutter the only Black high school in the state. Despite the fact that Blacks and whites were being evenly taxed, the Court ruled that “the education of people in schools maintained by state taxation is a matter belonging to the respective States,” and there was no evidence that the school board’s decision was racially motivated. This decision restrained the evolution of black secondary education and stood for decades to come. A few Black public and private high schools did however manage to struggle into existence, supplemented by philanthropic money, with some providing a college preparatory curriculum. Yet, as the urban Black population in northern states increased in response to Jim Crow and industrialization, civil rights groups and some city leaders pushed for the expansion of Black secondary public schools for the social efficiency purpose of industrial education (Anderson, 1988; Kousser, 1980).

As the common school movement and compulsory education spread into the southwest so did school segregation for Mexican Americans, even when there were no laws to support it. White municipal leaders and their school boards reflexively prioritized educating white children, while establishing separate and unequal public schools for Mexican American children. When school districts did not explicitly segregate Mexican American youth, residential segregation ensured school segregation (Valencia, 2004; Valencia, 2005). This was the case in both Texas and California. According to historian Francisco Balderrama, at the beginning of the Great Depression "more than 80 percent of the school districts in southern California enrolled Mexicans and Mexican Americans in segregated schools" (Ruiz, 2001, p. 23). By 1930, 90% of Texas schools were racially segregated (Ruiz, 2001). To justify school segregation, white educators and government officials often used a deficit-based rationalization, claiming that Mexican Americans were slow learners; hindering the education of white students with their presence. They were also deemed deficient in English and other white protestant proficiencies, further justifying separate (and unequal) classrooms (Donato & de Onis, 1994).

As with Black and Native children, schools that Mexican American children attended were under resourced and intended to serve as institutions of assimilation and social control for the purpose of reproducing their subordinated status in society (Donato & de Onis, 1994; Jackson & Solis, 1995). By the 20<sup>th</sup> century, Mexican-American children, as second-class citizens, were widely receiving a second-class education. The emerging social efficiency era and the institutionalization of vocational education further legitimized school segregation for Mexican American children (Donato & de Onis, 1994). As Jackson and Solis (1995) summarizes it:

Mexican people have had to struggle against settler colonialist educational policy for 150 years for the right to walk into foreign public schools and universities. Once inside the educational institution, the issue becomes one of content...based on a Eurocentric worldview, where the norm was corporal punishment for speaking Spanish on school grounds. (p. 121)

Writing about the struggles of Latinx generally, Victoria-María MacDonald (2013)

explains:

Schools have often been sites of political, racial, and linguistic conflict between the majority population and Latino groups. Latinos... [have perpetually been] underrepresented in key indicators of school achievement such as high school and college graduation rates, standardized tests, and college entrance examinations. Most experts agree that these indicators are not a reflection of ability; rather...Latinos have faced social, economic, and political barriers embedded in their historic presence in the U.S.. (p. 307)

Ultimately, the foundation had long been laid for a segregated and impoverished system of public education for Black, Brown and Indigenous people dating back to 1492. The legacy of conquest, settler colonialism, genocide, slavery and the systematic dehumanization of Black, Brown and Indigenous people was enthusiastically embraced by the nation's founders, who then wove it into the very fabric of U.S. society - culturally, politically and economically.

### **Stoking Nationalism with Fears of “Another Black Republic”**

During the 1890s, as patriotic fervor was sweeping the nation, the flying of the nation’s flag on school grounds and within classrooms was normalized, whereupon students were required to pledge allegiance to the nation’s flag on a daily basis. This morning ritual entailed students, under the direction of a teacher, to stand together at attention at their desks, while facing the flag and holding their right hand to their heart, while reciting, “I pledge allegiance to the flag of the United States of America, and to the

Republic for which it stands, one Nation indivisible, with liberty and justice for all”  
(Jones & Meyer, 1910).

These emerging rituals in schooling were representative of larger forces at work in which economic instability, capitalism's insatiable need for growth, to transcended national boundaries in its search for markets and quest for raw materials and labor; and fears of domestic strivings for equity were solidifying a more comprehensive form of U.S. nationalism. Many aspects of this new nationalism were embedded within the imperialistic motivations that led to the Spanish-American War in 1898. In 1893, a major depression due to domestic under-consumption gripped the nation. The political and financial elite were further compelled to pursue overseas markets for a swelling surplus of American goods (Mattern, 2006, Zinn, 2014). Long salivating over the commercial possibilities of Caribbean and Latin American markets and trade outposts, government and business focused their sights on Cuba. At the time Cubans were rebelling against Spanish rule, and the fact that a majority of the Cuban population was Black provided a convenient rationale for military intervention. Rebellion was also growing within the U.S. with massive labor strikes, struggles for universal suffrage rights and relief from poverty. This required the intensification of the social control apparatus of U.S. nationalism - well oiled by its highly effective and profitable role in the conquest of North America - as a means to deflect attention towards an external “threat” (Zinn, 2014).

In doing so, the Cleveland administration agitated white fears that a Cuban victory could lead to "the establishment of a white and a black republic" (Zinn, 2014, p. 223). In an 1896 article in “The Saturday Review,” a young rising star Englishman named Winston Churchill, whose mother was American, wrote: “A grave danger

represents itself. Two-fifths of the insurgents in the field are negroes” who might “in the event of success, demand a predominant share in the government of the country . . . the result being, after years of fighting, another black republic” (Zinn, 2014, p. 222). That other Black republic was of course Haiti; of which the U.S. has relentlessly worked to destroy since a Black slave rebellion established the nation in 1804. Churchill would go on to be known as one of the most racist U.K leaders of the 20th century, which was quite the feat. Always one to brutishly cut to the chase, the soon to be celebrated “war hero” and president, Theodore Roosevelt, wrote to a friend in 1897, "In strict confidence . . . I should welcome almost any war, for I think this country needs one" (Zinn, 2014, p. 219).

This racist and profit driven war machine also resulted in the U.S acquisition and occupation of the Philippines, resulting in a protracted war against armed Filipino freedom fighters. By some estimates, over one million Filipinos died, along with the pillaging of the country’s natural resources. In 1902, president Theodore Roosevelt summarized the essence of the war against the Filipino people by claiming it, “involved not only the honor of the flag but the triumph of civilization over forces which stand for the black chaos of savagery and barbarism” (Roosevelt, 1902, para. 7; Zinn, 2014).

In his 1909 book titled *Changing Conceptions of Education*, influential education historian and administrator, Ellwood P. Cubberley was explicit about how public education needed to be refashioned to meet capitalism's domestic and international demands. He believed that the Spanish American War of 1898 served,

...to concentrate attention once more on the advantages of general education. It was ‘the man behind the gun’ who won.” The trained artisan is to be the private; the trained leader the captain; and an educated, sober, capable, and industrious people the base of supplies for the national armies of the future. Whether we like it or not we are beginning to see that we are pitted against the world in...the

markets of the world, work for our people, and internal peace and contentment [social cohesion] as the prizes at stake. (p. 50)

Cubberley (1909) went on to note, “that the great battles of the world in the future are to be commercial rather than military or naval” and the “great educational lessons to be learned from a study of the educational political and industrial progress of the German Empire...are at last beginning to take root with us” (pp. 49-55). Cubberley felt that it was critical for public education to be “adapted to the needs of the future rather than to the needs of the present or the past” and by doing so, an “industrial and vocational” education needed to be widely instituted “if we wish to continue to prosper as a nation” (Cubberley, 1909, pp. 50-51).

Prior to the Spanish-American War, the U.S. had already intervened militarily to establish or protect U.S. economic and political power in Argentina, Chile, Haiti, Hawaii, Nicaragua, Korean, Panamá, Samoa, Greece, Uruguay, Japan, Tripoli, Colombia, Mexico and Korea. These imperialist interventions were only a warm up for what would ensue over the next three decades, let alone the 20th century (Global Policy Forum, 2015). In contrast to Ellwood P. Cubberley’s 1909 proclamations, Marine Corps Major General Smedley Bulter, characterized the nature of U.S. militarism in 1935 based on his personal involvement:

I spent 33 years and four months in active military service and during that period I spent most of my time as a high class muscle man for Big Business, for Wall Street and the bankers. In short, I was a racketeer, a gangster for capitalism. I helped make Mexico and especially Tampico safe for American oil interests in 1914. I helped make Haiti and Cuba a decent place for the National City Bank boys to collect revenues in. I helped in the raping of half a dozen Central American republics for the benefit of Wall Street. I helped purify Nicaragua for the International Banking House of Brown Brothers in 1902-1912. I brought light to the Dominican Republic for the American sugar interests in 1916. I helped make Honduras right for the American fruit companies in 1903. In China in 1927



I helped see to it that Standard Oil went on its way unmolested. (Schmidt, 2014, p.vi)

### **Strengthening the Infrastructural Power of Ideology**

By 1890, as public secondary education was slowly evolving as an alternative to private academies and seminaries and were being scrutinized, portrayed as too disorganized, pluralistic and inefficient and in need of being aligned with the new economy and emerging national interests. These rumblings were the beginnings of what many mainstream historians call the “high school movement” within the “human capital century” (Goldin, 2003, paras. 1-2). This framing describes how a “set of republican institutions” established a “host of changes” that allowed “the United States to respond to the increased demand for skill...with a set of New World preconditions” (Goldin, 2003, para. 22). Following this hegemonic script, Goldin (2003) explains that “By the early 20th century the United States began to endow a large fraction of its youth with skills in formal, school-based, academic settings, using a system termed here the U.S. template. The United States achieved mass secondary (and later mass higher) education because of a set of virtues. The virtues enabled the supply-side institutions to respond to the demand-side shift” (para. 22).

The “republican institutions” that were steering this virtuous agenda included federal and state officials, capitalists, scholars and religious-based charity organizations. These influential groups - as agents of the founders’ cultural political and economic aspirations - were debating the social aim of secondary education as a means to buttress domestic instability due to mass inequality while simultaneously expanding U.S. hegemony internationally (Hanson, 2011; Stromquist, 2005). For these purposes, new

scientific reasoning was being attached to long held cultural scripts that justified systems of domination as means to rationalize new or improved instruments (or logistical techniques) of social control (Davis, 1984). At the time social control theories were being applied to new scientific concepts of efficiency in support of white supremacy and class domination and rationalized through the “science” of Social Darwinism and eugenics (Leonard, 2005).

These reform efforts to expand infrastructural power with new or improved logistical techniques were tied to what is known as the Progressive Era. According to Winfield, many of these Progressive Era reformers, “were consumed by a defensive strategy that called for the eradication of the socially inferior and the preservation of ‘old stock’ American values and genetic material” (2007, p. 158). Others were motivated by “democratic ideals and social justice” and “made themselves the arbiters of a ‘new’ America in which the origin story ideals of the founding fathers could find a place within the nation’s changing landscape” (Hansan, 2011, para. 12). Of course the actual “ideals” of the founding fathers were already well in place and working quite efficiently.

A group of scholars and leading college presidents, who were focused on the social aims of education based on the ideals of “American Democracy,” began to meet in the early 1890s, taking a more custodial and opportunity-based stance on schooling. They believed that all students - regardless of their socioeconomic positions - should receive intellectually stimulating curriculum that equally prepares them for college and/or work. They articulated their position in 1893 as the National Education Association's Committee on Secondary School Studies (Committee of Ten). Aiming to establish a standardized curriculum, the Committee of Ten recommended that all public high schools

should follow a predetermined college preparatory, liberal arts curriculum that did not differentiate between students heading for college or work (Lee & Ready, 2009; Franciosi, 2004; Mirel, 2006).

As education reformers made concerted efforts to design the twentieth century high school, so did big business, positioned to further consolidate power and influence in government and public opinion. Beginning in 1860, capitalists began to organize themselves nationally, and between 1890 and 1920, various commercial and trade associations flourished; and setting the agenda for secondary education was a major priority. One such group was the National Associations of Manufacturers (NAM), which formed in 1896 and was highly influential in shaping education policy with a focus on vocational secondary education based on the differentiated German system. NAM members were concerned that the efficient skills-based German model of schooling disadvantaged American manufactures in world markets (Ginsburg, 1991). According to the U.S. Chamber of Commerce, this was a period when the “need for a closer relationship between government and business” became more “obvious” since organized labor was presenting a clear and present threat to the progress of the nation (The U.S. Chamber of Commerce, 2015, p. 5). This concern led President Taft to recommend to Congress in 1911 that a centralized business organization be created to be “in touch with associations and chambers of commerce throughout the country and able to keep purely American interests in a closer touch with commercial affairs” (The U.S. Chamber of Commerce, 2015, p. 5). In 1912, Taft called “for a conference in Washington of commercial and trade organizations” which resulted in the establishment of the

“Chamber of Commerce of the United States” whereby “Business had found its voice” (The U.S. Chamber of Commerce, 2015, p. 6).

Educators, businessmen, social workers, clergy, charity groups, large labor unions - most Progressive Era reformers were either beneficiaries or agents of, or skeptical participants in, the all encompassing free-market based Efficiency Movement, which considered all aspects of society to be riddled with waste and inefficiency (Hansan, 2011). The “progressive” remedy required expertise within the fields of science, engineering, technology and the new social sciences to develop quantifiable methodologies and roadmaps that would guarantee a less wasteful and more cohesive, productive and predictable industrial society (Carson, 2011). For this to happen, government, business and civil society were largely aligned in a common nationalistic aim of designing a model capitalist democracy. Theirs was the founders’ “democracy,” yet now it would be more firmly anchored by a comprehensive public secondary education system.

In 1894 British writer and Social Darwinist Benjamin Kidd popularized the term social efficiency in his internationally celebrated publication *Social Evolution*. Kidd postulated that social efficiency entitles "superior" races to control the raw materials of the world because, "the last thing our civilization is likely to permanently tolerate is the wasting of the resources of the richest regions of the earth through the lack of the elementary qualities of social efficiency in the races possessing them" (p. 347).

According to Jennifer Karns Alexander, the author of the 2008 *The Mantra of Efficiency: From Waterwheel to Social Control*, the ideology of efficiency when applied to society was conceptualized from the merging of two prevailing schools of thought

during the 19<sup>th</sup> century – Darwin’s theory of evolution and the theories of celebrated microeconomist Alfred Marshall. Speaking to this idea, Sutton (2009) explains how their commonality was based on:

...the insight that within large-scale dynamic systems (ecological and economical respectively), measurable differences in individual efficiency could make the difference between success and failure over the long-term. In business, as in nature, success in the competition for limited resources was determined by the extent to which methods that minimized waste and maximized output could be perfected...these lines of thinking increasingly permeated a wide range of intellectual matters by mid-19th century, linking efficiency with ideas of social progress and commercial growth. (para. 6)

Alexander (2008) goes on to claim that for both Darwin and Marshall “efficiency meant increasing and sophisticated organization necessarily accompanied by sacrifice: the death and extinction of less-adapted and less-specialized organic beings and the loss of autonomy by those engaged in all but the most mentally demanding forms of labor” (p. 75).

The rulers and beneficiaries of the industrialized society, who saw themselves as the most adapted and most specialized (hence genetically superior), believed that efficiency served a conservationist function of preserving the natural order of a hierarchical society and world. Of course from the perspective of those at the bottom of this “food chain,” this conceptualization is antithetical to the promise of “life, liberty and the pursuit of happiness,” a promise intended for the opulent. This notion of efficiency therefore authorizes the “less-adapted” and “less-specialized” human beings to be treated as disposable economic maximizers, whose only value is judged by their level of productivity as disciplined instruments within highly controlled profit seeking systems.

The instrument of social efficiency zeroed in on education while consensus was simultaneously building amongst the elite that, in the same vein as common schools, public secondary education should be established as a foundational institution for social control as a means to ensure adherence to the social aims of industrial capitalism. Drawing on Social Darwinism the social and scientific movement of eugenics quickly emerged within the new science of human genetics, providing the foundation for social efficiency in establishing science-based rationales for race and class hierarchies (Quigley, 1995). Eugenicists advocated putting limitations on political participation based on race and class, arguing the U.S. ruling class was in grave danger of “committing racial suicide” resulting from the precipitous reproduction of the genetically inferior, combined with the steady decline in the birthrate of the genetically superior (Quigley, para. 1, 1995). To address this social crisis, eugenicists advocated for a range of prescriptions, including mandatory segregation, sterilization, immigration restriction, and legal prohibition of interracial marriage. Newly developed Intelligence Quotient (IQ) tests soon became an instrument to reinforce the hegemony of eugenics and social efficiency, and over time became the basis for standardized tests generally, as a means to efficiently sort and rank students according to race, class and ability (Knoll, 2009; Quigley, 1995; Ritchie, 1896).

U.S. sociologist, eugenicist and renowned social control theorist Edward Ross is recognized as conceptualizing social efficiency to serve as a means for social control. In his 1901 book titled *Social Control*, Ross was primarily concerned with how democratic societies can be structured to reinforce dominant social orders (Labaree, 1997). With regard to education, Ross’s ideas centered on how the state, its schools, along with its

disciplined agents (teachers), can serve as a far superior socializer (compared to genetically inferior parents) and the most powerful instrument of social control by instilling "the habit of obedience to an external law which are given by a good school discipline" (Ross, 1901, p. 164).

Some social efficiency educators recognized mass public education's potential as a remedy to the moral and social ills associated with new immigrants. In line with Horace Mann's views, Ellwood P. Cubberley (1909) promoted public schooling's role in civilizing the "illiterate" and "docile" immigrants flooding in from southern and eastern Europe who lacked "in self reliance and initiative" and did not "possess the Anglo Teutonic [German] conceptions of law, order, and government" and therefore diluted "our national stock" and corrupted "our civic life" (p. 15). According to Cubberley, the aim was "to break up these groups or settlements, to assimilate and amalgamate these people as a part of our American race, and to implant in their children, so far as can be done, the Anglo Saxon conception of righteousness, law and order, and popular government, and to awaken in them a reverence for our democratic institutions and for those things in our national life which we as a people hold to be of abiding worth" (pp. 15-16). In Cubberley's 1922 book titled *A Brief History of Education* (a widely used textbook in teacher education programs), one section was labeled "The Education of Defectives," and another "The Education of Superiors." In the latter section, Cubberley complained that, "All the work...relating to the work of defectives, delinquents, and children for some reason in need of special attention and care has been for those who represent the less capable and on the whole less useful members of society - the ones from whom society may expect the least" (p. 821).

Within this worldview, public education needed to be standardized and made more efficient. Instead of holistic curriculum and student-centered instruction, schooling was to serve a larger “social mission” with a curricular focus on practical vocational knowledge and future “life experiences” (Knoll, 2009, p. 362). Beginning in 1903, Frederick Winslow Taylor was rapidly gaining attention by industrialists with his Scientific Management model of industrial production, which went on to gain prominence within the social efficiency movement, when he published “Principles of Scientific Management” in 1911. Scientific Management rapidly replaced older, craft-based, manufacturing methods with what became the prevailing principles of large-scale industrial manufacturing within assembly-line factories. The development of this model was partially in response to factory managers concerns about workers motivational problems, also called “soldiering,” which is when workers attempt to do a minimum amount of work in the longest amount of time. As a remedy, Taylor’s model (Taylorism) emphasized the standardization of work, through a division of labor, where factory managers constantly monitored and scientifically measured worker productivity. He suggested they do this by conducting time and motion studies on shop floors, monitoring workers with stopwatches and documenting their level of efficiency and productively at every step of production. Individual worker’s pay was then to be tied directly to output through piece-rate wages (Bouie, 2012; Taylor, 1911). Of course this method was ultimately about maximizing profits through the application of soul crushing and body battering methods, which played a major role in the unionization of factories over the proceeding decades.



## **Educating the “Worm Eaten Stock”**

John Franklin Bobbitt, a leading curriculum scholar, ardent follower of Taylor and head of the Department of Education at the University of Chicago published “The Elimination of Waste in Education” in 1912. In it, Bobbitt likened schools to factories, referring to them as "plants," claiming that each “plant” should be operated "according to recently developed principles of scientific management, so as to get a maximum of service from a school plant and teaching staff of minimum size” (Bobbitt, 1912; White 2011). Bobbitt’s contributions went well beyond the hierarchical and standardized physical organization of schools and their curriculum. His conceptualization of education for the future labor force was one of dehumanization and commodification. Bobbitt viewed students as “raw material” and schools as factories and classes as the assembly line that manufactured “a uniform, standardized product” designed with the singular intent of reproducing and maintaining existing social orders (Callahan 1962, p. 139). Teachers were disciplined factory workers who utilized the most efficient means to ensure that students (as raw material) were molded and sorted according to the narrow vocational standards, cultural scripts and mental dispositions that served private industry and other nationalistic aims. School administrators were the factory managers who monitored, directed and disciplined teachers - as assembly line workers - throughout the production process (Au, 2009; Bobbitt, 1912; Kliebard 2004; Sewell, 2008; White, 2011).

Bobbitt’s model of schooling was highly influential and shaped public education for decades to come, on many levels. His views, like many of his contemporaries, were also explicitly infused with the ideologies of white supremacy and class superiority propagated by eugenics. In his 1909 article titled “Practical Eugenics,” Bobbitt declared,

“If a child is well-born” of Anglo-Saxon “stock” and is thus genetically superior, “he possesses high endowment potential” and is “protected from adverse influences...and abundantly responsive to the positive influences of education” (Bobbitt, 1909, p. 385).

Bobbitt went on to explain:

...if, on the other hand, the child...springs from a worm-eaten stock, if the foundation plan of his being is distorted and confused in heredity before his unfolding begins, then the problem of healthy normal development is rendered insoluble before it is presented. Such a child is difficult to protect against adverse influences, and he remains to the end stupidly unresponsive to the delicate growth factors of education.” (Bobbitt, 1909, p. 385)

Bobbitt continued, in this piece, with a warning to his colleagues concerning the sinister processes that were unfolding in 20<sup>th</sup> century America. He went on to express distress about the decreasing birthrate of the Anglo-Saxon “stock” and how this would result in a “drying up of the highest, purest tributaries to the stream of heredity” (p. 388). He proceeded to diagnose the problem as being the increasing birthrates and immigration of those who are not from the “strains of our imperial race,” which are causing a “rising flood in the muddy, undesirable streams” into society (p. 388). Bobbitt also pondered the problems facing eugenics, which in his words is “the newly-arising science which seeks to improve the inborn qualities of our race” and while “it is easy to see the practical advantages to result from an application of its principles...it is not at all easy to see how it is to be done” (p. 386). Apparently he found the solution to this “problem” when he published “Elimination of Waste in Education” two years later.

Expanding on the broader impacts of eugenics on U.S. education, *Rethinking Schools* (2014) notes:

The United States has a long history of using intelligence tests to support white supremacy and class stratification. Standardized tests first entered the public

schools in the 1920s, pushed by eugenicists whose pseudoscience promoted the “natural superiority” of wealthy, white, U.S.-born males. High-stakes standardized tests have disguised class and race privilege as merit ever since. The consistent use of test scores to demonstrate first a “mental ability” gap and now an “achievement” gap exposes the intrinsic nature of these tests: They are built to maintain inequality, not to serve as an antidote to educational disparities. (para. 5)

In his book, *Unequal by Design*, Wayne Au (2009) writes:

It is important to recognize that the technology of standardized testing, beyond its role in I.Q. and eugenics, proved to be a pivotal technical, conceptual, and ideological apparatus in the ascendancy of the application of scientific management and models of capitalist production to education. Tests as a technological instrument enable education to operate in several ways. They determine universal norms and standards through which to classify, construct comparisons, mark deviance and sort human populations under the pretext of scientific objectivity. Through the establishment of universal objectivity, standardized tests also commodify those who are being measured by the tests, allowing for students to be viewed and treated as products. Commodification therefore permits learners to be categorized and sorted as ‘things’ and creating conditions for systems of production to be monitored, surveilled, and ultimately disciplined. (p. 39)

Standardized testing, with its foundational concepts of scientific objectivity and students as commodities, is designed to serve as a crucial apparatus in the maintenance of the American cultural myth of meritocracy, which posits that everyone has the chance to work hard and compete freely to attain educational, social and economic success (Au, 2009; *Rethinking Schools*, 2014).

Because of this fact, any historical examination of the establishment of universal public education must expose its social engineering aims through the intersection of scientific management and eugenics. It is hard to imagine how an institution with these designs - while constructed to serve the cultural, political and economic power structures of an inherently unequal, undemocratic and violently racist nation state - could ever be reformed to serve any liberatory purpose.

## **The Institutionalization of Efficiency**

David Snedden, a Columbia Teachers College professor and Massachusetts Commissioner of Education, was one of the most influential social efficiency leaders during the 1910's and played a major role in propelling vocational education into all of the domains of power by the end of the decade. Snedden's ideology of education is described by Emery Hyslop-Margison (2000) as being:

...a vocational training model that responded directly to the specific labor force needs identified by industry. Under his scheme, vocational education would be structured to direct non-academic students into required labor force roles for which they were deemed best suited. He argued that educators should simply accept the industrial social system and its accompanying class structure as an inevitable fact of life, and channel their energies toward ensuring its efficient operation. According to Snedden, the primary purpose of vocational education was meeting labor force needs and preparing students with assumed limited intellectual capacities for immediate employment in industry. (para. 6.

Two of Snedden's major influences included Edward Ross (social control) and leading Social Darwinist Herbert Spencer. Snedden is best known for mentoring and launching the careers of key leaders in the social efficiency movement (Kliebard, 2002; Labaree, 2010).

Between 1900 to 1917 over 30 bills were introduced in Congress in support of vocational education based on calls from agricultural and manufacturing trade associations for the federal government to provide aid to further vocational education in secondary schools. In 1903, Carroll D. Wright, a former Massachusetts Senator and the first U.S. Commissioner of Labor, was appointed to be a member of the Massachusetts Commission on Industrial and Technical Education (also known as the Douglas Commission). The Douglas Commission – named after then Massachusetts governor William Lewis Douglas (and owner of the world's largest shoe manufacturer) enacted

legislation in 1906 establishing Massachusetts industrial education, “making it ‘the Grandfather of Vocational Education.’ In 1908, the Smith Vocational and Agricultural High School in Northampton Massachusetts was the first Vocational Technical school to open...” (Fraser, 2008, p. 2). At the request of industry and key social efficiency leaders, Massachusetts carved out a separate public vocational education system that served as a model for “industry leaders and educators from other states of the nation” (Barlow, 1976, p. 52).

In 1907, Wright became the second president of the National Society for the Promotion of Industrial Education (NSPIE), which was established in 1906 for the purpose of distributing federal funds to states “to assist in focusing public opinion in favor of an educational system that would give boys and girls who enter at an early age...an adequate preparation for industrial efficiency” (Wright, 1909, p. 13). NSPIE was composed of prominent social efficiency educators, many industry trade organizations, including the U.S. Chamber of Commerce as well as the National Education Association and the Democratic Party. The American Federation of Labor was also on board since this was a period when its membership was composed of the more elite “skilled tradesmen” (Hillison, 1995). NSPIE was the major player in the passage of the Smith-Hughes Act. In a 1909 article written by Carroll D. Wright about NSPIE, he shared some of their legislative strategies, some of which were first deployed in Massachusetts:

...the methods for propaganda must of necessity vary, and obviously they should be based on a full knowledge of local conditions. The board of managers therefore at the start adopted the plan of organizing in each state a nucleus of interest from which wise and effective activity might radiate. In accordance with this view, an effort was made to establish state committees in all states of the Union... And it is worthy of note that, although practically all invitations to serve on these committees were necessarily extended by letter, prominent men and women

everywhere readily responded to the call...ready to preach the gospel of practical education for efficiency whenever the opportunity might arise. (pp. 14-15)

David Snedden disciple Charles A. Prosser served as the Deputy Commissioner of Industrial Education in Massachusetts between 1910-1912, leaving this post to serve as the Secretary of the NSPIE until 1915. Prosser went on to be known as the father of vocational education in the U.S. and the author of the Smith-Hughes Act (Prosser, 1918). Smith-Hughes is recognized as a milestone in federal intervention in establishing extensive vocational education in U.S. public secondary schools, for the purpose of preparing the 20<sup>th</sup> century workforce that industry demanded. It marked a major victory for the social efficiency movement in that it established a tracked and differentiated system of schooling for poor and working-class students who were “predestined” to not be worthy of a liberal arts education and postsecondary education. The timing of Smith-Hughes was not coincidental; it was enacted during a time of hyper nationalism that was fueling the nation’s first large-scale war of imperialism. Facets of the massive domestic propaganda machine during the “Great War” (World War I) focused on competing against the highly regarded and efficient German vocational education system. Many critics also charged that the U.S. public education system was still not delivering adequate job training during a period when technology was rapidly changing, further raising suspicion by some of its underlying social engineering purpose (Furedi, 2014; Herrick, 1996; Hillison, 1995; Smith & Hughes, 1917).

The practical nature of social efficiency’s approach to schooling made for a persuasive sell by its powerful and highly influential proponents, particularly by framing it as a means of social mobility. Many working people, immigrants and moderate unions

supported the utility of having a legitimized and highly structured education system that is aligned with economic realities, providing relevant skills and greater opportunities for their children's future. The public at large was also easily convinced that this model of education made good economic sense. Besieged by the era's cult of efficiency, it was difficult to dispute the common sense cultural script that productivity enhancing discipline and skills, which promote economic stability, growth and an investment in human capital would provide a higher return on investment for industry (and therefore society) and dividends for individual investors (taxpayers) (Hillison, 1995; Larabee, 1997).

Twenty-five years after the National Education Association released the Committee of Ten report with its emphasis on intellectual development of all white children, the NEA formed the Commission on the Reorganization of Secondary Education, chaired by another Snedden disciple, Clarence Kingsley. This Commission was tasked with forming the social efficiency doctrine for secondary education, resulting in a 1918 report titled "Cardinal Principles of Secondary Education" (Feldman, 2005). In this report, the commission prescribed seven aims of secondary education: (1) Health, (2) Command of fundamental processes, (3) Worthy home membership, (4) Vocation, (5) Citizenship, (6) Worthy use of leisure, and (7) Ethical character (Kliebard, 2002). These standardized aims of schooling defined an ideological curriculum that efficiently shaped students to be disciplined and self regulating citizens according to the political, economic and military aims of more intensive forms of U.S. nationalism. This new nationalism was in response to the nation's growing international interests and to suppress growing leftist

struggles domestically, which were gaining traction in electoral politics, labor unions and in opposing “The Great War” (Boyer & Morais, 1955; Zinn, 2014)

Deviating from the practice of establishing separate vocational schools that were advocated by Snedden and others, “Cardinal Principles” recognized that segregating white students on a large scale into two separate school systems with two different curriculums based on social class would be politically indefensible. Instead of one system for vocational students as future producers and followers and another for liberal arts education students as future consumers and leaders, the report advocated for the establishment of vocationalized and tracked comprehensive high schools. The differentiated curriculum recommended by “Cardinal Principles” proposed to align coursework with the expected destinations of students based on social class (Kliebard, 2002; Labaree, 2010; Snedden, 1919). This became the template for public secondary education that would go on to predominate throughout the 20<sup>th</sup> century and is not only reflective of the evolution of social efficiency, but is also viewed as being highly influential in the entrenchment of standards-based education (Feldman, 2005; Kliebard, 1995).

The “Cardinal Principles” designers’ break with the social efficiency tenet of segregated schools for working-class white students was not about adopting new worldviews, but was more about adhering to the empty promises of U.S. democracy and to accommodate a relatively influential opposition. Those being accommodated were those on the “rational left,” the liberal education reformers aligned with John Dewey who believed that democracy could coexist with American capitalism and white supremacy; and the politically moderate craft union movement associated with the American



Federation of Labor (Kliebard, 1995; Labaree, 2010). According to Labaree, “The way the *Cardinal Principles* report wove together the themes of social efficiency and democracy provided the rhetorical structure for this compromise” and “allowed the social efficiency strand of the progressive movement to have a lasting impact on goals and curricular organization of American education” (Labaree, 2010, p. 174). Similar to the social cohesion or “social unification” purpose of Mann’s common schools, “Cardinal Principles” proposed comprehensive public high schools, where white middle-class students would mix and form common personal and social bonds with white working-class students, thus reducing envious tensions based on the their family’s differing incomes and social agency. According to Kliebard (1995), the differentiated high school was designed “to reflect the needs of an industrial society through a differentiated curriculum” while also attending “to the significant differences in ability as well as the multifarious needs of an industrial democracy” (p. 202).

Ultimately, this model of schooling served an important assimilation function in that it created an integrated common space in schools (yet with segregated coursework) as a means to have more “enlightened” students model American values and conduct for working-class students, particularly new immigrants. This environment also served to normalize - and cultivate acceptance of - the larger inequitable and socially stratified society. This socialization project was in line with a hegemonic script popularized during that time, which portrayed the U.S. as a wondrous “melting pot” where all nationalities, cultures, ethnicities and classes (from Europe) could come to America (as the land of opportunity) and live as one big socially cohesive white society.

With the understanding that secondary schools would be the site where differentiation would be most prominent, the Junior High School (and the Middle School) was created for the purpose of determining children's capacities and to sort them accordingly before entering high school (Kliebard, 2004). As Kliebard (2004) goes on to explain:

There had, after all, been a whole new institution created, the junior high school, and with the influx of mental testing into the schools on a mass scale after World War I, that institution could devote itself to determining the true nature of the "raw material," leaving the high school free to provide the differentiated curriculum that the social efficiency reformers so insistently demanded. (p. 106)

The original design and intent of primary and secondary public education provided the foundation for a model of schooling that would go on to endure throughout the 20<sup>th</sup> century and into the 21<sup>st</sup> century. Yet, struggles over curriculum at the federal, state and local levels were significant; often reflecting the influences of intellectual and cultural movements, struggles for political, economic and social protections and humanistic and holistic approaches to education. These influences were consistently undermined or reversed by anti-intellectual and imperious social efficiency interests that are embedded within the state-capitalist pact that is intrinsic to the founders' cultural political economy. Thus, mass public education stayed the course of its original mission of preserving the inequitable, violent and undemocratic structures of white supremacy, settler colonialism, capitalism and heteropatriarchy (Cuban, 1984; Kliebard, 2004; Zilversmit, 1993).

### **The Myth of Local Control**

In reality, the differentiated school design was dependent on the degree to which local communities were socially and economically integrated. Just as structural barriers for social integration were woven in the fabric of U.S. society, so was the primary method of funding locally based public schools: property taxes based on local home values (Kelly, 1995). The very idea that access to, and the quality of, a “public” education (one that is tied to social status) was tied to private property *is* the story of “American Democracy.”

Although founded, shaped and structured within the nationalistic design of mass public education, public schools in the U.S. have long been considered to be democratic institutions that are governed by and serve local communities under the “theology” of local control (Cooper, Cibulka & Fusarelli, 2008, p. 203). Local control presumes that because public schools are largely funded by local homeowners, they are responsive and accountable to the local communities where they are located. This system supposedly enables local stakeholders (parents and the community at large) to monitor and participate in the affairs of their public schools. This presumed sovereignty also permits community members to have a say in framing and contesting the cultural scripts within their children’s education. Yet, built in social and economic inequities that disenfranchise and divide people, along with undemocratic mandates driven by the private sector and attached to federal and state regulations and funding, frames the actual history of local control (Baker & Corcoran, 2012; Meyer, 2010). Local control has, however, allowed for curriculum to vary from location to location, often within an already parochial framing of culture and thought (Marcotte, 2015).

Ultimately, it is the undemocratic political economy that is preserved by the U.S. Constitution, the Supreme Court and the cultural scripts of U.S. nationalism that averts democratic control of public schools. These structures and institutions were designed to obstruct the equitable distribution of resources and parity of participation, both measures of a genuine democracy. Instead, the rights of private profit prevail over all others and the mechanism of states rights usurps civil and civil rights, while the ideology of negative rights prevail over positive rights (restorative justice, recognition and equality of outcome). One of the most glaring historical examples of this reality was the fact that despite several constitutional amendments and multiple reinforcement and civil rights acts, Jim Crow laws existed and persisted for over a century, creating separate and unequal “democratically controlled” public school systems. These realities persist today. Despite the 1954 *Brown v. Board of Education* Supreme Court decision that ruled racial segregation in public schools as unconstitutional and that separate schools are indeed unequal; U.S public schools are more segregated in the 21st century than they were just before the Brown ruling (Keisch & Scott, 2015). This reality is the result of the unequal nature of the cultural political economy, with the helping hand of federal and state governments instituting authoritarian neoliberal education reform policies such as “No Child Left Behind Act” and “Race to the Top” funding program (Howe & Meens, 2012).

Reflective of these recent examples of the tenuous nature of federal civil rights interventions, persisting examples of undemocratic policies and practices in public schools - despite “local control” - are numerous. For example, educational apartheid based on race and class is a long accepted reality; tracking based on race and class remains a common practice; it is generally acceptable for public schools to deny poor

children meals if their family falls behind on payments; nationalistic myths prevail in school curriculum; and Christian fundamentalism influences curriculum and the culture of schooling (Burris, 2014; Keisch & Scott, 2015; Loewen, 2008; Marcotte, 2015; Wright-Poersanti, 2013). The most glaring example of the undemocratic nature of public education - despite “local control” - lies in the fact that since its inception; private interests have dictated, overseen and benefitted from public school curriculum, pedagogical practices, teacher education as well as student, teacher and school assessments (Scott, 2011; Kaestle, 2011).

As a reflection of the larger U.S. society, education inequities between public school districts cannot be remedied by local control. In fact, local governance and financing only contribute to the wide disparities among school districts and communities’ ability to adequately fund and participate in local public schools. It is the built in structural inequalities and accompanying cultural scripts in U.S. society at large which guarantee that affluent communities – mostly white, with higher tax bases and ample social agency – can sufficiently fund and have some level of influence in their local public schools; while disenfranchised poor communities (especially Black, Brown and Indigenous ) cannot (Cibulka 2001; Kozol 1991; Noguera & Akom, 2000). To some degree local control exists, but only in terms of which groups and individuals are anointed with the social agency to serve as local agents, advocates and stakeholders of the larger sources of power.

## CHAPTER 6

### THE REALIZATION OF THE AMERICAN DREAM

In previous chapters I have attempted to provide evidence that supports my argument that U.S. public education was designed to be an enduring extension of a duplicitous and despotic cultural political economy and therefore has never been, nor can never be, an institution that serves parity of participation and the emancipatory purposes of political, social and economic equity or equality. Thus, as with the U.S. nation-state as a whole, transforming U.S. public education to serve these purposes is misdirected and ultimately futile. This is especially relevant in reference to current neoliberal education reform structures, which are in fact a continuation of the original design of public education, yet modernized for the current era.

The instruments, dynamics, influences and impacts of global financialization is all encompassing. It is an ever expanding empire that is increasingly ruling over all aspects of life across the planet, ensuring that traditional state and public domains are only responsive to its imperious demands. It is by design unsustainable, its impacts are massively devastating, and its demise is potentially catastrophic. Like many of its critics, I believe that due to the nature of its sophistication and supremacy, reforming it is not an option. Traditional models of resistance, social protections and emancipatory efforts cannot be realized within the structures and institutions under its domain. This naturally includes public education. As an outgrowth of the original cultural, political and economic structures of the U.S., it synergistically leverages those structures domestically to serve its purposes.

For all of these reasons, the purpose of this chapter is to build upon previous chapters with additional evidence that advances my argument that a new “state-finance matrix” emerged from, expands and reinforces the underlying cultural political and economic foundations of the U.S. To do this, I begin by exploring the ascendance of finance capitalism byway of the neoliberal revolution and how this dynamic was a natural outgrowth of unfettered U.S. capitalism. I then attempt to describe the elaborate and pervasive nature of its primary instruments and their national and global implications. To better understand the state-finance matrix and its instruments in practice, I go on to detail a few of the ways it is being implemented via: auction rate securities & interest rate swaps, private equity and real estate markets, impact investing and social impact bonds. I conclude this chapter by looking at how financialization occupies electoral politics and how systems of surveillance have evolved to better preserve its domain.

### **The Financialization of Everything**

Throughout the 20th century the founders’ social order withstood significant efforts to mitigate the impacts of its violent structures. By the close of the century, the nation’s pernicious cultural political economy had once again proven its durability, enabling it to more fully realize its manifest destiny in the 21st century’s financialized economy.

Designed as an extension of the nation’s enduring structures, U.S. public education also fulfilled its intended purpose throughout the 20th century and was therefore able to serve as an ideal substructure for the designs of neoliberal financialization. As I have chronicled, this design is not only confined to public education

systems, and instead applies to all institutions within all nations for the purpose of restructuring and aligning societies to buttress the interests of the state-finance matrix. Within this empire, national sovereignty is not applicable to its unaccountable “minority of the opulent.” Instead, state sovereignty – as an instrument of domination and control - facilitates and protects their wealth through unprecedented demands of human bondage and disposability.

From the 1930’s to the 1970’s, the standard of living rose for many white working-class people, in large part due to the G.I. Bill and domestic corporations being forced to make concessions to organized labor, Keynesian welfare programs and regulatory policies. To a much lesser degree, these same factors along with the expansion of recognition rights and limited anti-poverty programs raised the standard of living for small proportions of Black, Brown and Indigenous people (Malcolm Wiener Center for Social Policy, 2008; Murji & Solomos, 2005; Shoemaker, 2000). Rising standards of living in the U.S. were largely “paid for” through imperialistic means in the “extraction of food, raw materials, [and] cheap labor” from nations across the globe (Wolff, 2015, para. 4).

As conceptualized by the “Modern Era,” globalization has long been rooted in the ideology, policies and practices of European and U.S. imperialism. In the U.S., its expansion contributed to wage stagnation or the decline of wages that began in the 1970’s due to a number of factors that complimented the emerging neoliberal revolution. These included a surge of technological advances such as greater accessibility to international travel via the jet engine, which bolstered commercial air travel, while computer systems were being applied to production, furthering automation and worker displacement. This



was also a period when advancements in telecommunications and the Internet began, making it possible to monitor and control production from thousands of miles away. Within this backdrop and buttressed by neoliberal doctrine, corporate boards and investors realized that they could maximize profits even further by moving their domestic centers of production to impoverished regions where work could be done for a fraction of the cost (Wolff, 2015).

Domestically, as the demand for workers shrank (including well paid unionized workers), the supply of workers rose. This confluence was intensified as more women entered the workforce and as a result of U.S. policies and interventions, immigration from Latin America increased. These dynamics made it easier for employers to refuse to raise wages and instead reduce total compensation. Speaking from the perspective of employers within this context, economist Richard Wolff goes on to claim, “why in the world should we raise wages when we don’t have to? When there are so many people in the world available to us relative to what we need, at least what we need here in our own days, that we don’t need to, we will not do so” (2015, para. 6).

In 1971 the Nixon administration imposed the “Nixon Shock” by taking the U.S. off the gold standard, which significantly shifted the global economic landscape. By doing so, “the debt driven financial services industry began its long march upward” (Domitrovic, 2012, para. 7). Ultimately, going off the gold standard was just one step in the explosion and consolidation of credit and debt. Initially, access to credit served as a palliative drug as the standard of living was being systematically reversed for a majority of Americans during the early stages of the era of neoliberalism and financialization (Wolff, 2015).

Before the 1930s, lending primarily occurred between banks, or banks lending to businesses and the government. The consumer credit industry took off during the 1920s, mostly for household products, then expanded under the New Deal when the federal government mandated banks to make home loans more widely available, as long as the homes would function as collateral. Credit cards or charge cards originated in the early twentieth century and were initially made available to bankers, corporate executives and other wealthy people for use within their exclusive luxury and elite institutions. In the 1970s banks realized the profit-making potential of mass consumer credit and the growing demand for it in the age of wage stagnation; so they began to make credit cards and personal loans more widely available (Calder, 2009; Finel-Honigman & Sotelino, 2015).

Working in tandem with a more sophisticated advertising and marketing industry, the expansion of consumer credit increased consumption under the perception that the American Dream could still be realized through the provision of credit and a two income household. By the 21st century a majority of the U.S. population were financing their lives through debt, for basic needs or for living beyond their means. Simultaneously, real wages (after inflation is taken into account) remained flat and began to decline for many workers, as the cost of living steadily rose (DeSilver, 2014). According to Richard Wolff, the financial crisis of 2008 was this “day of reckoning, when the mask of rising credit, through the credit card and the student loan and automobile loan and the house loan, when they hit the wall” (2015, para. 8). Wolff (2015) goes on to explain:

That’s why the crisis began with the so-called sub-prime mortgage. It’s when you begin to get the first crack in this absurd and unsustainable arrangement, and that’s why it was so silly for Bush to say that this would be short-run, temporary

crisis... and for Obama to imagine he could fix it quickly. This is nonsense, this is for people who couldn't see beyond their bellybutton... (para. 4)

There are no good old days of banking in the U.S. based on the simple fact that it has always been the backbone of capitalism, and consequently a purveyor of mass inequality. Prior to the Civil War, banks were individually chartered by the federal government or were state-chartered institutions. During a major financial crisis in the midst of the Civil War, Congress and the Lincoln administration asserted federal control over banking in the U.S by passing the National Bank Act of 1863 and 1864. The Acts established an active secondary market for U.S. Treasury securities to finance the war, created a national currency and chartered a national banking system, which was largely decentralized (Dubofsky, 2013).

During the late 19th century, U.S. banks were increasingly engaging in speculative ventures or an "overinvestment in securities" domestically and internationally that created artificial conditions in markets, panicked runs on banks and ultimately the stock market crash of 1929. Unfettered capitalism crumbled under the weight of its voracity and swindler character (Wilmarth, 2005).

Speculation in various forms has been around since the advent of capitalism, found its footing in the U.S. early on through land speculation (of stolen land); hit its stride in the early 20<sup>th</sup> century stock market, largely contributing to its crash in 1929; which lead to Keynesian New Deal reforms. In essence, the New Deal was a massive state intervention to save capitalism from itself, which included taming radical elements of organized labor under the regulatory mandates of the National Labor Relations Act (Hurd, 1976).

As part of the New Deal's Keynesian interventions, the Banking Act of 1933 (or Glass-Steagall Act) was enacted, mandating the separation of commercial and investment banking while redirecting bank credit towards "productive uses, such as industry, commerce and agriculture" (Maues, 1933, para. 2). In addition to prohibiting banks from selling securities, Glass-Steagall required large banks to have greater oversight by the Federal Reserve System and for bank deposits to be insured by a pool of money taken from banks through the Federal Deposit Insurance Corporation (FDIC) (Maues, 1933). The federal government became a more active custodian of U.S. capitalism under the New Deal, largely through regulating its banking system.

The Federal Reserve System (or "the Fed") was established by Congress in 1913 as the U.S. central bank with the purpose of bringing stability and security to an unruly capitalist economy, which had been continuously plagued by bank failures and financial crisis (Federal Reserve Banks of St. Louis, 2015). It is important to pay attention to what the Fed is supposed to be doing compared to what it has actually done since its inception - or more importantly - what is possible within context of U.S. capitalism. According to the Federal Reserve, their responsibilities have evolved to encompass four general areas: (1) Conducting the nation's monetary policy by influencing money and credit conditions in the economy in pursuit of full employment and stable prices; (2) Supervising and regulating banks and other important financial institutions to ensure the safety and soundness of the nation's banking and financial system and to protect the credit rights of consumers; (3) Maintaining the stability of the financial system and containing systemic risk that may arise in financial markets; (4) Providing certain financial services to the U.S. government, U.S. financial institutions, and foreign official institutions, and playing

a major role in operating and overseeing the nation's payments systems (Federal Reserve System, 2015). In reference to the role of the Fed, Richard Wolff (2015) aptly notes:

...the FED and how it works is definitely a part of the problem... [a]s usually happens with reforms, the system bent the reform institution to its ways rather than the other way round. The FED has been no more effective in preventing business cycles [of which recessions are part of] than the system before. In other words, these cycles are a problem of the economic system - capitalism - as a whole. They are not solvable by this or that change of this or that part of the system. Getting rid of the FED will no more solve the problem of cycles than establishing the FED did. (paras. 1-3)

As the 20th century unfolded, the expansion of the “traditional” for-profit community bank established the credit provision of making long-term loans and funding them by issuing short-dated deposits, otherwise known as “borrowing short and lending long” (Edwards & Mishkin, 1995, p. 27). Credit unions (membership-based around a common association), which often offered more favorable rates and other member-centered services, became a trusted banking business during this time (Edwards & Mishkin, 1995).

As neoliberal globalization became firmly established during the late 20th century, the federal government and state governments became better equipped to fulfill their hegemonic and constitutional charge as the protectors of the minority of the opulent and the guarantors of unbridled capitalism. At the turn of the 21st century with the Keynesian welfare state in ruins, the goal of thoroughly marketizing U.S. society would soon be realized (Polychroniou, 2014).

The century conveniently opened with two permanent wars - the “war on drugs” and the “war on terrorism” that operationalize expansive social control structures: nationalistic scripts that increase the disposability of Black, Brown and Indigenous lives

domestically and justify intensive imperialist plundering internationally; sophisticated apparatuses of mass surveillance; increased militarization of the police; and the normalization of economic austerity. This was this backdrop that ushered in the next phase of the neoliberal restructuring project, emboldening the state to solidify a more cohesive relationship between debt and discipline through legal methods and monetary policies that would financialize the U.S. economy, and in turn the global economy.

According to Epstein, “financialization refers to the increasing importance of financial markets, financial motives, financial institutions, and financial elites in the operation of the economy and its governing institutions, both at the national and international level” (2001, p.1). As Mahmud (2012) describes it,

financialization refers to a marked increase in the volume, velocity, complexity and connectedness of financial flows and an increasing shift of finance capital from production and trade toward speculation and intermediation. It facilitated Americanization of global finance, helped to entrench the imperial role of the U.S. into global finance, and made it possible for global savings to flow to the U.S. at an unprecedented scale. (p. 5)

As reviewed in Chapter 1, neoliberal globalization and its underlying free-market doctrine enabled finance capitalism to reign supreme in the 21<sup>st</sup> century. It eliminated controls of cross-border international capital flows; deregulated banking and financial sector activities; lifted interest rate ceilings and credit controls; and facilitated the growth of the more unaccountable financial instruments of securitization, hyper-speculation and the established a shadow banking sector (Martin, Kersley & Greenham, 2014).

The logic of deregulation posits that as economies “develop” (code for neoliberal reforms), the financial sector will then strengthen and widen, penetrating deeper into the cultural, political and economic fabric of nations. According to the Organisation for

Economic Co-operation and Development (OECD) - a global organization that promotes free-market development - this process facilitates an “increase in the nature and number of financial instruments, the interrelationship and sophistication of financial institutions, and the geographical penetration and extent of financial markets (for short, financial sector development)” (OECD, 2007, para 2). The OECD describes the financial sector as a “set of institutions, instruments, and the regulatory framework that permit transactions to be made by incurring and settling debts; that is, by extending credit” (OECD, 2007, para 1). In describing the rise and scope of finance capital, Thümler (2014) concisely points out that:

Finance is no longer regarded as the handmaiden of the primary economy. It has, rather, evolved into a distinct ‘sphere’ that is, a field of economic activity sui generis [in a class by itself]. It can be distinguished from the three other economic spheres, namely production, consumption and exchange, by its particular function: to provide credit to the primary economy. Finance thus plays a crucial role in the process of production and serves as an important precondition for economic growth. (pp. 4-5)

### **The Nuts and Bolts of Financialization**

Writing in Foreign Affairs magazine in January 2016, John Kay reported:

Over the last 30 years, the finance sector has placed itself at the centre of political, economic and business life. Today, finance is the most powerful industrial lobby and a major provider of campaign funding. News bulletins report daily on what is happening in “the markets”—by which they mean securities markets, not shopping malls or supply chains. “Business news” is largely news about stock prices, and when news about output, employment, or products is released, the media turn to Wall Street for an assessment of its significance. (para. 1)

According to the financial website Investopedia, the financial sector is “a category of stocks pertaining to companies that offer financial services to commercial and retail customers; and includes banks, investment funds, insurance and real estate” (2015, para.

1). The largest U.S. based financial companies include AIG, Bank of America, Citigroup, Fidelity, Goldman Sachs, JPMorgan Chase, MetLife, and Wells Fargo (Hoover's, 2015, para. 1). Monetary authorities that are charged with monetary control are included in this sector, which in the U.S. is the Federal Reserve System (or "the Fed") (Hoover's, 2015). According to the business research company, Hoover's, firms in this sector facilitate financial transactions and engage in transactions that "create, liquidate, purchase, and sell financial assets such as securities, bonds, and insurance" (2015, para. 1).

As established by the North American Industry Classification System (NAICS) and outlined by Los Angeles Research Group, the Finance and Insurance sector,

...encompasses establishments that primarily engage in financial transactions, that is, transactions involving the creation, liquidation and change in ownership of financial assets or in facilitating financial transactions. Financial industries are extensive users of electronic means for facilitating the verification of financial balances, authorizing transactions, transferring funds, notifying banks (or credit card issuers) of the individual transactions and providing daily summaries. (2016, para. 1)

According to John Kay (2016), "[t]he central characteristic of the recent process of financialization in Western economies has been a shift from relationships to transactions" (para. 4). Intermediation is central to financial transactions that "greases the wheels of commerce" (Ostaszewski 2003, p. 1). Simply, intermediation is when an entity or person acts as an intermediary (a middleperson) between two or more parties in a financial transaction. For a brief period in U.S history, small commercial banks, credit unions and local branches of large banks served as the primary intermediary in the lending of money by those who have a surplus of savings (savers) to borrowers (individuals, households, companies, governments). Within this traditional banking model, intermediation between savers and borrowers transpired within a single



institution. Savers also owned the equity and debt issuance of the banks. Based on this more direct relationship between savers, banks and borrowers, credit intermediation involved relatively stable sources of funding and transparency (Cetorelli, Mandel & Mollineaux, 2012; Guttman, 2008; Luttrell Rosenblum & Thies, 2012; Pozsar, Adrian, Ashcraft & Boesky, 2012).

The operational epicenter of financialization was the mass marketization of the system of credit intermediation within a highly unaccountable and non-transparent banking system comprised of what is often referred to as “shadow banks” (Cetorelli, Mandel & Mollineaux, 2012; Pozsar, Adrian, Ashcraft & Boesky, 2012). While various types of intermediation inside and outside of traditional banks has long existed, Luttrell Rosenblum & Thies (2012) explain how:

Shadow banks are at the center of our global market-based financial intermediation system, conducting maturity, liquidity, and credit transformation without explicit public sector credit guarantees or liquidity access... many of the largest shadow banks are established institutions that are deeply intertwined with the traditional banking system. The largest securities dealers, investment banks, finance companies, and asset managers that dominate capital markets are actors in the wholesale funding and securitization (the issuance of bonds backed by a pool of loans) that are core to shadow banking. (2012, p. 5)

The structures of so called shadow banks can vary significantly, from specific funding vehicles to large financial institutions. Within this model of banking, money is intermediated through a multifaceted financial sector that is comprised of banks; credit unions; asset-backed commercial paper programs; securities lenders; financial advisers or brokers; investment banks; insurance companies; life insurance companies; mutual funds, hedge funds, money market funds and pension funds (Pozsar, Adrian, Ashcraft & Boesky, 2012). According to Thümler (2014),

Finance requires the support of intermediaries, namely analysts and rating agencies that convert uncertainty to risk, reduce complexity and thus provide investors with crucial operating knowledge. They use their own research to provide assessments of the overall creditworthiness of corporations, prognoses of future performance, evaluation of compliance with legal and ethical standards, and general expectations of appropriate corporate behavior. (p. 6)

The growth of large banks and other financial institutions predominantly trading (transacting) in securities spurred the growth of the finance sector. The finance sector largely functions through the establishment of claims against assets (the operating assets and future profits of companies, or the physical property and prospective earnings of individuals), and just about any claim can be transformed into a tradable security. This occurs through “high-frequency trading” byway of computers that continually facilitate the buying and selling of securities, whereby they can be exchanged from one owner to the next within seconds (Kay, 2016). Within the domain of financialization, intermediation facilitates securitization and serves as the engine of global financial markets and “has become an end in itself” (Kay, 2016, para. 12). In defining financialization, investment manager John Ross Crooks (2012) references securitization and its “process of turning tangible, intangible, future or present promises into financial instruments” para. 1).

Simply, a security is an intangible investment represented by a physical or electronic certificate. Historically, a security either showed that one is owed money (such as a bond) or owns a portion (a stock) of a publicly traded company. Bonds are debt and stocks are equity. Securities have expanded to include other types of investments such as Mutual Funds, Exchange-Traded Funds and cash investments such as certificates of deposit (CDs) and money market funds (Brigham & Houston, 2011).

Securitization is a process where financial institutions bundle together (illiquid) financial assets - primarily loans - and transform them into (liquid) tradable securities that can be expeditiously bought and sold in secondary financial markets (Martín-Oliver & Saurina, 2007). Securitization not only applies to debt (like mortgage, student, credit card and car loans); it can also apply to anything that has a regular flow of income, such as water services, road tolls, telephone bills, export earnings, wages of a professional athlete, tax revenues and even sustainable forest management (Thomson & Dutta, 2015).

Within debt securitization, lending launches a complex transformative process where various types of loans serve as cash flow (liquid) producing assets - or debt instruments in the form of enforceable contracts between a lender and a borrower - that are sold to other financial entities in the form of bonds. The bonds are then pooled together, sliced up, packaged and therefore transformed into multiple securities, with varied levels of risk and return, so as to appeal to a broad range of investors. These generated securities then provide further opportunities for securitized wealth generating activities (Cetorelli & Peristiani, 2012; Davis & Kim, 2015; Street, 2015). Accordingly, Luttrell Rosenblum & Thies claim that “where shadow banking becomes most confusing and misunderstood is through the narrow lens of institutions instead of the system’s wide berth of securitization and wholesale funding activities” (2012, p. 5). Based on his findings in a recent study, Olivier Godechot cuts to the chase by simply claiming, “financialization is securitization” (2015, p. 1), while The Guardian’s Simon Bowers called securitization “the crack cocaine of the financial services” (2011, para. 8).

While many large and locally-based banks and credit unions still operate under the illusion of a direct customer or member centered relationship; the reality is that under

securitization all banks are now part of a securitization-based system of intermediation, where a bank's primary earnings come from fees attached to originating and packaging loans (Martín-Oliver & Saurina, 2007).

The securitization-based system of debt intermediation begins with a loan originator (a broker, bank, or credit union), that lends money to borrowers with funds lent to the loan originator by a warehouse lender (a larger financial institution); which serves as a short-term keeper of loans. Following warehousing, loans are sold to a large institutional investor, where they are packaged into asset-backed securities (ABS), which can be classified as mortgage assets and nonmortgage assets. Nonmortgage ABS are created and derive value from the pooling of small and illiquid credit card receivables, home equity loans, student loans and auto loans. Additional intermediation steps can then follow that involve more warehousing of the asset-backed securities before they are combined into larger pools (repackaged) into more complex securities known as collateralized debt obligations (CDO's) (Cetorelli, Mandel & Mollineaux, 2012).

CDOs are securities that are backed (or linked) by a diversified pool of credits - non-mortgage assets, mortgage assets or both together - and then bought or sold as a single investment. CDOs often take on the form of a synthetic CDO, which can be defined as “a type of derivative security created by matching investors who believe a group of securities will increase in value with investors who believe that the same group of securities will default” (O’Hare, 2014, p. 669). They are “synthetic” because investors do not actually own the underlying securities and instead receive cash flows replicating the cash flows that they would have received had they actually owned the underlying securities. They are thus derivative securities that permit investors to make “a side bet on

a bunch of side bets on somebody else's debt” and “have absolutely no economic value, aside from enriching the bankers that sell them and maybe giving investors a way to make an extra buck. And they are potentially disastrous, depending on how they're filled” (Gongloff, 2013, para. 3). As John Kay (2016) puts it:

Once you have created derivative securities, you can create further layers of derivative securities whose values are dependent on the values of other derivative securities—and so on. In this way, a vast superstructure of financial claims, its scale and interactive complexity both costly and fragile has grown from a narrow foundation of economic activity. (para. 8)

In the 21st century, financial derivatives (or swaps) became the prevailing tools of speculation (Kolb and Overdahl, 2003). Derivative markets are often likened to a large unregulated Casino (i.e. the global economy) where an elite class of investors bet against each other on the future values and performance of practically anything that they deem to hold value. Some, like corporate lawyer Lynn Stout, equate derivatives “to a market in fire insurance in which you buy coverage not for your own home, but for those of strangers” and therefore create “an incentive to commit arson for profit” (Johnston, 2011, para. 14). Former Reagan administration officials, Bruce Bartlett and David Stockman point out that overall, “financialization is corrosive” and constructs an economy that functions like “a giant casino where banks skim an oversize share of profits” (Bartlett, 2013, para. 17).

Derivatives allow investors to profit by insuring or betting against the future or current value of an asset, such as equities (stocks), interest rates, commodities, exchange rates, stock indexes, sports, the weather, government and corporate bonds (debt). Just about anything. There is even a longevity derivative (or death derivative), where banks help institutional and “ultra high-net-worth” individual investors bet on people’s deaths

(Indiviglio, 2011). Some of these banks - like Goldman Sachs, Deutsche Bank AG and JPMorgan Chase & Co - are notorious for bundling and selling billions in mortgage loans. As Oliver Suess of Bloomberg Business put it in 2011, “[p]ension funds sitting on more than \$23 trillion of assets are buying insurance against the risk their members live longer than expected. Banks are looking to earn fees from packaging that risk into bonds and other securities to sell to investors” who are “willing to take the other side of bets that may take 20 years or more to play out” (para. 2).

For these derivative market gamblers, swap brokers (interdealer brokers) are the intermediaries who assist them with the challenges associated with identifying an available counterparty, then in negotiating and documenting the terms and conditions of swap deals. These specialized insiders are paid through fees charged to one or both parties and hold unique insights into the betting activities of powerful finance sector clients (Kolb & Overdahl, 2010)

As if predicting the 2008 financial crisis, Warren Buffett (the revered “benevolent capitalist”) warned his company’s stockholders in 2002 about the dangers of derivatives:

The derivatives genie is now well out of the bottle, and these instruments will almost certainly multiply in variety and number until some event makes their toxicity clear. In my view, derivatives are financial weapons of mass destruction, carrying dangers that, while now latent, are potentially lethal. (Dorrien, 2010, p. 156)

It is important to point out that in the midst of the 2008 crisis, Buffett invested \$5 billion in Goldman Sachs preferred stocks, conditioned on a government bailout, which resulted in both Goldman (a major derivatives player responsible for the crisis) and Buffett profiting from the government rescue (Buhayer, 2015; White, 2008).

Credit default swaps (CDS) are a widely traded form of credit derivative that requires two parties betting on the odds that a government or corporation will default on its debt (bonds). Typically, a CDS involves a “protection buyer” who receives a substantial payoff if a company or government defaults on its debt within a determined period of time; and the “protection seller” who receives regular fee payments for assuming the risk of default (Fung & Tse, 2013). Swaps driven by hedge funds are more prevalent in the post-2008 distressed-credit world, where there is big money to be made in betting on troubled companies. A case in point is the electronics retailer RadioShack, which has been insolvent for years, allowing hedge funds to provide rescue loans to RadioShack as a CDS protection seller. In the age of CDS, especially driven by predatory hedge funds, it is hard for financially distressed companies (or governments) to know the motives of creditors and shareholders (even their own), since they cannot know who owns credit-default swaps and who may benefit from a default (Wirz, Jarzemsky & McGinty, 2014). As of late 2015, RadioShack had \$1.4 billion in debt, while CDS betting on the performance of the debt totaled \$23.5 billion. The CDS hedge fund sellers, who became the creditors keeping the company afloat, have only done so because they are betting that RadioShack does not default before the specified period of time that was agreed upon in the CDS. They will therefore profit even if RadioShack goes under, and then as creditors will be the first to be repaid if - or when - RadioShack files for bankruptcy. It is feasible that some of those same hedge fund creditors also have a CDS side bets on the company going under after the specified period of time lapses (Wirz, Jarzemsky & McGinty, 2014).

Another example of the nature of credit default swaps is the ongoing debt crisis in Greece, which is a crisis that was manufactured by financialization and is perpetuated by the predatory institutions that profit from it in the derivatives market (Marshall, 2011). Banks and hedge funds have been wagering, according to Carney, “on the financial equivalent of a four alarm fire: a default by... Greece, an entire nation” (2010, paras. 5-7). If Greece is unable to pay its debt, those who own credit default swaps (“protection buyers”) will make huge profits. And those who are sellers will profit if Greece does not default, at least for a period of time, since many of those CDS sellers are also creditors for Greece. Banks like Goldman Sachs that initially created the Greek financial crisis, went on to create debt-concealing credit default swaps for the Greek government, then turned around and placed bets that would pay off for them if Greece defaulted on its debt (Marshall, 2011; Nader, 2013; Reich, 2015).

This is a game of winners and losers. The losers are the billions of people in nations who are forced to endure the brutality of austerity, imposed by despotic governments who are beholden to a small yet powerful class of wealthy investors. This unaccountable few gambles with the lives of billions of people to amass illegitimate wealth, which determines the fate of entire nations, the global economy and in the age of climate change - the planet's very survival. Under financialization, these predatory individuals and institutions persistently scour the earth for new intangible instruments - primarily based on debt - to turn into securitized assets and instruments of speculation in their endless pursuit of maximizing their (phantom) wealth. Ultimately, these are the dynamics of capitalism when left to its own devices, whereby crisis is a foregone conclusion and suffering on a massive scale is an acceptable outcome.



In the second decade of the 21st century, the financialization of all sectors of society and all aspects of life the world over persists. As Masson (2010) puts it, “despite having their images tarnished by the [2008] global financial crises, [financial] firms are still pushing the increasing financialisation of people’s lives” while “[p]rivate systems, in the hands of private finance, are embedded in existing social structures and serve to further marginalise the large numbers of those in poverty” (para. 3).

Yet, when economic crisis disrupts the centers of power, the purveyors of hegemony in the U.S. media pay attention, at times exploiting its impact on those who live in persistent crisis, while ignoring the fact that perpetual suffering and major recessions (or depressions) are intrinsic to the nation's structural foundations. Instead these agents of domination, while often reacting as if dismayed, still go on to generate an empty discourse that focuses on rule breaking individuals and corrupt institutions, accompanied by calls for self-regulating solutions. The following coverage by the media (policy wonks, financial sector and government insiders and “journalists”) of the turmoil that is financialization speaks to this point.

In April of 2013, Knowledge@Wharton proclaimed:

Collateralized debt obligations (CDOs), “the bad boys of the financial crisis of 2008, are coming back... [w]ith the Federal Reserve committed to keeping interest rates low, investors — such as pension funds seeking higher returns — are driving demand once again for these structured securities, which are riskier but provide more bang for the buck... (para. 2)

In September of 2013, Allstair Barr reported in USA Today that the “slicing and dicing -- known as securitization or structured finance -- is on the rebound, and not much has changed in the way it is done. If it catches on in a big way again, the financial system could become fragile once more, experts say. It's basically the same people doing the

same things all over again, only more intensely" (para. 3). Writing in U.S. News & World Report in June of 2014, economist Stephen Matteo Miller claimed, "from a regulatory standpoint, it seems ironic: collateralized debt obligations, or CDOs — the products at the heart of the financial crisis that failed in spectacular fashion — are back" (para. 1). Writing in Bloomberg Business in February of 2015, Lisa Abramowicz reported, "Goldman Sachs Group Inc. is joining other banks in peddling something they're referring to as a 'bespoke tranche opportunity.' That's essentially a CDO backed by single-name credit-default swaps, customized based on investors' wishes. The pools of derivatives are cut into varying slices of risk that are sold to investors such as hedge funds" (para. 3). Christian Hudspeth from Dun & Bradstreet exuberantly exclaimed in October of 2015, "Big Money is back" (para. 1).

### **National and Global Implications**

The financialization of industrial and commercial capital allowed for the emergence of a more expansive and powerful corporate management model. This model facilitates the interrelated dynamics of corporate mergers, acquisitions and takeovers; unprecedented salaries and bonuses for corporate managers; and intensified demands to maximize shareholder profits buttressed by massive wage and benefit reductions from workers, along with the downsizing and outsourcing of their jobs. Added to the dynamics of instability under financialization, corporations are no longer stable entities and instead function as flows of decomposable resources. Retained earnings of corporations are now diverted away from reinvestment and long-term solvency into short-term profit seeking from high-risk investments in financial markets, often through Captive Finance

Companies (Hudson, 2015; Martin, Kersley & Greenham, 2014; Polychroniou, 2014; Thümler, 2014). Captive Finance Companies are wholly owned subsidiaries of large manufacturing and retail companies that are set up to be a major source (or the major source) of profits for their parent companies through financing wholesale and retail customer purchases. Their services can range from basic credit card services to full-scale banking (Investopedia, 2015).

Under financialization, large banks lend less to big capital, and instead seek profits through transactions in financial markets as well as through direct debt based transactions with individuals and households. Households and individuals are brought into the predatory web of finance as borrowers, and thus holders, of fictitious financial assets that are not a function of real wages, that is then transformed into very tangible wealth, power and influence for financiers and owners of assets (Martin, Kersley & Greenham, 2014; Polychroniou, 2014).

Through financialization, business is not conducted based on real value production, and instead is largely based on digitalized speculation or “fictitious” activity - primarily debt - that creates “phantom wealth.” Essentially, the exchange of capital, money and currency is detached from any material or labor value. Today, debt is the new global currency and is the primary wealth generating instrument.

In the second decade of the 21st century, the violence and suffering characterized by the nation’s cultural, political and economic foundations have only intensified and become more dire. The underlying ideology attached to the founders’ cultural political economy that is protected and operationalized by the U.S. Constitution was well documented in Alexis de Toqueville’s ethnographic observations of the U.S. during the

early 1830's. In one observation Toqueville noted, "As one digs deeper into the national character of the Americans, one sees that they have sought the value of everything in this world only in the answer to this single question: how much money will it bring in?" (de Toqueville, 2985, p. 39). In another observation he remarked, "I know of no other country where love of money has such a grip on men's hearts or where stronger scorn is expressed for the theory of permanent equality of property" (Hayward, 2014, p. 120). Of course the Americans Toqueville was referring to were the affluent white male settler colonizers whose property rights were Constitutionally protected and therefore recognized to be "created equal" and thus endowed with "inalienable rights" to "life, liberty and the pursuit of happiness." Bankers and financiers - the global plutocracy in the 21st century - are cut from the same mold and are empowered by the very same foundational dynamics. These are the structural dynamics that continually force millions in the U.S. - and now billions more across the planet - to live in a constant state of economic crisis, while also being socially and politically disenfranchised, systematically criminalized and deemed disposable.

Financial markets are not confined to the formal financial sector and instead govern and transform society in significant ways. As an ideology, financialization redefines the common good and human needs as being an adjunct to shareholder value. While the growth of product markets was once the imperative of capitalism, under financialization capital market growth tied to the maximization of shareholder profits is prioritized. Within this worldview, and more than ever before, states are the champions and facilitators of market activity and a primary source of private wealth. Redistributive responsibilities have been entirely surrendered to markets and their operatives. In

essence, the network of global financial institutions are not just a shadow banking system, they are also the de facto global government, whereby nation states primarily serve as their proxies. Combined, this state-finance matrix are the global cultural, political and economic sources of power in the 21st century. The imperialist and colonizing instruments of neoliberalism and financialization provide the essential logistical techniques that are necessary in establishing the infrastructural power for this comprehensive and borderless empire building and maintenance project.

### **Some of the Inner Workings of the State-Finance Matrix**

#### **Auction Rate Securities and Interest Rate Swaps**

Municipal bonds are like IOU's that represent the debt obligations of states, cities, towns, counties that are taken on for the purpose of financing essential infrastructure and redevelopment projects, including schools, public utilities, highways, public buildings, pensions or any public service or entity within a state. In the 21st century, municipal bonds - as tax free investments - have become one of the greatest profit generating opportunities for the wealthiest of investors.

As the banking and financial sectors were being deregulated in the 1980's and 1990's, municipal bond markets began to boom as neoliberal structural adjustment and austerity programs were devastating state and local governments across the U.S.. In the 2000's predatory lenders were convincing large numbers of municipalities and states to take on greater risk with municipal bonds by gambling with them in securities and derivative markets. Auction-rate securities (ARS) - long-term variable rate bonds tied to short-term interest rates - became the bond market instrument of choice for investment

banks, who peddled them to states and municipalities as low cost lump sums of capital for cash-strapped governments. ARS came with high auction fees and risks of being saddled with double-digit penalty interest rates if they did not sell at auction. With conditionality being a centerpiece of neoliberal structural adjustment prescriptions, ARSs were attached to the wizardry of financial derivatives called Interest Rate Swaps (Austin, 2008; McConnell & Saretto, 2010). Shoen reported in 2013 how "banks made five times more money on the swaps than they did on the underwriting of the bonds—it was a gold mine. The transaction costs upfront were horrible, but local officials didn't understand that" (para. 5). Overall, according to Darwin Bond-Graham (2012),

Goldman [Sachs], and the handful of other global banks that dominate the derivatives industry, sold local governments on the idea that a particular set of derivative products could provide wondrous solutions to hedge against the risks inherent in issuing long term debt. The banks claimed that interest rate swaps could shield counties, cities, and agencies from possible spikes in floating interest rates attached to their bonds. Thus many governments agreed to complex, multi-decade deals involving the swapping of payments on fictive amounts of money associated with real debt. In no time at all interest rate swaps became the single largest category of derivatives, dwarfing all others." (para. 8)

Of course, swaps (derivative bets) are the major cash cow for banks and sophisticated hedge-fund investors, who are akin to casino owners who swindle desperate gamblers in rigged gambling operations that ensure they will come out on top. In terms of the speculative bets known as interest rate swaps; states, municipalities, counties and taxpayers are the losers and on the hook for hundreds of millions of dollars. These complex derivatives pitted many unsuspecting city councils, county treasurers and school boards against legally deceptive, investment bank schemes. Municipalities typically entered into an interest rate swap after slick talking salespeople working for large banks mesmerized their local officials with incomprehensible terminology and formulas,

assuring them swaps would lower the borrowing costs of their municipal bonds. By entering into interest rate swaps contracts, municipalities essentially entered into bets with banks - the same institutions who control interest rates - over which direction interest rates will move (Bondgraham, 2012; Ward, 2012).

This financialized domestic economy is characterized by predatory financial institutions that prey upon the vulnerabilities of borrowers, misrepresent their risky and high stakes “deals” with overly complex instruments that are designed to siphon money and resources from those who have the least to those who have way more than they need (Bhatti, 2014; Bhatti & Sloan, 2016). At this level, as Bhatti (2014) puts it, financialization means:

Cities and states across the country are forced to cut essential community services because they are trapped in predatory municipal finance deals that cost them millions of dollars every year. Wall Street and other big corporations are engaged in a systematic effort to suppress taxes, making it difficult for cities and states to advance progressive revenue solutions to properly fund public services. Banks take advantage of this crisis, which they helped create, by targeting state and local governments with predatory municipal finance deals, just like they targeted cash-strapped homeowners with predatory mortgages during the housing boom. (2014, para. 1)

The insatiable greed and brutality that characterizes the financial sector should never be underestimated. Town, city, county and state budgets that were gutted when the securitized and derivative based economy imploded in 2008; continue to this day to be squeezed for more and more by big banks. Stiff penalties that were written into the termination clauses of interest rate swaps, which were meant to be triggered if cities and states fell under financial distress, are to this day draining public resources, creating more demand for debt and leading to more nefarious debt instruments (Austin, 2012; Bhatti & Sloan, 2015; McDonald, 2010; Reich, 2015).

As the liberal economist Robert Reich put it in 2015, “much like the assurances it made to the Greek government, Goldman and other banks assured [U.S.] municipalities that the swaps would let them borrow more cheaply than if they relied on traditional fixed-rate bonds—while downplaying the risks they faced. Then, as interest rates plunged and the swaps turned out to cost far more... banks refused to let the municipalities refinance without paying hefty fees to terminate the deals” (para. 12). As Darrell Preston of Bloomberg Business reported in 2013, “Municipal borrowers from Detroit’s utilities to Harvard University in Cambridge, Massachusetts, have paid billions of dollars to banks to end privately negotiated interest-rate bets sold as hedges. The Federal Reserve’s policy of holding its benchmark borrowing rate near zero since 2008 has turned many of the swaps into wrong-way bets” (para. 4).

Due to these debt instruments of financialization, municipalities and states across the country have been forced to cut even more essential services due to being in a perpetual state of debt servitude to international investment banks. Of course it is no coincidence that cities that are rigidly governed by shadow banks are also populated by large numbers of Black and Brown people. A 2012 study by the Pennsylvania Budget and Policy Center found that the city of Philadelphia and its school district - that has a student body that is primarily Black and Latinx - lost \$331 million in interest payments and termination fees attached to interest rate swaps agreements with Wells Fargo, Morgan Stanley, Goldman Sachs and other banks. At the time of the report, Philadelphia was on the hook to lose an additional \$240 million from active swaps agreements to the same financial institutions (Bondgraham, 2012; Ward, 2012). “These financial



institutions...profited” from taxpayer bailouts “while Philadelphians have paid the price through lost city services, lost jobs, and lost school programs” (Ward, 2012, p. 1).

The city of Chicago is illustrative of how major U.S. cities are entangled in finance capitals web of debt driven austerity. As estimated by the Chicago Tribune, between 2003 and 2007 Chicago’s school district issued \$1 billion worth of auction-rate securities, most of which were paired with interest rate swaps. So that it could refinance an underlying debt at a lower fixed rate in 2014, Chicago terminated an interest rate swap, forcing the city to pay a \$36 million penalty (Grotto & Gillers, 2015). As of 2015, Chicago held close to \$3 billion in debt tied to swaps, which was almost equal to its operating budget. In order to terminate its swaps, it would cost the city over \$300 million (Farmer, 2015). In 2015 when Chicago’s credit rating was downgraded by Moody’s Investors Service, a \$58 million penalty was triggered tied to interest-rate swaps agreements that were attached to its municipal bond debt obligations (Grotto & Gillers, 2015). According to Saquib Bhatti and Carrie Sloan (2015) of the Roosevelt institute:

The major credit rating agencies’ decisions to downgrade the City of Chicago, Chicago Public Schools, and the Chicago Park District have put Chicago’s financial problems under the microscope. These downgrades are baseless because none of Chicago’s governmental units are actually in any danger of defaulting on their debt. Instead, the downgrades appear to be driven by a desire to advance an austerity agenda in Chicago and to slash government workers’ pensions. Much of the public discourse has already moved in this direction, focusing on the need to fix the budget by enacting painful cuts. (p. 1)

In 2013, Darrell Preston of Bloomberg Business reported, Wall Street banks collected \$215.6 million that Denver’s public schools paid to unwind swaps and sell bonds since the district began borrowing to cut pension costs in 2008. That sum is about two-thirds of annual teaching expenses” (para. 1).

While Goldman Sachs and other big banks benefited from federal bailouts early on in the financial crisis, many Oakland, California residents and leaders have been calling on Goldman to give cities like Oakland debt relief (Mcbride, 2012). As Sara Mcbride reported in Reuters in 2012, “Oakland is trying to get out of a Goldman-brokered interest rate swap that is costing the cash-starved city some \$4 million a year. The swap, entered into 15 years ago as part of a bond sale to hedge against rising interest rates, has turned sour for Oakland... Getting out of the contract would cost the city \$16 million in termination fees... [the city] wants Goldman to waive the termination fees... (paras. 2-4).

In response to these calls, Goldman chairman Lloyd Blankfein stated that the bank is not in a position to end such contracts. According to Mcbride, Blankfein (2012) went on to claim, "That's not how the financial system could work," he said, noting that most borrowers would prefer to tear up higher-interest agreements and replace them with today's low rates. "We would be frankly paring the interests of our shareholders and the operations of the company. I don't think it's a fair thing to ask” (paras. 12-13).

Many cities and towns throughout California have been hit hard by the debt induced financial crisis. San Francisco has been paying close to \$17 million a year in swap fees and is in the process of refinancing it payments. The cities of Stockton and San Bernardino went bankrupt while local governments up and down the state have worked to balance budgets by slashing essential services and raising taxes (Mcbride, 2012).

Once municipalities entered into “deals” with major banks to issue auction rate securities attached to interest rate swaps, they were locked into paying the bank a fixed rate, while the bank would pay them a floating interest rate tied to two market indexes

(Alessi & Sergie, 2015; Martens, 2012). One index is the London Interbank Offered Rate (Libor), which is calculated by the British Bankers Association. Libor has long been considered to be a reliable reflection of the interest rate at which banks are lending to each other and in interest rate benchmarks that are used to generate payment terms on interest rate swaps. When the two sets of cash flows between the fixed rate and the floating interest rate are calculated, the side which generates larger payments collects the difference between the two sums. Municipalities typically received a small fraction of one percent, but were contractually bound to pay the bank between 3-6 percent in a fixed rate for twenty years or more (Alessi & Sergie, 2015; Martens, 2012).

As far back as 2008, and under the protection of U.S. and British regulators, top mega banks had been rigging the Libor rate and inflating bank stock prices, rigging global futures markets and defrauding municipalities across the U.S. Apparently, this banking syndicate - Barclays, UBS, Bank of America, JPMorgan Chase and the Royal Bank of Scotland - who were found to be bilking billions of dollars out of municipal governments was able to do so by being members of the Libor panel that sets global interest rates. At the times, the interest rate swap market was a \$379 trillion market and the scale of the manipulation affected assets 100 times the size of the U.S. federal budget (The Economist, 2012; Taibbi, 2013). As Matt Taibbi of Rolling Stone magazine reported in 2013,

You may have heard of the Libor scandal [sarcasm], in which... name-brand too-big-to-fail banks have been manipulating global interest rates, in the process messing around with the prices of upward of \$500 trillion (that's trillion, with a "t") worth of financial instruments...it was easily the biggest financial scandal in history – MIT professor Andrew Lo even said it "dwarfs by orders of magnitude any financial scam in the history of markets." (para. 2)

Writing about the Libor “heist” in 2012, Pam Martens claimed “Wall Street may get away with the biggest heist of the public purse in the history of the world. You know it’s an unprecedented crime when the conservative Economist magazine sums up the situation with a one word headline: ‘Banksters’” (para. 3).

A closer look at the colluding regulators in the Libor case helps to better understanding the state-finance matrix. One prime example is Timothy Geithner, who was - amongst many things - a former president of the New York Federal Reserve, which is responsible for “fostering the safety, soundness and vitality of our economic and financial systems” (NY Fed, 2016). He was in this position between 2003-2009, the era of the 2008 crisis. It seems that fostering “safety, soundness and vitality” means different things for different people and institutions. Geithner then served as the U.S. Secretary of the Treasury between 2009-2013, where he had a major hand in bailing out the banks and investors behind the 2008 crisis. Geithner’s role as a major facilitator of financialization goes back even further, initially cutting his teeth in the world of the Washington Consensus when he worked for Henry Kissinger’s investment firm. He then went on to serve in the Clinton administration and participated in the deregulation of the financial sector, specifically the undoing of the Glass-Steagall act, which remarried the banking and finance sectors. From 2001-2003, Geithner worked as the director of the Policy Development and Review Department for the International Monetary Fund (IMF), which of course properly prepared him to serve as a state and federal regulator during the golden years of financialization (Geithner, 2015; Kinkaid, 2009).

In 2013 it came to light that the world's largest broker of interest-rate swaps, ICAP, was charged with colluding with up to fifteen of the world's largest banks in a

“racket” that manipulate ISDAfix, a benchmark number used globally to calculate interest-rate swap prices (Taibbi, 2012). As Bloomberg reported in 2015, “traders at Wall Street banks instructed ICAP brokers to buy or sell as many interest-rate swaps as necessary to rig the ISDAfix benchmark by moving it to a predetermined level... [d]oing so helped banks reap millions of dollars in trading profits, costing companies and pension funds...(para. 3).

Matt Taibbi (2012) pointed out, “the fact that there may now be price-fixing scandals involving both Libor and ISDAfix suggests a single, giant mushrooming conspiracy of collusion and price-fixing hovering under the ostensibly competitive veneer of Wall Street culture” (para. 5). ICAP traders nicknamed the firm's interest rate swap desk “Treasure Island” “because brokers there were paid as much as \$7 million a year at the market’s peak” (Leising, 2014, para. 6).

In 2013, the “Forex scandal” came to light, involving the usual suspects - Goldman Sachs, Bank of America, Citigroup Inc, JPMorgan Chase & Co, Barclays Plc, UBS and Royal Bank of Scotland. According to U.S. Attorney General Loretta Lynch these megabanks were caught participating “in a brazen display of collusion and foreign exchange rate market manipulation” (McLaughlin, Schoenberg & Finch, 2015).

Trader insiders in the banks who started this “brazen” operation referred to it as the “wild west,” many of whom referred to themselves as “The Cartel,” while others identified themselves as “The Mafia” and “The Bandits” (Daily Mail, 2015, para. 8). Without a bit of irony in her voice, Lynch went on to explain how the banks were being criminally investigated for conspiring to enrich themselves at the expense of “countless consumers, investors and institutions around the world” (Harrison & Thompson, 2015,

para. 5). With a straight face, Lynch went on to warn, “[t]his Department of Justice intends to vigorously prosecute all those who tilt the economic system in their favor... (McLaughlin, Schoenberg & Finch, 2015).

These three case examples - Libor, ISDAfix and Forex - have been labeled many things, including scandals, scams, swindles or fraud, all of which imply corruption. According to Merriam-Webster, corruption simply means: “dishonest or fraudulent conduct by those in power” (2016). As with the financial activities that led to the “Great Recession,” these three examples (and the countless others like them that are known and unknown) do not necessarily qualify as corruption. Instead they are only reflective of the inherent theft and sociopathic character that is fundamental to capitalism; be it industrial, neoliberal and financial capitalism. In proportion to the wealth and power of the investment banks involved, the penalties in all three cases have been minor and have not hampered their wealth or financial practices. They all continue to collude with lawmakers and law enforcement (such as Attorney General Loretta Lynch) as they go about their legitimate function of enriching themselves by inflicting mass suffering. The actual moment of truth, in terms of this bigger picture, was when the traders in the Forex forey referred to themselves as being “The Cartel,” “The Mafia” and “The Bandits,” while the Attorney General made threats and accusations against them that were perfectly descriptive of the cultural political economy that they - and she - makes possible every single day of the year.

### **Private Equity and Real Estate Markets**

As a result of national, state and local governments enabling financialization, while refusing to mediate its social impacts; wage stagnation, regressive tax policies and deregulation allowed the financial sector to reign supreme over urban centers. This was often rationalized under the pretext of attracting and retaining needed capital for urban “renewal” (i.e. gentrification). Under the pretense of the “war on drugs,” these dynamics were augmented by police departments operating as militarized occupation forces, the wholesale criminalization and displacement of impoverished Black and Brown communities and the rapid expansion of the prison industry (Fields & Uffer, 2014). The deregulation of affordable housing worldwide also opened the floodgates for global investors to focus in on urban housing markets.

With a focus on purchasing and investing in assets that provide high returns, private equity funds are very popular with wealthy investors. In real estate markets, investment banks, private firms and other real estate investors establish and manage real estate private equity funds by pooling capital from big institutional investors and leveraging credit capital from banks. While the private rental housing market in the U.S. has always been inequitable in character, private equity investors in the corporate sector (“flippers” and “corporate raiders”) have made conditions even worse; by prioritizing higher returns over risk that require significant cost-cutting techniques (largely by reducing labor costs) to maximize short-term value (Fields & Uffer, 2014).

In the housing sector, private equity has leveraged its political capital to lobby against rent-regulated housing while systematically targeting it through buying-out longtime property owners of rent-controlled and rent-stabilized complexes. This has resulted in using harassment and other pushing out practices of tenants as a means to turn

over and then deregulate rent-regulated complexes. Additional practices include scaling back services and maintenance, charging higher rents while imposing surcharges as a means to increase returns. For individuals and subjugated groups as a whole, this deepens dispossession, housing insecurity, criminalization, etc.; all of which contributes to higher chronic disease and mortality rates (Fields & Uffer, 2014). Over the past 40 years, as neoliberalism systematically eliminated affordable housing regulations worldwide, global investors besieged urban housing markets with abandon.

Equity funds invest in real estate by purchasing housing properties outright or through becoming shareholders of housing companies. Depending on market conditions, real estate private equity funds follow different strategies, but typically operate with little equity and leverage credit capital to make high returns. Cities with existing high demand - or those being developed to become high demand - offer opportunities to develop properties (upgrading and modernizing) to yield profits by maximizing rental income and/or for selling upgraded properties to wealthier tenants or new investors (Fields & Uffer, 2014). Additionally, equity funds often exploit low interest rates as a means to maximize a return on equity:

When the interest rate is lower than returns on the total investment, profit is less dependent on a particular investment project than on the proportion of capital effectively leveraged through credit. This makes a property's location and conditions of negligible importance: even a property with little or no residual value can still be extremely valuable; a lower-value portfolio may be sought for its low purchasing prices. Ultimately, funds aim to sell or exit their investment through a rate of return in excess of the price paid, usually within one to seven years. (Fields & Uffer, 2014, p. 5)

At the same time, higher-risk capital leveraging strategies based on using credit-based capital (instead of using the value of properties) to maximize returns on equity



often results in diminished upkeep and the degradation of properties and surrounding communities (“urban blight”). According to Fields and Uffer (2014):

Considered from the perspective of concerns about housing and neighborhoods, this development suggests the potential for a prolonged period of deterioration as new owners embark on leveraging strategies that load struggling properties with additional debt. This could affect both current tenants as well as renters more broadly as physical decline removes affordable units from the market. (p. 19)

### **Impact Investing**

For decades, traditional philanthropic foundations, many founded by old and new “captains of industry,” offered grants (“gifts”) to trusted organizations, knowing their funds would help shape troubling elements of society into complying and conforming to their worldview. During the late 1990’s “venture philanthropy” emerged, shifting the social mission of philanthropy to include a neoliberal structural adjustment agenda aligned with the interests of finance capitalism (Bernholtz, 2000; Salamon, 2014). Since philanthropic foundations are established and controlled by billionaires whose wealth and power were derived from human suffering and environmental degradation, this pursuit should come as no surprise. This opulent minority is tied to financial markets, and as investors, and their ideologies and social relationships are personally and structurally aligned with their peers and counterparts who command over global financial institutions.

In their latest mission, venture philanthropists are more explicitly involved in the construction of new financial markets via “mission investing” or more specifically “social impact investing” (Brest & Born, 2013; Salamon, 2014). According to J.P. Morgan, “Increasingly, entrants to the impact investment market believe they need not sacrifice financial return in exchange for social impact” (2010, p. 6). With this idea of

“doing good while doing well” (Brest & Born, 2013, para. 1), impact investment attracts a wide variety of investors who invest “across the capital structure, across regions and business sectors, and with a range of impact objectives” (J.P. Morgan, 2010, p. 5). These include diversified financial institutions, pension funds, philanthropic foundations, insurance companies, development finance institutions, specialized financial institutions, fund managers, high net worth individual investors and large-scale family offices (private firms that manage just about everything for the wealthiest families). Impact investments often fall within traditional asset classes - private equity/venture capital, debt, and fixed income securities (mortgage-backed securities, municipal bonds and business loans) (Saltuk, I., & Idrissi, 2015).

Generally, most individual and institutional investors are hesitant to take on risks associated with untested seed and early-stage ventures, often preferring later-stage ventures; especially in the “challenging segments of society” associated with impact investments (Unitas Seed Fund, 2013, para. 4). For this reason, venture philanthropy plays a crucial role in closing the so called “pioneer gap” through financing “pioneer firms to develop, validate and establish new business models, and even build entirely new markets” (Koh, Karamchandani & Katz, 2012, p. 15). When summarizing a 2012 Monitor Deloitte report titled *From Blueprint to Scale The Case for Philanthropy in Impact Investing*, Vinay Nair of the *The Guardian* wrote, “without philanthropy... many developing-world businesses serving the poor would never have been able to move towards a point of sustainability or scalability... philanthropy-backed capital can step in and help progress enterprises from earlier stages to where they are capable of attracting growth capital and better delivering social outcomes to the poor” (para. 5). In this report,

the authors note how venture philanthropic funding “does not have to be deployed in isolation from investment capital. Instead they can “‘layer’ grants with capital to create hybrid models that target high-risk situations” or use “grants to deliver much-needed capacity building (or technical assistance) to overcome the inherent disadvantages of the Base of Pyramid business environment, alongside a return-capital investment model (Koh, Karamchandani & Katz, 2012). As Koh, Karamchandani & Katz point out, “Even where funding ultimately flows through as a grant to the pioneer firm or a nonprofit, funders could deploy complementary mission investing strategies” (2012, pp.44-46)

Venture philanthropy goes by many names - angel philanthropy, enterprise philanthropy, catalytic philanthropy, strategic philanthropy and impact philanthropy - all of which describe the financialized mission of philanthropic foundations in the 21st century (Cunniffe, 2014). This mission is an extension of the fifty-year mission of the IMF, World Bank, World Trade Organization, “Troika” and the United States government; yet with a “friendlier,” but more duplicitous methodology. Venture philanthropists are akin to benevolent gift-barring missionaries who show up after a society has been plundered and colonized - as surrogates of the new rulers - with promises to save its inhabitants from themselves; only if they agree to passively accept the ruler's edicts, worship their god and assimilate to their beliefs and customs.

To get a sense of the financialized and colonizing character of impact investments, one only has to read its beneficiaries promotional materials. The following was put out by the Monitor Institute in its 2009 publication, “Investing for Social & Environmental Impact: A Design for Catalyzing an Emerging Industry:”

The New Yorker moving into her first home, the student in Tanzania studying under electric light, the small-business owner in Cambodia expanding her payroll—none of these people would recognize one another as co-participants in the same emerging industry. Neither, perhaps, would the commercial banker placing debt in the Acquisition Fund, the high-net-worth individuals investing in E+Co, or the German worker whose pension fund invested in microfinance through Blue Orchard. Yet these are all examples of the proliferation of activity occurring as a new industry of impact investing emerges. This industry, which involves making investments that generate social and environmental value as well as financial return, has the potential to complement philanthropy and government intervention as a potent force for addressing global challenges at scale. (Freireich, J., & Fulton, 2009, p. 2)

The Monitor Institute claims to be “a social enterprise that surfaces and spreads best practices in public problem solving and pioneers next practices – breakthrough approaches to addressing social and environmental challenges” (Monitor Institute, 2016, para. 1). Monitor is a subsidiary of Deloitte Touche Tohmatsu Limited, a leading multinational financial institution that provides audit, assurance, tax, consulting, advisory, actuarial, corporate finance, and legal services to “select clients” (Deloitte, 2016, para. 1). In its publication, the Monitor Institute goes on to highlight the “opportunities” associated with impact investing:

Growing interest among capital providers, with a growing set of ultra-wealthy investors seeking diversification and a different approach. Even in the economic climate in 2008, there was interest in putting capital to work. In particular, much of the interest in impact investing is being driven by a growing set of investors who have recently become very wealthy and are seeking a new approach to money management that enables them to also “make a difference.” (Freireich, J., & Fulton, 2009, pp. 15-16)

This promotional material was published as the world was reeling from the 2008 financial crisis, when the investors and banks responsible for mass suffering were escaping prosecution and instead profiting from state bailouts. It is clear that under the global domain of the state-finance matrix, there is still a need to remind us of their

benevolent intent. Yet, one gets a sense that their coded narrative has an emerging boldness, as if they are dropping the pretense of accountability, and instead taking on a more Orwellian “doublethink” approach to propagandizing.

Mission investing associated with impact investments encompasses program related investments (PRIs) and mission-related investments (MRIs), both of which are “characterized by an intention to create positive social impact as well as some level of financial return” (Levitt, 2011a, p. 33). Impact investing allows “non-profit” philanthropic foundations to function as investment banks that utilize a full menu of debt and equity financial instruments. These instruments allow foundations to leverage influence over their investee companies/projects as creditors and/or as investor owners. Both PRI’s and MRI’s are tax-free investments.

PRIs “are powerful, versatile tools that foundations use to achieve their philanthropic goals alongside traditional grantmaking” (Benabentos, Storms, Teuscher & Loop, 2012. p. 3). Similar to grants, PRIs make capital available to nonprofit or for-profit companies that are aligned with a foundation’s philanthropic mission. PRIs are loans and equity investments that are designed to have a social impact while generating below market-rate financial returns (Benabentos, et al., 2012).

An MRI is not part of a foundation's formal “charitable” activity and is instead an investment a foundation makes - as a business - within financial markets. It is therefore a financial instrument that foundations can use to further their stated mission, while also bringing a market-rate financial return on a risk-adjusted basis (Bernholz & Richter, 2009). Since MRIs derive from investment assets (cash, fixed income, public equity, private equity and venture capital, and real estate) and are commercial investments, by

law they must maximize investor returns (Levitt, 2011). Private foundations invest billions in private and publicly traded companies and financial markets, but the idea of MRI's is that "charity" foundations will invest in markets and corporations that are aligned with their legal mission statements (Bernholz & Richter, 2009; Levitt, 2011).

When contrasting venture philanthropy's larger mission with their official propagandized mission, these financial investments further reveal their duplicitous character. Accordingly, the Bill & Melinda Gates Foundation claims to exist "to dramatically improve the quality of life for billions of people" (One Coast, 2015, para. 4). With that in mind, according to their 2014 tax return, they invested over 40 billion dollars in equities and securities in hundreds of financial markets and companies. Some of these include investments in nations from Canada to Saudi Arabia and Egypt as well as mortgage and student loan financing firms. Others include major corporations such as Comcast, Verizon, Walmart and Dow Chemical as well as major investment banks, including JPMorgan, Morgan Stanley, Barclays, Bank of America, CitiGroup, Lehman Brothers, Wells Fargo, Bear Stearns and Deutsche Bank (BMGF 990-PF, 2014).

According to the Bill & Melinda Gates Foundation, their mission "focuses on improving people's health" and ensuring "that all women and children have the nutrition they need to live healthy and productive lives" (Gates Foundation Fact Sheet, 2016). Under that banner, the foundation invests in Coca-Cola, Pepsi, the multitude of Kraft products; and until very recently, McDonald's, Burger King, Taco Bell, Pizza Hut and KFC (Lee & Park, 2013). In a 2014 article in *Mother Jones* titled, "How Bill Gates Is Helping KFC Take Over Africa," Alex Park reported that USAID and the Gates Foundation fund,

...companies to build what development experts call ‘value chains’—business relationships that link small farmers to sellers of agricultural inputs like fertilizer on one side, and big buyers of corn and soy on the other. Those buyers turn these commodities into feed, and then sell it to large chicken wholesalers who are staking their future growth on supplying KFC's African expansion. (para. 5)

In Bill and Melinda Gates 2015 annual letter, they claimed “[t]he most dramatic problems caused by climate change are more than 15 years away, but the long-term threat is so serious that the world needs to move much more aggressively — right now — to develop energy sources that are cheaper, can deliver on demand, and emit zero carbon dioxide” (para. 5). Yet, the foundation invests in close to a dozen major oil companies, including Hess, Conoco, Chevron/Texaco, Phillips, BP and Anadarko Petroleum (BMGF 990-PF, 2014). The latter two were involved in the Deepwater Horizon oil spill. The Gates Foundation also owns corporate bonds in the oil, natural gas and mining company Kerr-McGee (recently bought by Anadarko), which has a long-time record as an environmental polluter, has fought to undermine Navajo sovereignty and is well known for violating labor and human rights (see Karen Silkwood) (Carrington & Mathiesen, 2015). Warren Buffett, who refers to himself and other venture philanthropists as the “great givers,” is also a major investor in the fossil fuel industry and the largest donor of the Gates Foundation (Loomis & Burke, 2010, para. 16; Saul, 2015).

The Gates Foundation also invests in numerous coal, mining and fracking companies. One of these companies, Rio Tinto has distinguished itself with a decades long record of colluding with dictators, violating human and labor rights and “environmental devastation... around the world... [f]rom Papua New Guinea to Namibia, from the Upper Peninsula of Michigan in the U.S. to Madagascar, and from Cameroon to Indonesia (London Mining Network, 2010, para. 3; Pillar, 2012) Gates also invests in the

Brazilian mining company Vale, of which in 2012 Public Eye awarded “the corporation with the most ‘contempt for the environment and human rights’ in the world” (Chaudhuri, 2012, para. 1).

In response to growing calls for the Gates Foundation to divest from fossil fuel companies, Bill Gates has been dismissive of divestment, claiming that all that matters is what will happen with investments in clean energy, not current investments in dirty energy. To Bill Gates, apparently the future of “clean” and “sustainable” energy lies in the nuclear power industry, which is why he is the “chairman of the board” of the nuclear reactor company TerraPower (Conca, 2015).

On a basic level, impact investments offer ever evolving financing opportunities to a wide range of nonprofit and commercial enterprises that have a social mission - or an agenda - that is tied to the objectives of financialization. As Thümler (2014) puts it,

...financialized philanthropy replicates the technical architecture of the financial sector so as to perform similar production tasks in similar ways. Although this transformation is still in its early stages and incomplete in important respects, it may ultimately result in the creation of a structural isomorphism that straddles the spheres of finance and philanthropy. (p. 10)

Private equity is considered to be the most profitable source of investment capital and is the most common asset class within impact investing. It entails the pooling of money from high-net-worth individual investors, charitable trusts and pension funds in order to acquire or buyout private and publicly traded companies for the purpose of restructuring their governance, financing and operations to increase the company's liquid value so they can eventually sell (“flip”) it for considerable profits. The term “corporate raider” is attached to private equity and is notorious for leading to massive worker layoffs and reductions in pay and benefits, with one of the most notable being Mitt Romney’s



firm Bain Capital; with former Massachusetts governor Deval Patrick now running their impact investment fund (Healy, 2015). Because of the parchment barrier regulations of the post 2008 Dodd-Frank Act, private equity firms are also involved in derivative markets, often entering into interest rate swaps for initial financings and refinancing (Rope & Gray, 2012).

The emerging social impact investment market is estimated to be worth \$650 billion by the year 2020 (Logue & Hollerer, 2015). To better facilitate its growth by connecting for-profit social enterprises with financial investors, a network of global social stock exchanges (SSX or SSE) are being established. According to Bandini Chhichhia (2015) SSEs are:

...trading platforms listing only social businesses. Using SSEs, investors can buy shares in a social business just as investors focused solely on profit would do in the traditional stock market. An investor would come to a SSE to find a social business with a mission according to his or her preference. This is great news for all players in the industry (including governments, multilateral financing institutions, community organizations, development agencies, and social entrepreneurs. (para. 2)

Countries that currently have SSX's include the UK (which trades on the ICAP Securities & Derivatives Exchange), Singapore, Brazil, Kenya, Canada, South Africa and the U.S. (Chhichhia, 2015). The U.S. SSX is called "Mission Markets" and has the stated mission "to provide products and services that make it easier to use the power of the capital markets to create a better world" by "supporting a variety of social and environmental sectors, from empowering communities to conserving our natural resources and ecosystems" (Mission Markets, 2016).

Generally, SSX's serve as internet-based platforms that connect investors with social impact industries in sectors considered to be of high social value and not

surprisingly infrastructural in nature. In order to “address the world’s most pressing social and financial challenges” in sectors of “high social value,” the impact investment market provides capital to private enterprises that can most efficiently deliver Base of Pyramid (BoP) services, which most often include water, housing, healthcare, agriculture, energy, environmental, community development, financial services, and education (In3 Finance, 2016, para. 2).

BoP is a term associated with the “world economic pyramid,” which was popularized by C. K. Prahalad and Stuart L. Hart in an article and then book titled - without irony - *The Fortune at the Bottom of the Pyramid*. In their 2002 article, Prahalad and Hart called on western multinational corporations to expand their colonizing mission by looking “at globalization strategies” that offer “companies with the resources and persistence to compete at the bottom of the world economic pyramid” to reap “prospective rewards [that] include growth, profits, and incalculable contributions to humankind” (p.1). According to Prahalad and Hart, “[c]ountries that still don’t have the modern infrastructure or products to meet basic human needs are an ideal testing ground for developing environmentally sustainable technologies and products for the entire world” (2002, p. 2). The pyramid became a popular instrument within the world of global finance in terms of mapping out marketing and investment strategies.

As Prahalad and Hart (2002) outline it, the world economic pyramid is composed of 75 to 100 million prosperous “Tier 1 consumers” composed of middle-class and wealthy people in “developed countries” and the few wealthy elites in the “developing world” (p.2). Tiers 2 and 3 - in the middle of the pyramid - are composed of 1,500- 1,750 million “poor consumers” in the “developed nations” as well as the middle-classes in

“developing countries” (Prahalad & Hart, 2002, p.2). At the bottom of the pyramid in Tier 4 are the 4 billion poorest “consumers” whose “annual per capita income — based on purchasing power parity in U.S. dollars — is less than \$1,500, the minimum considered necessary to sustain a decent life” (Prahalad & Hart, 2002, p.2). Over a billion “consumers” in Tier 4, “roughly one-sixth of humanity” live on less than \$1 per day (Prahalad & Hart, 2002, p.2).

The world economic pyramid and its Base of the Pyramid (BoP) theory is becoming even more relevant as social impact investment markets flourish, because as the *Financial Times* simply points out, “Base of the Pyramid (BoP) theory suggests that new business opportunities lie in designing and distributing goods and services for poor communities” (2016, para. 1). Naturally, the dehumanizing narrative attached to BoP frames the most dispossessed people as being untapped profit generators to be further exploited by the same opulent minority whose wealth and power was built - and depends - on their ongoing subjugation.

Impact investing was spawned from two Rockefeller Foundation convened meetings in 2007 where the attendees - leaders of finance, philanthropy and development - were tasked with building the structural framework for an efficient worldwide social and environmental impact investment industry. They agreed to create of a global network of the leading impact investors, a standardized framework for assessing social and environmental impact, and to initiate a working group of investors that would focus on financing a sustainable market-based agricultural industry in sub-Saharan Africa (Harji, K., & Jackson, 2012).

In 2009, their global network was formally established as the Global Impact Investment Network (GIIN) in the U.S. as a tax-exempt non-profit organization (Harji, K., & Jackson, 2012). GIIN claims to be “dedicated to increasing the scale and effectiveness of impact investing... [GIIN] addresses systemic barriers to effective impact investing by building critical infrastructure and developing activities, education, and research that attract more investment capital to poverty alleviation and environmental solutions” (OECD, 2015, p. 32). Today, GIIN is composed of fifty-three luminaries of the world of global finance and financialized philanthropic foundations, including: The Bill & Melinda Gates Foundation, Goldman Sachs, J.P.Morgan Chase, Morgan Stanley, Prudential Financial, Teachers Insurance and Annuity Association – College Retirement Equities Fund, Zurich Insurance Group, Ford Foundation, Deutsche Bank, International Finance Corporation, Root Capital, UBS Financial Services and the Inter-American Development Bank Group (long-term IMF/World Bank partner responsible for structural adjustment and austerity throughout Latin America) (Current Members, 2016).

GIIN’s founding member, the Rockefeller Foundation, along with the Rockefeller family have a dark history of leveraging their wealth and power in the service of U.S hegemony, both domestically and internationally. This should come as no surprise since the foundation’s namesake, John D. Rockefeller, was a notoriously ruthless “robber baron” who monopolized the energy industry during the golden days of the industrial revolution (Zinn, 1980). In line with this legacy, the Rockefeller Foundation was an influential founding member of the “Washington Consensus” and has since been an aggressive supporter of the IMF and World Bank’s draconian policies and practices (Dutta, 2015; Parmar, 2013).

Consistent with the founding fathers' supremacist design, the Rockefeller family and its foundation were early activist and funders of eugenics based population control efforts in the U.S. and abroad via forced sterilization of "inferior" populations (Black, Brown and disabled people) (Cogdel, 2000; Frank, 2005). As Edwin Black puts it, "Eugenics would have been so much bizarre parlor talk had it not been for extensive financing by corporate philanthropies, specifically the Carnegie Institution, the Rockefeller Foundation and the Harriman railroad fortune" (2003, para. 5; Mehler, 1983). According to Black, "the Rockefeller Foundation helped found the German eugenics program and even funded the program that Josef Mengele worked in before he went to Auschwitz" (2003, para. 9).

Two of GIIN's other founding members include the Bill and Melinda Gates Foundation and the United States Agency for International Development (USAID) (GIIN, 2008). According to Andy Beckett of *The Guardian*, the Gates foundation is known for being "top-down, technocratic, applying the language of engineering to social problems" (2010, para. 39). Beckett goes on to claim how critics of the Gates Foundation and its form of "philanthrocapitalism" loathe how it plays god with its "creations" (Beckett, 2010, para. 38).

In the U.S., Gates is best known for this approach as the preeminent driver of the privatization and finalization of public education. Elsewhere, the foundation is notorious for many more duplicitous activities. Beckett goes on to report that in 2007 "an extensive investigation by the *Los Angeles Times* found that the [Gates Foundation] charity, via its trust, invests in 'companies that contribute to the human suffering in health, housing and social welfare that the foundation is trying to alleviate'. The [Gates] foundation did not

challenge the thrust of the articles, which included allegations that it invested in an oil company responsible for causing health problems by burning off its unwanted gas, in an African country in which the foundation was active in trying to improve the population's health. But the charity decided after a brief review not to change its investment policy” (2010, para. 49). A Gates Foundation spokesperson replied to the *Los Angeles Times* investigation by stating: "The stories you told of people who are suffering touched us all. But it is naive to suggest that an individual stockholder can stop that suffering. Changes in our investment practices would have little or no impact on these issues" (Beckett, 2010, para. 40).

The Gates foundation is the largest funder of research in genetic engineering on the planet and is one of the world's major donors to agricultural research and development. Most of the Gates foundation's focus in these areas target the continent of Africa (GRAIN, 2014). A 2014 report by the biodiversity and small farmer advocacy organization GRAIN found that the Gates Foundation was indeed living up to its colonizing character, with the claim: “The Gates Foundation fights hunger in the South by giving money to the North” (2014, para. 6). GRAIN went on to report:

...the Gates Foundation is promoting an imported model of industrial agriculture based on the high-tech seeds and chemicals sold by US corporations... the foundation is fixated on the work of scientists in centralised labs and that it chooses to ignore the knowledge and biodiversity that Africa's small farmers have developed and maintained over generations. Some also charge that the Gates Foundation is using its money to impose a policy agenda on Africa, accusing the foundation of direct intervention on highly controversial issues like seed laws and GMOs. (2014, para. 3)

As reported in *The Guardian*, GRAIN co-founder Henk Hobbelink revealed, “The bulk of [Gates Foundation] grants for agriculture are given to organisations in the US and

Europe” while the “overwhelming majority of its funding goes to hi-tech scientific outfits, not to supporting the solutions that the farmers themselves are developing on the ground. Africa’s farmers are cast as recipients, mere consumers of knowledge and technology from others” (Vidal, 2014, para. 6). Gates “also funds initiatives and agribusiness companies operating in Africa to develop private markets for seeds and fertilisers through support to ‘agro-dealers’” (Vidal, 2014, para. 17).

GIIN’s other co-founder - The U.S. government agency, USAID - has a stated mission that “...carries out U.S. foreign policy by promoting broad-scale human progress at the same time it expands stable, free societies, creates markets and trade partners for the United States, and fosters good will abroad” (USAID, 2016). USAID’s practices in promoting “human progress” and “free societies” infamously include undermining popular liberatory movements throughout the globe by engaging in torture, murder, spying and paramilitary terrorism campaigns in order to advance U.S. imperial interests. USAID public safety officer Dan Mitrione, who trained police throughout Latin America in the art of surveillance and torture in the 1970's, is known to have stated during his regular lesson plan, "The precise pain, in the precise place, in the precise amount, for the desired effect" (Meade, 2015, p. 271).

Impact investing is promoted by neoliberal governments and private sector leaders through a fantastical storyline where elite financial investors are best positioned to mitigate long-standing social inequities and economic inequalities. Never mind the fact that these social conditions are the generators of their wealth and power and result from the financial instruments they employ to allegedly “do good.” Thus, in the age of financialization and within the ever solidifying state-finance nexus, venture capitalists -

through the veneer of their generous and public spirited foundations - are the benevolent titans of international development and the arbiters of public, civic and social life. More dramatically, these dynamics enable billionaire foundations to hasten the process by which financial institutions serve as the overlords of all life on our planet.

### **Social Impact Bonds**

As an introduction to their “Innovations in Finance for Social Impact” website, Rockefeller Foundation president, Judith Rodin, reminds us that they were the pioneers of impact investing and makes the “critical” point that, “while philanthropy and government only have billions to spend...private markets hold an estimated \$210 trillion” (2014, para. 5). To drive this point home on their website, readers are given the following anecdotal story:

When E. H. Harriman, the President of the Southern Pacific Railroad, heard the news about the 1906 San Francisco earthquake, he led the first train west to assess how the railroad might assist in the recovery. When he arrived in Oakland, he immediately ordered tracks to be laid into the most devastated parts of town to carry out people and debris. He met with local officials to kick-start the rebuilding process, and sent telegrams across the country pleading for both private and public funds. He gave \$200,000 of his own fortune directly to the cause. “The rich and poor have to be cared for alike,” he wrote in a telegram home. Later, his friend John Muir put best when he wrote that Harriman cared for money “as a tool like a locomotive or ship.” Indeed, private capital has always been a powerful tool for helping to solve humanity’s greatest challenges. (Rodin, 2014, para. 4)

While this story reproduces the ideological narrative that glorifies “captains of industry” as being benevolent figures to be admired and honored, looking a bit deeper into E. H. Harriman’s story reveals the actual commonalities between Harriman, venture philanthropy and impact investing.



While he was alive, E.H. Harriman was widely known as an financial opportunist, unsavory profiteer and unscrupulous robber baron on par with J.P. Morgan, John D. Rockefeller and Andrew Carnegie. Known as the “railroad czar” and by the time of his death, Harriman controlled the Union Pacific, Southern Pacific, Saint Joseph, Grand Island, Illinois Central and Central of Georgia railroads. He also controlled the Pacific Mail Steamship Company, and the Wells Fargo Express Company, an international finance and banking corporation. Lest we forget, the railroads obtained a bulk of their wealth from government financing and government land offerings (Klein, 2000).

As Chairman of Union Pacific, Harriman speculated with Union Pacific holdings in an attempt to win control over the Northern Pacific Railway as a means to monopolize the the railway sector, which led to the Panic of 1901, the first stock market crash on the New York Stock Exchange (Klein, 2000).

In 1906, San Francisco was the financial and commercial center of the western U.S, and served as the headquarters for the Southern Pacific Railroad and Wells Fargo. After the earthquake on April 18, 1906, San Francisco’s business and financial elite new they had to quickly rebuild the city so as to not endanger their standing as a financial and commercial center. With Wells Fargo vaults and credit still intact, the bank reopened within a matter of days and began to finance reconstruction efforts. As money flowed into the city from around the country in support of reconstruction efforts, the bank more than doubled its deposits within a matter of eighteen months (Autry Museum of the American West, 2015; Klein, 2000; Wells Fargo, 2015).

Just months after the earthquake, Harriman made a quick ten million dollars (Klein, 2000) from insider trading on two his railroads, leading to a series of New York

Times articles titled: Harriman Coup Drives Market Again Upward (August 18, 1906, p. 4); Harriman Dividends Amaze Wall Street: The Insiders Made Millions (August 19, 1906, p. 1); and Harriman Stocks Boom (August 16, 1906, p. 10).

This is the context that Rodin uses to frame the Rockefeller Foundation's support for new financial innovations, asking "How can innovative finance shift charity to opportunity?" The answer: By unlocking "greater amounts of private capital to do public good" through impact investing. Rodin goes on to describe "two distinct new opportunities" that will facilitate this financial innovation: Social and Development Impact Bonds (SIBs/DIBs) (Instiglio, 2016; Rodin, 2014). SIBs and DIBs are characterized by financing where private sector investors provide up-front financing - via an intermediary - to nonprofit or public sector social service providers. These agreements are conditioned on governments (in the case of SIBs) or venture philanthropy (with DIBs) paying back the investor(s) - with interest - if or when the predetermined outcomes are achieved. If the desired outcomes are not achieved, the private investor will not recover their losses. DIBs are implemented in so called "developing" countries, largely in Africa. SIBs are the current impact investment instrument of choice in austerity plagued western nations (Instiglio, 2016). These so called "bonds" are in essence derivatives.

In the era of neoliberal austerity, SIB investors exploit skepticism about the effectiveness of public programs and the narrative of "saving taxpayer dollars" to further the rationale to transfer public sector funds to the financial sector. Within this scheme, as in the E. H. Harriman story, titans of finance are exalted as saviors (of those they dispossess) and the altruistic merchants of the common good. This allows SIBs to be

offered up as a win-win intervention to resolve inefficiencies in social welfare programs and the deficiencies of populations who rely on them.

The ideology of white supremacy in the age of neoliberalism constructs a narrative of deficiency aligned with the ideological foundations of eugenics, in that Black-Brown-Indigenous people are biologically inferior and/or culturally deprived and thus entangled in a pathological “culture of poverty” of their own making; due to inherent laziness, poor judgement and bad choices. The narrative of deficiency suggests that Black-Brown-Indigenous people are in need of saving by superior and well meaning affluent white people, who attach racially coded deficit labels that identify entire groups of people as being “poor” or “disadvantaged” and “at risk” (Baldrige, 2014).

In the U.S., old and new social control instruments that work in tandem - educational, social service, policing and incarceration - are rigidly imposed on those who carry the deficit label. These instruments operationalize disciplinary sorting mechanisms based on differentiated expectations of compliance and discriminatory standards of being in terms of schooling, employment, housing, social environments, etc.. These sorting strategies serve to determine who can be properly assimilated and effectively regulated from those who are deemed as disposable and thereby justifiably impoverished, segregated, criminalized, imprisoned, exploited and exterminated (Baldrige, 2014; Dudley-Marling & Gurn, 2010; Jordan, 2004; Katz, 2013; Wilson, 2009). The ideology of deficiency conveniently conceals the structural dynamics that have systematically subjugated and impoverished Black-Brown-Indigenous people over generations and lifetimes through the synergistic power structures of white supremacy, settler colonialism, capitalism and heteropatriarchy.

Poverty and social inequity are conceptualized within the narrative of deficiency and further entrenches it within the hegemonic and material hardships of unfettered capitalism; and increasingly within the social control interventions being imposed by the state-finance matrix. Social and educational programs that are not steeped in the deficiency script are considered to be illegitimate and undeserving of funding and in turn feeds the profit motive attached to social impact investing (Baldrige, 2014). More specifically, impact investing thrives on inequity and inequality, while more explicitly uniting the powerful beneficiaries and agents of the state-finance matrix - the state, financial investors and venture philanthropists - under the implausible premise that they can serve as benevolent brokers of equity and emancipation (Silver & Clarke, 2014). This understanding is not meant to imply that government strategies in the U.S. have, or would, address these structural inequities in a meaningful way.

Established as performance and outcomes-based financing models (the benchmark of neoliberal interventions), social impact bonds (SIBs) are “pay for performance” contracts (or bets) fueled by financial incentives and rewards for service providers and private investors when predetermined and quantifiable outcomes (impacts) are achieved in “prevention” related projects. An SIB originates when a governmental body seeks to achieve specific social outcomes attached to a specific population within a given time period, prompting them to contract with a private-sector intermediary who will oversee the project to make sure the outcomes will be met. This intermediary proceeds to line up one or more venture philanthropies and financial institutions to cover costs upfront and then contracts with service providers who will implement the interventions. The intermediary - at times partnering with an additional project manager -

also retains an evaluation advisor to monitor progress as well as an “independent” researcher who will determine if the outcomes have been met. If the intended outcomes are met, immediately and over time, the government repays investors the principal plus interest. If not, government does not pay investors back. A primary justification for SIBs from the government perspective is that the positive “social impact” will save taxpayers money in the long run by not having to pay for services down the road due to a “social problem” being prevented by the SIB (Liebman & Sellman, 2013; Stump & Johnson, 2016).

So far, SIBs have relied on a “collaborative financing” model to reduce risk, so that public, philanthropic, and private capital can share financial risks during this critical developmental stage of the SIB project. In their vital role of seeding infrastructural power of financial markets, venture philanthropy has a crucial role in nurturing the development of the global impact bond ecosystem (Ragin & Palandjian, 2013).

Even before they were field tested, social impact investors have heralded SIBs as a winning strategy to address a range of inequity related “social problems.” Sir Ronald Cohen, otherwise known as the “high priest of money-making” (Mathiason, 2007, para. 1) and the “founding father of European venture capitalism” (Mathiason, 2007, para. 3); claims that the advent of the SIB in 2010 marked a turning point for investors in that:

Up until then, what you had was a world of socially responsible investing where everybody paid lip service to the fact that we shouldn’t do bad things. But we didn’t really have the ability to deliver positive social returns. With the advent of the social impact bond, the thinking began to reverse, I think in a really fundamental way; so fundamental that if Adam Smith were around today, he’d be talking not just about the invisible hand of markets but the invisible heart of markets. (Rock, 2013, para. 13)

Originating in the UK in 2010, the first SIB program focused on reducing recidivism rates of adult prisoners in the Peterborough Prison, a private prison operated by the multinational corporation, Sodexo (Stump & Johnson, 2016). By 2014, the SIB did not meet its marks and investors did not get a return on their investment. In 2015, the UK government cancelled the SIB for a more robust national program where the government contracted out recidivism prevention and probation services to public, private, charity and nonprofit service providers, who would be paid based on a ‘payment by results’ model (Transforming Rehabilitation, 2014). According to Silver and Clarke, the SIB was “used to argue the case for the government’s ‘transforming rehabilitation’ agenda: payment by results contracting for the lion’s share of criminal justice service delivery (2014, para. 12). Numerous SIBs have since been launched in dozens of post-industrialized nations.

The first social impact bond in the United States was launched at Rikers Island in New York City in 2012 with the goal of reducing recidivism among incarcerated youth. It was failing to meet its intended outcomes so its private investor, Goldman Sachs, exercised a convenient contract clause that allowed the bank to prematurely cancel the SIB, with Bloomberg Philanthropies insuring most of Goldman’s losses (Cohen & Zelnick, 2015; Stump & Johnson, 2016). During the same period of time as the Rikers SIB, a federal investigation of Rikers Island reported that the jail had a long-standing “Culture of Violence” against teenage inmates, over 90% of whom are Black and Latino. According to the New York Times, “the New York Department of Correction had systematically violated the civil rights of male teenagers held at Rikers Island by failing to protect them from the rampant use of unnecessary and excessive force by correction officers” (Weiser & Schwartz, 2014, para. 1). The outcomes of the SIB were tied to a

treatment program known as Adolescent Behavioral Learning Experience (ABLE), which “aimed to break the cycle of reincarceration for adolescents in the prison by using Moral Reconciliation Therapy (MRT)” (Vera, 2015, para. 1). According to the MRT model, despite the structural violence inherent in the cultural political economy that persistently targets Black and Brown youth, or any existing mental health or addiction challenges, these teens only have themselves to blame for their life circumstances and incarceration. MRT tells them that it is their moral deficiencies that are to blame, and they therefore need to “learn there is wisdom in following rules,” being “loyal” and changing their core values by changing “how they think and act,” with a focus on “what is good for the community and the world” (Rindfleisch, 2010, para. 17). Apparently the sadistic law enforcement and correctional systems that targets them and the investment banks that seek to profit from their suffering serve as the enlightened moral role models they need.

In October 2015, a Salt Lake City Utah preschool SIB was heralded by its investors to be the first successful SIB in the U.S. Through a \$7 million investment from Goldman Sachs, J.B. & M.K. Pritzker Family Foundation and the United Way of Salt Lake, the SIB financed the expansion of an existing and highly regarded preschool program. The SIB was aligned with the program's goal of reducing the number of “at-risk” children identified to be on a path to special education services in subsequent grades. According to the Philanthropy News Digest, Goldman claimed, “that of the one hundred and ten four-year-olds who attended preschools in the program during the 2013-14 school year that were identified as likely to need special education, only one required special education services in kindergarten” (2015, para. 2). This outcome also guaranteed the first of many large payouts for the notorious investment bank. “It was, in the

vernacular of corporate America, a win-win: a bond that paid for preschool for underprivileged children in Utah while also making money for investors” (Popper, 2015, para. 1).

A month later, several early childhood experts interviewed for a New York Times article reported that they saw a number of substantial irregularities in how the program's success was measured, leading them to believe that Goldman Sachs and the state of Utah were able to exaggerate the outcome of the SIB:

...even well-funded preschool programs — which the Utah program was not — typically have been found to reduce the number of students needing special education later by 10 percent or 20 percent, and rarely by more than 50 percent... For example, the program screened low-income three- and four-year-olds using a picture-and-vocabulary test known as the PPVT and labeled all those who scored below 70, a very low score, as being likely to require special education. According to nine early childhood education experts who reviewed the results for the Times, however, the PPVT isn't typically used to screen for special education, especially on its own, and there was little evidence for assuming that all children who scored poorly on the test — 30 percent to 40 percent of the children in the program, many of whom did not speak English at the time of testing — would require special education after preschool. (Philanthropy News Digest, 2015, para. 3)

The NY Times article went on to report how “Early-childhood education experts said that the results from Utah should have been viewed skeptically from the start, just based on the amount of money being spent on the program... the preschool that the bank had paid for cost \$1,700 a year for every student, or barely enough to cover the cost of part-time day care. Some of the children Goldman paid for were sent not to preschool but to a local daycare center or Y.M.C.A... (Popper, 2015, para. 20).

In the Times article, W. Steven Barnett, director of the National Institute for Early Education Research at Rutgers University claimed, “There are hundreds of studies of programs like this, and none of them find a large positive impact...”you have to spend



real money to get results” (Popper, 2015, para. 23). Ellen Peisner-Feinberg, a senior scientist at the Frank Porter Graham Child Development Institute reported, "to just assume that all these children would have gone to special education is kind of ridiculous" (Popper, 2015, para. 29). Peisner-Feinberg went on to claim, “you have to be sure you have very rigorous ways of measuring the impact to make sure that it’s legitimate in terms of the outcome you get... that didn’t happen here” (Popper, 2015, para. 34). According to Clive Belfield, from Queens College in New York, “here they seem to have either performed a miracle, or these kids weren’t in line for special education in the first place” (Popper, 2015, para. 8).

Prior to making the investment, Goldman Sachs could see that the methodology was leading significant numbers of children to be labeled as at-risk; and therefore increasing the number of children that could later be identified as avoiding special education. Ultimately, according to the Times,

When Goldman negotiated its investment, it adopted the school district’s methodology as the basis for its payments. It also gave itself a generous leeway to be paid back. As long as 50 percent of the children in the program avoid special education, Goldman will earn back its money and 5 percent interest — more than Utah would have paid if it had borrowed the money through the bond market. If the current rate of success continues, it will easily make more than that. (Popper, 2015, para. 32)

With a series of SIBs under its belt, a Goldman Sachs representative declared in 2015, that SIBs “work best when you are working with evidence-based programs that have a track record that you can scale... [t]hey work better for scaling than for experimenting with new programs” (Porter, 2015, para. 32).

In a December 2015 editorial in U.S. News & World Reports, Katharine B. Stevens of the American Enterprise Institute, defended Goldman Sachs against

wrongdoing and instead pointed a finger at the field of education research by claiming, “The metrics questioned by the education experts weren’t rigged by the bank. They weren’t designed by the bank. They were designed and vetted by other education experts” (Stevens, 2015, para. 10). Stevens went on to point out, “In the \$650 billion K-12 sector, experts rarely ask questions about the research base for education practices, much less resolve them. Indeed, the research base used for the Utah project’s payment metrics is as good as what’s used for most education projects” (Stevens, 2015, para. 12). Apparently, what Stevens avoids to point out is that within education reform markets, as with the emerging SIB markets (and efforts to intersect the two), the political and economic power interests of the various actors within them are one in the same and complementary. As has been proven time and time again in the world of capitalism and neoliberal education reform, the game is rigged.

Underlying the market-based narratives of SIBs is the notion that government wins since it only pays for narrow programs and outcomes that more effectively reinforce systems of domination over groups of people believed to be inherently deficient and therefore exploitable. Philanthropic and financial sector investors win since they get a return on their investment while developing larger markets and while perverting the very notion of public goods. Drawing on the tenets of social efficiency ideology, SIBs serve as a data-driven method of eliminating waste in the development of innovative financial markets (Peak, 2015). SIBs are also said to make some investors feel better about themselves for making a “social impact” while others recognize their utility in generating some badly needed PR (Popper, 2015; Sullivan, 2014).

Since 2010, social impact investors have primarily focused their winning strategy on interventions attached to education, housing (homelessness), infant and prenatal health care, vocational training and recidivism. Despite having no track record of success - according to their own narrow and nefarious standards - proponents of SIBs continue to celebrate the existing failures, such as the Peterborough Prison and Rikers Island SIBs as successes stories to promote their ideological social mission. Even the Utah SIB, despite its “success” being exposed as fraudulent, continues to be promoted and replicated wide and far. As Rick Cohen of Nonprofit Quarterly puts it, “SIBs radiate the glow of a public/private panacea that might cure the dysfunction of government—even without evidence that they can do so” (2014, para. 4). When writing about SIBs sketchy track record in Nonprofit Quarterly in December 15, 2015, Pratt and McCambridge claimed: “The promotion stage assumed it would be successful and had a broad and influential group of supporters...plus a gaggle of professional consultants smelling a ripe financial opportunity. Still, the experimentation goes on, with advocates suggesting that detractors are merely sour social progress spoilers of a sort” (paras. 7-8). The myth that SIBs save governments money is also quickly being dispelled, most notably by one of its biggest advocates, the financial powerhouse McKinsey & Company, which has concluded that “this tool is a more expensive way to scale programs than if government simply contracted directly with a service provider” (Callanan & Lawp. 1). In 2014, Kyle McKay, an analyst with the Texas Legislative Budget Board testified before the U.S. Senate Committee on the Budget about SIBs. In his final remarks McKay concluding that, “social impact bonds are expensive and risky” are likely to “distract governments from a more comprehensive, sustainable approach to improving public policy” (p. 6) McKay

goes on to claim, “Across a variety of policy areas, we have learned that measuring outcomes and using monetary payments to incentivize behavior change is difficult and often produces mixed results” and “there is no evidence to suggest that simply throwing investors into the fray will resolve the ongoing limitations and problems. Instead, they may very well exacerbate the challenges” (McKay, 2014, p. 6).

Doing their due diligence as the purveyors of U.S. hegemony, the media are largely staying on script by exalting the virtues of SIBs according to longstanding mythological narratives. In referencing the Peterborough Prison SIB as a means to attach the spirit of SIBs to the ideology of American Exceptionalism, Jay Ambrose of the McClatchy-Tribune New Service, wrote in 2014:

...there’s ample room for optimism. While the methodology did not originate here [in the U.S.], it fits splendidly in with what we are as a people, our high-energy, imaginative, entrepreneurial, can-do spirit and charitable impulses that evince themselves in a multitude of ways. The possibilities for ultimately large achievement will surely tug on us. The most exciting of these possibilities? It’s that we will help people out of desperate circumstances, that we will become a society with less disadvantage, less crime, less unemployment. (para. 9)

The blatant construction and perpetuation of the myths attached to SIBs further expose the duplicitous nature of the state-finance matrix and the cultural political economy that roots it. Like the establishment of public education and current efforts to update its original mission (via education reform); the social impact of SIBs ultimately serve as yet another instrument of social control. The fact that SIBs are unilaterally imposed at the behest of profit seeking elite on historically and systematically disenfranchised groups of people - without their input whatsoever - simply reveals the true intent of SIBs. As the New York Times put it in 2015, “Ultimately, the biggest promise of these social impact bonds... might lie more in their ability to impose discipline

on government programs than in their promise to draw private money (Porter, 2015, para. 33).

A 2014 publication put out by the G8 (Group of Eight of the most powerful capitalist economies) titled, *Impact Investing: The Invisible Heart of Markets, Harnessing the Power of Entrepreneurship, Innovation and Capital for Public Good* (G8 Social Impact Investment Taskforce, 2014). In this document, leaders of the G8 claimed:

There is also huge potential in every country for government, as a ‘commissioner’ of social services and impact, to help scale social sector start-ups into organisations that deliver significant impact. The recent innovation of social impact bonds (SIB), initially in the UK and now in many other countries, could drive the development of a market in which government, philanthropic foundations and, perhaps, others can agree in advance to ‘buy’ specific social outcomes delivered by impact driven organisations. We set out proposals to accelerate the development of this market. (2014, p. 3)

The most salient point made here is that through SIBs, governments and investors purchase outcomes. Of course these commodified outcomes, which are exuberantly being marketized and attached to the profit motive are attached to human suffering. With this in mind, understanding the fundamental market principles of supply and demand is critically important in understanding the true nature of SIBs. Similar to what is already occurring in the realm of predatory lending - debt and securitization - within the domain of SIBs, subjugated groups become assets to be pooled and assigned value based on being a "risk-free" or "risky" investment.

When one considers the initial SIB failures, why would powerful and savvy investors - who are allowed to play by their own rules everywhere else - not begin to hedge their bets or game this game? If they do not, the incentive to play the game is reduced, that is unless SIB markets are part of a larger strategy to operate like existing

derivative markets, where layers of bets and counter bets are made. Or more so, based on the self-serving nature of financial investors and their established practices; why would SIB markets not operate like other derivative markets, especially when they offer faster and more profitable returns when compared to the longer-term and less profitable interest rate returns that are attached to SIB contracts? It is easy to deduce that this is already happening, where financial investors are making layers of side bets for or against SIB outcomes, similar to “interest rate swaps and “credit default swaps.” Additionally, since the success of SIBs are being determined by outcome percentages or the positive impact on a certain number of subjects, they are ripe for employing the derivative strategy of spread betting. A version of this appears to have happened with the Goldman Sachs exit clause (or parachute) with the Rikers Island SIB. SIBs are also well positioned for side betting when a “successful” outcome is overblown or deemed risky; or for the casino style gambling strategy where investors have a “house edge” that entails influencing outcomes or “stacking the deck” in their favor. This is what appears to have happened in Utah.

In the U.S, as with all neoliberal/financialized instruments, SIBs have overwhelming bipartisan support from state and federal Republican and Democratic lawmakers. In step with the founders’ governing design, lawmakers naturally continue to prioritize the interests of financial investors in their policy decisions, even when such decisions contradict the baseless rationales behind them. Similar to the proliferation of education reform policies, despite the continuous exposure of the fraudulent claims that are fueling SIBs, they are being propelled by all levels of government and throughout “civil society.” This is happening despite evidence based reasoning and calls for caution,

like the McKay testimony before the U.S. Senate, where the Texas analyst referenced a Maryland study that claimed:

For governments facing revenue constraints for political or economic reasons, social impact bonds may appear to be the silver bullet for social services. However, the benefits may be based largely on wishful thinking. Yet the risks and costs to governments from engaging in this type of model are real, which is why an in-depth study conducted at the Maryland Department of Legislative Services led to the recommendation that the state not pursue social impact bonds. (2014, para. 2)

In 2009 the Obama administration launched a neoliberal initiative called the Social Innovation Fund, which was a precursor to the federal SIB initiatives that were to follow. The fund's "grantees create a learning network of organizations working to implement innovative and effective evidence-based solutions to local and national challenges in three priority areas: economic opportunity, healthy futures, and youth development" (Social Innovation Fund, para. 3). In 2012, the Obama administration announced the federal government's SIB initiative called Pay for Success, following a script that could have been written by Goldman Sachs or the Rockefeller Foundation:

As part of this Administration's commitment to using taxpayer dollars effectively, we are employing innovative new strategies to help ensure that the essential services of government produce their intended outcomes. Now more than ever, federal programs must be measurably effective and designed to do more with fewer resources. Pay for Success is an innovative way of partnering with philanthropic and private sector investors to create incentives for service providers to deliver better outcomes at lower cost—producing the highest return on taxpayer investments. (Paying for Success, 2012, para. 1)

The administration's announcement went on to report that \$100 million has been budgeted for Pay for Success to be distributed in seven program areas that include workforce development, education, juvenile justice and care of children with disabilities; through the Department of Education, the Social Security Administration, the Department

of Justice, the Department of Labor and the Corporation for National and Community Service (Paying for Success, 2012).

According to Elizabeth Lower-Basch from the Center for Law and Social Policy, “the Obama Administration has already carved out funding...in the 2014 and 2015 budgets” proposing “a \$300 million fund at the Treasury to support state SIB initiatives as well as specific pay-for-success activities in the areas of job training, education, criminal justice, and housing (2014, para. 2).

In 2016, the Obama administration took steps to attach Pay for Success to a funding competition, by embedding SIBs within the his Social Innovation Fund. Together, these federal programs serve as a structural adjustment strategy, similar to Obama’s Race to the Top fund:

The 2016 Social Innovation Fund (SIF) Pay for Success (PFS) Grants Competition will provide up to \$10.6 million in grants to eligible nonprofit organizations, including public or non-profit universities, faith-based organizations, and state and local governments (and other political subdivisions) seeking to advance and evaluate emerging models that align payment for social services with verified social outcomes. Consistent with the broader mission of the SIF, the PFS Competition intends to encourage the implementation of PFS projects in order to enhance the reach and impact of innovative community-based solutions in low-income communities. (para. 1)

The intention of this competition is to provide monetary incentives for “the right kind” of non-profit organizations to function as SIB intermediaries and logistical agents in the ongoing project of building financialized infrastructural power (DeSantis, 2015).

In late 2015, Republican Congressman Todd Young of Indiana and Democratic Congressman John Delaney of Maryland reintroduced the Social Impact Partnerships Act in Congress, while Republican Senator Orrin Hatch of Utah and Democratic Senator Michael Bennet of Colorado introduced companion legislation in the U.S. Senate. This



promising bill will allow the Federal government to provide \$300 million in support for social impact bond proposals for state and municipal governments nationwide. Reporting on these bills for *The Hill*, Greg Keesling declared, “Addressing societal issues is both a moral and fiscal imperative for our country. High recidivism rates, low educational attainment, and high incidents of preventable diseases are just a few of the harmful and costly issues communities face nationwide. Though governments bear the brunt of these problems by having to allocate an ever-increasing share of taxpayer funds for remediation, businesses increasingly feel the effects” (2015, para. 1).

Since 2012 a partnership between the Harvard Kennedy School’s Social Impact Bond Technical Assistance Lab (or SIB Lab), Mission Investors Exchange and the Rockefeller Foundation have also been holding a national competition for states to win logistical and funding assistance in designing and implementing SIBs (Harvard Kennedy School, 2016). The assistance includes having a full-time Harvard SIB Lab Fellow, “to be based for one year at each lead government agency (Gavel, 2015, para. 8). Mission Investors Exchange is a national network of 230 social impact philanthropies, financial institutions and intermediaries “share ideas, tools and experiences to increase the impact of their capital” (2016, para. 1). So far, the competition’s “winners” include, Colorado/Denver, Connecticut, Illinois, Michigan, New York, Ohio, South Carolina and Massachusetts (Gavel, 2015).

In 2014 a statewide SIB initiative called the California Pay for Success Initiative was kicked off by two venture philanthropies - the James Irvine Foundation and Nonprofit Finance Fund. Both are also two of the state’s leading supporters of education reform. Within this project, Santa Clara County is leading the way with two projects that

“reduce suffering and increase wellness for vulnerable populations—the chronically homeless and the acutely mentally ill” (Nonprofit Finance Fund, 2016, para. 5). This SIB has eighteen governmental, for-profit, non-profit, foundation and charity-based partners, including Google (De Santis, 2015). More SIBs are currently being developed in San Diego County, LA County, Alameda County, City and County of San Francisco, Orange County, and a partnership between San Francisco and Orange County. The social mission of these projects include pregnancy and child health outcomes, homelessness, chronic mental health issues, workforce development and reducing recidivism rates (Nonprofit Finance Fund, 2016).

The true character of SIBs is revealed with Chicago’s Pre-K Social Impact Bond program, which focuses on increasing enrollment for preschool students in the Chicago Public Schools (CPS) Child-Parent Centers (CPC). This venture is being portrayed as a “watershed for social impact bond (SIB) financing” in that it is the largest private investment (\$17 million over 4 years) “in public preschool through social impact bonds yet” (Human Capital Research Collaborative, 2014, para. 1)

Established in 1967 through Title I funding attached to the Elementary and Secondary Education Act of 1965, CPCs are the oldest extended early childhood intervention program in the country and is the second oldest (behind Head Start) federally funded preschool program. According to CPS, CPC “is an early childhood preschool model that emphasizes aligned education and services in high needs communities, for children from pre-kindergarten through the primary grades. The CPCs are a family centered program, focused on the needs of the students and their families to ensure their success in school and beyond” (Chicago Public Schools, 2016, para. 1).

Chicago's SIB program is being funded upfront by loans from Goldman Sachs, Northern Trust Corporation and the J.B. & M.K. Pritzker Family Foundation. The Chicago Public Schools and the City will have to repay the loans - with substantial interest - only if predetermined outcomes are met, namely if the child subjects avoid special education, are "kindergarten ready" and reading at "grade level" by third-grade (Sanchez, 2014, para. 9).

The loan will be distributed between six sights and fund 374 half-day slots in the first year; 782 half-day slots in both the second and third years; and 680 half-day slots in the fourth (final year) (Sanchez, 2014). Based on the city's evaluation plan, "students in the 'treatment group' will be compared to students from similar low-income neighborhoods who did not attend preschool at any CPS site or at any Head Start site that's overseen by the city. City officials did not explain how the control group of children would be identified" (Sanchez, 2014, paras. 34-35). The yearly "success" payments will be \$2,900 for each child who is kindergarten ready based on standards already being used in CPS preschools (Common Core aligned); \$750 for each child who is literacy-proficient in 3rd grade based on Common Core Standards as assessed by PARCC; and \$9,100 for each year a child participant avoids special education placement, which will be tracked into high school (Sanchez, 2014). It is expected that the city will end up paying investors (Goldman Sachs, Northern Trust, Pritzker) roughly double its \$17 million cost, providing a rate of return of about 6.3% to investors; translating to \$34.5 million in repayments over the next 18 years (Hardick, 2014).

The Chicago pre-k SIB is situated within the education reform discourse of eliminating an "achievement gap" (or "opportunity gap") that is attached to standardized

tests, and designed to reinforce the deficit model of schooling that reproduces the ideologies of white supremacy. Still, many who oppose this “social mission” adopt the discourse of the achievement gap, under the belief that public schools can be shaped to become sanctuaries of equity and fairness, despite them being logistical appendages of a ruthless infrastructure. As with all impact investing and education reform ventures, which share the very same mission and are synergistically combined in the Chicago SIB program, this common sense discourse and its “ends justify the means” mission is constructed to appease sceptics (Venderburg, 2014).

According to current national discourse, access to pre-k is on the one hand held up as being practical for working parents, and on the other, it is advanced as the magic bullet for future academic achievement and life success; or at the very least to provide a leg up for children in subjugated groups. More recently, the latter arguments are largely tied to education reform propaganda and the application of its instruments to pre-k classrooms that are aligned with the surveillance and sorting mechanisms of data-mining, Common Core Standards and its standardized tests (PARCC & Smarter Balanced). With the exception of working parents needing access to a developmentally enriching daycare or preschool, all of the other rationales are either unsupported or are being disrupted by recent studies that question pre-k’s equalizing effects; remind us that not all models are created equally based on funding, curriculum and teacher training; or make the case that full-day preschool with low child/staff ratios and “wrap-around” services are required to buffer against larger social inequities (Duncan & Sojourner, 2013; Howes, Burchinal, Pianta, Bryant, Early, Clifford & Barbarin, 2008; Lipsey, Farran & Hofer, 2015;

Reynolds, Richardson, Hayakawa, Lease, Warner-Richter, Englund, Ou & Sullivan, 2014; Robin, Frede & Barnett, 2006).

Additionally, growing numbers of child development experts are alarmed by how anxiety inducing performance-based standardized curriculum and testing regimes attached to education reform policies are harming young children's social, emotional, cognitive and physical development. According to Nancy Carlsson-Paige, “financial strains that can create stress within the family system” are being exacerbated by “intense pressures at school to succeed within the testing environment” (Keisch & Scott, 2015, p. 20). Carlsson-Paige goes on to emphasize that “instead of a focus on play, which is essential for children to learn and explore their world, they are receiving developmentally inappropriate material driven by the standardized curriculum and testing that results in rote memorization rather than authentic learning (Keisch & Scott, 2015, p. 20). From a young child’s perspective, as Carlsson-Paige claims, “it has got to feel stressful and anxiety-laden if you are trying to please a teacher by memorizing something that you don’t really understand” (Keisch & Scott, 2015, p. 20). Compounding all that, according to Keisch & Scott (2015):

education policies impose highly controlling and disciplinarian schooling models on [impoverished] Black and Brown children, utilizing strict Skinnerian controls on behavior, rote methods of instruction and assessment; disabling a child’s capacity to critically reflect, while setting many up to fail and be sorted into the insatiable school to prison pipeline. This intensification of discipline in schools and the resulting criminalization is yet another instrument of the corporate education reform formula. (p. 20)

Despite all of these concerns and questions - while ultimately dodging publicly funded universal pre-k - a poorly funded half-day SIB program that would reap private investors substantial profits was still imposed on children by the autocratic Chicago

Mayor, Rahm Emanuel. For the impacted communities who are being exploited in this financial venture, the stakes are high, while the risks are low for its investors. For its impoverished profit generating subjects, the SIB is the latest violent instrument of a mayor who is a darling of the financial elite, in a city that has long been a laboratory for austerity, and thus has been an epicenter for the most racially violent and draconian education reform policies.

Rahm Emanuel is a former financial advisor to President Clinton (where he was referred to as “Rahmbo”) and then became an investment banker before he joined Obama administration. As Mayor of Chicago, Emanuel has packed his administration with financial sector appointees (McKenna, 2008). This includes the unelected Chicago Public Schools Board of Education, of which Emanuel has mayoral control over, allowing him to unilaterally load with financial and corporate heavyweights, which include charter school chain leaders (Schmidt, 2015).

Mayor Emanuel officially announced the SIB in an October 7th, 2014 press release. In it Emanuel parroted a populist, yet implicitly deficit-based and parent blaming education reform maxim by stating, “There is nothing that’s more important than our kids. Giving them a quality education from day one and helping provide their parents with the tools to be consistent and active partners in their children’s education is the best investment any of us can make” (Mayor's Press Office, 2014, para. 3). Employing a fiscally prudent closing the achievement gap script, the Chicago Public Schools “CEO” Barbara Byrd-Bennett went on to exclaim, “Early childhood education helps create a strong foundation that benefits students throughout their entire education... investing in the expansion of pre-kindergarten programs, we will set more students on the right

educational path and eliminate the need and cost for additional educational supports" (Mayor's Press Office, 2014, para. 5). Within months Byrd-Bennett was charged by federal prosecutors with 20 counts of fraud and pled guilty to receiving lucrative personal kickbacks for arranging a \$23 million no-bid contract to her former employer, the notorious education reform firm SUPES Academy (Belware, 2015).

The SIB intermediary is Metropolitan Family Services, a large nonprofit human service organization whose board of directors and "donors" are a who's who of major banks (both include Goldman Sachs and Northern Trust), corporations, venture philanthropists and individuals from the Chicago elite. According to Metropolitan Family Services tax returns, many of their insurance investments are managed by offshore (Cayman Island) firms (Metropolitan Family Services 990, 2013, p. 52).

The SIB project coordinator is the Chicago-based IFF, a non-profit community development lender and real estate advisor. IFF primarily funds charter school growth in Chicago and is a proud member of the national Charter School Lenders' Coalition (IFF Schools, 2016). IFF receives funding from Goldman Sachs and Northern Trust as well as the Walton Family Foundation, a leading financier of education reform (IFF Investors and Funders, 2015).

The Finnegan Family Foundation, which largely funds education reform organizations and projects, is financing the SIB program evaluation. The foundation is run by Paul Finnegan, who is currently the CEO of a leading private equities firm (i.e. corporation flipper) and was a long-time Teach for America board member, of which his foundation is a major funder (Paul J. Finnegan, 2016). The Finnegan Family Foundation

also funds Metropolitan Family Services and IFF (Finnegan Family Foundation 990PF, 2014).

SRI International is contracted to be the “independent” evaluator to determine if the SIB project succeeds or fails by tracking its child subjects kindergarten readiness, third-grade literacy, and special education placement over six years. The president of SRI Education and a vice president of SRI International, Denise Glyn Borders, has a long history of employment within state, federal and private sector education reform projects. In addition to its work on the SIB, SRI has dozens of contracts with public and private sector agencies that have a focus on supporting a multitude of education reform related research and development projects, many of which focus on STEM, standardized curriculum and teacher effectiveness (FHI360, 2016; SRI Education, 2016). In line with education reform’s social control functions and public education’s original role in buttressing infrastructural power, SRI is well positioned within the current state-finance matrix. SRI is a global research and development non-profit, which contracts with U.S. government agencies (military and intelligence) international government agencies (central banks, dictatorships); state, regional, local governments and schools; commercial and nonprofit businesses (major banks and corporations); venture capitalists; associations, foundations and public/private partnerships (including Gates Foundation); industry consortia; and multilateral and bilateral organizations (World Bank, etc). Sixty-three percent of SRI’s contracts are with the U.S. Department of Defense. SRI’s current CEO worked for U.S. Homeland Security in the Bush administration and its current president is a former venture capitalist who has served on numerous corporate boards. Its



board of directors is comprised of retired and active financial sector leaders and U.S. military officers (SRI Board of Directors; SRI Client and Partners, 2016).

The J.B. and M.K. Pritzker Family Foundation is the venture philanthropy investor of the Chicago SIB. The foundation was started and is controlled by Jay Robert (J.B.) Pritzker, a co-founder of the Pritzker Group, which is a private equity and venture capital firm. He also served as the national co-chairman of Hillary Clinton's presidential 2008 campaign. J.B. Pritzker is also a member of the seventh richest family in the country (Pritzker family), which is considered to be the "powerful Chicago family...best known for creating Hyatt Hotels" (Forbes, 2015, para. 1).

In addition to being notorious for union busting, the Pritzker family is known to have accumulated its wealth through intricate tax evasion schemes (including offshore accounts) and winning favored treatment through their political connections (Moberg, 2013). The Pritzker family was a long-time owner of transnational company Transunion, which is the third largest credit reporting corporation in the U.S., of which J.B. was its principal owner. Goldman Sachs became a principal owner of the Transunion when the Pritzker's sold it in 2012. When the Pritzker's owned Transunion, it controlled the credit histories of over 500 million consumers (Moyer, 2012). In 2011, a coalition of 27 consumer advocacy, civil rights, community groups and labor unions demanded that TransUnion end its practice of selling the credit reports of job applicants to potential employers. These reports were being used to discern if job applicants would be "responsible" and "desirable" employees. This coalition claimed that credit checks by employers discriminate against poor Black, Latinx and unemployed job applicants. Transunion denied these demands and proceeded to lobby against state laws that

restricted the use of such data for hiring decisions (Simon, 2011). According to David Moberg, “Congress passed legislation in 2003 to address issues raised by widespread charges that the Pritzker’s credit rating agency, TransUnion, had made serious flaws in its credit reports on individuals—and then failed to correct them upon discovery” (2013, para. 9).

### **An Exemplar of the State-Finance Matrix**

Penny Pritzker’s (J.B.’s sister) life history is even more emblematic of the state-finance matrix in action. In addition to being the board chair of Transunion during its most “scandalous” years, from 1991 to 1994 Penny was the chairperson of Superior Bank, which is said to have been bought for her by her uncle Jay (Newman, 2013). During this time, Pritzker is known to have led the bank in “a business strategy marked by rapid and aggressive growth into subprime home mortgages and automobile loans” (McCormick, 2013, para. 13). In 2001, while Penny was still very active in the bank operations as a board member, the bank failed and was taken over by the FDIC. Moberg explains how “Superior’s exploitation of securitization of subprime loans, coupled with federal regulators’ lax treatment of the Pritzkers [who in the end profited from its demise], inspired other lenders, helping to spawn the huge subprime loan market in exotic derivatives that precipitated the 2008 Great Recession” (2013, para. 14). While testifying before the Senate Banking Committee in 2001, financial expert Bert Ely claimed, “it appears that Superior [Bank] became a dumping ground for low-quality, and possibly predacious, mortgages” (2011, para. 3). According to the U.S. News and World Reports, Ely also “contended that Superior aggressively sought deposits beyond the insured limits – even when it was on the verge of failure – and that it filed ‘flawed and clearly

erroneous' reports on its financial condition with federal regulators (Newman, 2013, para. 6).

In 2008 Penny Pritzker served as the National Finance Chair of the Barack Obama for President campaign. In 2009, Penny was appointed to president Obama's Economic Recovery Advisory Board which formulated and evaluated economic policy in the wake of the financial crisis she helped to create. She then became the co-chair of Obama's 2009 Presidential Inaugural Committee (President's Council on Jobs and Competitiveness, 2016).

Also in 2009, Penny Pritzker co-founded Artemis Real Estate Partners, a real estate investment firm specializes in "distressed properties...opportunistic debt and equity deals, value-added and enhanced core in property types such as apartments, office, industrial, retail, hotel, and senior housing" (Bloomberg Business, 2016). Distressed properties are real estate assets that are sold off because of their impending foreclosure or repossession. In 2011, Penny was the founder and CEO of the private-equity firm PSP Capital Partners which "invests in real estate, private businesses and funds/partnership opportunities" (PSP Capital Partners, 2016).

In 2010, during the period when Penny Pritzker was pillaging urban housing markets, she was appointed as the "chairman" of Obama's neoliberal initiative Skills for America's Future, "an effort to improve industry partnerships with community colleges to ensure that America's community college students are gaining the skills and knowledge they need to be successful in the workforce." (Sabochik, 2010, para. 1).

Penny Pritzker is also the founder and former director of the Pritzker Traubert Family Foundation. According to a letter penned by Penny Pritzker on her foundation's website, its grantmaking focuses on:

Supporting the development of Chicago's youth by focusing on the education, well-being and the arts...we believe a quality public education is the foundation of our democracy. We have committed much of our civic lives to innovative education efforts - from principal leadership development to training high quality teachers to expanding successful charter school models... (Pritzker Traubert Family Foundation, 2015)

In 2011, Penny Pritzker, the “billionaire heiress [who is] neither an educational expert nor a parent with children in the CPS system” was appointed to the Chicago Public Schools Board of Education by Mayor Rahm Emanuel (Felsenthal, 2013, para. 15).

Consistent with her philanthropic and business efforts, Pritzker's CPS position allowed her to double her impact as a champion of neighborhood public school closures and punitive “no excuses” charter schools for the city's most impoverished Black and Brown children. As sociologist Stephanie Farmer puts it, as a CPS board member Pritzker “consistently voted to turn Chicago's public education system into a for-profit system by charter school operators and their investors who are not accountable or transparent to the public, but dependent upon public tax dollars for their operations” (Felsenthal, 2013, para. 15).

In a 2011 radio interview, the host asked Pritzker to compare her children's educational experiences to what the average Chicago Public School student was receiving. Pritzker's response not only contradicted her foundation's stated mission, but also reflected the agenda that the elite founders of U.S. public education had for mass public education, when she simply stated that students should, “get the skills in math, in

reading, and in science so that they can be productive members of today's workforce” (Lutton, 2011). In 2013, Penny Pritzker was again rewarded for her long-time commitment to the state-finance matrix when President Obama appointed her to serve as his Secretary of Commerce.

## CHAPTER 7

### THE AUTHORITARIAN DEMOCRACY

#### Rebooting the System for a New Age

As detailed in the previous chapter, the social control instruments of the state-finance matrix ensure that state and public domains are only responsive to its imperious demands in accordance with the undemocratic foundations of the United States. As I will detail in this chapter, the technologies that fuel financialization are increasingly embedded deeply within all aspects of public and personal life (including education) and serve as the infrastructural power for an empire that mirrors many of the dystopian science fiction stories we once feared.

Writing in Forbes Magazine in 2013, technology entrepreneur Naveen Jain made an assessment of the historical origins of mass public education by pointing out that, “Our education system was developed for an industrial era” (para. 5). Jain (2013) went on to explain that the U.S. education system,

...today uses the mass production style manufacturing process of standardization. This process requires raw material that is grouped together based on a specific criteria. Those raw materials are then moved from one station to another station where an expert makes a small modification given the small amount of time given to complete their task. At the end of the assembly line, these assembled goods are standardized tested to see if they meet certain criteria before they are moved to the next advanced assembly line. (para. 5)

Jain makes this point not as a critique of education serving the interests of capitalism through the application of the scientific management model of production (Taylorism) to schooling. On the contrary, he does so to make a case that supports a main argument in this dissertation - that current education reform policies are a continuation of the original purpose of public education as an instrument of social control,, yet only being

modernized to bolster financialized capitalism (Jain, 2013). As Jain puts it, “Our education system is not broken, it has just become obsolete” (2013, para. 1). He goes on to declare:

When I think of all the tremendous, seemingly impossible feats made possible by entrepreneurs, I am amazed that more has not been done to reinvent our education system. I want all entrepreneurs to take notice that this is a multi-hundred billion dollar opportunity that’s ripe for disruption. (2013, para. 2)

The means by which such financial “opportunities” reside by “reinventing” education are made more explicit when Jain goes on to claim, “Rethinking education starts with embracing our individuality...[j]ust think of the opportunities we can unlock by making education as addictive as a video game” by flipping the current model on its head and use “technology to focus on our learners” (2013, paras. 7-8). Using the same historical context that Jain does to support this argument, the superintendent of Miami-Dade County Public Schools (and rising star in the education reform industry), Alberto Carvalho decreed in 2015, “Unfortunately, for most American students the old factory model of education still applies. This is a recipe for failure and frustration. We cannot address Digital Age needs with Industrial Age education” (para. 5). Carvalho (2013) goes on to claim:

We must leave behind us the days of sorting students by age and instruction by subject. More and more, our 8th-graders are studying alongside 6th-graders of similar ability, interests and readiness. After all, we aren’t grouped by age in the employment marketplace. No one told Mark Zuckerberg he couldn’t be CEO of Facebook because he wasn’t born the same year as Bill Gates. (para. 13)

Jain and Carvalho’s edicts are an integral part of the education technology (EdTech) industry’s marketing narrative, as a driving force and beneficiary of the financialization of public education. Be it venture philanthropists, federal and state

policymakers or EdTech executives, the current mission of education reform is to “reinvent” education, propelled by a narrative of benevolent intent and remedied by meeting the needs of financial markets through embracing education technologies. (Carvalho, 2015; Cavanagh, 2014, Jain, 2013; Steiner, Hamilton, Peet & Pane, 2015). In doing so, the EdTech industry promotes its products as being student-centered “anytime-anywhere learning” or more specifically as “personalized learning” (Bray & McClaskey, 2013). According to its advocates, personalized learning simply means the differentiation of digitized coursework for students based on their different skill levels that allows them to engage in learning activities at their own pace through the use of digital tools (Bray & McClaskey, 2013; Cavanagh, 2014). Accordingly, the Gates Foundation claims on its Personalized Learning page, “In personalized learning, the student is the leader, and the teacher is the activator and the advisor” (2016, para. 2). On its Digital Tools and Content page, the foundation goes on to report that personalized learning “technology is not just a way for students to pursue their interests; it is way for them to discover their interests” (2016, para. 2). Thus, personalized learning promises to revolutionize American education and positions EdTech to be the vanguard in liberating students to take control of their learning (Gates, 2016; Green, 2015). As Jesse Irwin (2014) puts it,

Since 2011, billions of dollars of venture capital investment have poured into public education through private, for-profit technologies that promise to revolutionize education. . . these tools promise to remedy the many, many societal ills facing public education with. . . technological advancements. (para. 1)

Like a visionary leader of a social movement, Carvalho calls us to action by proclaiming, “Now is the time for transformation, but we must do more than reboot the system; we must redesign it for the demands of a new age, reaching and teaching each student in the



ways he learns best. It's that simple, and that hard. All we need is the will, skill and belief to change" (2015, para. 17).

Ultimately, personalized learning entails immersing students in digitized software and is at the forefront of facilitating the disruption and replacement of traditional public schooling, yet in even more officious and imperious ways. To understand this better, we must ask ourselves: how is personalized learning personal? Historical context and the larger technological landscape are important to truly get to the root of the answer to this question; as well as how it fits into schooling as a function of social control within the 21<sup>st</sup> century cultural political economy. To answer this question, I will first take a step back in time and widen the scope before I focus more closely to answer this question.

### **From Pinkerton's to Big Data**

True to the lineage of capitalism, neoliberalism and the associated state-finance matrix is inherently hostile to social movements that strive for social justice, reparations, redistribution and participatory parity. Within nation-states under this domain, public institutions, social programs, laws, policing and systems of "justice" are primarily designed to serve the interests of power and thus exist for the purpose of social control and domination. Authoritarian practices in the U.S. have long been employed to surveil and monitor active, perceived or potential resistance efforts. The U.S., government and the private sector have long partnered in these efforts within these dynamics. Yet, as Alvaro Bedoya (2016) describes it, not everyone is watched equally:

[a]cross our history and to this day, people of color have been the disproportionate victims of unjust surveillance; [FBI Director] Hoover was no aberration. And

while racism has played its ugly part, the justification for this monitoring was the same we hear today: national security (para. 4)  
Chattel slavery, Jim Crow, Native Reservations, laws governing Mexican Americans and the schooling of Black, Brown and Indigenous people have always served as massive structures of surveillance and control.

Class struggle and war resistance in the U.S. has also been at the forefront of surveillance. Beginning in the 1850s, business leaders in Chicago sponsored the establishment of the private Pinkerton National Detective Agency to infiltrate and spy on organized labor. In 1870, the U.S. Justice Department was established, often contracting with private detective firms, most notably Pinkerton detectives (McCormick, 2003). In the early 20th century, the federal government extensively monitored and prosecuted leftist organizations and leaders. The “Great War” (World War I) was an incredibly unpopular war in the U.S., with resistance often being led by organized labor and leftist groups; leading to U.S. military intelligence agencies contracting with the Northern Information Bureau, a private union-busting security firm, to spy on the activities of the Communist Party and the International Workers of the World (IWW) (Talbert, 1992). As has been widely documented, throughout the 20th century, actual or suspected communists, socialists and anarchists were constantly monitored and surveilled by the U.S. government and private industry.

In his book “Bitter Freedom,” Maurice Walsh (2015) chronicles how after World War I many whites feared that returning Black veterans, “who had displayed nerves of steel” on the battlefield would return home with a new found confidence that would lead them to fight for their own rights at home. This white fear was also a reality as reflected by Black nationalist leader Marcus Garvey when he declared before twenty-five thousand

Black Americans at a 1920 gathering in New York City: "We new negroes...we men who have returned from this war, will dispute every inch of the way until we win" (Klinkner & Smith, 2003, p. 117). At once fomenting anti-Blackness and the "Red Scare", President Woodrow Wilson declared that these emboldened Black men would be "the greatest medium in conveying Bolshevism to America" (Jordan, 2001, p. 137). During the incredibly violent Jim Crow era, these fears led to a greater surge in anti-Black violence across the nation, often times targeting Black veterans who had survived the slaughter of trench warfare in France. Several of the 78 Black men lynched in 1919 were wearing their military uniforms (Walsh, 2015). These fears of Black liberation intensified the surveillance of Black men, leading to the creation of a special Military Intelligence Division that focused on "Negro Subversion." Between 1917-41, this military unit's mission was to track the activities of Black Americans in both civilian and military life and to report suspicious activities to other federal agencies, particularly the Department of Justice and Federal Bureau of Investigation (Johnson, 1999). At the top of their list was W.E.B. DuBois (Bedoya, 2016, para. 6).

During World War II, Japanese Americans were surveilled by using Census Data as a means to detain and ultimately intern them. Throughout the 1960s and 1970s, civil rights leaders, organizations and activists were regularly surveilled and monitored by the FBI. Martin Luther King was surveilled by the National Security Association (NSA) and the FBI. The FBI's wiretapping of King - approved by Attorney General Robert Kennedy - was justified by attempts to tie King to the Communist Party. The labor and civil rights leader Cesar Chavez was monitored for years, justified by his having ties to communists. The American Indian Movement, The Chicano Movement and the Black Panther Party

were all famously surveilled and infiltrated by the FBI's COINTELPRO (COunter INTELligence PROgram) as a means to undermine their emancipatory activities and to prosecute their leaders (Bedoya, 2016; Cleaver & Katsiaficas, 2014).

Municipal and state police departments have a long history of engaging in racial profiling practices in multiple ways. New York City's "Stop-and-Frisk" program is just one of example of such policies and practices. Since 9/11, state and federal agencies have been targeting Muslims in the U.S., using a wide spectrum of surveillance strategies (Bedoya, 2016). Also, according to Bedoya, "the Department of Homeland Security—an agency founded to protect against terror attacks—has been tracking Black Lives Matter activists. If you name a prominent civil rights leader of the 20th or 21st centuries, chances are strong that he or she was surveilled in the name of national security" (Bedoya, 2016, p. 2). The single largest domestic spying program in our nation's history - the NSA's call records program - was tested out by the Drug Enforcement Administration for nearly a decade on Latinx immigrants (Bedoya, 2016).

The 21<sup>st</sup> century is an age where massive quantities of digital information (data) is being captured, stored, tracked, analyzed and bought and sold by private firms and government agencies. Enormous amounts of data are collected every minute of every day from online and cloud-based activities via computers, tablets, mobile devices, smart phone apps and smart machines. This includes web server logs and clickstream data (every click made), social media content and social network activity, shopping and credit card use, text from emails and survey responses, mobile-phone call records, and more. Mobile devices track travel patterns and driving speed. Everything that is or becomes digital is collected, and contributes to an ever accumulating behavioral data profile for

everyone. This personal profile also includes medical, mental health, employment, education and government records, including the U.S. Census.

This mass accumulation of digital data is the basis for what is called “Big Data” (Howard, 2015; Lynch, 2016). According to Rohit Rai, “Big Data relates to data creation, storage, retrieval and analysis that is remarkable” in terms of volume (how much data), velocity (how fast data is processed), and variety (the various types of data) (2014, para. 2). It was the symbiotic relationship among Google, Yahoo, Facebook, Twitter, LinkedIn, Amazon, Netflix and other large Internet companies that propelled Big Data early on, all of which were heavy users as well as creators of fundamental Big Data technologies (Turch, 2016). These are the companies that established industry standards in creating a “‘culture of analytics’ that pervades every aspect of their business” (inside BIGDATA, 2016, para. 4). Big data is a fundamental structure of the financialized economy that is propelled by the Internet, cloud computing, mobile devices and social media, intended to create a new generation of hyper-connected consumers (IBM, 2013).

Big Data begins with data collection, which feeds into the data mining pipeline, a process which encompasses three intertwined scientific disciplines: the numeric study of data relationships (statistics); human-like intelligence displayed by software and/or machines (artificial intelligence); and algorithms that can learn from data to make predictions (machine learning). Artificial Intelligence is a broad term that refers to computers, machines and systems that are capable of “natural language processing (i.e. communicate with no trouble on a given language); automated reasoning (using stored information to answer questions and draw new conclusions) and machine learning (the ability to adapt to new circumstances and detect patterns)” (Urdhwareshe, 2016, para. 4).

Machine Learning has been fundamental in the development of artificial intelligence, enabling machines to learn and adapt when exposed to massive amounts of data. Historically, machine learning enabled a system to acquire knowledge, but only through human supervised learning experiences. Currently, machine learning is innovating into “Deep Learning” systems, which enables more general, powerful, and faster machine learning. Deep learning empowers machines with perceptual learning capabilities - unsupervised by humans - to react to real-world visual, auditory and natural language data; then responds in intelligent ways (Hawkins & Dubinsky, 2016; Hof, 2016). According to the deep learning company Leverton, “Deep learning technology... is based on the idea of programming algorithms to imitate functions of neurons in the human brain” (2016, para. 2). Data analytics are essential to the advancement of machine learning and deep learning systems. Data analytics involves the confluence of four distinct types of analytics: Descriptive Analytics (what has happened or what is happening); Diagnostic Analytics (why did it happen); Predictive Analytics (what is likely to happen) and Prescriptive Analytics (what should happen to influence future outcomes) (Bertolucci, 2013; Papalis, 2015). Descriptive analytics is the starting point and as more detailed and contextual data is gathered over time, this allows for more sophisticated deep learning algorithms to be applied and for the three subsequent types of analytics (Afshar, 2014; Papalis, 2015). Although these algorithms are invisible to us, Evans explains that with analytics:

We see their output as recommendations about what we should do, or about what should be done to us. Netflix suggests your next TV show. Your car reminds you it’s time for an oil change. Siri tells you about a nearby restaurant. Machine-learning algorithms monitor information about what you do, find patterns in that

data, and make informed guesses about what you want to do next. Without you, there's no data, and there's nothing for machine learning to learn. (2016, para. 2)

According to deep learning scientist, Michael Wu, predictive analytics does not predict one potential future, but "multiple futures" centered on a decision-maker's preferred actions (Bertolucci, 2013, para. 19). Wu adds, "[s]ince a prescriptive model is able to predict the possible consequences based on different choice of action, it can also recommend the best course of action for any pre-specified outcome" (Bertolucci, 2013, para. 21).

Social media has always been a commercial venture and it's primary purpose as a profit generator quickly became about data mining, particularly in terms of sentiment mining for predictive and prescriptive analysis. Sentiment analysis (opinion mining) is a subset of predictive analysis and determines if online expressions – text, “likes, emoticons, etc. - are positive, negative or neutral as means to determine how people feel about specific topics. Sentiment analysis gathering software scans across all social media conversations like Facebook, Twitter blogs, news, forums, videos, reviews, images, etc., collecting data streams for analysis via deep learning algorithms that classify and derive meaning (Gandomi & Haider, 2014). According to Sandeep Raut (2016):

Nestle, via their Digital Acceleration Team, tracks the sentiments of their 2000+ brands to know what their customers think and to deliver products that they want and to prevent crisis's from happening. Coca-Cola, the brand that built its marketing message around happiness and sharing, has built vending machines which sets the price of a can based on how positive your tweets are. Consumers are always on their smartphones leaving the trails of their feelings in the digital world. (paras. 9-14)

There is an abundance of data across various vertical markets in banking, financial services, insurance, healthcare, life sciences, retail, consumer goods,

manufacturing, travel and hospitality, IT, telecommunication, media, entertainment, government, and more (Rohan, 2015). This boon is driving demand for the most current and innovative deep learning and analytics related products (PR Newswire, 2016). The financialized global economy thrives on high speed information processing on many levels. Big Data has become the essential infrastructure of it. The three v's (volume, velocity and variety) of Big Data mining is not enough to support investors and finance professionals in their activities of high frequency trading, fund management, exploitation of markets and management of risk exposure. Thus, the industry demands two additional v's – veracity (accuracy) and value (market value) that comes with the innovations of AI's deep learning systems, specifically predictive and sentiment analytics (Marr, 2015).

Working alongside data scientists, financial experts are automating the extraction of sentiment from a rapidly expanding array of sources to better understand the personalized reactions of individuals and groups (investors and consumers) to specific and real time information. Data attained from sources such as news wires, economic announcements, social media, micro blogs, twitter, online search engines, Wikipedia, etc., are invaluable instruments of this Business Intelligence (BI) apparatus (Marr, 2015; O'Dowd 2015; PR Newswire, 2016; Rohan, 2015; Stringfellow, 2016; TCS' Global Consulting, 2016). According to a publication put out by TCS' Global Consulting titled: *Tuning in to the Emotions of the Capital Markets with Sentiment Analysis*, “real-time social data about customers’ family situation, business interests, passions, behavior patterns and decisions, along with data from other systems...provides a deeper understanding of customers” (2016, pp. 2-3). According to the customer analytics



company Buxton, companies and financial firms that couple customer analytics and predictive analytics software to their data mining activities,

...can unlock who exactly your best customers are – looking at more than just demographics, but actually understanding what lifestyle characteristics your best customers have, including how they spend their money and live their lives. Once we understand the attributes of your best customers, we are able to show where everyone who looks just like those best customers lives - down to the household level - anywhere in your operating areas... More importantly, we're able to tell you the value that each of those potential customers is worth... (2016, para. 1)

Social media has become a primary data mining source for the retail industry (flush with private equity investors, while rapidly becoming an impact investment offering), due to its capacity to obtain instant product and service feedback via social networking sites and blogs (Manyika, Chui, Brown, Bughin, Dobbs, Roxburgh & Byers, 2011; Newman, 2015).

Big Data is also integrating machine-generated data that is automatically captured (without human intervention) by sensors connected to the Internet of Things (IoT). By definition, the IoT's describes:

...scenarios in which network connectivity and computing capability extends to a constellation of objects, devices, sensors, and everyday items that are not ordinarily considered to be “computers”; this allows the devices to generate, exchange, and consume data, often with minimal human intervention (Rose, Eldridge & Chapin, 2016, p. 1)

As Eran Levy reported in 2014, we live in a world where everything will soon be equipped with an IP address, “from your bicycle to your pens to your washing machine. All these things will be linked and reported. Most importantly, they will be generating tons of data... everything you do can be recorded and analyzed” (para. 2-3). According to the the University of Phoenix Research Institute:

Every object, every interaction, everything we come into contact with will be converted into data. Once we decode the world around us and start seeing it through the lens of data, we will increasingly focus on manipulating the data to achieve desired outcomes. Thus we will usher in an era of “everything is programmable. (Davies, Fidler & Gorbis, 2011, p. 4)

Basically, IoT means that everything everywhere is being technologized, connected to a vast network that feeds the Business Intelligence and state intelligence ecosystem that is Big Data. In essence quantitative data – largely our own personal data – will increasingly be used to “manipulate” us and “program” our environments according to the demands of powerful interests (Davies, Fidler & Gorbis, 2011, p. 4).

A rapidly growing component of this vast ecosystem is the biometrics data market, which is projected to be worth \$21.9 Billion by 2020 (Chicago Tribune, 2016). As part of this data market, physiological biometrics involves technologies that labels and describes individuals and groups through physiological characteristics, largely for identification and authentication (access control) purposes (Bhatia, 2013). Physical identifiers include, but are not limited to, fingerprints, voice, face, ear, iris and retina recognition, DNA, vein patterns, palm prints, hand geometry and scent. Behavioral biometrics uses data gathering technology that builds a unique behavior profile on individual users of devices, based on keystroke and mouse movement analysis and voice and gait recognition (the way people walk) (Bhatia, 2013). Writing in the financial services publication CFO in 2015, Neuburger claimed, “Biometrics is the practice of using a digital representation of a person’s individual’s physical characteristics as a means to identify that specific person ‘out of a crowd’” (para. 2).

Additionally, biosensor enables mobile, wearable, ingestible, implanted, tattooed and contact lens sensory devices monitor, track, compile and transmit data about our

overall health status, lifestyle and performance levels. This information can be remotely detected and monitored in real time and then integrated into the larger Big Data infrastructure (Armstrong-Smith, 2015; Hayward & Chansin, 2016). According to PSFK labs, “the world’s leading provider of innovation insights,” embedded sensory and display technologies will soon be commonplace, outwardly conveying “information about the wearer and his/her reaction to the surrounding environment. Responding to everything from an individual’s emotional state to their interactions with others with light, color and opacity, these adaptive materials create a novel communication stream that informs both the wearer and those around them” (2016, p. 10). Biosensor technology can also detect drug and alcohol use and stress/anxiety levels. When attached to analytic programs, biometric data is used for predictive purposes in terms of medical and mental health diagnosis and intervention (Ajami & Teimouri, 2015; Solon, 2015). Biometrics is already being used to link human behavior and physiological data to workforce performance, a topic that requires an entire chapter to itself (Solon, 2015).

Video analytic technology is developing and increasingly being integrated into the Big Data and IoT ecosystem. Writing in Wired Magazine, Sean Verah describes how sophisticated digital video recording devices using computer vision algorithms that automatically analyze video in real time and over time are currently being utilized in various ways by business and government (ND). Very soon this technology will have the capacity to survey every location on the planet from land, sea, air and space; identifying hundreds of people (with gait, facial and other recognition abilities) and objects within any given scene, while tracking their movements and behavior (Verah, ND). Accordingly, Morgan claims, “the Internet of Things is gaining momentum” whereby

“sensors are now small and cheap enough to embed in all kinds of devices, and more companies are leveraging the vast data generated (2015, para. 1).

### **Big Data and the State-Finance Matrix**

Data expert Phil Harvey tells us, “Consider your world. It is data now. Data is in everything we do. Especially in business (2015, para. 1). Writing in the Harvard Business Review, Randy Bean reports how Big Data has become firmly established within Fortune 1000 firms, especially in the financial industry, “where data is plentiful and data investments are substantial” (2016, para. 2). The reliance on Big Data in the financial industry is rapidly growing, where an increasing majority of top firms are investing heavily in Big Data technologies, while it is also critically important to the operations of their firms (Bean, 2016). Big Data has become the new “corporate standard,” whereby the outcomes it produces and the business proficiencies it enables is prioritized (Bean, 2016, para. 4). Due to its ever expanding demand and value, Big Data as a service market (BDaaS) is also rapidly growing and involves the outsourcing of the wide variety of end-to-end Big Data mining functions within the cloud as well as ongoing support services. It is estimated that the global Big Data market will be worth \$88 billion by 2021, while its auxiliary BDaaS market could be worth \$30 billion (Marr, 2015). According to PriceWaterhouseCooper, venture capital investing is booming within the software industry, with most of the money being poured into big data analytics (Woodie, 2015). According to industry insider Christopher Aderyeri, “Financial services businesses, including the investment banks, generate and store more data than any other business in any other sector...” (2016, para. 2). As banking giant Goldman Sachs put it in 2015,

We believe the Data Revolution is here to stay, and that investors should recognize its potential to reshape the economic landscape. We believe the changes wrought by the Data Revolution will continue to ripple across industries—separating winners from losers, based on those who can best use data as an advantage—including in the world of investment management. (para. 5)

Fundamentally, Big Data serves a risk detecting and reduction function for investment banks. It enables their data analysts to instantly assess the impact of potential of escalating geopolitical risk on their assets and securities markets. With Big Data, banks now have built-in systems that map out market-shaping past events as a means to identify future patterns and risk (Ijoma, 2016).

Customer Relationship Management (CRM), also referred to customer intelligence or customer analytics, pioneered the “personalization” and customer-centered approach to consumer engagement in industry and financial markets (Sharp, 2002). In doing so, CRM disseminates the narrative that “a better customer experience is driven by data” (Gerard, 2014, para 3). Shannon Gerard, a technology company marketing manager, explains to industry insiders,

...customers are telling you what they want with every click, like, share, download, and call. Marketers have access to huge volumes and varieties of data. There are digital marketing channel data points (like web conversion rates, click-through-rates, open rates, online visits, keyword searches), transactional data (like credit card information and purchase value), and customer data (like region or city, age, gender, phone number, and phone type). With every marketing activity you have the opportunity to capture almost limitless data (2014, para 3)

CRM’s personalized marketing and customer-centered business model requires an enhanced 360-degree (or complete) view of individual and groups of customers in very intimate ways (Gerard, 2014). This means mining all available data from all available sources about customer’s behaviors, and employment and personal lives as a means to shape long-term customer loyalty to increase market share (profits). To do so, CRM

systems seek to capture customer data inside and outside of a given company and apply descriptive, predictive, diagnostic and prescriptive analytics that generate demographic, behavioral and psychographic insights (Butler, 2014). In doing so, a complete and complex profile of a customer's ecosystem and spheres of influence are created by identifying customer's social communities, family, friends and coworkers; employment history; lifestyles; social activities; political views; personal tastes and interests; group memberships, etc. Advanced analytics applied to social media and other forums are also being used to identify users that are "thought leaders" (or influencers) and users that are followers, while also determining the relative strength of the leader on a particular topic or site. In the world of CRM, this allows businesses to both glean marketing trends from leaders as well as to target them more specifically with marketing campaigns. Outside of CRM purposes, identifying and targeting "thought leaders" can clearly serve more authoritarian purposes (Bohé, Lee, Perkins & Wright, 2012; Thiel, Kötter, Berthold, Silipo & Winters, 2012). While writing about the advantages of personalization and CRM, industry insider Ramon Ray cautioned his industry peers that the associated privacy invasions can be perceived as "creepy" (2014).

In the same vein, FinTech, according to Deutsche Bank, "is a term that defines the digitization of the financial sector and is a catchall term used for advanced internet- and cloud-based technologies in the financial sector" (Dapp, 2014). Built into this, and most relevantly, FinTech describes small and large financial firms use and investments in innovative Big Data analytic technology to "personalize" their customer engagement, trading and risk management activities (Dapp, 2014; McKinsey & Company, 2015; Ramirez, 2016; Turner, 2016). According to Matt Turner of Business Insider, "Goldman

Sachs is going big on big data” (2016, para. 1). Turner goes on to report that both Goldman Sachs and JP Morgan are investing “deeply” in artificial intelligence and deep learning (2016). Quoting Goldman Sach’s Don Duet, Turner reports, "It's a very important both technological strategy for the firm as well as business strategy and helping us move to a better degree of data-driven businesses as well as really deriving expertise, content, and knowledge of information" (2016, para. 3).

Lars Hamberg, a portfolio manager at AFAM Funds, points out that financial firms have used data to inform their decisions for quite a while, yet the tipping point came with a breakthrough “when computers started learning how to read” (Lumley, 2016, para. 5). Hamberg pointed to early financial industry experiments in using sentiment analysis with social media, with “so-called Twitter hedge funds,” which were not successful and caused many within the world of finance to “give up” on exploiting data in financial markets (Lumley, 2016, para. 6). As Lumley went on to report, Hamberg asks, "Why is it that big media companies like Google are the frontrunners in behavioral analytics and big data? Banks know everything about their customers. The financial sector has been filing away info on us for years and yet they do nothing with it" (2016, para. 7). Hamberg’s rhetorical question was speaking to how technology giants like Google, Apple, Facebook, Amazon, Alibaba and a host of new start-ups took the lead (post 2008) in redefining the finance industry and its customer engagement practices with data mining technology (Lumley, 2016).

According to the powerful global management consulting firm, McKinsey & Company, “In a world where more than 90% of data has been created in the last two years, FinTech data experiments hold promise for new products and services, delivered in

new ways” (2015, p. 6). To do so, McKinsey claims that Fintech offers “fully personalized” real time customer engagement via smartphones and tablets armed with applications that have access to unprecedented amounts of personal data (McKinsey & Company, 2015, p. 3). FinTech startups, large consumer technology ecosystems like Facebook, Google, Apple, Amazon, Netflix, etc. and innovating long existing financial firms powered by Big Data analytics are “opening up new [market] battlegrounds in areas like customer acquisition, customer servicing, credit provision, relationship deepening through cross-sell, and customer retention and loyalty” (McKinsey & Company, 2015, p. 9). More broadly, and as with CRM, this means FinTech is:

Building a comprehensive data ecosystem to access customer data from within and beyond the bank; creating a 360-degree view of customer activities; creating a robust analytics and data infrastructure; and leveraging these to drive scientific (versus case law-based) decisions across a broad range of activities from customer acquisition to servicing to crossselling to collections - all are critical to a bank’s future success. (McKinsey & Company, 2015, p. 9)

As Ramirez exuberantly exclaims, “Think about all that text-based data available from customers’ social media comments, postings on support forums, call center notes, chat sessions, complaints, and in-app feedback” (2016, para. 5).

As part of the vast Big Data and IoT ecosystem, FinTech promises to more efficiently exploit debt-based services via: equity platforms for crowd funding; platforms that connect lenders with borrowers; data visualization tools that assist in following companies, suppliers and clients; and a range of debt payment systems based in mobile and cloud technologies (Elaluf-Calderwood & Liebenau, 2016). According to McKinsey, the strategy that enable these activities are readily in place:

Two iPhone 6s have more memory capacity than the International Space Station. As one FinTech entrepreneur said... “I can scale a business on the public cloud.



There has also been a significant demographic shift... 85 million Millennials, all digital natives, are coming of age, and they are considerably more open... to considering a new financial services provider that is not their parents' bank. (2016, p. 3)

Big Data analytics is also empowering the financial industry with the opportunity to predict “next best actions” in terms of “customer needs” and investment strategies that expedite securitization of debt (McKinsey & Company, 2015, p. 6). McKinsey goes on to report, “the most exciting area of FinTech innovation is the use of data” to innovate lending practices, especially “with new credit scoring approaches - ranging from looking at college attended and majors for... students with thin or no credit files to trust scores based on social network data” (McKinsey & Company, 2015, p. 6). With the ability to analyze an endless sea of data, FinTech ensures that the financial industry has more information, and therefore more “personalized” control over the indebted masses (“customers”).

### **Data as Counterintelligence for Policing as Counterinsurgency**

Big Data is also at the heart of the marriage between state and private security and surveillance systems and high tech weaponry, which can be readily activated to either pacify, coopt or violently suppress resistance movements (Fraser, 2015; Hall, 1997; Halper, 2014). Just one dimension of this apparatus was revealed in 2013 when Edward Snowden exposed the U.S. National Security Agency's PRISM program, which entailed Google, Yahoo, Apple, Facebook, Microsoft, Skype and others giving the NSA access to their customer's activities, including search histories, posts, emails, file transfers and video and audio chats (Greenwald & MacAskil, 2013; Lee, 2013). Since this revelation,

the same companies have waged a PR campaign to clear their reputations, while still appearing to quietly work to participate in the same practices (Ackerman, 2014; Lee, 2013). Current surveillance debates are focused on encryption, where federal law enforcement is demanding that technology corporations build “backdoors” into their products so that state and federal investigators can read and listen to “criminal suspects” encrypted communications (Bedoya, 2016).

In April 2016, it was reported that the use of audio and video recording technology is increasing being uses on public and private bus and train systems throughout the U.S., and more than likely around the world. This surveillance infrastructure is being funded by the federal government and is subsidizing the private security industry. According to National Public Radio, “It's not clear how many... transit agencies are doing this. But the answer seems to be a lot. The cost of surveillance systems can run into the millions of dollars, which is often covered by the Department of Homeland Security” (2016, para. 15).

Along those lines, Edward Snowden and others have also revealed how Big Data is being used by governments and the private sector for familiar purposes - to specifically monitor and track activities deemed to be dissident in nature (such as Black Lives Matter activism). The difference now is that it is happening in more comprehensive and detailed ways (Cukier & Mayer-Schoenberger, 2013; Lyon, 2014).

According to Howard, local, state and federal agencies are using complex data software to identify everything from suspicious Internet addresses and metadata associated with fraudulent tax filings to automatically gathering traffic data via driver smartphone apps through formal partnerships between google and city governments

(2015). Yet the volume, velocity, variety and veracity of these data-driven strategies are much more ominous. In 2008 Mike German and Jay Stanley of the American Civil Liberties Union (ACLU) wrote

If the federal government announced it was creating a new domestic intelligence agency made up of over 800,000 operatives dispersed throughout every American city and town, filing reports on even the most common everyday behaviors, Americans would revolt. (para. 1)

In the wake of 9/11 in 2003, as the U.S. was invading Iraq and ramping up the never ending ‘War on Terror,’ the federal government established such a strategy, which was updated and outlined by the Secretary of Homeland Security Janet Napolitano in 2013, and in part, reads:

We have learned as a Nation that we must maintain a constant, capable, and vigilant posture to protect ourselves against new threats and evolving hazards. Ensuring all of those who protect the Homeland have and share the necessary information to execute our missions... [o]ver the past two years, the Department has been working diligently with our homeland security partners to build a new architecture to execute our missions. The four essential elements of the distributed homeland security architecture-The National Network of Fusion Centers, the Nationwide Suspicious Activity Reporting Initiative, the National Terrorism Advisory System, and the "If you See Something, Say Something™" campaign-learn from and build on each other. (p. 3)

Within this solidifying “architecture” Fusion Centers are on the front line of mining and sharing the private data of millions of U.S. citizens and residents within all realms of the state-finance matrix; making them a centerpiece and powerful hub of the Big Data and Internet of Things ecosystem (ACLU, 2016). In their role, according to the ACLU, Fusion Centers were designed to consolidate,

...localized domestic intelligence gathering into an integrated system that can distribute data both horizontally across a network of fusion centers and vertically, down to local law enforcement and up to the federal intelligence community. These centers can employ officials from federal, state and local law enforcement and homeland security agencies, as well as other state and local

government entities, the federal intelligence community, the military and even private companies, to spy on Americans in virtually complete secrecy. (2016, para. 1)

Fusion centers also exchange data with “foreign partners” (U.S. Department of Justice, p. 48).

The ACLU goes on to point out that within the context of “the nation’s long history of abuse with regard to domestic ‘intelligence’ gathering at all levels of government,” Fusion Centers are characterized by ambiguous and unaccountable chains of command, extreme secrecy, “troubling private-sector and military participation, and an apparent bent toward suspicionless information collection and data mining” (German & Stanley, 2008, para. 2). While portrayed as necessary in keeping law abiding citizens safe from terrorists and violent criminals, these strategies fundamentally serve as a highly sophisticated authoritarian infrastructure.

As previously reviewed, the use of authoritarian counterintelligence operations to undermine domestic dissent is an American tradition. Yet, domestic counterinsurgency (COIN) also has a strong legacy throughout U.S. history. Native dispossession and genocide in all forms, including the history of boarding schools and ongoing erasure, are an integral part of the structure of settler colonialism and the ongoing domestic counterinsurgency strategy that supports it. Also, as William Y. Chin reminds us:

The history of America is a history of enduring conflict between black insurgents and white counterinsurgents. This conflict began centuries ago with the forced transport of enslaved blacks to America’s shores. From the beginning, whites employed all levers of national power including laws to suppress black resistance. The laws became counterinsurgency weapons launched against blacks in an internal conflict lasting generations. (2013, p. 32)

With this understanding, insurgency (or insurrection and rebellion) can be described as an organized and protracted political and/or armed struggle in response to systems of domination. Insurgent struggles normally have emancipatory objectives and seek to obtain rights or power within an existing government or by removing an occupying or colonial power (Cantú, 2014; Chin, 2013; Hall & Coyne, 2013). The origin story of the U.S. Revolutionary War is described as an insurgent struggle. Counterinsurgents are normally the agents of those in power and from their position insurgents are criminals, terrorists, “the Other,” and therefore “the enemy” to be eliminated or contained. COIN strategies utilize a spectrum of authoritarian methods to undermine or defeat an insurgency, including: military, paramilitary, political, legal, economic, ideological, counterintelligence and surveillance strategies (Cantú, 2014; Hall & Coyne, 2013; Moore, 2007). The Big Data, Deep Learning and the Internet of Things serves as the counterintelligence infrastructure for the permanent counterinsurgency wars of the 21<sup>st</sup> century.

The model of professional municipal policing in the US, which dates back to the early 19th century, was preventative and served the purpose of suppressing “crime and riot” (Conser, Paynich, Gingerich and Gingerich, 2011, p. 54). Accordingly, Conser et al., (2011) claim that police “were to actively seek out trouble” before it disrupted social order (p. 54). Within the modern day dominant narrative in the U.S., the purpose of state and local law enforcement agencies is to “keep the peace” by enforcing domestic laws, protecting the rights of citizens (and alleged criminals) and to resort to violence as a matter of last resort. This model of policing does exist in the U.S., but it is only applied to the white opulent minority. Military forces, on the other hand, are intended to engage in

combat and destroy external enemies of the United States (Hall & Coyne, 2013). Over the past four decades, while still true to its origins, the militarization of domestic law enforcement as a COIN strategy has coincided with the neoliberal revolution and the onset of its three intersecting and permanent wars: the “war on drugs” the “war on terrorism” and the “war on immigrants.” (Hall & Coyne, 2013, p. 486). As with policing throughout its U.S. history, these “wars” are constructed under the domain of white supremacy and maintained by the material conditions of austerity. Thus, policing as COIN has resulted in a hyper-racialized and hyper-militarized model of law enforcement on a national level. Within this domain, domestic law enforcement has taken on the look, attitude and actions of combat troops who are tasked with carrying out counterinsurgency missions against Black, Brown and Indigenous insurgents, treating their impoverished and segregated communities as occupied territory under martial law (Cantú, 2014; Hall & Coyne, 2013).

Military-style training now prepares law enforcement for everyday engagement within insurgent territory, while military weapons (assault rifles, riot gear, and body armor to tanks, grenade launchers, and armored vehicles, etc.) and paramilitary tactics remain at the ready. When insurgents actively resist their subjugation (even in Constitutionally protected ways), or engage in other “suspicious activities,” law enforcement agencies deploy their “special operation” paramilitary (SWAT) teams that are now akin to Army Rangers (Cantú, 2014, Greenwald, 2014; Hall & Coyne, 2013). Writing about the police response to protests over the police murder of Michael Brown in Ferguson Missouri, Glenn Greenwald described the police tactics as a, “blatantly

excessive and thuggish response to ensuing community protests... that resembles an occupying army” (Greenwald, 2014, para. 2). Greenwald went on to note:

But none of this is aberrational. It is the destructive by-product of several decades of deliberate militarization of American policing, a trend that received a sustained (and ongoing) steroid injection in the form of a still-flowing, post-9/11 federal funding bonanza, all justified in the name of “homeland security.” (Greenwald, 2014, para. 2)

To defeat and control domestic insurgents, U.S. law enforcement regularly engages in a range of tactics that include the establishment of no-fly zones, curfews and checkpoints, media-messaging, arbitrary search, seizures and detainment, home invasions and the use of Tasers and chemical weapons and explosives. They also readily resort to physical assault and summary executions (Cantú, 2014, Greenwald, 2014; Hall & Coyne, 2013). In an unprecedented dual use of militarized technology and ordinance, in 2016 the Dallas Police Department used a robot to deliver and detonate a bomb to kill a Black male suspect in the shooting of several police officers during a protest over the ongoing police murders of Black men (Graham, 2016).

While friendly sounding, “community policing” is also a fundamental COIN strategy that serves an intelligence-gathering purpose. The idea is based on police having frequent interactions with “low-level offenders,” to forge bonds within insurgent neighborhoods and to build partnerships with businesses, schools, community organizations and other service providers (Cantú, 2014, para. 8). As Cantú puts it, “The more inroads police have into a community, the thinking goes, the more likely they are to intercept valuable tips about “criminals and extremists” (2014, para. 8). The NYPD’s “broken windows” policing is based on this strategy. Community policing is an essential “eyes on the ground” surveillance strategy for culling invaluable data that is fed into the

network of data mining Fusion Centers across the country. Kristian Williams adds that other “police innovations that COIN theorists recommend for military use are: the Neighborhood Watch, embedded video, computerized intelligence files, and statistical analysis” (2011, p. 92). While U.S. law enforcement has adopted much from the military when it comes to COIN operations, it was the military that learned from a U.S. police department when it came to implementing “community policing” strategies in Afghanistan and Iraq. In 2010, in preparation for deployment to Afghanistan, 70 Marines spent a week accompanying LAPD officers to learn the basics of anti-gang (insurgent) investigation tactics and methods to build rapport within “insurgent” communities (Williams, 2011).

Examples of the domestic COIN based counterintelligence strategies are too numerous to document here, but the following examples are both illuminating and disturbing. New York City makes use of social media and traffic data to assist police to establish probable cause tied to a “digital stop-and-frisk” practice, which in its original form is notorious for targeting Black and Brown people (Howard, 2016, para. 5). A partnership between the LAPD and Motorola Solutions was established in 2010 to monitor a large public housing project with advanced biometric surveillance technology. According to Bond-Graham and Winston, “[LAPD] chief Bratton called it the start of an ambitious buildout to use remote ‘biometric identification, which can track individuals citywide” (2014, para. 8). Hamid Khan, who works with the Stop the LAPD Spying Coalition, claims the Los Angeles Police Department is using advanced technology to create “a massive architecture of surveillance, spying and infiltration” (Craven, 2016, para. 6). According to the coalition’s website, the LAPD (along with other cities) surveils



the city's residents by using: stingrays and DRT boxes, which are technologies that can jam or intercept calls and text messages from hundreds of cellphones simultaneously; street cameras equipped with facial recognition technology; aerial drones; robots, police body cameras with tracking abilities and license plate readers (Craven, 2016). License plate readers are small yet high-speed cameras that are used throughout the country and are mounted on police cars, traffic signals, road signs, bridges, apartment complexes, schools, bus stops, shopping centers, businesses and more. Readers can photograph thousands of license plates per minute, while recording the date, time, and location of every scan. The technology is largely owned and operated by private companies that then sells the data to an array of customers, including law enforcement agencies (Howard, 2016; Patterson, 2014) As Patterson puts it, "Community surveillance 2.0 is now all about huge data mash-ups and incredible software that quickly sorts through mountains of information. Bottom line: A relatively small number of people have easy access to data that can track your whereabouts" (2014, para. 12).

As noted previously, the web of domestic COIN counterintelligence structures of which Fusion Centers are a centerpiece, also includes the Nationwide Suspicious Activity Reporting Initiative, which is an integrated system for reporting, tracking, and accessing "Suspicious Activity Reports" made by law enforcement and the public ("If You See Something, Say Something") (Randol, 2012). Within this structure, "suspicious activity" includes "vandalism, photography, and questioning individuals 'at a level beyond mere curiosity' about facility purpose or security procedures" (Electronic Privacy Information Center, 2016, para. 1). According to Khan, "suspicious activity" can also include activities interpreted as "suspected pre-operational surveillance" [like using of cameras or

binoculars], counter-surveillance efforts [changing one's direction, erratic driving or altering one's appearance], and taking measurements or counting footsteps [or merely looking down at one's feet] (Craven, 2016, para. 14). Khan goes on to reinforce the point that "Any of these innocuous behaviors can lead the police to write up a secret file on an individual and upload it into a database accessible to every law enforcement agency in the country" (Craven, 2016, para. 15). Craven reports that a 2015 inspector general's audit of the Los Angeles Suspicious Activity Reporting program found, "Over 30 percent of suspicious activity reports involved black Los Angelenos and 50 percent of the women surveilled were black... Black people comprise 9.6 percent of the city's population" (2016, para. 16).

This cornucopia of data being collected and mined through all of these surveillance technologies, and largely operationalized by the targeting of subordinated groups as "insurgents," is also the basis for a national surveillance strategy known as "predictive policing" (Zambri, 2014, p. 9). Straight out of the movie and series *Minority Report*, agencies apply deep learning predictive analytics to this mountain of data for the purpose of predicting future crimes (Woodie, 2015).

In a bizarre incident in 2013, a Chicago Police Department commander showed up out of the blue at the home of a 22-year-old Black male named Robert McDaniel to warn him that he is being watched and threatened major consequences if he commits any future crimes. McDaniel did not have a violent criminal history, yet lived in an impoverished Chicago neighborhood and did not finish high school. Demographically, everything about McDaniel made him an ideal candidate for this form of data profiling (Stroud, 2015). Shocked by the encounter, McDaniel would later tell the *Chicago Tribune*

"I haven't done nothing that the next kid growing up hadn't done" (Stroud, 2015, para. 1). McDaniel soon found out that he, like 400 other Chicago residents were on the city's predictive policing program known as the "heat list" (Stroud, 2015, para. 2). As a means to forecast crime, data gathering and predictive analytic programs in Chicago target "hot people" (Black, Brown and poor) in "hot spots" (impoverished neighborhoods) using years and even decades' worth of crime reports and other types of personal data that is mined within the Big Data-Internet of Things ecosystem (Berg, 2014; Eligon & Williams, 2015; Howard, 2016; Stroud, 2015). Predictive analytic algorithms then identify areas, groups and individuals that are deemed to have "high probabilities for certain types of crime, placing little red boxes on maps of the city that are streamed into patrol cars" (Berg, 2014, para. 3). As part of the violent dehumanizing narrative embedded within white supremacy, Berg (2014) goes on to report how LAPD Captain John Romero, "likenes the process to an amateur fisherman using a fish finder device to help identify where fish are in a lake. An experienced fisherman would probably know where to look simply by the fish species, time of day, and so on" (para. 4). As Commander Jonathan Lewin of the Chicago Police Department, who is in charge of information technology for the CPD, puts it, "This [program] will become a national best practice. This will inform police departments around the country and around the world on how best to utilize predictive policing" (Stroud, 2014, para. 3). Yet, as the deep learning scientist Michael Wu clarified earlier, predictive analytics does not predict one potential future, but "multiple futures" centered on a decision-maker's preferred actions (Bertolucci, 2013, para. 21).

Big Data is also rapidly changing political analysis and communication, whereby rich records about our lives - polls, voter registration, credit-card data and much more - assist lobbyists and campaign managers to effectively target those of us who will donate and show up to vote (Howard, 2015). Big Data also enables party strategists to do in-house research and experimentation on the “mid-spectrum, undecided or ideologically ‘soft voters’ to see what kinds of contacts and content will attract new supporters” (Howard, 2015, para. 6). Howard (2015) takes it further, claiming:

Internet of Things will be the most powerful political tool we've ever created. For democracies, the Internet of Things will transform how we as voters affect government — and how government touches (and tracks) our lives. Authoritarian governments will have their own uses for it, some of which are already appearing. And for everyone, both citizens and leaders, it's important to realize where it could head long before we get there. (para. 5)

### **Mining the “Solopreneurs” of Tomorrow**

Understanding all that encompasses Big Data is essential to recognizing how its associated technology serves as surveillance infrastructure; intended to shape how humans think, feel and behave as neoliberal subjects, to safeguard financial markets and further enrich elite investors and to preserve the existing state-finance social order. Returning to my earlier question concerning the infusion of personalized learning into education in which I asked, “how is personalized learning personal?” The answer: Big Data defines personalized learning and Big Data’s “Deep Learning” analytics ensures that all personal information about a student is known and to be exploited. As I explored in Chapter 4, social control is one of the primary purposes for universal public education in the US and elsewhere. In the age of neoliberal financialization, this purpose is being

taken to new heights through the instruments of education technology (EdTech) as part of the Big Data infrastructure. Fundamentally, the primary function of EdTech within this landscape is intended to build and reinforce schooling as a structure of social control as part of the all encompassing Big Data/Internet of Things surveillance ecosystem. To do this, digital education software products on tablets, laptops, mobile devices, wearable technology and more enable deep learning analytics and artificial intelligence systems (Waters, 2014). Within this environment, teachers function as highly disciplined data technicians tasked to monitor student behavior and compliance (Irwin, 2014; Waters, 2014). The revolution in education that the EdTech industry and education reformers promise will allegedly empower students and teachers while remedying social inequities is through the use of technology that, according to Irwin (2014),

...is being used to track and record every move students make in the classroom, grooming students for a lifetime of surveillance and turning education into one of the most data-intensive industries on the face of the earth. The NSA has nothing on the monitoring tools that education technologists have developed in to “personalize” and “adapt” learning for students in public school districts across the United States. (para. 2)

The revolutionary venture philanthropist Bill Gates has advanced a \$1.1 million-plus biometric sensor project that would equip children with Galvanic Skin Response (GSR) bracelets as a means to measure student engagement (Irwin, 2014; Strauss, 2012). As captured in a folksy TED Talk called “Teachers Need Real Feedback,” Gates is also advancing a \$5 billion project to install video cameras in all classroom to record teachers for the purposes of evaluating their performance. The recordings would then be evaluated by distant contracted evaluators using a check list of teaching skills to check off as they watch (Irwin, 2014; Strauss, 2013).

The imposition of EdTech products throughout education are also reinforced by well worn education reform narratives, a principal one being that increased competition in global labor markets, coupled with an inequitable “skills gap,” can only be addressed through a “digitally rich” social efficiency model of education (Project Tomorrow, 2012; Redding, 2013; Smithwick, 2015). Within this workforce development model of education, narrow standards of competency are prescribed by, and serve the interests of, financialized capitalism; thus rationalizing neoliberal reforms to instill the “21<sup>st</sup> century skills” that are required of students as future workers and consumer citizens (Scott, 2011). These are the interests by which education is being realigned via EdTech to fulfill its original mission, marketed as the determinant of success based on self-determined vocational choices, which define student achievement, the value of credentials and employment opportunities (IMS Global, 2016). A glaring example of this comes from the National Network of Business and Industry Associations, a trade organization that represents major industry sectors and is sponsored by the Business Roundtable. Its members include the manufacturing, retail, health care, energy, construction, hospitality, transportation and information technology sectors; as well as venture philanthropists, including the Walmart Foundation (Business Roundtable, 2014). A 2014 policy publication put out by the Network titled, “Common Employability Skills: A Foundation for Success in the Workplace: The Skills All Employees Need, No Matter Where They Work,” proclaimed:

Today, employers in every industry sector emphasize the need for employees with certain foundational skills. This model can take its place as the foundation for all industries to map skill requirements to credentials and to career paths. In doing so, this model allows employees to understand the skills that all industries believe prepare individuals to succeed. Educators and other learning providers will

also have an industry-defined road map for what foundational skills to teach, providing individuals the added benefit of being able to evaluate educational programs to ensure they will in fact learn skills that employers value. (2014, p. 2)

These “industry-defined” skills include “applied skills” grounded in the disciplines of science, technology, engineering and math (STEM); along with basic reading and writing skills. This includes the capacity for critical thinking, similar to how a scientist or mechanic can hypothesize and work through concrete problem solving steps (National Network of Business and Industry Associations, 2014). Industry is also seeking “personal” and “people” skills that are akin to being a soldier, through training that fosters loyalty and discipline to a mission, where “integrity, initiative, dependability, adaptability, professionalism, teamwork, communication and respect” are ingrained (National Network of Business and Industry Associations, 2014, p. 2). Workplace skills are naturally important too in terms of planning and “organization, decision making, business fundamentals, customer focus and working with tools and technology” (National Network of Business and Industry Associations, 2014, p. 3). Accordingly, the development of these skills via “personalized learning” promises to efficiently determine which students will be “the solopreneurs of tomorrow” with the understanding that:

Gone are the days of the 40-year career with a guaranteed pension. The workplace of today and tomorrow is not necessarily a place at all. It is a virtual matrix of collaborators across the globe with varied projects; requiring different skill sets at different times. Tomorrow’s workers will need to be agile, financially savvy, entrepreneurial in their approach to work and how to market themselves to the world, resilient, and comfortable in their own self-understanding. (Schultz & Gill, 2014. Para. 2)

This vision of “tomorrow’s” workforce is not intended for everyone of course, only those who will “add value” to the cultural political economy of the state-finance

matrix. Within this landscape, the deceptive market-based empowerment discourse of personalization, self-determination and choice are deeply embedded. Yet this model is insidiously akin to students being mice within a Skinnerian lab's maze, forced to find their own way to one predetermined exit, while being monitored and evaluated the entire way. Those who have the right "hard" and "soft" skills to make it through the maze are deemed to be superior and allowed to live, while those who do not are allowed to perish. Ultimately, within the digitized personalized and competency-based model of education, the immense capacity for tracking and sorting students would make early social control theorist Edward Ross and social efficiency guru John Franklin Bobbitt burst with envy. Especially in that the ideologies of Social Darwinism and Eugenics are fundamentally embedded throughout (Bobbitt, 1912; National Network of Business and Industry Associations, 2014; Ross, 1900).

As far back as 2000, a Bloomberg posting titled "The Explosion in E Learning" claimed, "Dozens of new companies are springing up to serve the emerging K-12 market for digital learning. Investors have poured nearly \$1 billion into these companies since the beginning of 1999, estimates Merrill Lynch" (para. 1). In 2005 a national Data Summit was convened by the Council of Chief State School Officers and the US Department of Education to kick off a Data Quality Campaign, a concerted national strategy "to improve the quality, accessibility and use of data in education" (Achieve, 2006, para. 1). Supported by the Bill & Melinda Gates Foundation and managed by the National Center for Educational Accountability (a pioneering education reform data company), the summit was attended by a who's who of private sector education reform companies, who committed to "working together to... encourage and support state



policymakers to: ‘Improve the collection, availability and use of high-quality education data, and Implement state longitudinal data systems to improve student achievement’” (Achieve, 2006, para. 3).

This long-term effort has since resulted in the federal government mandating every state to collect personal student information in longitudinal databases, known as the Student Longitudinal Data Systems (SLDS). According to Haimson and Kiesecker (2015), with the SLDS,

the personal information for each child is compiled and tracked from birth or preschool onwards, including medical information, survey data, and data from many state agencies such as the criminal justice system, child services, and health departments... their data more easily shared with vendors, other governmental agencies, across states, and with organizations or individuals engaged in education-related “research” or evaluation — all without parental knowledge or consent. (para. 8)

More recently federal grants are being extended to states to expand these efforts, including making it easier to share data through multi-state data exchanges. In fact, the federal grants require recipient “states to collect and share early childhood data, match students and teachers for the purpose of teacher evaluation, and promote inter-operability across institutions, agencies, and states” (Haimson & Kiesecker, 2015, paras. 9-12).

As reviewed in Chapter 1, the unleashing of the EdTech industry – along with other financializing and privatizing mandates - on U.S. public education have largely been facilitated by federal policy and enacted by state legislatures. The first was the 2002 No Child Left Behind Act (NCLB) and was largely implemented by states under the threat of withholding federal funds intended for impoverished families (Burch, 2009). NCLB was followed by the 2010 Race to the Top (RTTT) competition, which further unleashed data-driven surveillance systems into public schools. RTTT’s digitized

Common Core curriculum and its associated online tests are well known for accumulating huge amounts of personal student data across state borders and sharing it with third parties, including the financial industry (Haimson & Kiesecker, 2015). Immediately following the 2008 financial crisis, RTTT offered large grants to debt ridden states contingent upon them passing an array of punitive education reform policies. Drafted by industry and venture philanthropist, NCLB, RTTT and other polices are also enacted by state governments at the behest of industry demands and lobbying (Strauss, 2015). More recently the U.S. Department of Education began to encourage states and school districts to adopt deep learning (“personalized learning”) systems by offering waivers from rigid NCLB rules (Klein, 2015).

In 2010, the Foundation for Excellence in Education convened the Digital Learning Council, a group comprised of over one hundred leaders in the education reform industry, including “government, philanthropy, business, technology and members of policy think tanks led by Co- Chairmen Jeb Bush, and West Virginia Governor Bob Wise” (McDermott, 2015, para. 5). Following an American Legislative Exchange Council (ALEC) template, the group drafted the 10 Elements of High Quality Digital Learning, a comprehensive outline of policies and actions for state legislatures to follow in integrating EdTech into K12 public education (McDermott, 2015). The Every Student Succeeds Act (ESSA) was passed in 2015 to revise NCLB and offers funding for EdTech generally and personalized learning specifically (Chuong, 2015).

The ongoing ushering in of personalized learning into schools – via the deeply intrusive capacities of Adaptive Learning Systems - is being positioned to replace the current use of state mandated tests as student, teacher and school accountability systems

(outcomes-based education) with an even more insidious competency-based education (CBE) model (Ford, 2014). Within this model, high stakes assessments occur every day throughout the day, promising to undermine current efforts by public education activists to center a resistance movement on parents and students “Opting Out” of education reform mandated tests (Cody, 2014). Alarmed by this data landscape, Alfie Kohn (2016) claims:

Still more worrisome are the variants of ed tech that [are] putting grades online (thereby increasing their salience and their damaging effects), using computers to administer tests and score essays, and setting up “embedded” assessment that’s marketed as “competency-based”... [using] dystopian devices that basically test kids (and collect and store data about them) continuously... “to do in nanoseconds things that we shouldn’t be doing at all.” para. 8)

The competencies of CBE within personalized learning are not earned by credit hours completed, but instead by students working independently to complete a sequence of digitized and tracked exercises that lead to a “badge of completion” (Wang, 2014). Once such badge is the “Grit Badge” that assesses “Growth, Resilience, Instinct, and Tenacity” (Pearson, 2016, para. 2). As Pearson describes it, Grit Badges are an instrument that “demonstrates a strong correlation of GRIT and several key success factors” including “desire to improve one’s station in life, effort, employability, goal completion, goal magnitude and income” (Pearson, 2016, para. 3). This grit narrative is embedded within a larger education reform storyline that reinforces the myth of American meritocracy; is largely used in reference to Black and Brown boys and implicitly attached to the deficit label that reinforces the ideology Eugenics (Strauss, 2016). In the world of personalized learning, these (merit) “badges” are the new credential for the self-reliant “solo worker” in the so called “gig economy” (yes, like a

musician doing a gig) (Florentine, 2015; Janzow, 2015). The gig economy is intrinsic to neoliberal financialization, in which the drive to reduce labor costs as a means to maximize profits results in greater worker insecurity and reduced wages and benefits within a society void of social safety nets. This “liberates” workers to become temporary “solo” workers and “independent contractors” within highly profitable companies that make up the digitized “sharing” economy (Uber, Airbnb, TaskRabbit, etc) (Chen, 2015). According to a recent study, by 2020 forty percent of U.S. workers will be independent solo workers attempting to piece together a series of “gigs” to survive (Ambrosina, 2016). According to the Pearson corporation:

Alternative learning credentials including college coursework, self-directed learning experiences, career training, and continuing education programs can play a powerful role in defining and articulating solo workers’ capabilities. Already badges that represent these credentials are serving an important purpose in fostering trust between solo workers, employers, and project teams because they convey skill transparency and deliver seamless verification of capabilities. (Janzow, 2015, para. 16)

True to the American tradition of myth making in the service of ideology, Competency-Based Education and its personalized learning narrative is compelling. Particularly since it plays on the fundamental American values of individualism, meritocracy and grit, while offering hope of providing greater opportunities for employment and freedom from the tyranny of bosses within the bleak landscape of austerity. As such, to be a winner within this dog-eat-dog “Wild West” economy, students as future solo workers are expected to show “true grit” and have the “right stuff” in order to endure an unforgiving financialized world.

Personalized learning is also (conveniently) confused with the empowering pedagogical practices associated with traditional theories of personal and student-

centered learning, which are deeply relational, actively collaborative, humanistic, creative and based in intellectual discovery and critical inquiry (Hannafin & Land, 1997). Instead, personalized learning and its competency-based model relies on prefabricated skills-based exercises based on a student's data "profiled" competencies as determined by adaptive learning analytic software. As McRae points out, personalized learning does "not build more resilient, creative, entrepreneurial or empathetic citizens through their individualized, linear and mechanical software algorithms... [and instead] are reductionist and primarily attend to those things that can be easily digitized and tested" (2013, para. 5).

A Learning Management System (LMS) is the web-based education platform, which functions as an essential part of EdTech infrastructure and oversees the integration of curriculum, instructional resources and assessment strategies in both K12 and higher education (Nillson, 2015). As Phillip and Krongard claim in their marketing publication, "Learning Management System (LMS): The Missing Link and Great Enabler," LMS's "tie together contemporary education reforms with effective and creative uses of technology" (2012, p. 1). More importantly, LMS's facilitate learning analytics and data mining systems that profile, track, monitor and shape behavior relating to student performance, teacher productively and institutional success related to predetermined learning outcomes (Bienkowski, Feng & Means, 2012). There are currently hundreds of LMS platforms to choose from, most of which are integrating with major social networking sites and are increasingly cloud-based (Pappas, 2013). Data mining generally, as well as through EdTech, uses machine/deep learning analytics to build user profiles based on the continuous collection of data that describes individual users' background,

needs, preferences and interests. Learning analytics is built into LMS systems and borrows analytic technology intended to profile and analyze consumer activities, identify trends, and predict consumer behavior (Bienkowski, Feng & Means, 2012). According to the technology industry association, the New Media Consortium (2014):

Education is embarking on a similar pursuit... learning analytics is already starting to provide crucial insights into student progress and interaction with online texts, courseware, and learning environments used to deliver instruction... [through] mobile and online platforms that track data to create responsive, personalized learning experiences. (p. 40)

Learning analytics enables user modeling and is a fundamental component of Adaptive Learning Systems, or “the new teaching machines” (McRae, 2013; Waters, 2014). Writing for a U.S. Department of Education brief, Bienkowski, Feng and Means speak to how user modeling analytics through EdTech cohere with surveillance-based accountability systems within education reform by encompassing,

...what a learner knows, what a learner’s behavior and motivation are, what the user experience is like... At the simplest level, analytics can detect when a student in an online course is going astray and nudge him or her on to a course correction. At the most complex, they hold promise of detecting boredom from patterns of key clicks and redirecting the student’s attention. Because these data are gathered in real time, there is a real possibility of continuous improvement via multiple feedback loops that operate at different time scales—immediate to the student for the next problem, daily to the teacher for the next day’s teaching, monthly to the principal for judging progress, and annually to the district and state administrators for overall school improvement. (2012, vii-viii)

As with all EdTech products, the marketing of adaptive learning software is replete with terms like “algorithms” and “predictive analytics” that promise to roll in an equitable education utopia through the disruption of outdated teaching practices. Yet, as is pervasive in the EdTech and education reform industry, there is no evidence to support their claims (as I will document later) (Chen, 2015, McRae, 2014). Furthermore, its

products are proprietary and therefore lack transparency and are attached to fine-grained and commodified data mining scheme that is brimming with privacy violations.

Intelligent Tutor software, according to EdTech industry insider Barbara Kurshan, is an Adaptive Learning System that is able to track the “mental steps” of learners when they are engaged in problem-solving tasks as a means to diagnose “misconceptions” so as to evaluate learners understanding of subject matter (Kurshan, 2016, para. 4). Intelligent Tutor Systems also offer “timely guidance, feedback and explanations to the learner and can promote productive learning behaviors, such as self-regulation, self-monitoring, and self-explanation” (Kurshan, 2016, para. 4). It then prescribes content (curriculum) and learning activities (pedagogy) based on a learner’s diagnosed level of difficulty (Kurshan, 2016). According to Kurshan (2014), “[t]hese systems are also able to mimic the benefits of one-to-one tutoring, and some of these systems outperform untrained tutors in specific topics and can approach the effectiveness of expert tutors” (2016, para. 4). Education scholar Phil McRae warns how the “adaptive learning system crusade” in education is highly organized and is gaining momentum, driven by venture capitalists, private equity investors and multinational corporations such as Pearson, which invested over \$3.5 billion into EdTech companies in the U.S. alone in 2014 (para. 4). Adaptive Learning Systems are integrated into the comprehensive data mining capacities of LMS’s which are also being integrated with Student Information Systems (SIS’s). SIS’s gathers digitized data concerning demographic information (including income level, race and ethnicity), student records (including grades, test scores, disabilities and Individual Education Plans), medical and mental health history, attendance, disciplinary records and more. SIS’s generate a wealth of longitudinal data that was previously difficult to gather

and consolidate (Haimson & Kiesecker, 2015). All together, these technologies have brought about a dramatic growth in computational power and storage capacities that allow for the gathering and housing of unprecedented amounts of data; intended to identify behavioral connections and patterns of students (and teachers) and allowing decision making engines to operate in real time learning systems.

As Castro, Nebot & Mugica (2007), put it, “the digitization of education via EdTech LMN’s has constructed an educational infrastructure that is based on massive amounts of information about teaching and learning interactions that are “endlessly generated and ubiquitously available” (p. 64). In their study about the popular LMS program Moodle, Romero, Ventura & Garcia (2008) claim, “all this information provides a gold mine of educational data (p 1). As Haimson and Kiesecker (2015) put it, “Remember that ominous threat from your childhood, ‘This will go down on your permanent record?’ Well, your children’s permanent record is a whole lot bigger today and it may be permanent. Information about your children’s behavior and nearly everything else that a school or state agency knows about them is being tracked, profiled and potentially shared” (para. 1).

As if channeling Ayn Rand, the notorious champion of free-market individualism, EdTech industry insiders market personalized learning by prioritizing the learning needs of individuals over concerns for the common good. Accordingly, and referring to personalized learning, Austin Martin (2016) of the EdTech company Mindflash claims “the time has come” for education leaders “to look at the individual rather than the organization as a whole” (para. 3). Disturbingly, Martin (2016) goes on to explain:



Getting personal with learning content and delivery begins with gaining a better understanding of the learner's needs, interests, aspirations, and goals. Companies and organizations now are taking a deeper dive into data and analytics in order to assess, provide feedback, and determine personalized content and delivery methods. The rise of Big Data and the ability to analyze learning patterns and trends all the way to the individual learner by combing through mountains or terabytes of data is the new way to go as each learner's "digital trail or footprint" can leave critical clues as to what works, what doesn't, and how to create specific personal content. (para. 4)

Martin goes on to back up this assertion by referencing a U.S. Department of Education brief titled: "Enhancing Teaching and Learning, Through Educational Data Mining and Learning Analytics" (2016). The brief references the DOE's 2010 National Education Technology Plan, which extols the virtues of the EdTech industry's personalized learning mission:

When students are learning online, there are multiple opportunities to exploit the power of technology for formative assessment. The same technology that supports learning activities gathers data in the course of learning that can be used for assessment. As students work, the system can capture their inputs and collect evidence of their problem-solving sequences, knowledge, and strategy use, as reflected by the information each student selects or inputs, the number of attempts the student makes, the number of hints and feedback given, and the time allocation across parts of the problem. (Bienkowski, Feng & Means, 2012, p. 2)

As in all aspects of the larger digital world of Big Data and Internet of Things; the intention of personalized learning is all about comprehensive surveillance intended to penetrate deeply into all aspects of students' lives (as future neoliberal subjects) to serve the interests of global financial markets. This model of personalization is facilitated by the EdTEch industry via the increasing integration of Adaptive Learning Systems (user modeling and Intelligent Tutoring Systems), Learning Management Systems, Student Information Systems; as well as MOOCS, Open Educational Resources, Flipped

Classrooms, Clickers and all that falls under what is called “blended learning” (Bhaskar, 2013). According to the worlds largest education corporation Pearson:

Increasing student engagement is a goal in every school, and online and blended learning... allows schools to hold students accountable while keeping them engaged and motivated. Successful programs do much more than place technology in the classroom or students’ homes. Rather, flexible online and blended learning options allow districts to restructure traditional school models and provide data-driven and personalized instruction to improve learner outcomes. (2016, para. 1-2)

“Children and youth” according to McRae, “should not be treated like automated teller machines or retail loyalty cards from which companies can extract valuable data” (2014, para. 4). In essence, the EdTech industry and financial firms have positioned themselves to have a reliable and extraordinary profit stream from the state in the name of “educating our children.” It begins with the continuous purchasing of the EdTech infrastructure, that ultimately leads to collected, stored, processed, analyzed, and “personalized” data being resold throughout the global finance industry (McRae, 2014).

With the capacity to significantly increase the volume, velocity, variety, veracity and value of data mining within schools, a highbred personalized learning platform known as Learning Relationship Management (LRM) is being positioned to fully-integrate student data from all possible sources. In doing so, LRM will replace LMS and SIS systems and further integrate student data across domains. By doing so, LRM seeks to reduce potential risk factors in terms of student progress, even at the front end when it comes to student admission decisions in selective K-12 schools (like charter schools) and in higher education. On message with other leading personalized learning “revolutionaries,” Greenberg claims that LRM’s will expedite the disruption of the “‘averagarian’ architecture of the existing system into one that values the individual

student” through “granting credentials, not diplomas... replacing grades with a focus on mastering competencies; and... letting students determine their educational pathways” (2016, p. 10). LRM is also being marketed as facilitating community engagement, mentoring, coaching, career and alumni engagement functions byway of “productive” digitized relationships (Motivis Learning, 2016). Borrowing from the conceptual framework of Customer Relationship Managements systems, LRM software offers “the ability to make data-driven decisions based on ongoing metrics that serve as meta-views into the school’s performance and micro-views into each learner’s progress” (Greenberg, 2016, p. 21). According to Brian Fleming (2015), LRM also provides,

...the utility of a central and scalable repository for learning, but also robust records management and an analytics engine capable of tracking individual learner progress, staging interventions when necessary, and mapping student progress to learning objectives and career outcomes. In other words, LRM offers a holistic student success solution that the education world has never before experienced. (2015, para. 2)

A review of the marketing material of Fishtree, one of the leading Learning Relationship Management software companies, is illuminating. Combining adaptive learning with “the most incredible insight into student learning” through its “powerful performance analytics,” the Fishtree LRM system promises to make teaching more efficient and meaningful by providing a personalized learning experience that creates “the ultimate in digital instruction” (Education Technology Insights, 2016, para. 2). According to Fishtree, their LRM is the “ideal solution” for providing blended, flipped and project-based learning using online curriculum, open education resources and real-time content, while aligning them all with personal competencies and standards, including Common Core (Education Technology Insights, 2016, para. 2). Fishtree’s LRM claims to allow educators to “adapt to each learner’s needs with one click!” (Education

Dive, 2016, para. 5). Fishtree guarantees teachers that it will also help them “differentiate and personalize” teaching with one “click of a button” (Fishtree Teachers, 2016, para. 2).

How so? Their LRM system makes

...the personalization process as easy as possible. Through our recommendation and personalization engines, each student using our system is offered resources adapted to suit his/her individual needs. This means every lesson and every assignment can be tailored to the needs of every single student. A teacher can then simply view student progress, and intervene at will. Personalized instruction has never been so easy! (Fishtree, 2016, para. 2)

Fishtree’s “time-saving platform” creates and delivers dynamic, personalized lessons so that teachers can “collaborate and interact with students safely and easily, monitor student progress consistently, and access all of this using any device, anywhere, at any time” (Fishtree, 2016, para. 5). Furthermore, “Fishtree’s multitasking learning platform allows teachers to keep track of student progress easily and effectively” whereby “a teacher can simply assign activities at the click of a button, assess without having to intervene in any way, and track progress easily by viewing student performance through clear, informative graphs and charts” (Fishtree, 2016, para. 13). Through Fishtree’s powerful analytics systems, teachers can see “if a student is not reaching the specified learning objectives, a teacher can intervene and reassess at will, with one click. This ensures all students reach their learning objectives at their own pace, while giving the teacher more control and making the reassessment process as simple as possible” (Fishtree, 2016, para. 15). Additionally, as part of learning how to work as part of a collaborative team, Fishtree’s social stream feature, facilitates cooperation between students outside of the classroom, in real time, through their social media-based

application, while giving teachers the ability to monitor all student activity (Fishtree, 2016).

### **The Proof Is in the “Data”**

Ultimately, industry interests peddle personalized learning as being “disruptive innovation” (Book, 2014, p. 3). Critics point out that disruptive serves as code for “dismantle” in that the mission of EdTech and personalized learning is to completely destroy public education and replace it with a thoroughly financialized authoritarian system. Within this system, education will be a privately operated, yet state subsidized (see charter schools) sector of the Big Data/Artificial Intelligence industry as an extension of the global financial industry. This (de)personalized model of education is a vastly controlled environment, void of meaningful human interaction, where children spend most of their time seated alone (often in cubicles) interfacing with devices that monitor and “adapts” digital materials based on the inputs clicked in by the child (Cuban, 2016).

The EdTech industry’s profit making efforts to “reinvent” education is perpetually being propelled by a massive marketing and public relations campaign that permeates deep into society and is framed as an effort to forge a new era of enlightenment. A 2015 Market Data Retrieval (MDR) report titled *State of the K-12 Market* speaks to the inevitability of this era in that fifty percent of curriculum directors nationwide expect extensive “print-to-digital conversion” within the next three years, while over half of all school districts are now administering online assessments within their schools (2015, para. 2). MDR went on to claim, “These two intertwined aspects of education, linked by

more rigorous Common Core Standards throughout the country, are reinforcing each other in this shift” (2015, para. 2). Accordingly, the Software & Information Industry Association, a major EdTech trade association, tells us that it is the efficacy of EdTech products that is driving this sanctified mission:

The evidence is strong that technology and eLearning are powerful tools for revitalizing education and preparing students for the world beyond the classroom. Pioneering schools have already shown what is possible when good education and good technology come together. Technology has repeatedly proven its power to energize and improve learning outcomes. (2016, p. 6)

When one uncritically reads the majority of online publications about digital education associated with EdTech, the overall impression is that it is the inevitable magic bullet for improving student learning outcomes, college and career readiness and in closing the “achievement gap” (a term intended to ignore the existence of structural inequities). Questioning the effectiveness of EdTech products as the driving force of the EdTech marketplace, Angela Chen reported in 2015, “every few months, a new study claims that gadgets in the classroom don’t improve learning—but that hasn’t stopped the educational technology market’s steady upward climb” (2015, para. 1). My research supports Chen’s claims in that there is very little, if any, credible evidence that EdTech products improve learning outcomes, according to any standards. More importantly, there is however mounting evidence that digitized technologies not only hinders learning in some areas, but is also significantly detrimental to child development.

When claims are made that digital learning results in preferable or effective learning outcomes, it is often without credible supporting evidence or only supported by anecdotal evidence. Many of these claims are also advanced by studies that appear to be neutral institutional research scholars, yet in almost all of these studies, when digging a

little deeper; institutional connections to the EdTech industry and/or education reform advocacy groups were found (Chambers, Slavin, Madden, Abrami, Tucker, Cheung, & Gifford, 2008; Cheung & Slavin, 2013; Darling-Hammond, Zieleszinski & Goldman, 2014; Grinager, 2006; Schacter, 1999).

One example of this is a 2014 brief put out by the Alliance for Excellent Education and Stanford Center for Opportunity Policy in Education, which begins by acknowledging how “the introduction of technology into classrooms has failed to meet the grand expectations proponents anticipated” (Darling-Hammond, Zieleszinski & Goldman, 2014, p. 1). The brief, titled “Using Technology to Support At-Risk Students’ Learning,” attempts to take a middle-ground while also advancing the interests of industry. It promotes the use of technology based on keeping teachers as trained professionals, yet training them to be active facilitators of diverse digital learning methods. Ultimately it promotes the EdTech industry having full access to the teaching, learning and assessment of “at risk” students. The “funders” and “supporters” of the Alliance for Excellent Education and Stanford Center for Opportunity Policy in Education are a “who’s who” of education reform venture philanthropists and industry trade associations (Darling-Hammond, Zieleszinski & Goldman, 2014). They are those who stand to profit from EdTech’s full takeover of schools, particularly in the most subordinated communities. The lead author of the report and founder of the Stanford Center for Opportunity Policy in Education is Linda Darling Hammond, a prominent education policy leader who is at once known to be an advocate of teachers, while also being an active proponent of education reform policies, including Common Core State

Standards. She was also a developer of one of its aligned tests - Smarter Balanced

(Tamplo, 2014). Alfie Kohn (2015) goes on to point out:

Two corresponding groups of educators seem particularly enamored with EdTech, “those who are awed by anything that emanates from the private sector, including books about leadership whose examples are drawn from Fortune 500 companies and filled with declarations about the need to “leverage strategic cultures for transformational disruption”; and those who experience excitement that borders on sexual arousal from anything involving technology—even though much of what falls under the heading “ed tech” is, to put it charitably, of scant educational value. (2015, para. 16)

Recent and more rigorous international studies report that reading comprehension and assessment performance is encumbered when student learners use digital text (via computers, tablets and smartphones) compared to paper text. Many of these studies also report that subjects have a preference for readings text on paper (Hassaskhah & Barekat, 2014; Kaufman & Flanagan, 2016; Mangen, Walgermo & Brønnick, 2013; OECD, 2016; Solak, 2014; Tanner, 2014; Wästlund, Reinikka, Norlander & Archer, 2005).

According to a 2015 global study sponsored by the Organisation for Economic Co-operation and Development (OECD), in countries where students commonly use EdTech for schoolwork, students’ reading performance declined. In countries that invest heavily in EdTech for education, the results concluded there is no noticeable improvement in student achievement in either math or science. The study, which took into account social background and student demographics, concluded that technology does not close the “achievement gap” between privileged and impoverished students. The findings also report that students who spend significant amount of time online are prone to feelings of loneliness (OECD, 2016).



In a 2016 study, researchers from Carnegie Mellon University and Dartmouth College found that reading on computers, tablets and smartphones significantly reduces reading comprehension, and causes people “to ‘retreat’ to the less cognitively-demanding lower end of the concrete-abstract continuum” (Kaufman & Flanagan, 2016, p. 2776). Or as Titcomb describes it, this technology makes “people unable to fully understand what they are reading as our brains retreat into focusing on small details rather than meanings” (2016, para. 1).

A 2016 study whose subjects were high performing students at WestPoint, researchers at the Massachusetts Institute of Technology concluded that the use of electronic devices in classrooms “have a substantial negative effect on academic performance” (Carter, Greenberg & Walker, 2016, p. 25). A study by Chen and Catrambone (2015) found that “participants who read text on paper tended to take more notes and spend more time studying than those who read from a screen” (p. 332).

A 2015 study titled “Growing Up Digital (GUD) Alberta” was conducted by researchers from the Alberta Teachers’ Association, the University of Alberta, Boston Children’s Hospital, and Harvard Medical School. The purpose of the study was to gain a better understanding of the scope of physical, mental and social consequences of digital technologies on child development, specifically in the realms of exercise, homework, identity formation, distraction, cognition, learning, nutrition, and sleep quality and quantity. Researchers conducted a stratified random sample of 3,600 teachers and principals across Alberta Canada, resulting in over 2, 200 participants that generated a highly representative sample of Alberta’s teaching population, which corresponds with the profession’s demographics (McRae, 2016). The findings of the study are alarming.

Correlating with the increased use of digital technology in Alberta schools, respondents reported that student learning has been in steady decline. According to the study's authors:

There is a strong sense among a majority of teaching professionals within this sample that over the past 3-5 years students across all grades are increasingly having a more difficult time focusing on educational tasks (76%), are coming to school tired (66%), and are less able to bounce back from adversity (ie lacking resilience) (62%). Concurrent to this, 44% of teachers note a decrease in student empathy, and over half of the sample (56%), reported an increase in the number of students who have discussed with them incidents of online harassment and/or cyberbullying. When asked how the number of students with "diagnosed" health issues has changed in their classrooms, the following three conditions were reported by a majority of teachers to have increased: anxiety disorders (85%), Attention Deficit Disorder and Attention Deficit Hyperactive Disorder (75%), and mood disorders such as depression. (73%) (2015, p. 2)

In closing, as I have previously interrogated, universal public education systems within all nation states serve as essential logistical techniques in the establishment and maintenance of infrastructural power. The more socially stratified a state or society, the more authoritarian the logistical infrastructure will be (Mann, 2012). As such, the U.S. public education system was established to buttress an empire that was constructed through settler colonialism, white supremacy, capitalism and heteropatriarchy. In the 21<sup>st</sup> century, universal "public" education is being redesigned to be integral to the state-finance matrix, whereby education technology serves as a crucial authoritarian instrument of surveillance and social control within the Big Data and Internet of Things ecosystem.

## CHAPTER 8

### CONCLUSION

#### **The Current State of the Founders' Cultural Political Economy**

For centuries many have attempted to contain, disrupt, change or reform the core institutions that constitute the violent and oppressive cultural political economy of the United States. Many have attempted to work individually and collectively from within and outside the founders' institutions to make them more equitable and democratic. Many efforts to expand recognition rights or to ameliorate social, political, legal, cultural and economic conditions have failed; some have resulted in meager to moderate gains, while a few have resulted in significant improvements in the quality of life for certain groups. Ultimately, any progress made to substantively constrain or disrupt the hegemony of the intersecting structures of heteropatriarchy, settler colonialism, white supremacy and capitalism have largely resulted in temporary parchment barrier policies. The founders' governing contract - the U.S. Constitution - and the infrastructural power that operationalizes it are designed to self-correct and bring the founders' social order back in line when it is diverted from its intended aims.

The undoing of state protections occurs through non-enforcement of laws or the altering or reversing of laws by legislative bodies or the courts. As reviewed earlier, the regulatory and distributive Keynesian reforms that came with the New Deal of the 1930s were not only limited in scope, but only lasted for approximately fifty-years. This has also been the fate of the Civil Rights Act of 1964, which was born out of a decades long civil rights struggle that aimed to once again, "enforce the constitutional right to vote," to disrupt "discrimination in public accommodations...to protect constitutional rights in

public facilities and public education...to prevent discrimination in federally assisted programs...to establish a Commission on Equal Employment Opportunity” (Chambers, 2008, p. 328).

As the Constitution restricts any semblance of participatory democracy, the Supreme Court continuously intervenes to restrict the narrow suffrage rights of those who have endured centuries of structural violence. This happened once again in 2013 with the *Shelby County v. Holder* Supreme Court decision, where the Court gutted key provisions of the Voting Rights Act of 1965 by making it easier for states across the south and beyond to restrict the voting rights of Black and Brown citizens. Since then, many states have been working to institute restrictive voting laws that target these same groups, including: voter I.D. laws; the elimination of same day voter registration; prohibiting out-of-precinct ballots from being counted; limiting voting periods and hours; empowering poll observers with more flexibility to challenge voters, etc. (Blacksher & Guinier, 2014).

Additionally, everything that came out of the War on Poverty - the Social Security Act 1965; the Food Stamp Act of 1964; The Economic Opportunity Act of 1964; and the equity based funding mechanisms of the Elementary and Secondary Education Act of 1965 - have since been systematically dismantled, unfunded or unenforced (Boteach, Stegman, Baron, Ross & Wright, 2014).

In 2010 the Supreme Court following its inviolate duty, ruled in the *Citizens United v. Federal Election Commission* decision that corporations have the same First Amendment rights as individuals and therefore can spend unrestricted sums of money to buy elections. In doing so the Court made it a bit easier for the opulent minority to govern over the majority (Levitt, 2010). Yet, the hegemony of “origin stories” are often evoked

by many who oppose the Citizens United case. Resistance centers on reversing the decision under the rallying cry of “reclaiming our democracy” and “restoring citizen authority over corporations” by returning the U.S. to a prior state of being, the good ole days, before “the fall” (Kazanjian, 2003; Smith, 2008, p. 311). In doing so, illusory selective traditions are elicited as lost origins, which ultimately serve to conceal and maintain the nation's foundational structures, while effectively undermining possibilities for strategies that expose the underlying despotic structures. While many were rightfully outraged by this ruling, the Court did not overstep its authority with Citizens United and instead was only following the mandates of the founders’ Constitution as both a legal and ideological contract. This is also enacted in liberal critiques of the war on terror, when the U.S. Constitution is invoked as an origin story - the prior condition of “democracy” and “justice” before the U.S. lost its way and fell into “lawlessness” in the post-911 era (Smith, 2008, p. 311). These are the same origin stories that are elicited by many liberal education activists who seek to undo education reform policies, to return U.S. public schools to their mythic mission of origin - educating for democratic citizenship.

As part of the New Deals overriding purpose of protecting the U.S. nation-state and its opulent minority from its volatile political economy, the National Labor Relations Act (NLRA) was passed to serve this purpose. According to the National Labor Relations Board:

Congress enacted the National Labor Relations Act ("NLRA") in 1935 to protect the rights of employees and employers, to encourage collective bargaining, and to curtail certain private sector labor and management practices, which can harm the general welfare of workers, businesses and the U.S. economy. (2016. Para. 1)

The NLRA offered accommodations via basic legal protections to an increasingly radicalized labor movement during a time of intensive labor strife when communist and socialist affiliations or sympathies in the U.S. were on the rise. Labor unions came to exemplify the restless and industrial masses the founding fathers feared and thus constructed the means to quell. Championed by a working-class German immigrant (Senator Robert Wagner) and signed by a hesitant President Roosevelt, the NLRA went on to be an increasingly effective instrument in regulating organized labor as a means to conform to, and partner with, the interests of capitalists (Boyer & Morais, 1955; Levi, Melo, Weingast & Zlotnick, 2015). As Roosevelt described the act when signing it:

A better relationship between labor and management is the high purpose of this Act. By assuring the employees the right of collective bargaining it fosters the development of the employment contract on a sound and equitable basis. By providing an orderly procedure for determining who is entitled to represent the employees, it aims to remove one of the chief causes of wasteful economic strife. (FDR Presidential Library, 2016)

As an act of recognition rights, the NLRA legally protected union activity and collective bargaining rights for most private sector workers, while at the same time making unions wards of a hostile federal government that was Constitutionally constructed to prioritize the interests of capitalism. Using states rights as an argument, a number of states began to enact “right to work” laws that neutralized federal union rights and protections for private sector workers within their state borders. Decades later, states or local governments began to adopt some provisions of the NRLA for public employees, while others chose to restrict or prohibit collective bargaining rights all together (Boyer & Morais, 1955; Compa, 2004).

Over the past forty-years, as part of the neoliberal revolution, union rights have been increasingly unenforced and systematically dismantled for all workers in the U.S. As with all state protections in the U.S., union rights – along with all other labor rights outside of the scope of the NLRA – have again proven to be temporary parchment barriers (Compa, 2004; Glushien, 1968).

The federal government's Environmental Protection Agency (EPA) was established in 1970 to research, monitor, set standards and enforce activities that ensure clean and healthy natural and built environments in the U.S. In terms of clean water (both drinking and waterways), clean air, and public exposure to environmental pollutants, chemical toxins and food pesticides; the EPA has a history of lax enforcement, for setting low standards and for having a tendency to passively protect industry at the expense of people (Duhigg & Roberts, 2010; Mintz, 2012; Sass & Rosenberg, 2011). It is not just the EPA, but almost all levels of government that fail to enforce laws that are constructed to protect the health and safety of people, especially those who are constructed to be the most disposable.

This harsh reality is demonstrated in Flint Michigan, when in 2014 an unelected emergency manager appointed by the Michigan governor switched the city's drinking water source from the Detroit system to the Flint River for the purpose of saving money. Fifty-seven percent of Flint Michigan's population is Black and 41.6 percent of the city's population live below federal poverty thresholds, or 2.8 times the national poverty rate (Flint Water Advisory Task Force, 2016). Emergency managers play an important role in the state-finance matrix. They are unilaterally appointed by governors for the purpose of imposing a business model of governance and market solutions on austerity ravaged

cities or school districts where the majority of the population are disenfranchised Black and Brown people (Flint Water Advisory Task Force, 2016; Lewis, 2013).

The Flint River was a long-time industrial dumping ground for the industries that had once occupied its banks. When Flint residents began to complain about discolored, foul-smelling water and health concerns, local and state officials were unresponsive. It would turn out that the city's drinking water supply was infested with bacteria, and cancerous chemicals, leading to an outbreak of Legionnaires' disease throughout the city that killed ten people. All the while the Flint River was corroding the city's old pipes, unleashing lead into Flint's drinking water and into children's blood stream, causing irreparable developmental and neurological damage. This exposure occurred for eighteen months, during which all levels of government - municipal, state and federal (the EPA) - continually ignored expressed concerns of Flint residents, while also concealing of downplaying evidence of the poisoning (Democracy Now, 2016; Kellogg, 2016). Once this injustice was exposed, a Flint Water Advisory Task Force was appointed to investigate, which claimed in their final report, "The Flint water crisis is a story of government failure, intransigence, unpreparedness, delay, inaction, and environmental injustice (2016, p. 1). The report went on the state:

Flint residents, who are majority Black or African American and the most impoverished of any metropolitan area in the United States, did not enjoy the same degree of protection from environmental and health hazards as that provided to other communities. Moreover, by virtue of their being subject to emergency management, Flint residents were not provided equal access to, and meaningful involvement in, the government decision-making process. (Flint Water Advisory Task Force, 2016, p.54)

The particular dynamics of what happened in Flint is not a "crisis" based on a system gone awry and instead is a direct result of neoliberal policies and therefore structural in



nature. It is also rooted in the foundational structures of the nation of which neoliberalism and financialization were born. Rosner and Markowitz make this point in reference to Flint by claiming:

...the children of Flint have been poisoned in one way or another for at least 80 years. Three generations of those children living around Chevrolet Avenue in the old industrial heart of the city experienced an environment filled with heavy metal toxins that cause neurological conditions in them and cardiovascular problems in adults. (2016, para. 6)

According to Tara Houska, a tribal rights attorney with the Couchiching First Nation, “[t]hat’s a situation that’s been going on in Indian country for decades... Thirty percent of the Navajo nation is without clean drinking water. It’s been that way since the 1950s. But no one really cares” (Gallo, 2016, para. 22-23).

Despite all attempts over the past century to align the U.S. cultural political economy with the founder’s origin story myths, structural inequities and mass subjugation reigns supreme in 21st century. By 2012, overall income inequality reached an all time high as did the number of people living in poverty within the nation's borders (Stone, Trisi, Sherman & Chen, 2014). So did inequity, where “the median white household had \$111,146 in wealth holdings, compared to just \$7,113 for the median Black household and \$8,348 for the median Latino household” (Sullivan, Meschede, Dietrich, Shapiro, Traub, Ruetschlin & Traub, 2015).

According to a 2014 study by The Center on Juvenile and Criminal Justice (CJ CJ), Native people in the U.S. are the racial group most likely to be killed by law enforcement, followed by Black Americans, Latinx, Whites, and Asian Americans (Males, 2014). CJ CJ goes on to report:

Native Americans, 0.8 percent of the population, comprise 1.9 percent of police killings. African Americans, 13 percent of the population, are victims in 26 percent of police shootings. Law enforcement kills African Americans at 2.8 times the rate of white non-Latinos, and 4.3 times the rate of Asians. Latinos are victimized by police killings at a level 30 percent above average and 1.9 times the rate of White, non-Latinos. (Males, 2014, para. 5)

In 2014, the U.S. Census Bureau reported that 14.8 percent of the population live in poverty, or 47.7 million Americans (Milligan, 2015). According to economist Jeannette Wicks-Lim, “this official count has been criticized widely by... many poverty experts” (Jay, 2013, para. 8). Wicks-Lim goes on to explain:

I think it's pretty reasonable to describe being poor as somebody who can't meet their basic needs--food, shelter, their necessary medical care, that sort of thing. And if you actually tally up what the costs are for those things and see what the incomes actually would look like just to meet those basic needs, you're looking at something that's more on the order of two times the official poverty line. So I think that a much more accurate poverty line would be something on the order of double what the official poverty line is. And that would get us to a number of one in three Americans being considered poor... (Jay, 2013, para. 10)

Within these official, yet inaccurate, estimates of poverty, the numbers still speak to the nature of inequity in the U.S. today. For example, the official poverty rates for whites is 10.1 percent; 10.8 for white women and 10.7 for white children. For Native people, the poverty rate is at 29.2 percent; 34.4 percent for Native women and 37.3 percent for Native children. Native people also have the highest unemployment rate. The overall poverty rate for Black Americans is just over 27.2 percent; 25.1 percent for Black women and 38.3% for Black children. The Latinx poverty rate is 23.6; 24.8 percent for Latina women and 30.4 percent for Latinx children. Native Hawaiians and American Pacific Islanders have a national poverty rate of 17.6 percent. For people with disabilities, the poverty rate is 28.5 percent (Center for American Progress, 2016; Eichner & Robbins,

2015; Entmacher, Gallagher, Vogtman & Frohlich, 2013; Kairos, 2016; Milli, Hayes & Hegewisch, 2015; Pattern & Krogstads, 2015; Wilson, 2014).

According to conservative official reports, between 1996-2011 extreme poverty in the United States rose significantly, leaving 1.65 million households with around 3.55 million children to survive on \$2 or less per person per day in any given month.

Unsurprisingly, the sharp rise in extreme poverty occurred with groups most impacted by Clinton's 1996 welfare reform policy (Shaefer & Edin, 2014). Over all, current poverty rates are taking the heaviest toll on seniors and children, with 55 percent of the elderly and nearly 60 percent of children in the U.S. classified as "poor" or "low-income" (Buchheit, 2015, para. 11). Sixty percent of women over 65 who live alone or live with a spouse have incomes that do not cover basic expenses (Buchheit, 2015).

Black Americans are arrested at a rate 2.5 times higher than whites. Native people are arrested at 1.5 times the rate of whites, with even higher disparities for violent offenses (Prison Policy Initiative, 2016). Between 2010 and 2015, the number of Native people incarcerated in federal prisons has increased by 27% (Flanagin, 2015). Nationwide, Black Americans are incarcerated in state prisons 6 times the rate of whites and in local jails at almost 5 times the rate of whites. They are incarcerated at a rate more than three times their 13.2% share of the overall population. Native people are incarcerated at over 2 times the rate of whites, while Latinx are incarcerated over 1.5 times the rate of whites. All states report overrepresentation of Black Americans among their prison and jail populations. Most states also report that Latinx and Native people are also disproportionately confined (Hartney and Vuong, 2009; Kairos, 2016; Prison Policy Initiative, 2016).

The incarceration rate for women is comparison to men is low, yet has increased by 800 percent over the last thirty years. Currently, “Black women are three times more likely than white women to be incarcerated; and Latino women are 69 percent more likely than white women to be incarcerated” (Keisch & Scott, 2015, p. 6) According to Wiltz:

Native girls are 40 percent more likely than white girls to be referred to a juvenile court for delinquency; 50 percent more likely to be detained; and 20 percent more likely to be adjudicated. They are also more likely to face harsher sentences for the same offenses. (2016, para. 12)

According to the Death Penalty Information Center, “The American native crime victimization rate is twice that of non-Indians. National crime victimization surveys reveal that whites perpetrate 57% of the violent crimes committed against American Indians. 80% of sexual assaults against Native Americans are perpetrated by whites” (2016). Amongst American Indian or Alaska Natives (AIAN), 40 percent of those who commit suicide are between the ages of 15 and 24 years old. American Indian or Alaska Natives between 18 and 24 have higher rates of suicide compared to any other race and ethnic group as well as the general U.S. population (Jiang, Mitran, Miniño & Ni, 2015).

According to a 2014 U.S. Department of Education Office of Civil Rights brief, while Black children comprise only 18 percent of preschool enrollment in the U.S., nearly half of all preschool children who are suspended one or more times are Black. Older Black students are suspended and expelled three times more than white students. Sixteen percent of Black students are suspended compared to 5 percent of white students. The DEO brief goes on to report:

American Indian and Native-Alaskan students are also disproportionately suspended and expelled, representing less than 1% of the student population but

2% of out-of-school suspensions and 3% of expulsions. Twelve percent of Black girls are suspended at higher rates (12%) than girls of any other race or ethnicity and most boys; American Indian and Native-Alaskan girls (7%) are suspended at higher rates than white boys (6%) or girls (2%). (2014, p. 1)

Students identified to have disabilities are two times more likely to be suspended (13%) than their peers without disabilities (6%) (DOE, 2014). Charter schools suspend students with disabilities “at a rate that was 10 or more percentage points higher than for students without disabilities.... [while] 235 charter schools suspended more than 50 percent of their enrolled students with disabilities” (Losen, Keith, Hodson & Martinez, 2016, p. 6)

In terms of high school graduation rates, the national average is 80 percent. Eighty-five percent of white students graduate and 93 percent of Asian students graduate. Seventy-six percent of Latinx students graduate; while 68 percent of Black students and 67 percent of Native students graduate (National Center for Education Statistics, 2015; Stetser & Stillwell, 2014). For male students, 78 percent of white males graduate from high school and 52 percent of Black males graduate, while 58 percent of Latino males and 50 percent of American Indians/Alaska Native males graduate (Stetser & Stillwell, 2014). According to a 2014 report by the The White House Council on Women and Girls:

...while girls of color are more likely to graduate from high school than boys of color, Black girls are 14.6 percentage points less likely, Hispanic girls are 12.8 percentage points less likely, and American Indian/Alaska Native girls are 16 percentage points less likely to graduate than White girls (p. 8)

In terms of school dropout rates, Black student rates (7.5%) are lower than the rate for Latinx (12.7%) and American Indians/Alaska Native students (14.6%) (Stark & Noel, 2015). Looking deeper into Native student drop out rates, according to a study by the Civil Rights Project at UCLA:

...the seven states with the highest percentage of American Indian and Alaska Native students as well as five states in the Pacific and Northwestern regions of the United States... the number of American Indians and Alaska Natives who graduate continues to be a matter of urgent concern. On average, less than 50% of Native students in these twelve states graduate each year. (Faircloth & Tippeconnic, para. 1, 2010)

Native scholar Dean Chavers (2012) goes on to report:

Only 17 percent of Indian students go on to college from high school. And since 50 percent of these high school students drop out before graduation, only 8.5 percent of Indian students enter college. This compares to 70 percent nationally. Thus Indian enrollment in college is only 12 percent of non-Indian enrollment. And 82 percent of these Indian college students drop out before they graduate from college; they never earn a degree. (para. 3)

### **Resistance and the State-Finance Matrix**

According to Uday Chandra, “[t]o resist is, in ordinary parlance, to oppose or fight off what is pernicious or threatening to one’s existence. Since the late 1960s, social scientists have identified an entire spectrum of resistance strategies, from outright rebellion to everyday forms of defiance against political authorities (2015, p. 563).

Resistance generally, infers individuals or groups actively seeking protection from harm and suffering associated with marginalization or subjugation. This defensive position often renders emancipatory imaginaries or objectives imperceptible, or to be strived for incrementally or a later time.

Throughout U.S. history, resistance to various dimensions of the U.S. cultural political economy has run the gamut of Chandra’s resistance spectrum (Chandra, 2015).

Due to U.S. hegemony's unique ability to legally pacify, repress, disappear, enslave, murder and inflict mass suffering; resistance has uncoincidentally been systematically corralled and largely confined to the pursuit of state protections. This has often involved marginalized and subjugated groups striving to get relief from systems of domination through legal and culturally supported remedies of recognition and/or seeking representation rights in the political sphere. Intersecting with these remedies, or on its own, economic redistribution has also driven resistance. Normally, these objectives and their variations have involved leveraging collective power as a means to institute state protections through the expansion of civil, legal and political rights; as well as welfare and social security programs and the regulation of markets and industry (Zinn, 1980). Resistance has therefore become associated with objectives and outcomes that entails seeking protections from the master's cruelty by using the "master's tools" within "the master's house." Otherwise known as "working within the system."

According to Epstein (2005), financialization is centered on "speculative and excessively liquid financial flows that create debt-laden balance sheets, overly short-term perspectives, volatility and mispricing of important asset prices, including exchange rates, and subsequent misallocation of resources and unstable economic growth" (p. 12). More to the point, the global financial system is based on a massive "spiral of debt" (Snyder, 2015, para. 1). Under the domain of financialization, investor activity requires the flow of various forms of credit that can be transformed into securitized assets that can be rapidly converted into cash rapidly without losing value (Snyder, 2015). This process is known as liquidity. As Bloomberg Business puts it, the three things that matter most in debt (bond) markets are "liquidity, liquidity and liquidity" (Meakin, 2015, para. 1).

According to Zamansky (2016), “[w]ithout liquidity, markets plummet, as they did in late 2008 and early 2009. Liquidity is all important to investors. It's oxygen to markets” (para. 2). Thus, the only way for there to be “economic growth” is to inject more and more debt into the machine. This is what happened in the 2008 financial crisis (or “liquidity crisis”) and by most predictions, this same outcome is inevitable sooner than later, yet even more intensely since global debt has risen by \$35 trillion since 2008. Essentially, any economic system that is based on debt will crumble (Snyder, 2015).

More deeply, wealth and power is now primarily generated by a global system of digitalized speculation of “fictitious” and transitory “phantom wealth” through the high velocity exchange of intangible debt instruments that are detached from any material or labor value (Haiven, 2014; Korten, 2010). Within this domain, national borders are largely inconsequential and financial markets are globally integrated, swift, complex and uncontrollable. Financial exchanges are facilitated by global automated computers, which slice, bundle and flip securities at a pace and scale that exceeds the capacity of human capability (Haiven, 2013). As Wolfe puts it, writing in 1997:

...how are we to conceive of a system that lacks exteriority? This question grows ever more insistent in a decentered era that we might term virtual imperialism, when radically de-territorialized forms of capital flash around the globe at fiber-optic speed, seeking out low wages, tax and tariff advantages, currency disparities, and innumerable other opportunities that presuppose the very nation-state boundaries that their exploitation transcends. (p. 402)

As a cause and consequence of neoliberalism and financialization, capitalist accumulation has been integrated more than ever into the everyday lives and cultural experiences of most people (Haiven, 2013). Because of these dynamics, according to Max Haiven, liquidity also signifies capital's success in turning social values into



economic value, the durability of social life to the directives of capitalist accumulation. Thus, liquidity can also become a measure of resistance, whereby low resistance equals high liquidity and vice versa. Therefore, liquidity is not only about the velocity of financial transactions. It has become an indicator of the permeation of capital into social life and the relations of production, and in doing so measures the existence of resistance. In this sense, in the age of neoliberal financialization, liquidity correlates with the dissociation of social identity and social agency from collective power (2013). Referencing Bauman, Haiven (2013) claims that “liquid social relations are ones where we’re all adrift from social obligations and at the mercy of rapacious and uncaring economic forces. We might say that this is, in part, the sociological result of the financial liquidation of the world. It is a pervasive indifference created when all social values are subordinate to the unified quantitative measure of capital, namely money” (p. 99). For these reasons, more than ever, resistance in the pursuit of protections is an unlikely method of reclaiming value from capital.

Since many dimensions of the state-finance matrix reaches deeply into the daily lives of billions of people across the globe in novel ways, daily patterns, choices and potential for resistance are apparent to, and an extension of, the global financial market. Sites and sources of resistance and compliance to this social order is conveyed through social media, internet activity, consumer decisions, credit-card debt, student loans, mortgages and savings. More disturbingly, all of these activities are increasingly feeding financial speculation and derivative markets (Marazzi, 2008).

As an intangible sphere of accumulation designed to facilitate both competition and cooperation between professional investors, it is virtually ungovernable. Even if state

actors were motivated to stop, or effectively regulate this machine, they cannot for a number of reasons. First, the machine is structurally entwined with the interests of the most powerful and violent nation-states, particularly the U.S. Second, any meaningful disruptions of the machine will crash the global economy (Haiven, 2013). The state's role to both deceptively and openly collude with finance were at play after the 2008 "liquidity crisis." The federal government started by deregulating finance and thereafter protected risky financial activity, then bailed out the largest investment banks and devised the parchment barrier that is the Dodd-Frank Wall Street Reform and Consumer Protection Act (Korten, 2010).

At the behest of this comprehensive and unaccountable web of power, the role of the state - particularly the U.S. - is more authoritarian than ever. Domestically, militarized austerity and sophisticated surveillance and security apparatuses is at its disposal and are part of everyday life for most Americans; and even more so when resistance is deemed too disruptive to financial markets (Haiven, 2013; Marcuse, 1969). As part of this, within the last several decades, finance capital and neoliberal states have learned from and adapted to dissent and resistance. Once tried and true tactics and strategies in the pursuit of state protections can now be effectively ignored, dismissed, tolerated, coopted and preempted. This reality, along with the diffuse power of global finance and its proxy authoritarian states render the pursuit of basic human needs and rights ineffective. Combined, these dynamics have extensively neutralized how resistance movements have historically leveraged power (Haiven, 2014; Martin, Kersley & Greenham, 2014; Polychroniou, 2014). Instead, the social order of neoliberal financialization predicts and integrates resistance into its risk speculations, "factored into

financial flows in advance as ‘risk’: the present calculus of future probabilities” (Haiven, 2013, p. 99). Haiven (2013) goes on to explain:

With this hyper-commodification of risk, finance has become a vast, interconnected, pulsating organ fed by billions of local readings of “liquidity” and “resistance” which are constantly coursing through the system, being decomposed and rebundled in patterns... [and] the final result is this: finance as we now have it, as a system that “reads” the world by calculating the “risk” of “resistance” to “liquidity” and allocating resources accordingly, already incorporates “resistance” into its “systemic imagination (p. 99).

From UAW members in Ford plants resisting pension cuts, indigenous revolutionary movements in Bolivia and Venezuela, Black Lives Matter in the U.S., to the groundswell of support for a U.S. presidential candidate campaigning as a democratic socialist; finance capital “imagines” these (and many other) possibilities and their disruptive potentials so as to incorporate associated risks “into its internal equilibrium” (Haiven, 2013; Patterson, 2001). These calculations can then determine preemptive or subsequent interventions and disciplining actions. Thus, financial speculation is a means of “reading” and “indexing” resistance (Haiven, 2013, p. 100). Finance is also preventing future resistance through the application of economic performativity, which explains the ways that financial instruments can calculate and construct financial actualities that will shape and ensure the futures on which investors speculate (Haiven, 2013; MacKenzie, 2008). Impact investing and education reform (or education systems generally) are two critical financial instruments that serve this purpose as social engineering mechanisms meant to reduce risk of resistance to maximize liquidity in futures markets.

As part of this, based on the logic of derivative speculation, “risk management” creates a paradigm of neoliberal biopolitics that sorts groups of people according to an economic pyramid that demarcates their market - and therefore their social - value. Those

who are doing the sorting are the exalted risk-takers who “hedge” their subject position into wealth, power and prestige. In varied degrees everyone else is viewed as flexible workers and debt instruments to be exploited for the purposes of securitization, speculation and predictable cash flows. For those at the lower end, whose subject positions are assigned to perpetual austerity and criminalization; their value is derived from being subjugated and rigidly controlled sources of predictable cash flows via government funds - schooling, prisons, impact investing, subsidies, bond markets, etc. (Martin, 2007; Maiven, 2013).

State-finance authoritarianism and repression through militarized austerity along with far-reaching surveillance and security apparatuses work in tandem with other forms of disciplining. School choice, charter schools, policed schools, standardized curriculum, data mining and punitive tests that sort students, determine funding as well as the fate of schools and teachers are forms of disciplining attached to the financialization of education. Finance also disciplines political, economic and social actors more directly. For example, if federal and state governments in the U.S. are compelled to reverse existing policies that serve neoliberal financialization and instead reinstitute Keynesian policies, or dare to move in a more emancipatory direction; financial markets would quickly interpret and respond to these moves by devaluing the U.S. dollar and bond prices while divesting from equity shares in “risky” ventures. This type of financial disciplining can easily lead to larger destabilization within the “house of cards” that is the financialized economy. While its existence is destructive, its disruption can also have catastrophic effects. Therefore, forms of viable “resistance” do not even need to be successful for the state and markets to preemptively intervene and discipline (McNally,

2011; Maiven, 2013). The mechanisms for disciplining and maintaining social order are also ready-made and built into the structures of the founders' U.S. cultural political economy. The hegemony of market ideology is often enough. If not the Constitution's electoral college, the stacked federalist system of government, the corporate two-party system and its delegate scheme as well as the ability of capital to influence or direct social, cultural and political affairs also effectively mollifies substantive resistance. Additionally, as Maiven (2013) describes,

...firms are increasingly pressured to increase exploitation and surveillance of workers, and attack union and workers rights, in order to improve their credit rating and share price. And local, regional and national governments are, in an age of austerity, compelled to destroy public power (invested in public space, welfare programs, civil services, public employment, and collective projects) in response to financial pressures and massive deficits (caused, in effect, by decades of corporate tax cuts and the massive transfer of public wealth into private hands). (p. 101)

Financial disciplining also applies to the daily life of families and individuals, where forms and levels of resistance to finance capital is moderated by employment, income, housing, transportation and food insecurity; individual debt; education expenditures; concerns about healthcare; and saving for elderly years (Williams, 2006). Fears of disrupting any sites where these needs and concerns exist have an understandable chilling effect.

Relevant to my original purpose statement and all that I have explored and documented, financialization and its mechanisms of discipline - as an extension of the founders' cultural political economy - are the drivers of education reform policies. The instruments of education reform do not exist because of bad or misguided policy choices. Instead, they need to be recognized for what they are: core structures of the the state-

finance matrix, designed to serve as a comprehensive apparatus of social control (as was the original design of mass public education), while also being a reliable source of liquidity within financial markets. In terms of resistance, as I have been arguing, lobbying one's U.S. or State Senator, voting for a particular party or candidate are ineffective acts of resistance against these structures. This also holds true with organizing strategies that focuses on reversing the financialization of one institution - such as education - when it is an appendage of larger structures. While Bernie Sanders' positions are reflective of a bygone era (New Deal); the structural integration of finance with the state (including the electoral college) and the financialized Democratic Party will not tolerate a Sanders presidency. Even if he was somehow elected, a sitting president would not - nor could not - disrupt the cultural, political and economic structures that are preserved by the U.S. Constitution and the state-finance matrix. Expecting state actors and institutions, or financial institutions, to have the will or ability to alter the structures that buttress and legitimize their power is fanciful.

The complexity, authoritarian and brutal structures by which power is currently organized circles back to my third research question... "is it possible to seek regulatory relief from social inequities through the state or hold lawmakers accountable within the diffuse and borderless domain of global finance capitalism?" Based on my research and as I have argued, I believe the answer is, no. I believe that to a significant degree, resistance strategies by white middle-and working-class activists (including education activists and their unions) are stuck in a perpetual cycle of engaging in traditional tactics of collective expression and performatively driven by uncritical "origin story" and "selective tradition" myths that seek non-strategic, impractical or even counter-

productive objectives. These objectives are often tied to notions that many white education activists hold onto about public education's potential of being an engine of equity, if only education reform would get out of the way. Accordingly, Dumas (2016) reminds us:

...as much as one might wring one's hands about it all, and pursue various interventions, radical improvements are impossible without a broader, radical shift in the racial order. This is perhaps, however fittingly, a pessimistic view of education policy. However, its possibility is in fomenting a new politics, a new practice of education, committed to Black—and therefore human—emancipation. (p. 17)

In line with Dumas' salient claim, and as I have attempted to show in previous chapters, the racial order of white supremacy is intrinsically tied to the origins and maintenance of capitalism and settler colonialism and entangled in heteropatriarchy. Emancipation is necessarily all encompassing. We cannot work to dismantle one without the others. Resistance that is intended to disrupt the various practices and discourses of power as a means to achieve (superficial and time-limited) accommodations is clearly not enough. As I have attempted to document, history has taught us that.

In the absence of more radical large-scale cohesive objectives that move beyond resistance and are international in scope; I believe that resistance in the U.S. will continue to be reduced to rituals of outrage or celebration that have very little impact and have little real strategic value beyond experiencing a fleeting sense of solidarity and belonging. Tragically, this became the fate of organized labor in the U.S. This is only after it largely evolved to reflect and embrace the structures of domination that it should be resisting (Hattam, 2014). As with current power structures, it is vitally important for actors with emancipatory aspirations to imagine a world without national borders. Yet to do this

without settler colonial and imperialistic intent; or being motivated by the canons of capitalist accumulation and private property; or seeking to benefit from the violent constructs of heteropatriarchy and white supremacy.

The history of resistance against subjugation and struggles for state protections and emancipation in the U.S. are rich and vibrant, and often speak to Frederick Douglass' 1857 declaration "Power concedes nothing without a demand. It never did and never will" (Zinn & Arnoveit, 2004, p. 5). Yet, the lesson attached to the Scorpion and the Frog fable is instructive in terms of ongoing struggles to transform the United States into a robustly democratic and equitable nation: A scorpion asks a frog to carry him over a river. The frog voices her fear of being stung. The scorpion convinces the frog based on their shared interest to survive and get to the other side. The frog agrees. Midway across the river the scorpion stings the frog. When the frog asks the scorpion why, the scorpion replies...it's my nature. The underlying moral of the story is salient to what can be learned when the true history and character of the United States is unveiled: no change can be made in the character and behavior of the fundamentally vicious (The Scorpion and the frog, n.d.). Time and time again the foundational structures and institutions of the U.S. have proven to be just that, and much more.

By extension, this fable also applies to its public education system. Regardless of the well meaning "origin story" calls to "save our schools" or to "reclaim our schools" that hearken the return to a mythical "good old days," the fact remains that public schools were, and continue to be, engines for a violently undemocratic "democracy." When activists resist policies that are generated by despotic structures, while at the same time espousing ideologically generated myths about the emancipatory potential of these same



structures, it not only preserves their legitimacy, but ultimately serves as a form of submission to their rule. Accordingly, many of the leading organizations that are currently opposing education reform policies – many of which are racially diverse - transmit the very same ideological narratives as those those who are driving these structural reforms. For example, the following claims are made by four prominent groups who are resisting education reform. The Alliance to Reclaim Our Schools (2016) asserts, “we are committed to working together to reclaim the promise of public education as our nation's gateway to a strong democracy and racial and economic justice” (para. 3). According to Save Our Schools (2016), their efforts attempt to restore the original path of the United States, which has “historically been the one towards equality and opportunity” (para.12). The Network for Public Education (2016) simply states, “We support public education because it is a pillar of our democratic society” (para. 3). According to the Center for Public Education (2016), “public education for the masses evolved as an integral part of America’s heritage and its success as a democracy and an economic force” by instilling “principles [that] include equality and freedom for all, social mobility and meritocracy, equal opportunity and self-governance, and respect for civil law and civic responsibility” (para. 42).

Meanwhile, prominent education reformer organizations espouse the same origin story narratives. For example, the Rand Corporation claims, “[t]he original purpose of U.S. education was to shape citizens who share a common ideal and have the knowledge, skills and inclination to uphold the tenets of democracy” (Saavedra, 2106, para. 1). The Gates Foundation proclaims, “[w]e believe that equal opportunity defines what is exceptional about America, and public schools are the best idea this country has had for

giving every child an equal opportunity to succeed” (2016, para. 1). The Walton Family Foundation aims “to improve lives by expanding access to educational and economic opportunity... working to foster equal opportunity and build a more just society (2015, p. 2). According to the Obama administration, their education reform policies promote “equality of opportunity” as “a core American value that helps form our national identity, solidify our democracy, and strengthen our economy” (Department of Education, 2016, para. 8). Edward Kennedy, the co-author of No Child Left Behind, claimed his legislation was “part of our basic commitment to democracy and equality of opportunity for all that, no matter one’s race, income, or language, everyone counts and deserves to enjoy the benefits of our society” (2005, para. 27).

Narratives, which invoke democracy, equality, freedom, racial and economic justice as being an American tradition that are also a function of its public education system are akin to Orwellian “doublespeak” in that they conceal a cultural political economy that is by design quite the opposite. These narratives serve as duplicitous rhetoric, portraying U.S. public education to be something it has never been and concealing its function as an extension of authoritarian and undemocratic structures. By doing so, these myths reproduce narratives that circumvent the advancement of emancipatory visions and objectives that can only be achieved independent of - or in the absence of - these structures. In essence, a substantive democracy necessitates a cultural political economy based on participatory parity and egalitarianism, which is conditioned on emancipation from structures, systems and institutions of subjugation and domination.

With this understanding, this historical analysis has attempted to document and critically examine the violent, despotic, imperious and impervious foundational structures

that constitute the United States of America and the education system that exists to augment it. By doing so, my hope is that the evidence and analysis I present in this dissertation will further expose the futility of “working within the system” and why “the master’s tools will never dismantle the master’s house” (Lorde, 2003, p. 2). As such, recognizing the fallacy in legitimizing existing “universal” public spheres (including public education) as part of a bold and necessary social imaginary process enables us to recognize and reconceptualize what “ours” means within existing social divisions; what can be “reclaimed” or what is worth “saving.”

My intention is to not make prescriptive recommendations for what subjugated groups should do to “resist” or dismantle what I have described as the U.S. cultural political economy and the state-finance matrix. As reviewed in Chapter 1, I will however draw from Nancy Fraser’s theories and concepts relating to emancipation as a guide. I believe that Fraser’s, conceptualization of subaltern counterpublics is relevant in terms of organizing for emancipation within complex structures of domination since they can provide:

...parallel discursive arenas where members of subordinated social groups invent and circulate counterdiscourses, which in turn permit them to formulate oppositional interpretations of their identities, interests, and needs. (1997, p. 81)

In doing so, such arenas allow subjugated groups to co-create strategies to disrupt hegemony, guided by a very different cultural, political and economic vision of society that will inform collective strategies and actions. I do not believe that this arena is an ends in itself, but an important means towards emancipation. Instead, it can allow for a reconceptualization of public spheres where subjugated groups can reimagine, experience and establish alternative publics’ outside of the current public spheres that are constructed

for the purpose of domination. Due to the scope and diffuse nature of the state-finance matrix, this would require subaltern counterpublics across the globe to work in trans-border solidarity and mutual aid. Working within “chains of equivalence” under the principles of anti-colonialism, parity of participation and the equitable distribution of wealth; a common purpose can be forged to co-imagine, then co-create strategies for large-scale revolutionary change (Laclau & Mouffe, 1985).

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