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Coercion and consent for the U.S. education market: community engagement policy under racialized fiscal surveillance

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ABSTRACT

In response to growing pushback to decades of privatization and disinvestment in high-poverty communities of color, elected officials and business leaders in the United States have turned to 'community-engaged strategies' to advance education reform. This qualitative case study of a California school district, the Oakland Unified School District, from 1989 to 2019 uses a Gramscian analysis of hegemony to illuminate the shift from *coercive* practices of financial audits to building *consent* through the district's formal engagement strategies as tools to manage public dissent around divisive decisions. Findings reveal that a manufacturedscrisis facilitated the 2003 state takeover of OUSD to further advancesausterity measures and audit processes that served as racialized formssof fiscal surveillance. When local resistance to these measures intensified, district actors shifted tactics to 'engage' community members through a *portfolio strategy* to manage school choice options and other public-private partnerships. Oakland public schools are a prime case of how democratic mechanisms serve as the vehicle to manufacture public consent for district redesign by way of marketization. This paper contributes new insights into local and global debates on educational privatization by critically examining the role of parastatal audit agencies in shaping community support for public-privateeducation governance along with tracing the shifting tactics of elite policy actors.

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Critical analysis; urban crisis; portfolio strategy; state receivership; school-community engagement; district privatization

Introduction

In an elementary school gymnasium in Oakland, California, USA, a crowd of 50 people attended a community engagement retreat in August 2017 to address the school district's fiscal woes. The director of community engagement, an older White woman with short grey hair and dark-rimmed glasses, acknowledged the community members' recalcitrance to engage in anything related to budgets cuts to schools, 'I think the words that we see up here can look scary . . . words like "mergers," "consolidations," "closures."' The district's concern for community voice was a change from earlier reforms, where higher-level officials implemented strong-armed austerity measures, whereas now, local officials, practitioners, and constituents were tasked with surveilling each other to stay out of debt. The director continued, leaning into a pep talk to energize a down-trodden audience, 'We

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can let the district office do it and then throw tomatoes at them, or we can roll up our sleeves and get involved and help make good decisions. When we start with the people closest to the problems, parents and students have ideas that we never would've thought of.' The multiracial group of stakeholders – retired teachers, parents, advocates, and alumni – turned to each other to make sense of how the district's $700 million dollars are spent on salaries, facilities, and educational services. But in the small group discussions, not everyone wanted to eliminate services they felt were essential for student learning. One community member bluntly stated, 'They're giving us the knife to cut our own necks.'[1]

From localized cases to the global scale, neoliberal hegemony has historically operated through the manufacture of various 'crises' to justify further disinvestment, privatization, and disciplinary tactics toward poor communities and developing countries (Henry 2016; Klein 2008; Verger 2012). In the U.S., the racialized nature of 'urban crisis' and neoliberal paternalism is evident in historically Black and high poverty city contexts (Soss, Fording, and Schram 2011; Sugrue 2014), where education reform was first experimented through two policy strategies: fiscal surveillance (e.g. audits) and market-based reforms (e.g. independently-operated charter schools, public-private partnerships) (Burch 2010; Jabbar 2015). The neoliberal turn put forth new challenges for the local, decentralized nature of American public education, where laws are enacted at the state level, provision at the school district level, and, relative to other institutions, a more robust democratic model of governance with representative school boards and legally mandated committees (Edwards and DeMatthews 2014). Policy leaders grew focused on maximizing efficiency and profit at the expense of democratic engagement, in which local elected officials have been blamed for their financial ineptitude while structural inequities remain. These racialized assumptions are most explicit in the 'takeover' of U.S. school districts by states and municipalities, where local school boards and central office oversight have been suspended in cities with majority Black leadership like Newark, New Orleans, Detroit, and Oakland (Morel 2018).

However, in recent years, the American political climate of education reform has shifted due to the growing community resistance to school closures, philanthropic experimentation, and governmental neglect (Buras 2014;; Ewing 2019; Todd-Breland). To sustain market-based reforms amid this resistance, policy entrepreneurs seek alternatives to the competitive, high-stakes accountability mechanisms that dominated the past generation (Lipman 2013). A coordinated network of policymakers and business leaders have pursued a different strategy: 'community engagement.' Even the Bill & Melinda Gates Foundation, whose philanthropic investments spurred experimental reforms in urban public schools across the country with long-lasting consequences, has shifted gears to assert that 'we need to listen and amplify [communities'] voices while honoring their work' (Gates Foundation 2018). However, as I will show, the assumption that engaging communities in market-based strategies will produce more equitable educational conditions and learning outcomes warrants critique and reframing. Moreover, it is critical to understand the historical antecedents of fiscal, political, and organizational reforms as they continue to define the current direction of 'community-engaged' privatization in local education policies and practices.

I use a Gramscian analysis of *hegemony* (Gramsci 1971) to examine this shift from *coercive* practices of financial audits to building *consent* through the district's formal engagement strategies as tools to manage public dissent around divisive decisions. Located in the San Francisco Bay Area, California, the Oakland Unified School District (OUSD) is a prime case that demonstrates how democratic mechanisms serve as the vehicle to manufacture public consent for the redesign of local education agencies (LEAs) by way of marketization. OUSD is an ideal site in which to study these dynamics as a mid-sized district characterized by community activism, neighboring Silicon Valley tech industry, and philanthropic investment in public policies that are central to neoliberal experimentation. Drawing on qualitative data from 1989 to 2019, I find that a manufactured crisis facilitated the 2003 state takeover of OUSD to further advance austerity measures and audit processes that served as racialized forms of fiscal surveillance. When local resistance to these measures intensified, district actors shifted tactics to 'engage' community members through a *portfolio strategy* to manage school choice options and other public-private partnerships. Furthermore, I explore the role of a critical, but underexamined state-funded audit agency, the Fiscal Crisis and Management Assistance Team (FCMAT), in suspending democratic representation of the Oakland school board in the name of 'fiscal vitality' and 'accountability.' The new democratic and participatory mechanisms being used by school districts are not a concession to communities, but rather a cooptation strategy to garner consent amid community pushback to reform efforts.

Governing austerity: a Gramscian analysis of racialized surveillance

American education governance, traditionally centered on the local school district's central office and elected school board, is both the place and the process in which stakeholders grapple with questions of power, both relational and systemic, in shaping the course of social change (Parenti 1978; Stone 2009, 227). Gramsci's (1971) theories of *hegemony* through the *war of maneuver* and *war of position* conceptualize the role of ideological struggle of market orthodoxy in shaping education politics in Oakland Unified by using tactics that obscure dissent and resistance (Tarlau 2017).

In analyzing the political economy from a non-economic lens by centering culture and ideology, Gramsci expands the conceptualization of *hegemony* from political domination by the state to broadly include the sociocultural production of consent. These struggles for power are categorized into two phases: coercion and consent. The *war of maneuver* predominantly uses *coercion* in a moment of struggle that takes place on one front, whereas the *war of position* is conducted in a protracted way across multiple fronts, mainly through generating *consent*. This distinction contests the idea that political struggles are located completely within the boundaries of the state sphere; rather, these differences cross state-civil society boundaries (as well as the market). Capitalist reproduction occurs through hegemony, rather than pure domination, as Western civil society evolved (Gramsci 1971, 235). Replacing a ruling class is a *hegemonic bloc*[2] of groups with different, sometimes conflicting interests and access to power that build alliances through a configuration of institutions, ideals, and social relations to maintain or transform political conditions (Apple 1998; Gramsci 1971; Levy and Egan 2003). Consent for market-making is generated through discursive mechanisms and infrastructure advanced

by a hegemonic bloc of policy actors that share funding, advocacy, and activism (Cohen and Lizotte 2015). Venture philanthropists, for example, and the policy networks that they fund have grown more sophisticated over time in 'philanthropizing consent,' a shift from traditional public-private partnerships to leading and building consent for public policy initiatives by leveraging philanthropic networks and convening power (Scott 2009; Tarlau and Moeller 2020, 6).

For Gramsci, coercion and consent are two sides of the same coin in that 'there is no pure case of coercion/consent–only different combinations of the two dimensions' (Hall 1986, 16). The 'continuing centrality of coercion in the governance system' is a critical piece of hegemony in that 'consent in civil society is always mediated by coercion or tacit threat – the "shadow of hierarchy"' (Davies 2011, 106, 2012, 2687). While consent is more prominent in advancing market-oriented education reforms, there are coercive elements driving financial mechanisms, such as audits on local governments. The way that the state engages or controls its citizens is mediated by place and the value placed onto groups of people. In this vein, working class communities undergo state surveillance, with private sector tools, while facing the brunt of austerity measures. Policing, auditing, and violence are more present in 'urban' spaces throughout the U.S., segregated Black and poor, simultaneous to political efforts that attempt to build consensus for market-based strategies (Gilmore, 2007). This work seeks to bridge racialized surveillance with school finance, where my conceptualization of *fiscal surveillance* identifies the legal tools that engender financial instability as a crime and fiscal agents as experts to identify managerialist solutions to depoliticized problems. As Gramsci (1971) explains, 'a "crisis of authority" is spoken of this is precisely the crisis of hegemony, or general crisis of the State' (p. 210 as cited in Hall et al. 1978, 177). Debt crises are not simply about mismanaging money, but rather challenges to authority in which resistance to the hegemonic order is punished (Hall et al. 1978).

Hegemony is a historically specific, temporary moment in the life of a society and actively constructed across many arenas and struggles. This notion of hegemony privileges the role of civil society in facilitating how dominant ideas can, as Williams (2005) explains, 'saturate the consciousness of society' and become commonsense, from everyday practices to the purpose of schooling (p. 37). Under neoliberalism, many ideas from the market sphere, like 'networks as governance' or the 'portfolio strategy' come to be the only solution to address social problems through negotiation and alliance-building. Crises provide moments in which hegemony can be challenged or propelled as influential policy actors advance discursive or disciplinary mechanisms to reframe and respond to social problems. Educational crisis, often characterized as 'failing' schools and districts, warrants an interrogation – to echo Hall et al. (1978) seminal work on crime and crisis – as to why American society criminalizes educational debt at this precise historical juncture of the 2010s and early 2020s (p. vii).

Research design and methods

This article presents a case study of a crucial historical period of education reform in Oakland marked by neoliberal surveillance and management. I analyze how the politics of crisis in Oakland Unified shaped policy actors' and community stakeholders' use of divergent strategies between 1989 and 2019 to advance market-based education reforms,

Table 1. Respondents by stakeholder type.

Stakeholder Type[a]	Number
Superintendents	1
District Administrators	4
School Board Members	5
Other Elected Officials	2
Principals	1
Teachers	4
Parents/Guardians	1
Students	2
Community Members & Organizers	2
Philanthropists	2
Advocacy Staff	5
Union Leaders	2
Charter Network Leaders & Board Members	5
Intermediary Organizations Staff	3
TOTAL	**38**

[a]Primary affiliation for each person.

three decades where the district underwent many reform initiatives and state intervention. Case study design carries the methodological tools to study multiple processes (policy, sociopolitical, economic, and historical) that intersect to shape a bounded case of local educational policies (Merriam 1998, p. xiii).

The analysis draws from data from interviews, participant-observations, and documents. From 2014 to 2019, I conducted 38 semi-structured qualitative interviews[3] with a range of policy actors and stakeholders (see Table 1). The snowball sample of interview participants was selected based on their representation of the diversity of educational advocacy and activism, neighborhoods, identities, and political strategies that exist in OUSD today as well as historical perspectives on the key events in the 30-year period of the study. My researcher positionality as a transplant-turned-community member shaped my interaction with stakeholders and analysis of the sociopolitical context. Within the highly politicized landscape of Oakland education, building rapport with ideologically diverse participants required transparency about the study's purpose and a curiosity to learn from different perspectives and experiences. Every interview participant cited in this article gave their consent to share their identity and organizational affiliation.

To illuminate the interaction between various constituencies and interest groups in the public sphere, I conducted in-person observations of 40 meetings and events from 2014 to 2019, including school board meetings, district community engagement meetings, bond oversight committee meetings, philanthropic-led panels, and political rallies. I collected and analyzed documents from 1989 to 2019, including policy briefs, school district materials, organizations' informational leaflets, state reports, news articles, and blogs and opinion editorials to provide multiple accounts of current and historical events.

My coding strategy blended inductive and deductive approaches; codes were drawn from the data as well as Gramscian concepts to analyze how fiscal and social crises shaped divergent approaches to educational marketization. Audit reports, news media, meeting minutes, and secondary research construct the issues and frameworks that precede the intensive fieldwork I conducted from 2014 to 2019. Triangulating data sources strengthened the validity of the evidence in this study: field research data was supported or challenged using historical and secondary data.

Oakland unified context

During the period of this study, Oakland topped the lists of the most 'exciting' places to live in the U.S., where 'new restaurants and bars beckon amid the grit' (Williams 2012), marking a sharp shift from the tax revolt where White people fled from 'urban ghettos' forty years earlier in this same region (Self 2005). State tax reforms of the 1970s, federal cuts to municipal services in the 1980s, and the 2008 Great Recession, which had a compounding effect on California districts, institutionalized the economic disinvestment that confine school district leaders today.

Over the three decades of analysis, Oakland served as a testing ground for mixing alternative, community visions of schooling with entrepreneurial, market-based education reforms to attract and serve its diverse student population (Lashaw 2010). The district underwent state receivership, or 'takeover,' in 2003 that replaced the democratic representation of its local board and appointed district leaders with a state administrator to manage district finances. During 1999–2006, the small schools movement inspired educators and organizers in the Bay Area looking to reform district bureaucracy to more closely align with their community and family-engaged vision (Honig 2009; Kissell and Trujillo 2020). However, despite early gains in test scores, student achievement eventually stagnated, and the Gates Foundation pulled its funding after four years.

After high enrollment and overcrowded schools defined OUSD in the 1990s, displacement and the proliferation charter schools in the 2000s led to a decline in student enrollment by more than 18,000 students, dropping from approximately 54,0000 students in 2000 to 36,000 students in 2019 (Oakland Unified School District 2020). In response to these challenges, OUSD has been at the forefront of educational initiatives like restorative justice, full-service community schools, and the African American Male Achievement program. District leaders are currently struggling to manage an increasingly bifurcated school system through a policy approach called the *portfolio strategy*, which aims to expand school choice options for students, families, and school operators, and give district schools more autonomy over certain areas (e.g. hiring, curriculum), while the district coordinates enrollment and other shared systems (Bulkley et al. 2010; Hill et al., 2001).

This mid-sized city of 400,000 residents has big politics; more than $825,000 in independent expenditures were poured into the 2016 school board race, including from Wall Street billionaire and former New York City mayor Michael Bloomberg, who gave $300,000 to an independent-expenditure committee with ties to charter-school groups (Tsai 2016). The local teachers' union has garnered more influence in recent years, culminating in the 2019 strike and pandemic walkouts with broad community support. However, during the three-decade span of this study, public education activists mostly struggled to coalesce a fragmented Left to match the power of market-oriented advocates. Together, Oakland's educational landscape highlights the layered issues that surround governance reorganization and community struggle in education reform.

Findings

Part one – war of maneuver: state takeover as coercion amid fiscal surveillance

Below, I show how the *war of maneuver* manifested in two critical historical and political moments in OUSD: the creation of FCMAT and the state takeover of the district. The founding of FCMAT in 1991 was a paradigmatic shift that gave an independent, yet state-mandated agency fiscal control of local governments. The state takeover of OUSD in 2003 created a policy window that spurred private contracting among its public schools. Venture philanthropists funded a *hegemonic bloc* of local and state officials who promoted 'restructuring' financial and organizational systems, thus, hindering political will to implement redistributive policies. Taken together, these events illustrate how a war of maneuver strategy used disciplinary tactics of 'fiscal crisis' to manufacture a political moment that suspended democratic participation.

State surveillance of debt amid shifting racial politics

Urban school districts serving high-poverty Black and Brown communities struggled in the 1980s, an era defined by austerity and welfare surveillance of racialized poverty. In the midst of these changes, a political and educational struggle grew in Oakland. Decades of a 'business-friendly' school board gave way to a multiracial leadership that was politicized through 'an activist-civil rights-Black power orientation,' recalled former OUSD board director David Kakishiba, an Asian American non-profit leader. This emergent political regime inherited a disinvested city and a burgeoning crack cocaine epidemic (Meisler & Fulwood III 1990), constituting an urban crisis for which they were subsequently blamed through the media's dog-whistle anti-Black messaging (Haney López 2015).

State and mayoral receiverships were gaining traction across the country as an aggressive reform strategy to support bankrupt districts through outsourcing the control of urban education to higher levels of governance, usually concentrating power in the hands of a few government officials. In the late-1980s, OUSD was marred with corruption and theft scandals involving Black employees, which received outrage from local residents and California officials alike (Mathis 1989). Oakland became one of the first districts to subvert state trusteeship in 1989 when the majority-African American school board, led by Sylvester Hodges, rejected a 10-million-dollar state loan and instead arranged 'certificates of participation' (COPs) as an alternative to pay off debt (Epstein 2006; Gordon 1989). Unlike bonds that require voter approval, COPs are a form of lease financing that allows school districts and other local governments to borrow funds by using school buildings and other district property as collateral (Legislative Analyst's Office (LAO) 2010; Rivera 2016). In the case of OUSD, lease payments on the COPS were at a lower interest rate than the state loan and did not involve increased oversight by state officials, making it 'a better deal' according to the district spokeswoman (Walker, 1989). Elected officials and community leaders sought to fix their financial and administrative problems through a strategy that enabled them to maintain local, representative governance. However, state and county officials contended that it was illegal for construction funds to be used to balance the general operating budget (Mathis 1989). The new OUSD superintendent, under the advising of the state-appointed trustee, instead balanced the budget by cutting programs and

instituting salary and hiring freezes to the frustration of the teachers' union District News Roundup 1992).

'Crisis management' in California became the new normal for many school districts in the decades following Proposition 13, which limited property tax revenue for public services in 1978. Between 1979 and 1991, 26 districts (and one county office of education) received emergency state loans (Taylor 2018). Around this time, FCMAT was formed in 1991 by state legislative action (AB 1200) as an 'independent and external state agency' to support troubled school districts and other educational agencies through a formal oversight process (FCMAT 2021). This legislation marked the beginning of state involvement in Oakland governance and finance, and set the standard that loans from the state would trigger state receivership of struggling districts. The concern for legitimate financial problems was anchored in a coercive surveillance model led by Elihu Harris, an African American state assembly member and future Oakland mayor. In 1990, Harris led an audit that prompted a state trustee in OUSD to oversee the budget, while the superintendent still ran the district's daily operations until the mid-1990s (Office of the Auditor General 1990). OUSD achieved the highest bond ratings and its audits indicated improved financial stability between 1990 and 1995 (Epstein, 2006; Oakland Unified School District 1995); however, negative press for its 'dismal dropout rates and achievement test scores' overshadowed the district's improvement (Merl 1991). Local leaders and community members invested in democratic governance were eventually outmaneuvered by a hegemonic bloc who leveraged bond ratings, credit scores, and, eventually, test outcomes. An industry of private sector 'expertise' extended the apparatus of audit culture (Rivera 2018), thus blurring the line between coercion and consent.

The actions of FCMAT accelerated neoliberal paternalism in California via fiscal surveillance, mirroring the national pattern of state or mayoral receiverships that disproportionately targeted African American-majority districts and elected leadership, regardless of academic outcomes (Morel 2018). Sustained local control in OUSD aligned with multiracial organizing efforts in the 1990s to serve Black youth and other youth of color, such as detracking, diversifying the teaching force, and the controversial Ebonics Resolution to teach African American Vernacular English. After staving off state intervention in a very public way, stakeholders expressed feeling targeted by state auditors. Residents and elected officials alike, including current OUSD board director Shanthi Gonzales, a Latina and South Asian woman, identified a racialized power dynamic:

> We have folks in Sacramento who have sort of racist attitudes toward Oakland [. . .] who just think of us as a lost cause full of incompetent people. And so I think that Oakland is not always treated in the same way that another district would be treated that was experiencing similar problems.

Dan Seigel, a White man who served as board director (1998–2006) after working as OUSD's general counsel, was also critical of the FCMAT staff and state officials' motives:

> I never felt any kind of compassion or concern from them about our children. It was all about balancing the budget. It's like the World Bank going into Brazil or someplace and saying, "Well, if you want our money, you're going to have to stop giving the people healthcare and free education, raise taxes, and let the multinationals do what they want."

In this iteration of economic crisis, or 'shock' to the system (Klein 2008), the narrative focused on the incompetence of Black officials rather than a longer legacy of 'ghetto schooling' where state disinvestment, charter laws, and audit culture propel neoliberal experimentation (Anyon 1997; Clark 1965). While Oaklanders had their criticisms of city leaders, their demands for transparency and community voice conflicted with the state's solution to replace democratic participation with managerial expertise. In this case, state officials viewed democratic representation as an obstacle and instead sought technocratic approaches.

The hegemonic bloc orchestrates a state takeover

Economic crisis catalyzed the significant changes to education reform in OUSD in the 2000s, a decade defined by neoliberal policy shifts at the state level as well as the racial politics of a diverse, working-class city rapidly undergoing gentrification. More powerful interests, from the mayor and state of California officials to intermediary organizations to philanthropists, set their eyes on Oakland's finances, stirring turmoil for the school board. The crisis was orchestrated by this hegemonic bloc of mostly, but not exclusively, White political elites, including the mayor.

Between two tenures as governor of California, Jerry Brown had returned to local politics in 2000 with his sights set on being the 'education mayor' of Oakland (Wong 2011). The mayor's education commission legitimized his efforts in consolidating power through three simultaneous strategies: founding two charter schools, attempting mayoral control, and appointing an additional three members to the school board, including his campaign accountant. Former board president Kakishiba explained that the presence of mayoral appointees on the board 'created a highly factionalized governing body for the district. There was an intense battle for control of the majority of votes, and ultimately it centered around who was going to be the next superintendent.' The school board bypassed the mayor's favored candidate to instead hire Dennis Chaconas as OUSD superintendent, a native Oaklander and popular district administrator. Chaconas rebuked the 'business manager' model of superintendency promoted by the hegemonic bloc, explaining, 'Unfortunately, many mayors see the school system as a means to their ends and not an end in and of itself, where education is a vibrant component of a quality community.'

Long-standing tensions around public oversight and democratic engagement in district affairs collided when Senate Bill 39 was passed by California lawmakers and enacted in 2003 after OUSD had amassed a deficit of $35 million dollars. The 'takeover bill' initiated a state receivership of OUSD that replaced democratically elected officials with a state administrator, Randolph Ward, trained by the Broad Superintendents Institute. The receivership effectively created a crisis strong enough to redefine hegemonic relations in support of appointing a state of California official to address the budget deficit, and yet, in practice, external control further deepened the structural deficits in the district. Furthermore, the exact cause of the deficit has remained as unclear and contentious as locating the actual amount of debt, which led to finger-pointing around who was to blame.

A very public and bitter battle ensued between former political allies, unraveling long-standing coalitions. The district's private legal counsel approved a temporary transfer of

bond money for school construction projects as an alternative to the state loan, which was similar to the board's response fifteen years prior. However, when OUSD administration proposed covering the shortfall with construction funds, its legality was once again challenged by county and state officials advancing a different plan:

> Tom Henry, the CEO of California's FCMAT, opposed this plan, and Mayor Brown questioned it heavily. Phone records later obtained by the Oakland Tribune revealed over 40 phone calls on key dates between Brown, Henry, and Randolph Ward, who would end up in charge of OUSD when it was placed under state control, in the two months before the state takeover. (Gammon 2003)

Instead, the state of California offered a 100-million-dollar loan, the largest in state history to any school district, on the condition that Superintendent Chaconas resign or be fired. Loyalties were divided among the school board members, who were split on which path would best get the district out of debt. Whereas some board members wanted to take on a legal battle with the state, others resigned themselves to the fact that the state was going to refuse them any financial support unless they accepted the loan's terms and conditions – a clear form of coercion that split the bloc. Once OUSD entered receivership, democratically elected school board members were stripped of their decision-making power.

From his view as a newly-minted school board member at the time, Gary Yee described the state takeover as a 'low point' in his career:

> It was the public humiliation from a governance perspective … the powerlessness. Even though people elected you to make good decisions, your decisions were meaningless. The board and I would meet with Randy Ward once a month but you knew it was just a façade. And during that time, there was a big flood of charter [schools], about 30 charters or so under state administration.

Board members were blindsided by the political dynamics of parastatal policy actors largely unknown to them. As Yee explained, 'There are institutional forces over which local governance is just probably not powerful enough.' In the end, the blame for complex issues fell on the superintendent while the structural challenges remained. Neoliberal hegemony, specifically the managerialist tendency, points to marketization as the inevitable solution to societal problems, which many board members admitted in retrospect that they were too naive to foresee.

In exemplifying the coercive tactics of the state's 'war of maneuver' strategy, the 2003 state takeover further destabilized OUSD rather than providing the support and fiscal vitality promised by state officials. Paradoxically, the district emerged from the state takeover with even more debt. After six years under a state administrator and the largest state loan ever made to a California school district, the budget deficit grew from $37 million to $89 million (Murphy 2009). In an attempt to 'take the politics out' of school improvement, politics simply took a different direction where policy entrepreneurs radically redefined the direction of education reform in OUSD.

Austerity-driven budget cuts to public schools are a coercive tactic in the Gramscian sense of serving as a disciplinary mechanism to maintain control of schools and society (Davies 2011). FCMAT is a parastatal organization that propagates the racial surveillance of working-class communities of color through the use of state receivership and other governing tools, instating Broad-trained African American administrators to carry out their work and present better racial optics. Crisis provokes the fear and confusion that

allows for suspending democratic rights, as seen in the state takeover of Oakland's public schools.

Venture philanthropists' portfolio project meets political resistance

With shrinking funds and declining enrollment, leaders of cash-strapped districts found themselves becoming more dependent on private donations than they had in previous years. The state takeover orchestrated by FCMAT and state officials made Oakland schools and students vulnerable to experimentation, an opening that was quickly identified by a national network of policy entrepreneurs. From a Gramscian perspective, the usurpation of philanthropic control in a context of persistent racialized poverty demonstrates the power of unelected managers to generate consent from political bodies and citizens through private pathways.

'We'll be observing from a distance, but we won't be running the district in any way, shape or form,' Eli Broad told the Oakland Tribune during the state takeover of OUSD (Katz 2003). This, however, was far from true. Multi-billionaire philanthropist Broad established his own training academy for school administrators in 2002 to produce educational leaders with business management skills, with some recruited directly from the private sector (The Broad Foundation 2009). Their theory of action, grounded in managerialist ideals, posits that superintendents should be managers and instructional leadership can be contracted out to consultants. Since then, four Broad alumni have led OUSD, three of which were appointed by the state, and notably, all of whom were African American.[4]

National foundations played a key role in early attempts at 'redesigning' the district through two complementary initiatives led by Broad residents. The 'Expect Success' program (2004–2014) was a multi-pronged initiative that included central office restructuring, expansion of school choice to 'two quality school options' per neighborhood, and targeted support and accountability for employees (Statham 2007 as cited in Vasudeva et al. 2009). As a component within the 'Expect Success' program, the 'Results-Based Budgeting' (RBB) policy (2005–2008) gave principals more discretion over spending as well as options to purchase from a wider market of suppliers, such as curriculum and consulting. As venture philanthropy rose to influence in US education policymaking (Reckhow 2012; Tompkins-Stange 2016), OUSD programs received funding from the Gates Foundation and the Broad Foundation, giving 10 million and six million dollars, respectively. The escalating crisis under the state receivership provided a policy window for portfolio governance and other 'autonomy-focused' initiatives to emerge (Kingdon 1995).

He reframed his foundation's effort to 'create a marketplace' as being 'supportive of the district' by holding fundraisers for the Expect Success initiative despite opposition by the teachers' union as well as some district leaders.

It quickly became evident that the ambitious plans to marketize the district fell short. The decade-long RBB initiative received mixed results over the years, including principals' complaints about deepening inequities in the district (Sullivan 2014), while Expect Success did not continue after the three-year grant ended. The Gates Foundation also pulled its multi-million-dollar funding of small schools in 2008, right before the board regained its power in 2009. Attempts at marketization through a 'service economy' lost

some consent among central office staff tasked with carrying out the RBB and other portfolio initiatives. In response to the ambitious three-year goal of district reorganization, Board President David Kakishiba said that the district personnel carrying out Expect Success 'must be high' to expect such a radical redesign of central office in so little time (Allen-Taylor 2006, para. 16). With the district left in disarray, the remainder of the $100 million loan, approximately $35 million, was requested by the state-appointed administrator in June 2006 (Fiscal Crisis and Management Assistance Team (FCMAT) 2007, 12).

The state officials' disciplinary tactics were met with resistance, yet community pressure alone proved to be a limited strategy to restore local control of Oakland's public schools. In March 2005, a crowd of 75 community members and youth gathered in front of the Oakland Unified headquarters on an overcast afternoon, carrying signs that read 'Oust Ward! Restore Local Control Now!' As they rallied outside of the building, six activists held a sit-in inside State Administrator Randy Ward's office demanding a meeting with State Superintendent Jack O'Connell to restore local control immediately as well as to end closures, layoffs, and charter expansion (Indybay, 2005). Kali Akuno, an Oakland educator who would go on to organize the worker-owned Cooperation Jackson, sat alongside the other activists in a circle as he said to the media, 'We do not recognize the current district leadership as legitimate [. . .] At this point we're just tired of the disrespect of the community' (Katz 2005). The handful of actions from the Coalition to End School Closures Now points to counter-hegemonic struggles where local actors took part in refusals rather than a straightforward translation of neoliberal policies (Wilkins 2018, 511). However, State Superintendent O'Connell, now firmly a target for the activists, maintained that he could not yet develop a recovery plan until fiscal issues improved and appointed two more Broad-trained superintendents after Ward stepped down. Once Oakland community coalition expanded to include state and local officials, they leveraged their power to stop the state superintendent from selling 8.25 acres of OUSD property to an east coast developer (Allen-Taylor, 2007). After three FCMAT reports found the district to have 'made strides' academically and financially, state legislation (AB 791) was passed in 2009 by a 44–26 vote to mark the end of complete state control of Oakland's schools.

The state takeover of OUSD had long-lasting effects that reverberated across the district in the years to come. Former OUSD interim superintendent Robert Blackburn (1974–1976, 1981) recalled the harm that the state takeover caused the school system and the city: 'State Superintendent O'Connell treated Oakland "like an absentee landlord with slum properties," and that the upheaval caused an exodus of families from district schools' (Murphy 2009). It can be argued that the district never truly left state receivership given the expanded role of the state trustee and the County Office of Education in district affairs since 2009. The state takeover of OUSD created the momentum for privatization in the years that followed through technocratic approaches institutionalized in its portfolio model.

Part two – war of position: manufacturing consent for portfolio markets

Whereas the war of maneuver concerned coercive, more disciplinary tactics that suspended democratic control through a state takeover, the war of position sought to

manufacture consent from community members on two fronts: cultivating grassroots support for school choice policies and redefining community engagement. The second finding demonstrates that as the district regained democratic oversight under a newly established portfolio district, central office and school board leaders continued to advance school closures, budget cuts, and common enrollment to keep the district 'financially solvent,' echoing austerity measures that state officials implemented during the receivership. In effect, surveillance moved from external policy actors to local officials, including democratically elected representatives, now carrying the burden of responsibility for a legacy of disinvestment.

Hegemonic bloc cultivates grassroots support in response to community backlash

With the Bay Area education landscape rapidly changing in the 2000s, concerns over resource scarcity between communities of color met political in-fighting among Oakland's power players. The state disinvestment in education created a political and financial chasm wide enough for philanthropists to have free rein to experiment with, and for advocacy organizations to mobilize parents around empowerment and racial representation in the new district market. Through 'war of position' strategies, venture philanthropists garnered consent in Oakland by bringing together ideologically diverse stakeholders into a cohesive coalition, or bloc of support. In acknowledging how his previous efforts led to community and union pushback, Rogers maintained that this earlier version of the portfolio strategy nonetheless had a lasting influence:

> As [state administrator] Ward was trying to institute these new internal policies, slowly but surely, the district was getting the power back to make their own decisions. Then, the school board took over. I think a lot of the work on the service economy kind of ended. But the work around the autonomies in the small schools continued to go forward underneath the school board when they received the power.

Rogers and others in the hegemonic bloc understood that the coercive strategy of suspending democratic, local oversight of urban public schools had a time limit. Moving forward, new school autonomies through a portfolio model of school choice were one way to generate community enthusiasm for district redesign.

National philanthropies and intermediaries have shifted their focus on charter management organizations to fund portfolio- and partnership-friendly districts. For example, The City Fund was founded in 2018 by two billionaires, Netflix's Reed Hastings and Texas philanthropist John Arnold, and has quickly become one of the largest K-12 education grantmakers focused on advancing portfolio models in districts across the country (Barnum 2020). Educate78, an Oakland-based education reform intermediary, received a $4.25 million grant in 2019 for continued support in the 'expansion of high-quality schools' (The City Fund 2019). In the process of manufacturing consent, district administrators, portfolio and charter advocates, philanthropists, and consultants largely ignored the detrimental impact of charter school policy and other market-based reforms and instead pointed to short-term solutions that did not interrupt the structural factors shaping educational quality.

What may appear to be a 'grassroots' organization mobilizing families around school choice often has deep ties with venture philanthropists, as was the case with Great

Oakland Public Schools (GO) (Jani 2017). Established in 2007 during the state takeover, GO is an education reform advocacy organization (ERAO) that grew into a critical force in Oakland educational politics in the years after the state takeover. GO was founded by Jonathan Klein, a White man whose previous work with Teach For America, the Rogers Family Foundation, and the state administrator made him a key player in reform network. After years of supporting charter school expansion, garnering philanthropic funding from high-profile donors like Michael Bloomberg, cultivating and politicizing school board candidates, and attempting to outreach to African American communities, GO staff channeled their school choice efforts towards a new iteration of the portfolio district in 2014. Klein explained his organization's vision of incorporating charters into the district, which by the time of the interview in 2013 had already reached 25%:

> However we got here, the leadership has to find a path forward that leverages capacity on both sides, but somehow brings the charter community closer to the district so that you can more intentionally manage the portfolio to say, "how are we going to expand high quality opportunity for African American kids?" and not have more schools that bleed each other.

Sweeping past 'how we got here,' the poor educational conditions facing low-income, mostly African American students provided the urgency to grow public-private partnerships in the district market. The early seeds of 'cross-sector collaboration' were rooted in the fact that many self-identified progressive advocates in Oakland no longer wanted to align themselves with the outwardly neoliberal, and increasingly scrutinized, charter movement, opting instead to promote unity. Organizations like GO manufacture community consent by being responsive to select racial justice critiques of privatization by supporting Broad-trained leaders of color, like Superintendent Antwan Wilson (2014–2017). Wilson advanced a number of market-based policies, including pushing through contracts with high-paid consultants and expanding charter schools, but was ultimately unsuccessful in implementing a common enrollment system.

In 2017, GO launched the 1Oakland Campaign, and in 2018, the board passed the 'Community of Schools' policy. The word 'portfolio' was used by the district in the mid-2000s, but portfolio proponents have since used different language to distance the project from its investment origins. OUSD director James Harris told *Chalkbeat* that he attended a conference hosted by the market-oriented Center for Reinventing Public Education a few years back where his 'biggest takeaway [was] don't use the word "portfolio" because it's such a hot button' (Barnum 2018). As evidenced in the board members attending the portfolio conference, many of whom were endorsed and funded by GO, the portfolio strategy is far from an organic idea as its proponents claim. Instead, it has been cultivated through consent-generating community engagement strategies that have made a hegemonic idea more palatable to local stakeholders.

The blueprint: redefining the terms of community engagement

As OUSD was redesigned during and after the state receivership using elements of a portfolio strategy, government and private sector leaders changed approaches in attempting to garner buy-in from Black, Asian, and Latinx communities. When district and non-district leaders re-gained their decision-making authority in 2009, they

reinstated some opportunities for community involvement. But in doing so, they also used these venues as platforms to justify the institutionalization of market-based strategies as drastic, yet necessary changes to how schools are governed, consequently redefining democratic participation. The limited community *engagement* practices were replaced with community *informing* sessions that felt largely symbolic to many participants.

The Blueprint for Quality Schools process, launched in 2017 with support from GO, is the community engagement arm of the portfolio strategy. Learning from the public backlash to past austerity measures that shuttered dozens of public schools, OUSD leaders were aware that not having community support for district plans would have consequences for policy implementation and for their own political careers. When tasked with developing a facilities master plan, the district staff and Jacobs Engineering Group formed a Blueprint advisory committee comprised 54 community members representing Oakland's diverse regions to help align the use of building space with school improvement goals. Once again, fear surrounding the financial crisis in OUSD led to calls for 'unity' between charter and district sectors as a means of creating a more 'equitable' education market for the most underserved communities. And that meant making tough decisions about school closures – collectively.

Some constituents questioned whether the district's strategies for engagement were authentic or tokenizing. Six months into facilitating the Blueprint Advisory Group, the Director of Community Engagement spoke in a resigned tone in her report-back at a February 2018 board meeting, admitting that this 'has been a very controversial process.' María Domínguez, a Latina lawyer from East Oakland and 'proud alumna' of OUSD, shared her experience as a member of the Blueprint Advisory Group, noting her appreciation for the opportunity to connect with 'other people concerned about the future of facilities,' but ultimately decided not to sign on to the formal recommendations. She urged the district to facilitate more honest conversations about the root causes of low student enrollment rather than only focus on closures: 'learn[ing] from the past mistakes of OUSD history should have been the starting point so that we don't repeat those mistakes.'

The handful of Blueprint members who made public comments at the board meeting listed other problems, such as lack of student voice and survey questions that were too 'leading.' Tim Brown, an older African American industrial engineer and OUSD teacher, chastised the school board for their $2.3 million contract with Jacobs Engineering Group:

> [W]hat does the quality of a school have to do with whether or not they have a bike rack? The analysis presented here is from the perspective of a company that wants to sell you a product, which is construction engineering, project management, [and] building new schools. It has nothing to do with educating Black boys.

In expressing his distrust, Brown likened the role of the consulting group to 'hir[ing] a drug company to come in to sell you drugs.' In contrast, Mimi Chen was one of the committee members who agreed with the majority of the school board that closures were inevitable under the current budget. Proud to represent her community as an Asian immigrant who attended OUSD schools, Chen urged district leaders 'to be really direct,

honest, and transparent with the community about the reality we face' because 'there were times when people on the committee felt like they weren't getting the true story.'

Another dynamic that felt uncomfortable for many committee members was their newfound authority to make decisions on behalf of all public schools. They expressed publicly that the district should be asking each school community directly about its strengths and weaknesses, rather than task community representatives with closing neighboring schools. The process lacked a needs and impact assessment to understand how school closures and consolidations reverberate throughout the city. Kim Davis, a White parent, public school advocate, and Blueprint advisory committee member, was pleasantly surprised by the effort from community engagement staff to form a group of participants with diverse ideologies and affiliations, including critics of past district initiatives like herself. However, despite the plethora of information from OUSD staff and consultants, she needed more than test score data to understand the value of a school. Davis detailed the 'frustrating' experience as the district went full speed ahead with its plans: 'I felt like it was a valuable process, but I don't feel like we should be finished. [...] But, the district has made the decision that they're moving forward at their pace because, again, community engagement slows things down.'

District staff, such as those in the community engagement department tasked with carrying out the Blueprint process, did not explicitly seek to employ war of position tactics. They did not view themselves as anti-democracy, but conceptualized democratic engagement as appointing representatives for diversity purposes to make decisions within the district's parameters. In defense of central office management, longtime board member (2002–2013) and interim superintendent (2013–2014) Yee expressed skepticism over whether 'democracy leads to better outcomes or not [...] As the superintendent, I'd rather it be less democratic and more bureaucratic. I'm the manager.' In contrast, board member and public education activist Mike Hutchinson stressed that 'community informing' is not an authentic form of engagement:

> What's happened over and over is the school board staff and school board members will come up with a plan, and they try to figure out a way to sell it to the community through an engagement process. Usually, they will come and inform the community about the decisions that has been made [...] from construction projects to huge policy decisions to school closures.

He described a performative form of democracy, where central office administrators changed the process of engagement to appease community activists while still moving towards the same end goal of budget cuts and school consolidations.

The tensions around 'authentic' community engagement within the Blueprint for Quality Schools Report (2017–2018) were a culmination of two decades of attempts to improve district-community relations. The assumption in this initiative, which undergirds similar projects in the late neoliberal era, is that community members' engagement in closing their own schools and making their own budget cuts would lead to a more 'equitable' or 'democratic' process. Despite the good intentions of many district staff and consultants involved in the process, democratic engagement through formal OUSD committees served as tools to manage public dissent in an attempt to generate consent for pre-determined decisions.

Discussion and conclusion

Gramsci's theory of hegemony illuminates how the commodification of schooling permeates interpretations of policy dilemmas and political strategies by unpacking market orthodoxies that are 'deeply saturating the consciousness of a society' (Williams 2005, 37). The first finding on the *war of maneuver* outlined the creation of a parastatal audit agency along with multiple attempts at a state takeover of OUSD as a coercive strategy that demarcated a line between external and local provision of Oakland's public schools. The second finding on the *war of position* examined the ramifications of this disciplinary approach, which incited backlash and politicized many parents and guardians, educators, and community members. These locally situated examples of education policy enactment, resistance, and evolution articulate the many paths of neoliberal reform within global political economic patterns, and thus, pointing to the importance of studying the 'local rhetorics' that guide shifting strategies of control (Ball 2009; Verger, Fontdevila, and Zancajo 2017).

parastatal actor empowered by the state of California but not accountable to its constituents, FCMAT played a key role in generating the coercive side of hegemony, wielding crisis-ridden contexts to propel privatization in the name of efficiency. Parastatal organizations, like FCMAT, discipline school districts by controlling the budget and threatening local authority, similar to 'supranational state-like agencies' like the World Trade Organization, World Bank, International Monetary Fund, and the United Nations (Burawoy 2003, 251) that serve as 'hegemonic entities' (p. 241) in collaboration with the U.S. and other nation-states. Paralleling the ways that global uprisings against austerity are met with harsher policies and violence, the resistance from local stakeholders and board directors in 1989 buffered OUSD from receivership, yet eventually led to harsher punishment in 2003 with financial consequences into the 2010s. Even when district leaders believed to have agency in their decisions to cut programs, FCMAT still played an influential role in assessing, scrutinizing and ultimately lending surveillance tools to local authorities. Hence, the state takeover had long-lasting effects on the city's leadership and educational priorities, where budget woes continue to limit the realm of political possibility 12 years later.

Despite the attempts from local elected leaders and community members to regain control of OUSD, they could not buffer the district from political actors that grew influential under the neoliberal reform era. In the face of growing community resistance, a hegemonic bloc comprised policy entrepreneurs, state and city officials, philanthropists, and other political elites was sophisticated enough to maintain neoliberal hegemony through other tactics. The portfolio strategy became the policy solution, a compromise of sorts, that felt organic to local pressures and the history of education reform in Oakland. Portfolio districts are micro-configurations of the global dynamic described above, suspended between external discipline by way of fiscal management (coercion) or local community engagement (consent). Whereas the architects of the portfolio strategy undertheorized the role of local participation twenty years prior, if not completely excluding them, advocacy organizations and think tanks today are focused on mobilizing parents, students, and teachers around reforming district-charter relations (see Hill and Jochim 2014). As various district operations are privatized, the mechanisms that facilitate

engagement are also changing, which echoes global trends of community-engaged decentralization and privatization (Edwards 2018).

Democratic engagement initiatives in local education agencies are largely the result of pressure from families and other community stakeholders. The hegemonic bloc eventually had to respond to community members and staff who were vocal about their discontent with budget cuts, school closures, and other austerity measures. But committees, listening sessions, and board meetings can also serve as a tool for 'manufacturing consent' for district marketization (Burawoy 1982). While advancing privatization was intentional for certain elite policy actors, there were many people, particularly in the district community engagement office and at the grassroots levels, who were sincere in soliciting community involvement to improve the educational opportunities for all students. Rather than a nefarious attempt to squelch community voices and intentionally give power to corporations and billionaire donors, manufacturing consent in practice often looks like mismanagement and limited capacity for authentic community involvement. Market-making in education has relied less on brute force and more on convincing the public of the merit of market principles (Turner 2018) – a 'war of position' in the Gramscian sense (Gramsci 1971). In order to garner support for charter school laws, mayoral takeovers, and school choice policies, 'the public itself must be convinced of the merit of market or market-like principles, especially the principle of choice as a means of empowerment for students and their families' (Cohen and Lizotte 2015, 2). In the case of OUSD, leaders were incentivized to partake in bold philanthropic experiments rather than measured approaches to address opportunity gaps and mismanagement. For many involved, it was less about an ideological commitment and more about adhering to market orthodoxy – 'there is no alternative' (TINA) as Margaret Thatcher infamously said about the efficiencies and inevitability of the privatization of public services.

A Gramscian approach to governance illuminates that coercion and consent are on the same continuum of hegemony, where the tacit threat of coercion is key to building consent for dominant ideas (Davies 2011). As Davies (2011) explains, the empirical challenge is 'to understand the dynamics of coercion, consent, and resistance that constitute any hegemonic configuration' (p. 103). In the case of OUSD governance restructuring, the disciplinary measures are financial audits, and the fear of losing democratic representation and local control pushed education leaders to implement policies that have deepened unequal conditions for working class Black and Brown students. I argue that these seemingly more democratic means do not justify the harmful ends.

Notes

1. All quotes are from first-hand data collected through interviews and fieldnotes, unless indicated otherwise through second-hand sources.
2. Gramsci (1971) originally called this the 'historic bloc.'
3. Ten of these interviews came from a five-year oral history project of OUSD with Dr. Tina Trujillo, of which I was a graduate researcher, and were re-analyzed for the purpose of my study.
4. Randy Ward (2003–06), Kimberly Statham (2006–07), Vincent Matthews (2007–09), and Antwan Wilson (2014–17).

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