

**AN ESCAPE FROM SCHOOLING:  
FUGITIVE LEARNING AND EDUCATIONAL FLIGHT**

by

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**A Dissertation**

Submitted to the Faculty of  
the College of Education  
Texas Christian University

in partial fulfillment of the requirements for the degree of

**Doctor of Philosophy**



May  
2023

## APPROVAL

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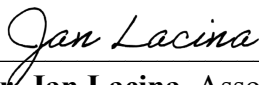
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## ACKNOWLEDGEMENTS

I want to thank the educators who have supported, guided, and encouraged me. Thank you to my middle school language arts and reading teachers, Rosie Alexander and Kathy Feist, who nurtured my love of literature and writing. Thank you to Neil Easterbrook, Mona Narain, and Theresa Gaul, who introduced me to the power of critical theory, culture, and history. Thank you to Mark Dennis and Darren Middleton, who modeled a spiritual and compassionate connection to life. Thank you to Cathy Chaput, Chris Earle, Chris Mays, Elisabeth Miller, and Bill Macauley who inspired dedicated study to critical rhetorics and composition pedagogy. Thank you to Graham Slater who introduced me to educational foundations and encouraged me to pursue a PhD. Thank you to Fran Huckaby, who has been a vital mentor, teacher, and guide during this process. Thank you to my committee members, Gabe Huddleston, Jo Beth Jimerson, Carmen Kynard, and Abraham DeLeon, who have provided critical feedback, encouragement, and mentorship on this project and continue to inspire my thinking around educational philosophy, social justice, and teaching. All of these teachers have created authentic spaces for me to explore. I will be forever grateful for these opportunities, our discussions, and the person you have helped me become. Thank you to my friends who have brought me so much happiness, joy, and laughter throughout my life. Thank you to the hundreds of students I have had the honor of meeting, teaching, and learning from over the last 11 years. You continue to inspire my work in education. Lastly, many thanks to my family. There is no way I could have completed this project without all of your support and encouragement.

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## ABSTRACT

This dissertation takes up divisions between schooling and education in the United States. Specifically, this project conceptualizes restrictions in institutional schooling and possibilities in fugitive education through a philosophical and historical framework of liberation and freedom. Through a critical, theoretical, multidisciplinary exploration, this dissertation argues that centering Black fugitivity can help school leaders, teachers, students, and activists erode limitations that confine spaces of learning to support, value, and explore spaces of education that already exist in the everyday. This project presents a theoretical framework of educational flight away from spaces of state normativity toward generative, creative spaces of being and knowing.

*Keywords:* schooling, education, fugitivity, liberation, freedom

## **CHAPTER 1**

The traditional way of education was by example, experience, and storytelling. The first principle involved was total respect and acceptance of the one to be taught, and that learning was a continuous process from birth to death. It was total continuity without interruption. Its nature was like a fountain that gives many colours and flavours of water and that whoever chose could drink as much or as little as they wanted to whenever they wished. The teaching strictly adhered to the sacredness of life whether of humans, animals or plants.

—Art Solomon, *Songs for the People*

### **INTRODUCTION: SCHOOLING ≠ EDUCATION**

A hegemonic practicality runs through educational research, the corporations that package it, and the schools that buy into it. In this project, I step back from the managed reality of curriculum and instead ask a series of questions that can extend conversations curriculum theorists have had over the last century:

1. What knowledge is of the most worth and who gets to decide?
2. What is liberatory education and who gets to decide?
3. What justifies the state's broad control of the child's educational experience?
4. What freedom-producing educational realities already exist?

In 1968, Jackson noted:

The school attendance of children is such a common experience in our society that those of us who watch them go hardly pause to consider what happens to them once they get there. Of course, our indifference disappears occasionally.

When something goes wrong or when we have been notified of [their] remarkable achievement, we might ponder, for a moment at least, the meaning of the

experience for the child in question, but most of the time we simply note that our Johnny is on his way to school, and now, it is time for our second cup of coffee.

(p. 33)

At present, various communities' relationships to their local schools and state schooling more broadly are anything but indifferent. Discussions around critical, cultural, and self-selected forms of learning are part of a national conversation—the meaning of a child's experience in school is being hotly debated in public, in media, and among friends, family, and colleagues. Discussions around worthwhile knowledge, which is a question at the core of curriculum studies, are more pronounced, hostile, and complex today than at any point in my life. Academics, teachers, administrators, and students across the country who have ignored, disregarded, or otherwise not focused on these serious discussions through a color-blind, sex-neutral, and heteronormative ideology are now forced to pay attention. While I find value in educational research that finds practical interventions in the system of public schooling with the goal of ongoing improvement and movements toward social justice, I suggest that if we give only limited attention to educational philosophy, historical formations, and political context surrounding these issues then we lose the power of critique and, therefore, the power to restructure our institutions and dismantle inequitable systems. Suppose we exchange the potential for structural transformation for mere iterative revision within the same structure, refuse to repeatedly ask fundamental questions about education in new contexts, neglect to revisit these inquiries, and claim perennial answers as our own. In that case, we undermine ourselves and our students and abandon praxis altogether.

An uncritical attachment to the value of time in schools, an adherence to the daily grind, cordons off possibilities for these institutions. We come to accept them in all their fixity and begin to find questions that trouble them unreasonable. When we send children to school, what do we hope the institution will do for them as living, thinking beings? When we arrived at the school doors as little kids, what ways of being and knowing did we possess? What did we dream about? When teachers greet the first class of students on the first day of the semester, what are their intentions? Are these hopes, dreams, and intentions fulfilled as they emerge, or must they always comport to the practicalities of the institution? For many children, schools are sometimes brutal spaces where wonder dies. For many others, at times, they are also spaces of comfort, imagination, and exploration. For many teachers, schools are spaces where the care and creativity that attracted them to the profession in the first place are conquered by administrative discipline and functionalism. For others, they are a space to practice and hone their craft, inspiring thousands of children throughout a teacher's career. I hope that this project, in some small way, speaks back to these realities with the overarching goal of improving the lives of children and adults inside and outside schools. To accomplish this, I provide a framework for looking at the philosophy and history of education in a way that centers Black fugitivity as an exemplar of educational liberation and freedom.

An underlying distinction that runs through this project is the conceptual difference between schooling and education and the claim that they are not equivalent. In what follows, I make deliberate choices to refer to some learning contexts as schooling and others as education. Likewise, I refer to schooling institutions and educational spaces to distinguish between transient locations where learning occurs. Importantly, these two

conceptualizations are not binarized and cleanly separable. Instead, educational spaces exist inside institutions of schooling, and, likewise, schooling's tendencies toward social reproduction often emerge in educational spaces. Therefore, when I refer to schooling, I am not referring to a particular institution but rather the direction that the institution takes in curriculum and instruction. When I refer to educational space, I refer to a space of possibility that may be initiated or disrupted at any moment. Likewise, opportunities for creating educational space exist inside institutions of schooling. In many cases, these two spaces are the same.

Hamilton and Zufiaurre (2014) describe the difficulty in separating schooling and education, noting that “rebuilding schooling as education, and replacing inequality with inclusion and creativity is a challenge that faces all humanity” (p. 27). Shujaa (1993) argues that schooling perpetuates hegemonic power relations. This difference between this kind of schooling and education is what Shujaa calls a “strategic differentiation” (p. 329), where schooling maintains and develops a specific kind of culture for minoritized people based on race. On the other hand, education “emphasizes the exigencies of African American culture over those of the nation state” (p. 343). Along similar lines, Stovall (2018) notes that since schooling “seeks to impose the assumed beliefs and cultural values of White, Western European, protestant, heterosexual, able-bodied cis-gendered males as the normative standard,” it follows that education is a rejection of this imposition (p. 52). In Stovall's formulation, education functions as both a rejection of state-imposed, normative ontoepistemologies and, following Shujaa, a matter of cultural emphasis on non-normative ontoepistemologies.

Given the relative absence of critical perspectives about these hegemonic norms in formal schooling alongside a reluctance to decenter them in exchange for much beyond multiculturalism, it may be assumed that little education, as defined by Shujaa or Stovall, actually occurs in schools. I want to highlight this as a bifurcated strategy for fugitive learners and teachers: a flight toward collectivism and autonomy in spaces of safety and away from the state imposition of normative ways of being and knowing. Since these strategies of structural critique and educational flight are often present in the same institutions, I am not claiming that some spaces are pure while others are corrupted. Instead, possibilities of freedom and liberation from constraint are always up for grabs.

The crux of the matter is that schooling commodifies life, and education nourishes it. Through the state's power, the public education system attempts to norm what students and teachers ought to become, what they ought to know, and how they ought to act. Deviations from these normed ways of being, knowing, and acting are met with state-sanctioned discipline. Attempts at normative permanency communicate through a de facto hidden curriculum precisely what students and teachers should not become or know or act like under threat of punishment. Along these lines, consider how the people who operate outside of these norms are routinely devalued in myriad ways—as future cogs of capitalist production, as civically-oriented democratic participants, as moral agents in society, and so on. Denying a student's non-normative way of being and knowing denies them access to economic prosperity, politics, and humanity. If students believe civic engagement involves disruptive protest, their political agency is prohibited. Similarly, suppose a student wishes to spend time learning about a concept or discipline outside the confines of state-endorsed formal curricula and measurable outcomes. In that case, their

effort is not rewarded in grades—the currency in which schooling trades. Schooling has found a means to align itself with liberation, capturing the means of escape from these barriers to freedom while simultaneously reinforcing them. The state promises liberatory potential through institutions like public schools even as it limits liberatory possibilities to full participation in its institutions. Along these lines, schooling shapes the contours of achievement. It defines the rules of the game of success. It motivates transformational change within the student, reflecting the society in which it is embedded, in the name of social efficiency.

Pezone and Singer (2003) state this rather plainly: “a society has the school system it deserves” and “denouncing the poor quality of education is like blaming a mirror because you do not like your reflection” (p. 145). Along these lines, schooling is a mirror that reflects a harsh reality off campus. As Durkheim (1897/2002) pointed out, schooling

is only the image and reflection of society. It imitates and reproduces the latter in abbreviated form; it does not create it. Education is healthy when peoples themselves are in a healthy state; but it becomes corrupt with them, being unable to modify itself. (p. 340)

He goes on to note that “education, therefore, can be reformed only if society itself is reformed” (p. 340), rejecting the notion that education can be a force for social change. Instead, it works the other way around. This view reflects a militaristic attempt to refashion students and teachers into particular kinds of laboring beings that reflect the values and beliefs of society, and the roles society prescribes. Indeed, schooling is about instilling a two-way sense of worth. First, how one comes to value oneself, and second,

how one values social ephemera. Taken together, through the process of schooling, self-worth becomes aligned with what is valued in society. The use value of a student's interests and talents, which result in a tangible product, are supplanted by their exchange value in a labor market. I argue that schooling seeks to commodify the entirety of the human body and life itself—mirroring society off campus. Schools accomplish this by proceduralizing the endowment of specific human attributes with value while devaluing others based on social and economic efficiency. In short, schooling is one institutional mechanism to instill society's vision of humanity-as-human-capital into children (Feher, 2009). Of course, it is often unsuccessful. This desire to resist schooling and take flight toward education is represented in the divide between “aspirations of the authentic self and the kind of optimizing calculations required by the business world” (p. 33). Despite its standardized curriculum, teachers and student collaborate to deviate from this instrumentalized content, spurred on by their collective interests and present context. Despite schooling's often scripted pedagogy, students and teachers continue to learn with nuance and complexity. Despite state legislation that would ban classroom conversations around racial oppression, sexuality, and gender identity, these risk-laden conversations persist among leaders, teachers, and students—often emerging from the latter.

In opposition to schooling and given the current context of public institutions, education should be conceptualized as a fugitive practice. These are instances of fugitivity as teachers and students collaborate to deconstruct their lived experiences. Students are often the catalyst for fugitivity in their own lives. However, often they do this work in collaboration with teachers and leaders who actively resist the harmful aspects of schooling and provide educational space for one another. Fugitive learning is

just one of many overlapping educational practices. Conceptually grounded in radical Black philosophy, fugitivity is a creative practice that Campt (2017) describes as a set of “nimble and strategic practices that undermine the dominant” (p. 32). In this theoretical and historical dissertation, I explore these fugitive practices, relating fugitivity to educational praxis through a multidisciplinary approach. I take this approach rather than using conventional research methods because fugitivity is, by definition, elusive. The degree to which educational fugitivity obscures itself, and the reasons why, will become clear. Ultimately, my objective is to open up conversations around fugitivity and explore fugitivity as it existed historically and persists in everyday life to undermine schooling’s dominance. More specifically, I hope this discourse on fugitive ways of being and knowing is helpful for students, teachers, leaders, and activists who believe, as hooks (2014) did, that education is a practice of freedom in opposition to “education that merely strives to reinforce domination” (p. 4).

Like hooks (2014), I am concerned about the rarity of resistance and transgression in education as a “movement against and beyond boundaries” (p. 12). The academy’s most radical space of possibility for hooks is the classroom. While I agree with hooks and feel a sense of possibility in the university classroom, other spaces in K16 systems and the public sphere deserve our attention. I suggest the most radical learning spaces are not enclosed, instrumentalized spaces with desks, a whiteboard, and a teacher with liberatory intent at the front of the classroom. Instead, I hold that these spaces of radical knowing and being are routinely hidden. Attempts to merge these spaces under the guise of diversity without anti-racism or queer affirmation and multiculturalism without a transgressive interrogation of hegemonic culture will be met with strategic institutional

complicity. There is more power, I suggest, in education that emerges in the space of everyday life. This discretion is because an assemblage of psychological and material ramifications emerges for the transgressor when the dominant structures of education are undermined, and these boundaries are pressed. The rarity of transgressive education can be linked to a storm of consequences in formal education spaces. This storm cannot be placed within a binary moral framework or reductive claims of good or bad policy. There is a fear and confinement concomitant with the nourishment of being when one crosses lines into new ways of knowing. Fugitivity is a concept that allows for theorization in the wake (Sharpe, 2016) and within the break (la paperson, 2017)—a transgression pushing past the negative and positive charges of social demands to change the landscape toward educational liberty and freedom.

The word liberty implies liberation from some system of oppression. Therefore, educational liberty is premised on eliminating existing oppressions in educational systems. The next three chapters are focused on detailing these restrictions and their origins. Here, the emphasis is on liberty rather than freedom. Dworkin (2011) distinguishes between the two, noting that:

Though the terms “liberty” and “freedom” are sometimes used interchangeably, I shall distinguish them in the following way. Someone’s total freedom is [their] power to act in whatever way [they] might wish, unimpeded by constraints or threats imposed by others or by a political community. [Their] negative liberty is the area of [their] freedom that a political community cannot take away without injuring [them] in a special way: compromising [their] dignity by denying [them] equal concern or an essential feature of responsibility for [their] own life. (p. 366)

Negative liberty is premised on the kind of injury to one's dignity that occurs in educational institutions via threat and constraint. This is rooted in the liberatory claim "that people must be free of coercive government over some substantial range of their decisions and activities" (p. 365). While Dworkin and other political philosophers who have taken up the division between freedom and liberty (Berlin, 1958/2017; Pitkin, 1988; Williams, 2001) use the term government in a pragmatic sense, I use the term governmentality here more broadly. Michel Foucault's 1978-1979 lectures at the Collège de France (2008) describe the steady shift from liberalism to neoliberalism that began in the mid-18th century and the governmentality that permeated this transition. Foucault uses the term governmentality to describe how people and institutions rule one another and themselves.

Governmentality specifically refers to the methods, routines, and discourses employed to control individual and population behavior to accomplish particular goals or objectives. Along these lines, Foucault defines liberalism as a "new art of government that consumes freedom" and yet "appears as the management of freedom" (p. 63). Foucault provides the following formula for liberalism: "I am going to produce what you need to be free. I am going to see to it that you are free to be free" (p. 63). Along these lines, since "liberalism must produce freedom," it also necessitates the "establishment of limitations, controls, forms of coercion, and obligations relying on threats" (p. 64). This formulation results in a significant political problem wherein "devices intended to produce freedom...potentially risk producing exactly the opposite" (p. 69). Schools, along with other state institutions, seek to manage freedom—in its positive formulation—through the imposition of certain liberties. The state and its institutions choose and have

chosen specific liberties granted to its citizens through identitarian categorization.

I suggest that, in education, students' rights are a frontier for progressive notions of liberty. The U.S. system of government assumed children had no rights from the outset. Along these lines, today, children's liberties are more akin to those afforded to women and people of color throughout U.S. history. Through the legal system, children have been granted increased freedom of speech in schools in *Tinker v. Des Moines* (1969) and, more recently, out of schools in *Mahanoy v. B.L.* (2021). Through a system of racist, sexist, and ageist infantilization, a hierarchy of liberty and freedom is constructed, built on a foundation of constitutional privilege for some that have remained unassailable by the legal system up to this point. While the civil rights act, women's reproductive rights, marriage equality, and other liberties afforded by the U.S. Congress and the Supreme Court are always up for review, revision, or elimination, the heterosexual white man's fundamental liberties and political access are enduring as the center of natural rights. In our current context, however, children are the only category compelled to attend state institutions, forcibly coerced into accepting a given social hierarchy through schooling.

Of course, there have been attempts to fundamentally change this reality and dismantle the structural inequities built into schooling. However, these approaches, values, and practices are only possible if those seeking structural change have some degree of institutionalized power. Also, research in educational liberation must overcome the domination of practicality over theorization in the field. Due to the data-driven corporatization of schools, it is a difficult sell to persuade school leaders to spend time on unmeasurable abstractions like liberty and freedom rather than the pooled data analysis that their income depends on. Gert Biesta (2009) argues that the measurement obsession

in education has narrowed our inquiry to technical validity and denies normative validity. He notes, “this is the question whether we are indeed measuring what we value, or whether we are just measuring what we can easily measure and thus end up valuing what we (can) measure” (p. 35). Liberation from inequitable structures is not easily measured and far less easy to measure than proficiency on a particular curricular standard through standardized assessments. Freedom is not standardized, nor is it assessed. Instead, liberatory pedagogy operates as an ideal that may augment the formal curriculum's development and the enacted curriculum's application. I argue that one pathway toward this ideal is through an understanding of fugitivity and its central relationship to education.

Olivia McNeill (2021), in conversation with Bettina Love, Leigh Patel, and David Stovall, notes:

I understand fugitivity, particularly Black fugitivity, as a transgressive refusal of state violence. I think that it can often look like not only fleeing domination but also convening our people in order to collectively create systems that really love us. (p. 117)

In this definition, the flight is from violent state institutions toward a space of healing and love. This fugitivity constitutes a refusal to solely engage in the formal, institution-making process to shift community learning and life circumstances. Therefore, fugitivity entails the rejection of institutionalized ontoepistemologies through the act of departure and a parallel creation of spaces of safety, learning, and love that radically bar oppression. These fugitive acts of belonging are generative of life. In a fugitive space, learners can engage in collective self-direction, paraontological play, and forms of

(re)creation toward uncoerced ways of being. By resisting the silence of schooling and inviting what is often deemed uncivil in spaces where this resistance resonates, fugitive learners queer normative epistemologies. When joy, affinity, and presence replace apathy, antipathy, and absence in these fugitive spaces, learners can prefigure a counter-institutional ethic of horizontality. They are already doing so.

This two-way approach forms the structure of this dissertation. The first part of this dissertation focuses on the violent manifestations of oppression in the public school system. The second part focuses on the catalytic pressure of educational fugitivity, and the learning derived from this flight. Bounded by conceptions of negative and positive freedom, each part provides insight into critical and applied ontologies and epistemologies of learning. As a result of the ontoepistemic process of learning, the day-to-day activity of the school can split the student into a child of the institution, a child of the state, a child of herself, her family, her community, and so on. This split may catalyze a search for identity—a reevaluation of being, knowledge, and worth in society. The awareness of the nation's failure and its institutions and the oppressions that stem from these failures are a series of causal moments for an ontoepistemic split. In a series of moments of refusal, transgression against state institutions becomes a catalyst for fugitive departure toward spaces of safety, love, and education rather than spaces of violence, hostility, and schooling. I believe fugitive learning should be a more influential concept for deconstructing everyday life in schools.

Nickel (2007) characterizes lived deconstruction as “that which happens in everyday life that denies the myth of the success of the late capitalist state” as “the public’s own mode of critical theory” (p. 206). The hyper-planned spaces of corporate

offices, K12 campuses, and universities seek to be institutions of the everyday. For students, teachers, and workers, these institutions dominate their lives, leaving them with little time outside their commitment to labor. However, these institutions are routinely met with resistance, recently conceptualized as quiet quitting—doing enough labor not to get fired but refusing the compulsion to live to work and consciously taking control of work-related burnout. Quiet quitting and resistance to labor highlight a general awareness of various neoliberal myths, including the myth of meritocracy (McNamee & Miller, 2009) and the American dream (Wyatt-Nichol, 2011). As comedian George Carlin (2006) pointed out, “the owners of this country know the truth—it’s called the American dream because you have to be asleep to believe it” (43:55). Resistance to these myths, and workers’ understanding of them as such alongside action, is critical theory in practice. These actions—including the decision not to labor—are “an interrogation of the myth of the harmonious system” (Nickel, 2007, p. 206). Fugitive learning, likewise, is an academic interrogation through active freedom. It is a resistance to institutionalized American mythos and radical flight toward prefigurative spaces of educational freedom. These “alternative ontologies” constitute “legitimate knowledge about the truth of the system” (p. 206) when they arise in the context of the everyday activity of schools.

Schools, when understood as institutional extensions of the state, are political constructions that compel children into their space of production. Setting aside ethical questions about whether schools ought to be doing this, which will be taken up later, the widespread prevalence of fugitivity indicates a genuine desire by children to abandon these state institutions, even for a short period, at risk of state punishment. What would explain this common phenomenon? For the school leader, some indeterminate number of

students will be absent on a given day or skip classes. Teachers can expect a certain number of students to be absent without some cause, manufactured by the family or otherwise. As I will discuss in a later chapter, students may be materially present but engage in subtle forms of paraontological absence. We have accepted the widespread cultural reality that children intrinsically do not wish to be at school more than they wish to be with their parents, friends, or on their own. On what grounds have we accepted that they should be returned to the institution without a critical eye toward their rationale? What presuppositions have we internalized that point to the complexities of laziness, apathy, or a child-like drive of enjoyment over rigorous training rather than the basic desire for autonomy? Throughout this dissertation, I will argue that these passions have been harmfully undermined and ignored in educational theory. Students and teachers' lives have been woefully written off in exchange for a myopic focus on improvement as determined by standardization. Those who refuse the structural impositions of schooling can point us toward what it means to be liberated through self-directed, fugitive learning that exists as a refusal of the limits of authoritarian schooling.

One goal of this project is to conceptualize schooling institutions to promote a sustained critique of its system of restrictions that limit educational liberty. These restrictions are too much for many students and teachers alike. As a result, they take flight. A second goal of this study is to trace this flight through theories of fugitive learning to outline new conceptual frames for liberatory education. Along these lines, this project is not the end but the beginning of a discussion. The construction of social and educational theory is always an ongoing process. As contexts change and our institutions of schooling progress or suffer regression, new understandings must be (re)formulated in

light of new challenges. This project is one reformulation that may be useful for educational theory, learning philosophies, educational activism, curriculum development, and classroom pedagogy.

In the construction of social theory and critique, Patricia Hill Collins (1998) asks us to ask the following four questions (pp. 198-99):

1. Does this social theory speak the truth to people about the reality of their lives?
2. Does this social theory equip people to resist oppression?
3. Is this social theory functional as a tool for social change?
4. Does this critical social theory move people to struggle?

For oppressed groups, these questions concern how effectively critical social theory provides moral authority to struggles for self-definition and self-determination. Although this project will not speak to the reality of everybody's life, I hope this exploration into schooling, education, and fugitivity can speak to some modicum of collective experience in the public-school space. While much of this discussion will revolve around students and teachers, the discourses I engage in also support the work of transformative leadership, activists for educational freedom, and researchers who advocate for liberation in our public schools. Given the complexity of educational institutions, their diverse approaches to schooling and education, and the abundant diversity of identity and experience that all involved bring into these institutions, to claim that this project, or any project for that matter, can speak a singular truth about our reality is misguided. With this understanding, and given the interlocking nature of oppression (Collins, 1986), this project provides pathways for the resistance to oppression through a series of intersectional frames that relate to ability, race, gender, sexuality, and class. At times,

these intersections are made explicit, while at others, the reader might infer a relationship to these identities given their experiences and expertise.

This project includes six chapters divided into two parts. Part I (Chapters 2-4), focuses on the barriers to being and knowing constructed by an oligarchic state and built upon hegemonic structures. By illuminating these barriers, I aim to highlight spaces for structural change and frameworks to think through these spaces conceptually as a barrier to social justice in education. Chapter 2 explores liberatory forms of education that run through curriculum studies as an academic discipline. I suggest, based on a liberatory matrix, that liberatory educational research has been readily captured by systems of schooling. To make this claim, I begin with an overview of liberatory educational theory and its profound deradicalization. I argue for a shift in thinking about what we do with the historical structures we inhabit and the colonizing phantoms we inherit. I liken the current state of liberatory education to that of a haunted house on haunted land, built by colonial ghosts that we must reckon with. In Chapter 3, I develop the concept of *matryoshka schooling* as an image for the functional structure of contemporary public schools. Beginning with the origins of public schooling in the U.S., I draw upon sociological theory to describe a cage resembling the matryoshka doll's intermeshed shells. When education spaces become hollowed out and devoid of rich, meaningful content, they take on this matryoshka form. I look at the complexities of paternalism and maternalism as they emerge in schooling, pointing to the construction of the generational game of school as curriculum. Chapter 4 continues this line of thought with attention to the carceral logics that run through schooling. Beginning with theories of the carceral state and abolitionism, I examine the material confinement and epistemic conformity in

schooling downstream from state power. In this chapter, I claim that schools function like an operating system that can be jailbroken through educational refusals rooted in autonomous and collective acts of resistance. As a tentacle of the neoliberal state, schooling institutions experiment with labor forms that dehumanize, depersonalize, and alienate students and teachers.

Part II (Chapters 5-7) focuses on positive ontoepistemic freedom through fugitivity that emphasizes autonomy and collective self-governance, or the freedom to act. Chapter 5 is the first to take up fugitive education as a frame of resistance explicitly. I begin by engaging with histories of the criminalization of education in the U.S. and trace how teachers have refused these laws, putting themselves in legal jeopardy. I connect these histories to current efforts to force ways of being and knowing on teachers and students through state legislation and centralized control. I suggest that fugitive learners engage in unforced ontologies by drawing on Mississippi's Freedom School movement during the Civil Rights Movement in the 1960s. This example emphasizes that students, in collaboration with teachers and activists, created educational spaces of possibility for themselves. I suggest these spaces are always subject to surveillance, exposure, and collapse through the ontogenic creation of the student- and teacher-as-criminal. Chapter 6 shifts from criminal refusal to the possibilities that exist in fugitive literacy. Once again, I begin with history, centered on the fugitive student and their flight away from epistemic restriction toward valuable knowledge. I describe this flight as one from silent schooling to unruly knowing. This unstructured speech formation opens space for the uncivil tongue and fugitive literacies that resist whiteness through the creative destruction of anti-Blackness. I close the chapter with a discussion of collective self-

direction as a catalyst for utopian being and knowing and homeplace, which destabilizes Western notions of the political. In the concluding chapter, I explore the concept of fugitive self-fashioning in light of the project as a whole. I discuss fugitive space, queer temporalities, and educational futurity as a starting point for self-fashioning in flight. These concepts function as a pathway to (re)construct the self beyond the hegemony of sociocultural normalization. Through lines of flight, we might form spaces of fugitive learning, if only for a moment. If we choose to linger there, we might find myriad pathways within the interminable project of liberation and freedom. This project is one attempt at doing just that: to linger with these concepts and see what comes to light.

So, let us linger together.

## **PART I: INSTITUTIONAL SCHOOLING**

## **CHAPTER 2**

Humans haunt more houses than ghosts do. Men and women assign value to brick and mortar, link their identities to mortgages paid on time. On frigid winter nights, young mothers walk their fussy babies from room to room, learning where the rooms catch drafts and where the floorboards creak. In the warm damp of summer, fathers sit on porches, sometimes worried and often tired but comforted by the fact that a roof is up there providing shelter. Children smudge up walls with dirty handprints, find nooks to hide their particular treasure, or hide themselves if need be. We live and die in houses, dream of getting back to houses, take great care in considering who will inherit the houses when we're gone.

—Toni Morrison, *Song of Solomon*

### **IN THE LIBERATORY MATRIX**

#### **The House that Curriculum Built**

Pinar (2011b) proposes a relationship between allegory and reconstruction in that “each reactivates the past in order to find the future” (p. 49). As Snaza (2014) points out, such a continual reactivation burdens curriculum scholars with questions about the field’s ghosts, specifically, the degree to which educators bury them, mourn them, conjure them, and the extent to which we (dis)continue “make[ing] them work for us” (p. 163). For Pinar (2011b), this haunted inheritance is a matter of temporal subjectivity in “the analytical moment, wherein we attempt to discern how the past inheres in the present and in our fantasies of the future” (p. 46). It is within this field of curricular ghosts, inherited territory, educational reconstruction, and allegories of time that the liberatory matrix emerges. How do curriculum theorists conceive of historical reconstruction as a mandate

that we remember to avoid? As a twist on George Santayana's (1905/2011) famous phrase—those who cannot remember the past are condemned to repeat it—in the context of the liberatory matrix, another aphorism begins to haunt us: those who uncritically celebrate history are doomed to rebuild it.

Imagine a multi-story house beyond the disciplinary field. This extended, metaphorical structure rests on the ossified foundation of Enlightenment thinkers' bones and the scrap wood and powdered brick of their institutions. On top of this foundation, story upon story rests scientistic positivism upon scientific racism, cognitive labor atop manual labor, communicative capitalism above Fordism, and so on. The newer, heavier floors are precariously balanced on deteriorating relics that permeate the hallways. Haunted quarters teem with colonial ghosts, the long-dead and forgotten, the radical spirit of the not-yet-born, and the living. All residents are asked to work, (re)construct, and (re)built to modify the unsteady structural legacy we have inherited. What should curriculum theorists do in this house of the curriculum? It is a building that demands ongoing construction on top of what came before, an ongoing renovation through academic labor. This is an act of ideological restructuring, the foundation of which often goes unseen as new structures are revisited and repaired based on old blueprints. Following Althusser (1970/2010), this house of curriculum is an ideological state apparatus (ISA)—spaces where individuals are taught “‘know-how,’ but in forms which ensure *subjection to the ruling ideology* or the mastery of its practice” (p. 206). Along these lines, the base material conditions of society go unaddressed as we focus our efforts on the ISAs that the state maintains. That is, to continue to (re)build the house of curriculum as an ideological shelter. As Backer (2022) points out in his discussion of the

“school rule”:

Given the school’s commonsensical indispensability, and the concentration of impactful practices at schools in modern societies, the school has replaced the church as the number one, or dominant ISA in modern capitalist social formations. The school rule says that the scholastic apparatus is the number one ideological state apparatus in capitalist societies. (pp. 68-69)

Of course, this house was not designed for liberation, yet it sits in the field of education as a disciplinary monument to these efforts and, simultaneously, measures of social control and ideological reproduction.

When I speak metaphorically of the house, the foundation, the structure, and the architecture of curriculum theorizing, I am implying stability. At this point, the arc of curriculum history is unstable and exists only as an imagined lineage from past to present. The built structure of curriculum studies is a specter, and we are merely tracking its most prized fossils. A few things are clear about this arc, its origin, and where we are now. Today, there are “striking silences within the field,” (Brown & Au, 2014, p. 360), understood as the inaudible, marginalized ghosts of communities of color who were denied a role in building the foundation of curriculum studies. This silent, forced absence continues today, and multiple omissions “regarding the curriculum history of Chicanos/Latinos, Asian Americans, and Native Americans during the period often associated with the founding of curriculum studies” are still excluded (p. 375). Brown and Au suggest that how we might redress these silences and exclusions cannot be limited to “simply adding stories that have been ignored” (p. 377). Instead, the field “requires a complete conceptual turn from the existing metanarrative of U.S. curriculum

history” (p. 377).

Along these lines, the house curriculum built is the foundational metanarrative that supports a white supremacist, patriarchal structure which, in a slow process of liberalization, regulates what can be built on top of it. The turn that Brown and Au suggest demands a conscious turning away from these structural restrictions that suggest specific contributions are not up to code. While the house could be abandoned, its collapse is not guaranteed. Audre Lorde (1983/2003) famously declared that “the master’s tools will never dismantle the master’s house...and this fact is threatening to those women who still define the master’s house as their only source of support” (p. 27). The master’s house is not only the structural mechanism for various academic disciplines but also a home for those who are privileged by its very structure: the men who live and find comfort within it. Architects of the curriculum plan, design, and blueprint the work but do not build it. A critical part of Lorde’s claims relevant to my argument is that others construct the master’s house. This imperative to build, the command to construct can be refused. Curriculum builders can reject the disciplinary monument to white supremacy, the colonial refuge, and patriarchal supports that we, the living, are tasked to actively (re)construct by building administrators. Returning to the house we are building, we find embedded elements forming its foundation. There are two elements rooted in the structure of curriculum theorizing and education that I illuminate here, both of which play a role in what educators choose to build: historical osmosis and settler colonial replacement.

Winfield (2007) argues that eugenic ideology in the U.S. infiltrates schools through “the very act of recollection” in service to a reconstruction of the past (p. 157).

She describes eugenics as a nimble ideology that has “morphed, dodged, and danced its way into the present” (p. 161). Along these lines, a flexible, active, historical osmosis is at play. As a warning, Winfield (2009) suggests that “we are most dangerous...when we fail to look within” (p. 154), which suggests that a close inspection of history and our responsibility in its (re)construction is one step forward. The metaphor of the house suggests the elastic resilience of eugenics—and other oppressive ideological formations—that aligns with a more stable unjust foundation. Since a foundation can shift the entire house to move it in multiple directions, as the colonial, white supremacist substructure crumbles here and there, ideological eugenic (re)formations settle into the walls and floors and the ceiling. This gradual shift in the structure goes relatively unnoticed until it is locked into place—the consequence of historical osmosis, which allows for a slow cultural acclimation to and acceptance of authoritarian structures. Another aspect of this totalizing foundation—one more active than Winfield’s osmosis—is that of settler colonial replacement (Tuck & Gaztambide-Fernández, 2013), which “aims to vanish Indigenous peoples and replace them with settlers, who see themselves as the rightful claimants to land, and indeed, as indigenous,” all the while attempting to operate invisibly through the “covering of its tracks” (p. 73-74). Tuck and Gaztambide-Fernández describe a curricular project of replacement that parallels the historical origins and contemporary struggles against colonization. This is the larger plot upon which our metaphorical house is constructed and the catalyst for an ongoing (re)building, a never-ending installation of fixtures that cover violent removal, genocidal blueprints, and the denial that curriculum’s legacy is the work of stolen futurity upon stolen land.

These foundational elements imply stability and permanence, but upon closer

inspection, we find the house—on its ground floor—is always already occupied at capacity. Considering the political implications of the foundation upon which it rests, this ground floor is necessarily a space of political conflict. As a space of political conflict, it is also a space for decision-making, in-group and out-group sorting, and ideological formation. As I suggested earlier, the academic discipline of curriculum studies in our contemporary moment does not leave us with a tradition but a decision: wherever we are, where do we go from here? On the ground floor, the architecture surrounding us compels us to take a direction and advance toward teleology to plan a course of action. We indeed have no choice but to choose to plan. The ground floor is a logical origin point of the noun *archē* or “rule” and the verb *archien* or “to rule” or “ruling” (Markell, 2006). For Hannah Arendt, *archē* is linked to a “beginning” or “setting something in motion” (p. 4). At the outset of an *archē*, there exists an experimental conformity that impacts how we plan and enact various ways of being, being moral, and using knowledge to solve dilemmas. Although some may protest this linkage, this is the pragmatic component inherent across radical and liberal forms of politics. Drawing upon Chantal Mouffe’s description of agonistic pluralism, Gert Biesta (2011) claims that the *archē* operates as a procedural drawing of borders that “[remain] open to contestation” (p. 150). There is a growing recognition that the drafting table, the blueprints, and the overarching plan have been inaccessible to most of the world’s people. The tipping point, when floor upon floor will become unbalanced, could come about when this growing recognition of foundational oppressions gives way to a fundamental attack on the *archē* itself, not to abandon structure altogether—this would be impossible—but to begin a materially advanced construction that refuses to renovate, restore, or merely update the existing

structure. According to critical pedagogues, liberatory education is our telos. If we reject the idea that liberation ought to be controlled, then the archē of progressivism must be critically investigated on its terms.

The history of the curriculum is imbued with conflict, struggles over educational control, and divergent and convergent schools of thought. Whether we follow the conceptual map Kliebard (2004) outlined or reject using these stereotypical divisions (Pinar et al., 1995, p. 31), what binds these conflictual struggles and the respective camps, is a common devotion to authority. Humanist, developmentalist, social efficiency, and social meliorist curriculum proponents have, in common, an impulse to author a future—to plan, build, and reinforce a structural legacy of their design. At present, we can conclude that each camp was successful in (re)forming education, resulting in an “undeclared, almost unconscious, détente” (Kliebard, 2004, pp. 269-270). Kliebard’s détente is a synthetic unification of educational thought, a dialectical moment that results in an eclectic merger of varying curricular theories and practical tendencies (Pinar et al., 1995, p. 141). What curriculum theorists have inherited, then, are a series of innumerable, context-bound decisions rather than a singular tradition. How do we negotiate our complicity in this network of power and the claim that no one can declare themselves innocent? (Lather, 2003). As we work these ruins (Lather, 2001), we search for another logic that moves beyond binarization. Like Lather (2003), “I seek a form of praxis that disrupts the horizon of an already prescribed intelligibility to address Derrida’s question: ‘What must now be thought and thought otherwise?’” (p. 264). Our decisions at present are essentially a matter of degree to which we reject blueprints that have been given to us. The extent to which we reproduce, recollect, and repair portions of this historical

architecture. Whether we consider portions of our disciplinary lineage to be progress or regress, morality or immorality, inclusion or exclusion, the foundational authoritative paradigm of curriculum-as-control has not been fully explored. As curriculum theorists make decisions within these confines, it would appear that we must adhere to authority to choose freedom to control through authority rather than any alternative.

In consideration of the architecture of authority, progressive education is particularly interesting. In response to the stock market crash in 1929 and the subsequent decade-long depression, a progressivist model of “social reform” and “social reconstruction...replaced social efficiency as the primary paradigm” (Pinar et al., 1995, p. 124). Progressivists like Harold Rugg, George Counts, and John Dewey, highly concerned about the political status quo, understood curriculum as a means to advance a coherent “social vision” (p. 129). While these thinkers disagreed about the degree to which schools should or could be an auxiliary or central source of social change (p. 131) and the danger or potential imbedded within indoctrination (p. 127), they agreed that the shape curriculum takes orients society toward or against a better, more accessible, more democratic, and more equitable future. Still, Rugg, Counts, and Dewey did not do away with expert planning nor the impulse to build to (re)form. Instead, they relied on divergent methods that sought to maintain the function of curriculum as control.

For instance, Rugg “approved of top-down pre-planned courses of study” and placed curricular control squarely in the hands of “experts with advanced degrees in education” (Boyle-Baise & Goodman, 2009, p. 36). While Rugg “intended his outlines to guide, rather than control” (p. 36), this curricular outlining functions as little more than an architectural drafting phase—albeit one of a progressive design. Even when appealing

to the child-centered wing of the Progressive movement, Counts notes that “guidance in the construction of the curriculum is to be derived from knowledge about the learner rather than directly from the learner” (Counts, 1930/1975, p. 284). In short, control over the structure of the curriculum is given over to experts, specialists, and leaders who “must organize, coordinate, and integrate [these] efforts” (Counts, 1927, p. 339). It is essential to note that the groups Counts believed should not make the curriculum are: “state legislatures, boards of education, powerful minorities, colleges, and persons concerned with the defense of special subjects” (p. 334). In the same breath, Counts states that the complex task of curriculum-making “must be recognized as a great cooperative undertaking” (p. 334), albeit with prerequisite exclusions and appeals to specialization. This specialist designation establishes the necessity of an architect to draft plans. At the intersection of human-as-architect and draft-as-architecture, freedom from authority becomes unthinkable, irrationally utopian in the face of the rapid enclosure.

Although the limited space provided here will not allow for a complete exploration of Dewey’s thoughts, I want to gesture toward Dewey’s thoughts as disruptive to the organizational imperative in the field. First, he notes that pervasive social control exists, even without the state, and refers to the “extreme position” of the “theoretical anarchist” to make this point clear (1938/2007, p. 52). Although Dewey describes the need for curricular planning, asserting that progressive education is not “a matter of planless improvisation” (p. 28), when he discusses the organization of learning, it is more relational rather than authorial in its intention. Dewey rejects “ready-made organization” (p. 21), describes a tendency to “shrink from the very idea of any organization” (p. 31), and supports a type of “social organization” between teachers and

students (p. 56) which is “free and not externally imposed because it is in accord with the growth of experience itself” (p. 81). Interestingly, some have argued (Manicas, 1982; Chomsky, 2013, pp. 692-693) that Dewey’s thought is more aligned with anarchist thought than it seems to be at first glance, although he would have rejected this label because of his narrow definition of the term as chaos.

While their goals differ, we can see that progressive elements within the progressive movement still contain a world-building telos shared by the warring camps in Kliebard’s *détente*. One consequence of this unfortunate ceasefire, coupled with a demand that we continue to build with these ghosts, progressive or otherwise, is an ongoing (re)formation of the same in curriculum studies. Within the field, there is an impetus toward curricular drafting by specialist architects to craft blueprints. If this objective is achieved through top-down control, specialists, and indoctrination, as Rugg and Counts suggest, then we are left constructing a curriculum based on external authority. Suppose this objective is achieved through experience, inquiry, and social organization, as Dewey suggests. In that case, we are encouraged to explore the house and repair what needs reparation but are still not encouraged to leave, wander, or take flight. As such, we are still in a liberatory matrix constructed by those who came before us, with all their definitional and contextual constraints. What happens when we work to give up this adjective and conceptualize away from it?

Hesse (2014) elaborates on what he calls an “escape from the colonial and racial hegemony of Western liberty” (p. 289) through the Black fugitive thought of Aimé Césaire, W.E.B. Du Bois, and David Walker. For Hesse, this escapology “insinuates a commitment to eluding, revealing, and interrogating the liberal-colonial suturing of

Western liberty as whiteness” (p. 308). Along these lines, escape “becomes about abandoning nation-state structures, radically departing from spaces that treat Black existence as disposable” (Coles, 2021, p. 4). This points to the fact that liberty has been an exclusionary term for the justification of routine violence against the Black body—a body that has been simultaneously dehumanized and humanized to define the boundaries of white humanity (Jackson, 2020). A radical and dangerous refusal to reproduce the colonial, racial foreclosure of Black and Indigenous ways of living, being, and knowing under threat of violent reprisal has been in practice for centuries. An interrogation of terms like liberty must be viewed as the ruins they are—terms that are resuscitated in discourse and given power through the nation-state and its institutions, e.g., schools, courts, prisons, hospitals, and importantly, in the white men I cited in the previous section as an institutional practice. As Hesse suggests, it becomes necessary to break beyond the binarized “Cold War poles of liberty and slavery” (p. 291) to escape Mill’s compromise and the liberal goal of “[reconciling] the fact that at times the freedom of some will be incurred at the expense of the freedom of others” (297). In terms of education, that is to break the binary of either doing or not doing liberatory education through a radical departure from the nation-state, its institutions, and the curriculum it legislates within its terminological boundaries. This is a voluntary act of liberatory freedom, uncaptured by the state’s liberatory matrix imposed from above and below. All of this, in the house the curriculum built.

### **A Critique of Liberatory Schooling**

It is no easy task to give up education’s liberatory modifier. Liberty, as a philosophical concept, has been enduring for me. It is one that I first came across in the

work of John Stuart Mill, Jeremy Bentham, Isaiah Berlin, and other liberals and libertarians whose work inspired me as a young philosophy student, those who led me to an initial understanding of the minimal state and a misplaced value on capitalism as an economic system. Upon reflection, it is not surprising that I came across these Western, European, and colonial notions of liberty before coming across emancipation or abolition. It is even less surprising that I met Abraham Lincoln before Frederick Douglass, John Dewey before Carter G. Woodson, and Alan Bloom before bell hooks—as most schooled students do. Perhaps necessarily, I came across democracy before radical democracy and education itself before I could articulate it as a potentially liberatory practice. These adjectives have always been subordinated to their nouns and tethered to my understanding of these concepts. Similarly, Black, Indigenous, Queer, Feminist, and Crip thought were filed away as modifications of a white, colonial, cis het, patriarchal, and ableist reality—separate and distinct critiques until my first encounter with Kimberlé Crenshaw (1990), whose work fundamentally shifted my frame of reference, altered the trajectory of my academic work, and influences my everyday engagement with the world.

I believed I had little to do with these ideas personally until I transitioned from these thinkers' invitations to civil discourse (Bone et al., 2008; Foss & Griffin, 1995) toward an uncivil tongue (Lozano-Reich & Cloud, 2009). That is, to see criticality as an act rather than a perfected series of words to convince others. Prior to this, the reflexive questions I asked myself were somehow both more relational and more argumentative. Do I invite conservatives to an experience I only know second-hand? Do I reject civil conversations as a form of praxis? When do I speak up? When do I stay silent and listen? Whom do I invite? Did I invite myself? Thinking of myself as an Enlightenment subject

capable of rationality, with access to a singular truth and a vision for liberation, began to erode as I engaged with postmodernists like Foucault, Derrida, and Baudrillard. Did I need thinkers who looked like me to initiate this erosion or were they merely my first encounter with critical approaches to society? While I do not have a definite answer to this question, it would be a mistake to overlook the citation practices in academia that foreground European thinkers, put me in contact with them, and implicitly told me they were foundational and, therefore, important to know first. As Ahmed (2013) points out, citation is a “rather successful reproductive technology, a way of reproducing the world around certain bodies” that “form what we call disciplines.” I am also a product of this reproduction and make no claim to innocence. Even making the claim that I make no claim to innocence is performative. Since this transition, my encounters with Black feminism, Queer anarchism, ethnic studies, Indigenous studies, disability studies, and critiques of whiteness and white supremacy have helped me define my role in advancing justice in educational practice.

I write knowing that my knowledge is limited, that future encounters will change me, and that the person writing this right now is not who I will eventually be. Therefore, I write away from liberty as I once knew it. This does not suggest that liberation cannot be rearticulated in a different context to have some radical power at a different time and place. However, as I am searching for new articulations, this reworking is not about eliminating elements but a “new balance of forces” that can arise from the “emergence of new elements” (Hall, 1979, p. 15). Instead of chipping away at an articulated stability that has been rusted shut, could we intervene more effectively by chipping away at another articulated stability that has been misaligned all along? My answer today is no. My

mistake was that I imagined a significant difference between language that is rusted shut and language that has been misaligned. A further mistake was that I imagined myself as someone—or as one of many—who could redefine liberatory education and do it right this time.

Like many of us who work in critical education, I point to Paulo Freire's (1968/2008) work as a turning point. Already disillusioned with the institutional realities of teaching, I found in Freire a framework of education that functioned as a vehicle for human liberation from institutionalized teaching. *Pedagogy of the Oppressed* was a conduit for my first honest engagement with *Capital* (Marx & Engels, 1867/1990), which would happen the following year. Marx led me to Butler, Foucault, Giroux, and Apple in my final year teaching English at the high school level. In my master's program, I read more of the same alongside influential texts in public rhetoric, philosophy, and critical education. Still, despite what many of these thinkers were saying to me, I placed myself at the center of students' liberatory experiences. I remained tethered to an individualistic white saviorism due to my philosophical foundations centered on Enlightenment rationality. I trace this academic genealogy to highlight the importance of curriculum as a catalyst for living, autopoietic change. My initial engagement with white critical theorists was self-selected, while my encounters with critical scholars of color were assigned. You see what is going on here. I wonder whether or not I would ever have become dissatisfied with liberation as a way of seeing education without my mentors' guidance and citational practices. Perhaps as a result of context, I would have maintained a conception of myself as a liberator—a kinder, gentler liberal who understands what needs to be done and sees the path to freedom clearly, saying: yes, I will guide you there, if only you will follow

me.

My dissatisfaction with liberation as a catch-all for the kinds of freedom educators might work toward is closely linked with feminist critiques of critical pedagogy. Lather (1998) describes critical pedagogy as “still very much a boy thing”—a political project that speaks with “the masculinist voice of abstraction and universalization, assuming the rhetorical position of ‘the one who knows’” (p. 488). She goes on to cite Ellsworth (1997), who claims these critical pedagogues function as “The One with the ‘Right’ Story” (p. 137). Ellsworth’s (1989) influential article, *Why Doesn’t This Feel Empowering?*, led me to related conclusions about the work of Paulo Freire, Henry Giroux, Peter McLaren, and Ira Shor, which maintain the centrality of the rational subject of the Enlightenment. Functioning as Virgil-like figures—those who plan our collective escape from the house of curriculum—who guide us via their wisdom, show us the way, and shine a light on a dark path, critical pedagogues foreclose alternative epistemologies, ways of knowing, and political horizons in exchange for “one ‘political’ gesture”:

“S/he can ensure that students are given the chance to arrive logically at the ‘universally valid proposition’ underlying the discourse of critical pedagogy—namely, that all people have a right to freedom from oppression guaranteed by the democratic social contract, and that in the classroom, this proposition be given equal time vis-a-vis other ‘sufficiently articulated and reasonably distinct moral positions. (p. 304)

McLaren (2005) declares “the struggle against capital” as “the main game” before noting that critical pedagogy must be “antiracist, antisexist, and antihomophobic” (p. 457) as one factor in educators’ “commitment to” and “undaunted faith in the oppressed” (p.

462). McLaren suggests that this should not be taken up in “historical-teleological terms” but instead in “ethicopolitical terms that can guide political action and create the conditions for dreams to take root and liberatory praxis to be carried forward” (p. 462).

I take issue with the prime mover of critical pedagogy: the one who takes action to guide, creates certain conditions, and carries liberation forward through educational practices. Again, the liberatory leaders who will escort us out of the house for good. This is a praxis that necessitates a kind of divine foreknowledge and faith in one’s followers. This promissory covenant of liberatory education is, at its foundation, a class-reductionist position regardless of critical pedagogues’ willingness to discuss race, gender, and sexuality as “leitmotifs” of capitalist domination (McLaren, 2005, p. 457). Indeed, there is a well-documented fear among critical pedagogues (Giroux, 1993; McLaren & Farahmandpur, 2000) that postmodernism, so-called cultural Marxism, and identity politics splinters collective political power and shifts our focus away from what they declare as the main game: a game in which they position themselves to call balls and strikes and to establish the actual boundaries of sociopolitical conflict where the margins are primarily economic. Class struggle is one game of many. Its centrality in critical pedagogy is merely the result of it being the first critique taken seriously by white academics when it was linked to mainline Marxian thought. Alternatively, counter-hegemonic experiments in liberatory education run in parallel, intersecting at various points, establishing a matrix of contextually bound domination and the possibility of different kinds of freedom not grounded in colonial notions of liberty or the emancipatory and teleological centralism of Marxian revolution. All this, even as I find this work formative and valuable for my arguments here.

Critical pedagogues' attachment to liberatory education of a particular kind is closely linked to Eurocentric declarations of liberty of a particular kind, where those declaring their attachment get to define its terminological borders set limitations on its power and grant its liberatory potential to specific groups and only at certain times. This doling out of liberation—who gets it, when, and why—is foreclosed by historical, discursive formulations around the term itself. I find parallels in E. G. West's (1965) formulation of the problem around liberty, education, and the state and the still unresolved conflict between the liberatory goals of reductionist work around class conflict and the emancipatory goals of work around intersectional embodiment and knowledge, inclusive of class. This is evidence that critical pedagogy has not moved us much beyond J. S. Mill's "uneasy compromise" between William Godwin's conception of negative liberty and J. A. Roebuck's conception of positive liberty as a foundation for their claims around state control over education (p. 135). The negative formulation of liberty is: "my own liberty implies the reduction to a minimum of the deliberate interference of other human beings within the area in which I wish to act" (p. 129). Godwin's view is that governments are "corrupt anyway" and that the "agency of the state" provides a mechanism for the "forced consumption" of its "monopoly on the truth" (pp. 130-131). The positive formulation of liberty is:

The attainment of self-mastery, or, in other words, the release from the domination of 'adverse' influences. This 'slavery' from which men [sic] 'liberate' themselves is variously described to include slavery to 'nature', to 'unbridled passions', to 'irrational impulses', or simply slavery to one's 'lower nature'. 'Positive' liberty is then identified with 'self-realization' or an awakening into a

conscious state of rationality. (p. 129)

Roebuck's view is that governments could use their position to be the "arbiter of goodness" and that state education could "further the well-being" and "happiness of society," arguing that "the people at present are far too ignorant to render themselves happy" (pp. 133-134). Mill's compromise was that liberty entails a minimum of government intervention in the choices of human beings, but that education was a particular case that hinged on his view that:

The uncultivated cannot be competent judges of cultivation. Those who most need to be made wiser and better, usually desire it least, and, if they desired it, would be incapable of finding the way to it by their own light. (Mill, 1884/1998 in West, 1965, p. 138)

Mill was an advocate for compulsory education and a state-directed "system of examinations," where at the point of a child's failure, their parents were to be taxed to support their ongoing education with certain funds earmarked for cases of "exceptional poverty" (pp. 134-135). In addition, Mill viewed children as exceptional cases whose protection from the government resided squarely with the parent, that is, until the parent abused their power. At that point, the government could intervene (p. 136). As West points out, this is an odd set of claims which appears to run against common readings of Mill's philosophy of liberty, which praises the self-liberating potential of the individual and argues against coercive interventions by the government or by others. All of this white colonial hypocrisy is too real.

It is difficult to see much daylight between Mill's concept of liberty and critical pedagogues' conceptualization of liberatory education. In both renderings, there is an

arbiter of truth and power who makes decisions about a grand narrative, how to support a larger project, to take ownership of political progress. In Mill's case, people like himself are cultivated, civilized, competent, and rational. For the critical pedagogue, people like them are knowledgeable, competent, and rational. Since they are such easy siblings, I will not parse cultivation, civilization, and white knowledge here. All have, as West (1965) puts it, the "authoritarian overtones of the intellectual paternalist" (p. 142) who justifies intervention by staking a claim to knowing what is best for the democratic masses, the oppressed, or students in general, even if politicians or critical pedagogues grant them the power to speak from the center. This erases enduring acts of resistance by youth of color who do not need the critical pedagogue at the front of the classroom to lead the way, speak for them, and tell them where to go, what to say, or how to say it. As Kynard (2020) points out:

It's the histories that they belong to; to not deeply center these histories belongs to a kind of white paternalism where we diminish the power of Black and Brown youth activism and protest histories by allowing a white-hero-narrative that always positions Brown and Black people in need of a pied-piper. (p. 13)

For the white paternalist pedagogue, this is a specific kind of liberty bound to its colonial formulation, one that presupposes, as J. S. Mill made clear and as James Madison (1787/2008) argued, that too much liberty, like too much democracy, is far too dangerous an experiment to undertake. Here is their fundamental link: they believed there must be a hierarchy of political knowledge and a particular group awarded the right to act in the name of liberation. Along these lines, I find it increasingly difficult to distinguish between an institutional representative and a traditionally defined critical pedagogue.

Resistance to institutional violence by people of color was not licensed to critical pedagogy in the 1960s. Paulo Freire's work, as helpful and inspirational as it is to a coalition of those who seek social justice through education, was rhetorically significant in its persuasive power for white academics. In short, it got them on board with "historically rooted and thereby ancestrally sanctioned processes" (Kynard, 2020, p. 6) of resistance that have always been at play. They just took up the mantle to direct it, deliver it, and capture its language—as they do.

This is not to suggest that a project that seeks to "salvage" (Lather, 1998, p. 488) critical pedagogy, liberatory education, or even the term liberty itself is without merit. What is to be sure is that it cannot be resurrected in its previous form. This form maintains a "too-dogmatic relation to its own discourses" or a refusal to probe "genealogical questions about the origins of one's concepts" (p. 497). Still, this leaves the door open for some well-intentioned dogmatism and gentle genealogical probing that the institution celebrates. As I work the ruins of liberty, I choose to engage in a "praxis of not being so sure...toward an enabling violation of [liberty's] disciplining effects" where its failure exists as "the very ground for a different set of social relations, a different opening up of a field of contestatory possibilities" (p. 488). However, I am skeptical about opening up a damaged ground, a liberatory space-that-never-was, one that was made a ruin through whiteness, to invite people of color inside the mess. As Harney and Moten (2013) point out:

The coalition emerges out of your recognition that it's fucked up for you, in the same way that we've already recognized that it's fucked up for us. I don't need your help. I just need you to recognize that this shit is killing you, too, however

much more softly (p. 10)

### **A Haunted Matrix: Colonial Ghosts**

Ghosts in education have been taken up by Snaza (2010, 2014, 2017) and others (Zembylas, 2013), primarily through the lens of the Marxian specter (Derrida, 1994) and the posthuman (Snaza & Weaver, 2014) to describe tethering/breaking of disciplinary history and a bewildering education that might emerge from it. Snaza's (2014) work gets at the tension between two groups in curriculum studies: the reconceptualists who try to "make the dead stay dead, to kill them off" and the other who inherited the reconceptualization of curriculum "who must inherit what's left of the ghosts and make them work for us" (p. 163). Bewildering education is not teleological because its goal is not the production of humans. Instead, it looks to posthumanity to reconceive what we might do in pedagogical practice. Snaza understands this haunting as a "productive and necessary part of critical, political action" even as curriculum theorists try to exorcize ghosts from the field (p. 172). Similarly, Zembylas (2013) describes a pedagogy of hauntology that invites "educators and learners to consider how different forms of remembrance engender radical openness to the other—for example, the ghost of the disappeared victim—beyond a spectacle sensibility" (p. 83).

Through this discussion, I clarify what kind of ghosting, haunting, and spirit may be taken up to advance social justice, particularly anti-racist, anti-oppressive educational practices. I contend that ghosts haunt the school hallways in either productively violent or productively critical ways in the in-between teaching and learning space. I focus on how ghosts—both colonial antecedents and those who continue to unsettle as anti-racist apparitions—remain differentially honored, revered, and worshiped in the school's space.

Along these lines, a phantasmic paternalism shifts the de jure role of the school from *in loco parentis* to a de facto role of *in loco parentis*, *phantasmata* bound up in current attacks on anti-oppressive and anti-racist education. These phantoms patrol the borders of the epistemicidal institution. In this metaphor, to see them, to take them seriously, and to submit to the fear they evoke is to engage in a series of white hallucinations. Milders (2022) notes that “when the distorted reality that is white supremacy is challenged, white hallucinations are triggered that need to reinforce and reinscribe whiteness as the master signifier” (p. 181). These hallucinations play out on the ground as parents channel these phantoms in digital spaces and school board meetings under the influence of a “psychopathological tendency of whiteness to incessantly reinscribe its mastery of the world” (p. 181). When this mastery is challenged, it enlists colonial ghosts on the frontlines of white supremacy.

The U.S. courts have defined a school’s legal and educational responsibility to discipline children through the doctrine *in loco parentis* or in the place of a parent. This means that state-managed institutions operate only temporarily and in a limited capacity, taking on the same role that a reasonable and prudent parent might in their absence. English jurist William Blackstone coined the term in the 18th century. He states that the father

may also delegate part of his parental authority, during his life, to the tutor or schoolmaster, of his child; who is then *in loco parentis* and has such a portion of the power of the parent committed to his charge, viz. that of restraint and correction, as may be necessary to answer the purposes for which he is employed. (Hogan & Schwartz, 1987, p. 260)

In an 1860 English case, *Regina v. Hopley*, a schoolmaster asked a child's father for permission to physically punish him for his disobedience (Hogan & Schwartz, 1987). His father granted the school permission, and the schoolmaster beat the boy to death over the course of two and a half hours. Although this is an extreme case and the schoolmaster was ultimately found guilty of manslaughter, *in loco parentis* justified the transfer of power from the parent to an agent of the school, opening up the school as a place of possibility for violence and, in this case, a child's death. As a result, corporal punishment was limited to "moderate and reasonable" (p. 261). In 1893, *Cleary v. Booth* extended this power to punish acts children commit off-campus. At its origin, *in loco parentis* is a cultural affirmation and legal justification of reasonable violence—a doctrine that has shielded schools from the violence they engage in.

The U.S. courts describe *in loco parentis* earlier along the same trajectory, establishing the doctrine in *State v. Pendergrass* in 1837 and extending this power to off-campus transgressions in the 1859 case *Lander v. Seaver*. In this latter case, the court claimed that the schoolmaster's power is not derived from being a public official but is "included...in the domestic relation of master and servant, and his powers and duties are usually treated as belonging to that class" (p. 263). Due to the compulsory nature of schooling in the U.S., the power provided by *in loco parentis* was automatically assumed along with the master-servant relationship between teachers and students. Since the 19th century, the doctrine has been limited as students' rights have been expanded even as they have been infantilized in political discourse (Johnson, 1997). Space here limits a thorough discussion of *in loco parentis* and its contemporary usage. However, it is important to note that many legal scholars consider the doctrine inadequate to justify the

role of the school in their control of students' lives. Hogan and Schwartz (1987) conclude:

As a rule of expediency rather than of logic, the doctrine was simply a convenient means used by...courts in the nineteenth century for reaching particular results. Today it has become like "an empty vessel into which adult perceptions and prejudices are poured." (p. 270)

In other words, it does not direct the school to act in any particular way. Instead, it functions as a *post hoc* justification for the school's routine enactment of control and violence on behalf of the paternalistic state. I choose this masculine language deliberately, as *in loco parentis* is underpinned by a paternal justification for school-based physical child abuse to demand deference and commitment to the social, cultural, masculinist order. This is why students who violate the dress code or critique the institution are subject to the same disciplinary patterns embedded within the haunted matrix.

Physical child abuse through corporal punishment is still a significant practice. This reality points to the vile level of state-sponsored violence against children that our society is willing to accept. Gershoff and Font's (2016) study on corporal punishment reveals that while less than 1% of the total number of students received corporal punishment during the 2011-2012 school year, this still meant that 163,333 students were physically punished in schools by people working in them. I am unwilling to overlook this data and say these students are not worth our time and energy. This is partly because the justificatory mechanism for corporal punishment undergirds additional forms of disproportionate punishment that are far more prevalent. The researchers point out that

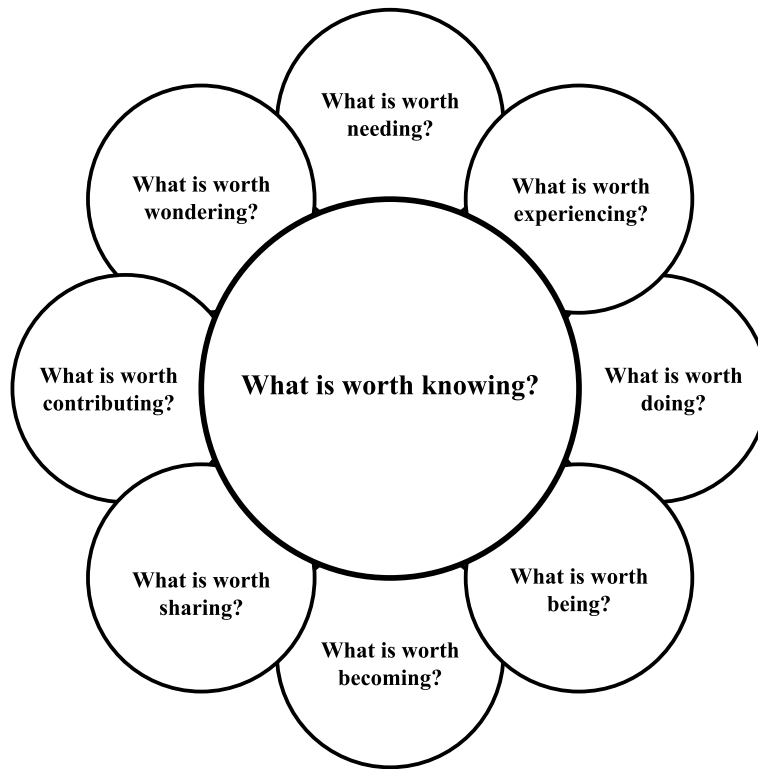
Black boys are 1.8 times as likely as white boys and Black girls are three times as likely as white girls to be subjected to corporal punishment. Other research confirms that physical punishment is disproportionately levied against Black students but that students with disabilities are most at risk (MacSuga-Gage et al., 2021). In addition, students receiving special education services are at higher risk. This physical violence, along with the various psychological and pedagogical violations of students of color, is active and willful, not a mere byproduct of presumed necessity (De Lissovoy, 2012, 2014; García & De Lissovoy, 2013) and is built on a paternalistic assumption embedded in the doctrine of *in loco parentis*. In short, this 19th-century approach is antiquated and racist in producing a smooth link between prejudicial whims that culminate in violence. The public is finding out what happens when it turns out that many of the parents the school is standing in for are racist and when many others are not. This is the haunted matrix subjects of schooling find themselves in—one that has much to do with the ghosts of history. This has become the disciplinary matrix of liberation in schools.

The rise of an anti-racist curriculum necessitates a ghostly shift *in loco parentis* and the role of the school. Given parents' heterogeneous perspectives about the foundational questions of curriculum shown in Figure 1, parents who wish to perpetuate white supremacy, color-blind racism, or aversive racism through a segregated curriculum can no longer align with some abstract, totalizing parents that local schools legally represent. Anti-racist parents cannot either. These are not the only two groups, as there are parents between and outside this political discourse who witnessing this disappearance of school representation may be seen as destabilizing of their parental

position as well as the school's ability to stand in for them. For the school, the question becomes whose parents it stands in for when the parents themselves oppose one another.

**Figure 1**

*Schubert's Nine Foundational Questions of Curriculum Theory*



*Note.* Adapted from "What's worthwhile: From knowing and needing to being and sharing," by B. Schubert, 2009, *Journal of Curriculum and Pedagogy*, 6(1), 22-40 (<https://doi.org/10.1080/15505170.2009.10411721>).

Interestingly but not surprisingly, one solution I have yet to hear discussed is that the internal space of the public school becomes a site of conflict over these foundational questions. This is strong evidence that schools are not believed to be democratic institutions but, rather, instruments of the state in the way the military is—to facilitate a particular order based on democratic whims in a political context. It would seem the

public is not up to the challenge this radical democratic approach poses. Administrators, teachers, and students are seen as having little discursive democratic agency. So, absent parents, teachers, students, and a legal framework to guide us, where do administrators locate decision-making as anti-oppressive educators? I locate this conflict between parents as primarily a conflict between ghosts, mainly the kinds of ghosts parents want their children to encounter. Along these lines, everyone in the school's space is understood to live in the haunted house under the sway of dueling mediums and conjurers.

When schools are placed in this spectral bind and when parents stand against one another about the role of the school *in loco parentis* can be more accurately viewed as *in loco parentis*, *phantasmata*, or in place of parents, ghosts. In a democracy, and in the space of the classroom, what educators and students conjure or exorcize is up us. I find it difficult to deny the intensity with which white, colonizing ghosts haunt the school hallways and curriculum space. Posters of white politicians, authors, and the like are a normative standard. Less common but still visible are various representations of admired individuals from minoritized groups: white women, men of color, women of color, and queer folks—usually in this order, in my experience, if queer people even appear at all. When students look at who is in their textbooks, how they are presented, and what historical contexts they are placed in, whose ghosts are foregrounded? Which ghosts are summoned to come out of the shadows to reveal themselves? Which events does the curriculum evoke, and whose ghosts hold more value? Research bears this out. In Lucy et al.'s (2020) rigorous review of Texas' history books, of the top 30 most common people named by frequency, the first white woman places 28th—Eleanor Roosevelt—followed

by the first two Black men mentioned 29th and 30th—Barack Obama and Martin Luther King, Jr. (p. 9). In addition, adjectival and noun-based descriptions around race are not unsurprising and speak to the textbook authors' perspectives on their historical value. Black people are most commonly referred to as “slave,” Latine people are referred to as “bracero,” women are referred to as “wives” or “mothers,” and men are referred to as “kings” (p. 15). The destabilizing ghost of Frederick Douglass, for instance, is not foregrounded. Even Adolf Hitler, who ranks 19th, is mentioned more often than anyone of color. This reality points to particular ghosts that are of more value. White phantoms are foregrounded over Black, Queer, and Indigenous heroes even when they serve as a warning.

When Black people are mentioned, they are “depicted with less agency and power than other social groups” (Lucy et al., 2020, p. 9). The absence of queer people in this research speaks to both queer-historical erasure and a reluctance to engage in the latter part of our history. Indeed, the life of Harvey Milk and James Baldwin’s writings will not be tested by the State of Texas any time soon. The Tulsa Massacre, the state-sponsored murder of Fred Hampton, the Texas Rangers’ routine lynching of Latine people throughout Texas, and Ronald Reagan’s ineffectual, homophobic response to the AIDS crisis remain nullified curricula in service to the worshipped state and its God-like configurations of knowledge. These ghosts are the metaphorical space of conflict. These are the events in which anti-racist, queer apparitions may emerge. This is where monstrous differences can begin to write their narrative, absent heroism and replete with complexity. Following Rosky’s (2017) typology of anti-LGBTQIA+ curriculum, queer-identifying people appear as an absence in don’t say gay, no promo homo, anti-queer,

promo hetero, and abstinence until “marriage” laws (pp. 1468-1475). Along these lines, queer-identifying people are missing, unspoken, and unheard through the legislation of their nonexistence.

These hauntings also signal widespread social and cultural concealment. Gordon (2011) describes haunting and the appearance of specters or ghosts “as one way...we’re notified that what’s been suppressed or concealed is very much alive and present, messing or interfering precisely with those always incomplete forms of containment and repression ceaselessly directed towards us” (p. 2). Engaging in these hauntings is critical to track who is haunting the school's space through the curriculum as an indication of who continues to be silenced and who has space to interfere. Curricular hauntings suggest a surplus curriculum in liminal spaces that are ignored, unseen, and unspoken. Robin D. G. Kelley calls this a “deracinated curriculum” (Cooper et al., 2018, p. 156)—a course that is uprooted from students’ reality, causing a sense of displacement. It is where remembrance can catalyze a move from uprootedness to mere representation to necessary reparation through replanting. When the ghosts of formal curriculum battle it out, educators and theorists alike know who tends to win in spaces like the school board meeting. This necessitates an escape from a compulsory space of white, colonizing ghosts. It requires an exorcism, a burial, and a defiant monstrosity.

### **Defiant Monstrosity: Burying Ghosts**

Cohen (1996) develops a critical framework for understanding monstrous bodies as culturally shifting harbingers of crisis that incarnate difference, police the borders of possibility, elicit both fear and desire, and are always in the context-bound and context-binding process of becoming. By thoroughly understanding the monster, theorists can

read the limits of cultural aspirations and political anxieties. Along these lines, the monster's body is "pure culture" that reveals and warns society about the apparent dangers of norm-defying differences (p. 4). Encounters with the monstrous are, therefore, incidents of "cultural alterity" that work to re-center subjects as they approach and embody monstrous representations (p. 8). Gelder (2000) points out that the monster's revelatory capacity need not be taken for granted, however. Sometimes the monster might well work to obscure certain features that make a culture what it is; a monster's inscrutability may point to a certain blindness culture has to itself. Monstrosity most often resides at (or is relegated to) the edge of culture, where categories blur and classificatory structures begin to break down. (p. 81)

The term 'monster' is not merely a metaphorical reality—instead, as Negri (2008) suggests, they are really there. As the monster expresses its power, it invades and floods "the space of the political" (p. 206). The monster is a biopolitical reality, entirely inside our institutions and "wandering through the world" (re)productively policing the boundaries of what is possible within a hierarchical democracy (p. 200). In short, according to these theorists, the monster can guard the border, but it can also break normative rationality, revealing the contours of the sociopolitical.

Generally, monstrosity has been taken up in education similarly as a valuable alterity—another way of being, thinking, teaching, and learning. In *Education Out of Bounds*, Lewis and Kahn (2010) discuss what they call exopedagogy in terms of the "positive, zoöomorphic force of creation and ontological destabilization" inherent in monstrosity (p. 19). Lewis (2012) has further explored the concept as: "a praxis of exodus from current attempts to rethink education from inside globalization and

commodification” (2012, p. 845). This means thinking away from the commandeering of education by the corporate state. Instead, education becomes located in the common as opposed to the public. Drawing on Hardt and Negri’s (2000, 2005, 2009) political framing of commonwealth, multitude, and empire, monsters are encouraged to roam. Along these lines, Bourassa and Margonis (2017) propose a monstrous generosity in which

teachers go to extraordinary lengths to invite monstrous messages into school spaces, both to revitalize classroom discussions and as a way of signaling to heavily-armored youth that teachers, too, are willing to take risks and disavow the “safety” and “comfort” that typically attends their position in many formulaic educational interactions. (p. 617)

This amounts to a rejection of censorship and surveillance in educational spaces that does not police children’s engagement in the possibility of being and knowing and reclaims the monster as a political subject that gestures toward possible openings. In one opening, Huddleston (2019) describes how educators’ superheroism is bound up with their monstrosity. To locate the teacher-as-superhero is to reproduce the neoliberal insistence that they be something beyond human, imbued with some power to address overwhelming social problems. Drawing on Wynter’s (2015) work on the human, Huddleston points to a hybrid biosocial ontology that corresponds with but is not identical to the monstrous hybridity that these other thinkers suggest. I read this as a warning. Curriculum theorists should not uncritically link monstrosity and superheroism, suggesting that we do not need to valorize monstrous differences to the point that they become a superpower. Instead, by valuing students, teachers, and administrators as

monstrously communal and reflective—absent superheroism—they can grant themselves the “agency to understand the narratives placed upon them and to start writing their own” (p. 29).

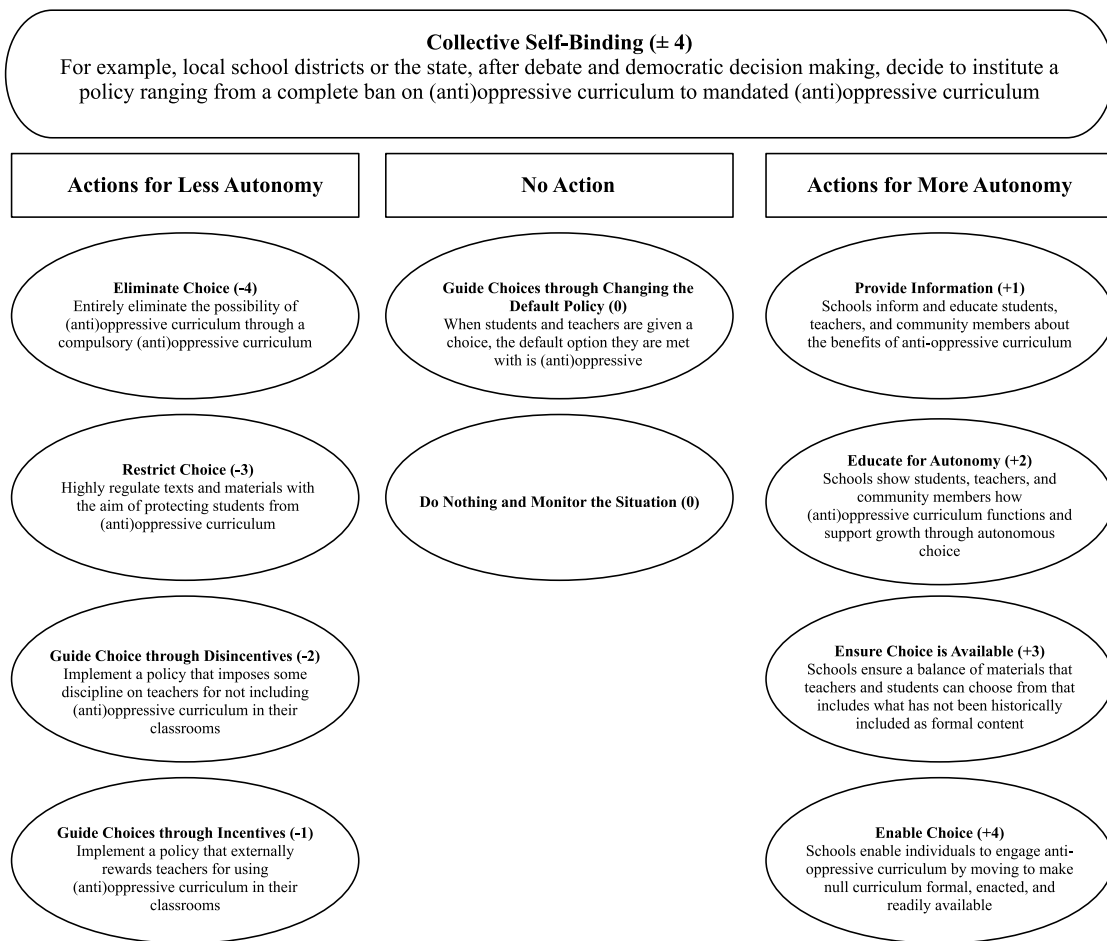
To complete the analysis, a third move illuminates the monstrosity in the normative reaction, which is materially violent, bound up in the various acts of violence of white supremacy, heteronormativity, and colonial theft. Indeed, the metaphor of monstrosity must be discussed with care as these labels have been linked to racist, sexist, homophobic, ableist, and classist discourse. It may be tempting to throw these terms back onto others, to refuse to embrace their potentiality and render them productive. While I understand that the goal is to turn monstrosity on its head, to recapture it, and reformulate it as a mechanism of power, I suggest educators do not take our eye off the brutal, regressive leviathan. Ultimately, this is my project concerning the liberatory matrix: to make these monstrous tensions visible as a speakable horror through a cultural understanding of colonial ghosts as hauntingly productive of violence and flight toward security.

Wozolek (2020) states that “a curriculum of violence normalizes aggressions until they become business as usual” (p. 125). She emphasizes that the normalization of violence is embedded in curricular assemblages of violence—formal, null, enacted, and hidden—which have a detrimental affective impact on students of color and LGBTQIA+ students (pp. 114-120). Historically this violence, whether seen or unseen, has been directed at marginalized groups through the systemic expulsion of their ways of knowing, their histories, and their ways of being in the world. This school is a place to fix the condition of the colonized non-ideal body, haunt it, and petrify it. I suggest this is the

contemporary horror: a white supremacist, heteronormative paternalism that infantilizes educational professionals in the space of the school, a space already primed for this kind of control through expulsion. Under these constraints, how do teachers and school leaders justify any move in one direction when they find monsters at every turn?

**Figure 2**

*Balanced Intervention Ladder of (Anti)Oppressive Curriculum*



*Note.* This figure is adapted from Griffiths and West's (2015, p. 1097) work on public health policy with examples that indicate the range of options at school leaders' and teachers' disposal regarding recent attacks on anti-oppressive curricula.

We know the moral imperative for those who support a social justice curriculum and pedagogy. The formal curriculum can be read, interpreted, and put into practice with a social justice orientation, without violating legal boundaries, at least for now—until it is made illegal. Still, *in loco parentis* does not give us any real direction, whereas an applied view of paternalism and autonomy may offer some space for progress. Griffiths and West (2015) provide a balanced intervention ladder (Figure 2). Although their examples are drawn from the complications in public health policy, the framework still represents a range of options regarding paternalism as it interferes (or not) with positive freedom and autonomy. I have adapted this intervention ladder for contemporary debates on anti-oppressive curricula. Griffiths and West look at the supports that negatively impact autonomy as “scaffolding” support for future autonomy (p. 1097). Much like a parent would physically restrain an infant from touching a hot stove before moving to incentivized guidance, educating them, and then allowing them to choose for themselves, the balanced intervention ladder indicates a move toward more freedom to make decisions. In my reading, steps are not skipped as one is necessary to nudge choice in the correct ethical direction. However, as I will discuss, external political factors move state institutions to different locations on the ladder depending on context.

Recent right-wing attacks on anti-oppressive curricula function as an interruption in this scaffolding of choice. These political actors realize that by leaning on *in loco parentis*, *phantasmata*, they can move toward collective self-binding and open up space to advocate for any option along the spectrum at any time. Concerning book banning, they advocate for eliminating choice when, before their political intervention, many school libraries were ensuring choice was available and enabling choice among staff and

students (O'Hara, 2022). Regarding the CRT issue (Sawchuck, 2021), the broader purpose of this focused political attack is to politically disincentivize choice among school leaders and teachers who have been working to provide a foundation for social critiques around race, class, gender, and sexuality, which was gaining some ground in recent years. The goal is to evoke colonial phantoms and normalize white hallucinations of political power. The recent anti-LGBTQIA+ bills (Jones & Franklin, 2022) function similarly. At a minimum, these initiatives put school leaders and teachers in a frozen state of fear. Leaders will be coerced into doing nothing and monitoring the situation as monsters patrol the militant border—crossing becomes a provocative, emancipatory act (Anzaldúa, 1987, 1995).

Therefore, I see the balanced intervention ladder as a democratic loop where any privileged group can call for a reset through collective self-binding. Those at the top of the intervention ladder can call for renewed political discourse around an issue at any moment. This is a call back to the center. In this ghostly metaphor, school board meetings function as white seances. The language of collective self-binding can bind us to the complete elimination of choice—to move beyond the guarded borders of possibility. Much like the court functions as a check on what is or is not (il)legal in context, the democratic function of school boards, state legislatures, and federal oversight creates a mechanism for the interruption and consensus-driven policy change. This is often a valorized aspect of democracy in that we might collectively alter our course.

On the other hand, this may be considered a democratic injunction that halts political progress and reminds us of the pervasive hallucinatory position. This can reassert the white supremacist structure of state institutions, often under the guise of the

protection of minorized groups by capturing activist language. Who wins in this zero-sum scenario is primarily based on power and privilege. Even when we make headway, the institutional mechanism of change operates as a moderating force rather than a moral one. Even when progress, regress, or a pause is justified by collective self-binding, violent colonial ghosts and the productive ghosts of history haunt each step in the intervention ladder. Along these lines, phantasmic whiteness remains an unseen, hallucinatory counterweight to radical democracy and educational freedom.

There is an old ghost story that may clarify a way forward. In magistrate Pliny the Younger's (2016) letter to the Roman senator Sura he recounts three ghost stories. He begins the letter by noting that since his work as a magistrate and Sura's work as a senator was in recess, he provided "[Sura] leisure to give, and [Pliny] to receive instruction," emphasizing that leisure gives way to discussion and learning. In Pliny's second story, the stoic philosopher Athenodorus Cananites finds a large house on the market for far less than it is worth because it is haunted. Excited by this prospect and the haunting itself, Athenodorus buys the house. While writing late one night, he encounters a ghost who beckons him. Athenodorus gestures to him to wait while he finishes his writing, and, in response, the ghost rattles his chains above the philosopher's head. Distracted, he follows the ghost to a spot in the yard, where he suddenly disappears. He marks the spot of the disappearance, and the next day, he suggests to the courts that the spot be dug up. They agree, dig up the spot, and find a corpse in chains. The bones were given a public burial, and the house was no longer haunted. In this simple ghost story, the proper burial of the phantom haunting the house was made possible through the authority of the court, initiated by a wealthy politician. Athenodorus only endured his haunting for

one day. People of color, teachers, and students have endured curricular ghosts for generations within a political system that has proven unwilling to exorcise these phantoms. It is time that we give them a proper burial—not to forget them or erase them, but to stop them from rattling their chains over our heads—to exorcise them from the house curriculum built.

### **CHAPTER 3**

Children learn what they live. Put kids in a class and they will live out their lives in an invisible cage, isolated from their chance at community; interrupt kids with bells and horns all the time and they will learn that nothing is important or worth finishing; ridicule them and they will retreat from human association; shame them and they will find a hundred ways to get even. The habits taught in large-scale organizations are deadly.

—John Taylor Gatto, *Dumbing Us Down*

### **MATRYOSHKA SCHOOLING**

#### **The Origins of Public Schooling in the U.S.**

The initial purpose of publicly funded schools was to establish a system of transformative power by the state. Motivated by the idealism of self-government and Enlightenment rationalism that motivated the founders of the United States, Horace Mann, commonly referred to as the father of the public school system in the U.S., argued to the Massachusetts legislature that a wide-ranging public school was necessary for seven reasons (Vinovskis, 1970, p. 552):

1. Education is necessary for the preservation of a republic.
2. It helps to prevent class differentiation.
3. It tends to diminish crime.
4. It reduces the amount of poverty and distress in society.
5. It increases productivity.
6. It is the natural right of all individuals.
7. It rectifies false values prevalent in society.

Mann had “loftier principles” (p. 571) than a simple economic argument for public schools, and the system was sold to legislatures with these goals in mind. He closed his Fifth Annual Report in 1841 detailing his vision for education:

But, notwithstanding all I have said of the value of education, in a pecuniary sense, and of its power to improve and elevate the outward domestic and social condition of all men, yet, in closing this report, I should do injustice to my feelings, did I abstain from declaring that to my own mind, this tribute to its worth, however well deserved, is still the faintest note of praise which can be uttered, in honor of so noble a theme; and that, however deserving of attention may be the economical view of the subject which I have endeavored to present, yet it is one that dwindles into insignificance when compared with those loftier and more sacred attributes of the cause. (p. 571)

However, as a radical social change was gaining momentum in the mid-to-late 19th century—spurred on by anti-racist abolitionists, anti-capitalist sentiment, and counter-patriarchal feminists—the public school’s philosophical justification changed. It began to mirror the ossified power structure as public schooling was extended to those deemed unworthy of taking up the mantle of state power. Of course, it would be futile to educate those whom white politicians and corporatists considered to be fundamentally incapable of political agency for any future political agency. Why develop individual knowledge through taxpayer-funded state institutions if they were never to become politically active? Instead, public schools would become a tool for transforming the radical other into the docile familiar through the theft of ontology, the potentially educated into the schooled through the theft of time, and the striking worker into what

would become the neoliberal subject through the robbery of epistemology. Schooling quickly became the tool of powerful capitalists in the gilded age (Falk, 2014). This tendency continues today in narratives around grit (Stokas, 2015). As the industrial and technological revolutions in the U.S. economy were underway, state and capitalist interests—aligned since the founding—compelled the public school system to become a taxpayer-funded institution to train workers for wage labor under capital management. For capitalists, the state was a partner in outsourcing compulsory worker training, which included essential skill development and consent to authority (Bowles & Gintis, 1976/2011; 2002). For the state, those in power could better maintain cultural hegemony and the widespread acceptance of the social distinction between *homo politicus bourgeoisie*, or the political ownership class, and *homo economicus proletariat*, or the economic working class through schooling's ability to engage in the ontoepistemic transformation of the human being. In short, schooling became a function to manage progress and (de)select ways of being and knowing for the masses so they may continue to labor under their direction.

The division between schooling and education is linked to policy rhetorics that broadly distinguish between compulsory schooling laws and educational philosophy. The first U.S. laws compelling students to attend state institutions of education in 1852 to the last laws that made compulsory schooling in the U.S. universal in 1918 chart two distinct trajectories for state-supported educational institutions. Tyack (1976) notes that compulsory education and schooling laws occurred in two phases. First, the symbolic phase “aroused ideological dispute at this time, but few persons paid serious attention to the organizational apparatus necessary to compel students into classrooms” (p. 359). As

he points out, these compulsory education laws were dead letters toward the end of the 19th century as parents paid little attention to them (p. 361). Second, there was the bureaucratic phase in the early 20th century when “school systems grew in size and complexity, new techniques of bureaucratic control emerged, ideological conflict over compulsion diminished, strong laws were passed, and school officials developed sophisticated techniques to bring truants into schools” (p. 359). The first phase included the kinds of legislation that Horace Mann promoted, the 1st Secretary of the Massachusetts Board of Education. In his 12th Annual Report, Mann (1848) states that the

true business of the schoolroom connects itself, and becomes identical, with the great interests of society. The former is the infant, immature state of those interests; the latter, their developed, adult state. As ‘the child is father to the man,’ so may the training of the schoolroom expand into the institutions and fortunes of the State. (pp. 42-43)

At the outset of the common school movement, Mann links children's schooling to a rigorous state paternalism in service to the great interests of society. In each subsection of the 12th Annual Report, Mann argues for the compulsory state-run school system. For example, regarding attendance, he laments the average absence of nearly 72,000 students across the winter and summer terms who “were not brought, for a day, within the influences of our schools” (p. 24). Mann’s concerns about the future of the state and its uneducated people mirror the fears of the founders of the United States just six decades prior—a situation where political power would be expanded to include those outside of slave plantation ownership and the capitalist manufacturing classes.

In a country designed as an old boys' network (McDonald, 2011) with state-mandated social closure (Weber, 1978), any potential cracks in the oligarchic constitutional framework in the United States would be patched by institutions designed to "inform [the people's] discretion by education" (Jefferson, 1820) rather than take their liberty directly, risking a violent political backlash with which they were personally familiar. Schooling would provide a means to snuff out a radical agonistic democratic revolution more smoothly. That is, schooling before its formulation as a state institution was philosophized as a means to an end for the state rather than for students. Today we claim the opposite. In their final formation transformed by schooling, the students were an end—amounting to a political-economic commodity no matter how adorned they might be with diplomas signed by educated men. Mann (1848) makes this point clear concerning Massachusetts when he states:

A State, then, is not necessarily fated to insignificance because its dimensions are narrow, nor doomed to obscurity and powerlessness because its numbers are few. Athens was small; yet, low as were her moral aims, she lighted up the whole earth as a lamp lights up a temple. Judea was small; but her prophets and her teachers were, and will continue to be, the guides of the world. The narrow strip of half-cultivable land, that lies between her eastern and western boundaries, is not Massachusetts; but her noble and incorruptible men, her pure and exalted women, the children in all her schools, whose daily lessons are the preludes and rehearsals of the great duties of life, and the prophecies of future eminence,—THESE ARE THE STATE. (p. 37)

Along these lines, politicians like Jefferson and Mann were always, first and foremost, men of the state who sought to control the masses. The mass of people—uneducated and unruly as they were perceived—was a constant worry of these statesmen who sought to transform them through their institutions and remake them in their image in service to the state. As a result, whole swaths of cultural knowledge, from Indigenous groups to enslaved people of color to the white working class, were routinely devalued to favor the epistemic and ontological desires of the politically and economically privileged. In the decades following Mann’s initial arguments for the common schools in Massachusetts, the enrollment of students aged 5-14 across the U.S. rose from 55% in 1830 to 78% by 1870 (Kober & Rentner, 2020, p. 4). While this signals an expansion of access to foundational literacy for white children, this period also included a violent foreclosure of educational possibility for Indigenous people and people of color.

By 1871, the U.S. government had stolen the “majority of [Indigenous tribes’] original territories and land between the Atlantic Ocean and the Mississippi River” (Juneau, 2001, p. 15). Through the 1930s, another 90 million acres or nearly two-thirds of Indigenous reservations were given to settlers. For Indigenous children, this loss of land coincided with the rise of the federal Indian boarding school system and the assumption by white Christians that Indigenous ways of being and knowing were hopelessly doomed. In 1888, the Board of Indian Commissioners stated:

If anything in the world is certain, it is that the red man's [sic] civilization will disappear before the white man's civilization, because of the two, it is inferior.

The Indian problem, in its fundamental aspects, is then, must the red man disappear with his civilization? Is it possible that in Christian times the Indians

themselves have got to disappear with their inferior civilization? I think we can say certainly that unless we can incorporate the red man [sic] into the white man's [sic] civilization, he will disappear. Therefore, the one question behind the land question, behind the education question and the law question, is, how can we fit the red man [sic] for our civilization? (Cross, 1999, pp. 952-953)

This assumption of inferiority was promulgated by a Eurocentric and religious narcissism where whiteness self-legitimizes superiority and civilization to justify dehumanization and violence. I read the above quote as a threat—either Indigenous people will enculturate, or they will be destroyed. It also points to a fundamental assumption about which groups control particular human beings—whether it was even possible to elevate the devalued human into the God-like ranks of white Christian civilization. While it is important that we not overlook the violence of the federal Indian boarding school system and the “pain, cruelty, [and] loss” associated with it, we must also foreground the “survival and pride” of Indigenous groups during this period of time (Juneau, 2001, p. 22). These are acts of what Vizenor (2009) calls survivance, or: “the action, condition, quality, and sentiments of the verb survive, ‘to remain alive or in existence,’ to outlive, persevere with a suffix of survivancy” (p. 100). In the *longue durée* of school violence there has always been discreet resistance and acts of survival.

During the rise of the common school between the 1830s and the 1860s, enslaved people of color in the Antebellum South faced a set of state-based penalties for learning. Givens (2021) notes that common school education during this period “was explicit in its exclusion of Blacks from its program that ushered (white) youth in their rightful inheritance of national citizenship (p. 25). Despite the harsh penalties for learning to read

and write or teaching enslaved people foundational literacy (See Appendix A), “African Americans took extreme measures to become educated during this period of time” (p. 25). Closely linked to indigenous survivance, formerly enslaved Blacks, now fugitives, established free, independent maroon communities where their ways of being and knowing were maintained (Grant, 2016; Hubbard, 2021). In the post-Civil War era, what Watkins (2001) calls the “White architects of Black education” used their political agency and extraordinary wealth to refashion education for formerly enslaved Black people under the guise of educational philanthropy. There was, after all, a new pool of cheap labor that could be developed and used for production—raw material to be transformed into cheap human capital. So-called freed Black people were not so much fundamentally free in the eyes of the state but merely relatively free to engage in the budding system of schooling that worked to recommodify their bodies and their lives as it had successfully engineered for the white working class. Indeed, the century that separates Black emancipation from slavery and Black suffrage is evidence of the time-worn buffer against liberated, politically active Black bodies by the legal system. Black people in the U.S. had to wait for three generations for white lawyers to argue for their limited democratic participation in an oligarchic republic. By contrast, unpropertied white men needed a mere 38 years before they were granted this privilege as they were granted the right to vote in the election of 1828. It is no coincidence that, at this point, caste education in the “college-bred community” (Du Bois, 1910/2001, pp. 49-60) and its close connection to racial capitalism (Pierce, 2017; Robinson, 2020) became a widespread reality.

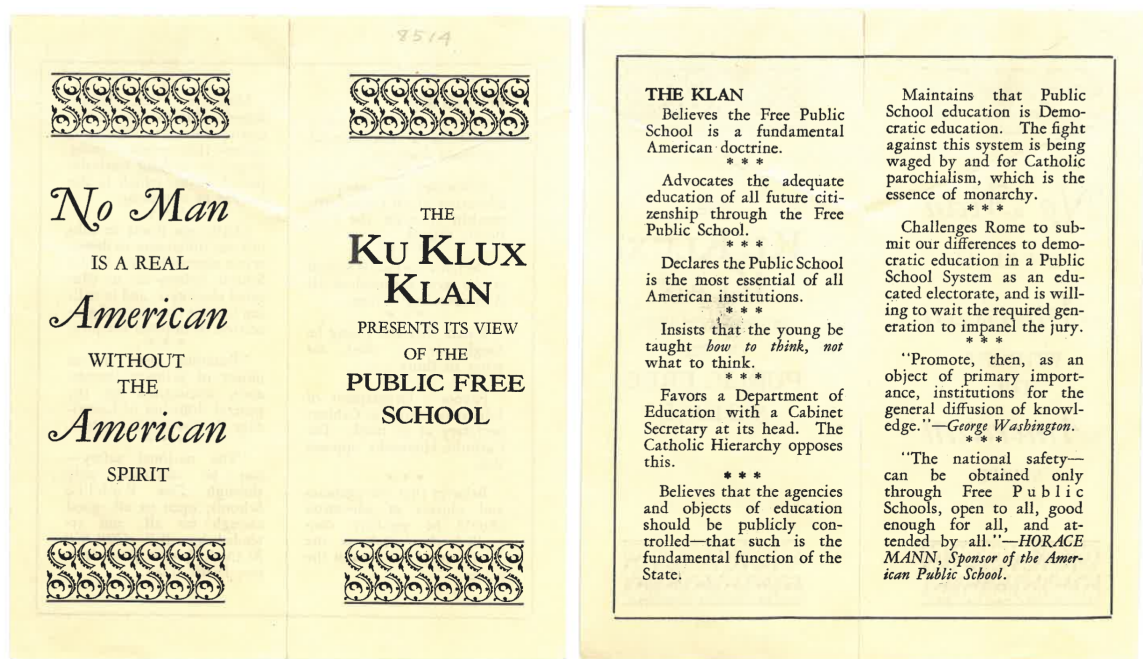
At the nexus of human ability via learning and human availability via compulsion, the system of schooling began to regulate and commodify competencies for future labor more transparently (Han, 2008) by the state in collusion with capital desire for neoliberal, gendered, heteronormative, ableist, and racialized subjectivation. A critical component of this history is the impetus underneath the state's desire to make schooling compulsory. In order to commodify the life of its citizens, schooling would have to be mandatory, and the dead letters laws of the mid-19th century would have to be enforced with teeth through state coercion. While there are many reasons for a given state's desire to make school compulsory and the public's acceptance of and compliance with these laws, not the least of which was rapid urbanization and increases in the U.S. population (Tyack, 1976, p. 23), there was a nativist fear of non-whites, Catholics, and other immigrants (Higham, 2002) who were to be forced into the state's schooling institutions and submit to its transformative power.

The most illuminating example of a state's overreach along these lines was the Oregon Compulsory Education Act of 1922 (Jorgenson, 1968). Ultimately deemed unconstitutional by the U.S. Supreme Court in *Pierce v. Society of Sisters* (1925), Oregon's law compelled all children between the ages of 8 and 16 to attend its public schools making private and parochial schools illegal. While the law was designed primarily to "[destroy] Roman Catholic schools" (Holsinger, 1968, p. 330), the nativist rationale behind the law reverberates today. The bill was supported by Republican gubernatorial candidate Charles Hall who advocated for compulsory public schooling which taught "pure Americanism" alongside the Good Government League which supported "patriotism" in the schools (p. 331). The Oregon Ku Klux Klan printed and

disseminated the brochure in Figure 3, which outlined their rationale for supporting the new law. These urges were firmly rooted in an interrupted U.S. history of xenophobic nativism (Ross, 1994), which continues to haunt Spanish-speaking undocumented students today (Davidson & Burson, 2017; Huber, 2011).

**Figure 3**

*The Ku Klux Klan Presents its View of the Public Free School, 1922*



*Note.* A brochure distributed by the Ku Klux Klan in support of the taxpayer-funded public school during debates around the passage of Oregon’s 1922 Compulsory Education Act. From *The Oregon Historical Society* (<https://bit.ly/3yywdVW>).

### **An Iron Cage of Matryoshka Schooling**

David Stovall (2018) asks: “given the constraints and foundations of state-sanctioned violence as ‘schooling,’ can education happen in the institution commonly known as ‘school?’” (p. 53). I argue that education can and does occur in schools every day. However, the kind of fugitive education that I am focused on here does not occur

through the structure of schools and instead persists despite it. To clarify this point, it is necessary to describe the structure of schooling to represent what fugitive students and teachers are in flight from. Here, I use the metaphorical image of matryoshka dolls to explain the historical and contemporary manifestations of the school system in what I call *matryoshka schooling*.

**Figure 4**

*The Original Matryoshka Set by Zvyozdochkin and Malyutin, 1892*



*Note.* Image of the original set of matryoshka dolls by woodcarver Vasily Zvyozdochkin and designer and artist Sergey Malyutin. From *Wikimedia Commons* (<http://bit.ly/402WqaT>). In the public domain.

Matryoshka dolls (see Figure 4) were invented by woodcarver Vasily Zvyozdochkin and designed by artist Sergey Malyutin in Russia in the late 19th century.

Commonly referred to as Russian nesting dolls, matryoshka dolls are representative of femininity, fertility, and traditional life—in Russian, matryoshka means “little mother.” The original set consisted of eight dolls, the outer mother doll, and her seven children, each stacked within the other. Notably absent from the set is a paternal figure which could not rationally fit within the traditional, metaphorical structure of the toy. While the original intent behind the dolls is unknown, Hubbs (1988/1993) draws upon mythology to suggest the dolls represent “maternity” as “the [Matryoshka] spills all creation out of her body; like the protective and nurturing individual mother, she gathers her children ‘under her skirts,’ where they must find identity through nature’s cyclical rhythms of confinement and release” (p. 237). Through the metaphor of *matryoshka schooling* that I present in this chapter, it will become clear how students, teachers, and administrators are up against the stacked odds of hidden paternalism, a visible patina of maternal protectionism, and an emptiness of meaningful content inside the bureaucracy of schooling. Taken together, these features are a metaphorical rationale and catalyst for fugitivity.

Ritzer et al. (2003b) note that matryoshka dolls were handmade initially and hand painted by local artisans, made from high-quality wood, and “rich in detail” (p. 204). After the fall of the Soviet Union and the rise of Russia as a tourist destination, the dolls became a popular souvenir and “far more likely to be machine-made: automatically painted; made of poor quality, unseasoned wood; and greatly reduced in detail” (p. 204). Through a process he calls globalization, the dolls were transformed from something to nothing. Ritzer and Ryan (2002) define *something* as “full forms that are indigenously conceived and controlled and relatively rich in distinctive content” and *nothing* as “empty

forms that are centrally conceived and controlled and relatively devoid of distinctive content” (p. 51). For Ritzer et al. (2018)

something and nothing are the poles of a continuum. For example, there is extreme somethingness when work is free, creative, and unconstrained by these processes, and there is extreme nothingness where work lacks freedom and creativity, largely because it is highly constrained. (p. 118)

This pull toward globalization is defined by the contours of capitalism, McDonaldization, and Americanization through homogenization, uniformity, and purification (Ritzer & Ryan, 2002, p. 62). Ritzer (2003a) cites two examples of this dehumanizing work toward nothing at McDonald’s and Disney. In each case, the workers are scripted and highly constrained in their labor. In moving toward somethingness and taking control of their work, workers resist dehumanization but risk being punished.

Along these lines, the schooling system is a matryoshka institution where teachers and students are commanded to work toward nothingness. When teachers’ work is scripted, highly centralized, and controlled, and they risk punishment by doing otherwise, schooling looks and feels like a kitsch, mass-produced product. When students’ work in schools amounts to regimented training through a curriculum designed by corporations without rich knowledge of teachers, students, or context, their diplomas become cheap souvenirs. This kind of schooling occurs in a nonplace, a classroom that could be anywhere else. Students are taught uniform content, like any other student in a district that has bought the same curriculum package. Along these lines, the curriculum is transformed into a product to be marketed, bought, sold, and transmitted. It becomes a nothing. Teachers become little more than warm bodies capable of conveying a script,

students become mere audiences for the script, and leaders become directors of educational continuity. As a result, all those involved become nonpersons in an educational fiction. Pedagogy becomes a nonservice in the performance of circulation. Education, on the other hand, upends these dehumanizing tendencies. The classroom becomes a relational, affective space. Curriculum becomes locally crafted based on the desires of those involved in the educational process. All involved become guides for one another in the authentic delivery of a collective good rather than a private product.

Given all these tensions and possibilities for resistance and refusal, why do schooling's most harmful features seem to march on unimpeded? Weber's (1904/2013) twin concepts of disenchantment and the iron cage explain the stacked odds of matryoshka education and the potential for solidarity among students, teachers, and leaders as they collectively face the challenging oppressions of bureaucracy. Samier (2018) applies Weber's notion of disenchantment to education, defining it as a reduction to economic values as a

condition of the neoliberal age, where people are mathematically measured and which dehumanizes people into cogs in a wheel producing disenchantment and eventually the 'iron cage.' This bleak condition is one in which the materialisation of individual value and group interaction occurs, and where formal rationality overtakes substantive rationality, that is, the procedures for doing things (e.g., performance measurement) overtakes the substance of meaning in teaching and research in the case of higher education. (p. 3)

Weber's analysis of disenchantment stems from the rise of secularization and the increasing scale, scope, and power of the formal means–ends rationalities of science,

bureaucracy, the law, and policy-making” (Jenkins, 2000, p. 12). This rise corresponds with a decline in interest in the unknown and possibilities outside scientific measurement. An organized drive toward scientific positivism supplanted curiosity about the world and our place in it. Scientific certainty superseded the catalytic potential for poetry, literature, spirituality, and philosophy. As Jenkins (2000) argues, (re)enchantment is possible. This is the notion that there is “more to life than the material, the visible, or the explainable,” wherein “the philosophies and principles of Reason or rationality cannot by definition dream of the totality of life” (p. 29). However, this requires resistance to academic and institutional pragmatism—a rejection of the displacement which has spread across academic departments and has become a defining feature of the contemporary university without a vision beyond the neoliberal order (Coles, 2016). In addition, it requires a dedicated analysis of alternatives and the rationale behind them. I am taking up fugitivity as a small step in this direction. Still, in education, hegemonic practicality continues to rule the day. This pragmatism functions as a lock around research that secures an iron cage around what occurs daily in schools, fortifying schooling’s matryoshka structure. Along these lines, it is necessary to define these cages, which continue to spur resistance, refusal, and flight.

Weber (1904/2013) initially used the iron cage metaphor concerning spiritual asceticism, which invited some limited desire for external, material goods which would “lie on the shoulders of the ‘saint like a light cloak, which can be thrown aside at any moment’” (p. 164). He concludes: “fate decreed that the cloak should become an iron cage” (p. 164). Since researchers’ salaries and ability to attain professional autonomy via material wealth rely on institutional research constraints, they co-construct an iron cage

around their discipline. Similarly, teachers and students construct an iron cage around the day-to-day activities in K16 schooling. The financial and social consequences of doing otherwise are too harmful to risk resistance. As a result, they often accept the iron cage as an unalterable aspect of their life and livelihood.

Ritzer (2018) extends Weber's concept of the iron cage in two ways. First, noting that the iron cage is one that one cannot metaphorically escape from, there is the velvet cage. The velvet cage is "the idea that people love being trapped in that cage" (p. 116). Second, the rubber cage "is somewhat more flexible, so people can pull the bars apart and get away when they want to get away" (p. 116). I suggest these velvet and rubber cages are rendered operational through privilege. Those who find near-immediate belonging in institutions of education recognize an immediate comfort and acceptance of a predefined ontoepistemic reality. Who they are and what they know is already made comfortable as they are embedded into the structure of schooling. This is the velvet cage of education. As I will suggest later in this chapter, teachers and leaders play a primary role in weaving comfort into the iron cage of schooling, often in collaboration with students. On the other hand, those who can jump from job to job with increasing salaries or levels of comfort and prestige find themselves in a rubber cage—escaping from one to the next on the greased rails of privilege. Acquiescence to the regulatory features of schooling and the institution's rules rubberizes its velveteed iron bars through measurements of success like grades and submission to authority through proper conduct.

Whether a given space in schools appears as an iron, velvet, or rubber cage depends on one's societal position. The basic foundation of schooling is laid, and its iron cage is built by the paternal state. Who is deemed to need paternalistic control is

culturally determined. Anyon's (1980) distinctions between working class, middle-class, affluent professional, and executive elite schools illuminate how degrees of paternalistic control plays out in the everyday curriculum and pedagogy in these spaces. Understood generationally, children not at the top of the sociocultural hierarchy are up against stacked odds and are unlikely to become autonomous individuals in this context. The iron cage attempts to render them replicas of those who came before through paternalistic influence by state-sanctioned institutional coercion. In this matryoshka form—in the existing space of the school—how might students contend with an all-encompassing paternal system focused on control rather than freedom?

### **Stacked Odds: The Consequences of Paternalism**

Paternalism is the reduction or removal of autonomy from someone for their benefit. Dworkin (2002) establishes a three-prong test of paternalism based on the following conditions:

1. Z (or its omission) interferes with the liberty or autonomy of Y.
2. X does so without the consent of Y.
3. X does so only because X believes Z will improve the welfare of Y (where this includes preventing his welfare from diminishing) or in some way promote Y's interests, values, or good.

The first criterion is based on the verb *interferes*, which means to control without invitation or necessity. For students, there is no option to deny interference in their education given state compulsion, nor, as I will suggest, is it necessary to intervene in the learning process. Of course, this claim has caveats. For example, the liberty or autonomy to harm oneself, especially unknowingly, is generally accepted as a justification for this kind of intervention. Common examples of state paternalistic control that are widely accepted are seatbelt laws, bans on certain narcotics, and so on. These kinds of

interventions might be deemed moral imperatives imposed by the state. Along these lines, the state may be viewed as a helpful friend or a nanny for its subjects (Le Grande, 2015). Both positions assume that absent the threat of state punishment, adults would not otherwise buckle their seatbelts, avoid harmful drugs, and so on. In healthcare, paternalism emerges in doctors' ability to override patients' requests when they are deemed incapable of making decisions in their best interest. Paternalism operates with more complexity in schooling. Instead of a one-to-one or state-to-subject relationship as the context for interference, there is a web of overlapping paternal controls extending from the state to district leaders, to campus leaders, to campus leaders, teachers, and students. Each paternalistic relationship forms concentric circles of power that follow the general definition of paternalism concerning the individual: "intervention...intended to address a failure of judgment by that individual...intended to further that individual's own good" (p. 177). This justification for paternalistic authority assumes that those who operate at the center of power—e.g., the state through its legislative authority or district and campus officials through their hierarchical authority—know how to identify and correct failures of judgment. In short, the basis for this intervention rests on the idea that these officials possess a more perfected form of judgment. Through the abstract concept of leadership, they are empowered to pass down edicts to their subordinates, whether this leadership and its corresponding paternalistic power stem from a hierarchical position, a democratic election, or the possession of capital. While racialized, gendered, and socioeconomic status saturate these hierarchies regarding who has power and who does not, the fundamental element in a lack of power in schools is age and one's status as a student.

The second criterion revolves around a lack of consent that the paternalistic figure intervenes or not, effectively suspending their autonomy and control over their own lives. The typical, caring parent would not think twice about grabbing their child's wrist when they are about to touch a hot stove, thereby subverting their autonomy without their consent. However, the justification for the hot stove case does not smoothly apply to the kind of curricular decisions that paternalistic figures make in schools. That is, the kinds of essential knowledge and ways of being that children are coerced into through their participation in state institutions are not equivalent good to children not burning themselves on a stove although it is often discussed in these terms. We hope that children's curiosity to touch the stove wanes over time, as it always does whether they touch the stove or are told not to. Eventually, these same children will burn themselves sooner or later. A problem emerges when paternalistic authorities treat null curriculum as a hot stove that is not to be touched. To deny a child's curiosity about a particular academic subject is a fundamentally different act than paternalistic interference in a child's curiosity about a hot stove. Unlike the pain of touching a hot stove, there is no certain knowledge of direct harm in exploring academic topics that arise naturally for students. For example, a coercive approach to education that forms the foundation of schooling assumes that students would not learn their ABCs without the requirement that they do so. Additionally, it suggests that learning their ABCs in the specific way that schools teach the alphabet is in their best interest. It denies the possibility that these children would learn the alphabet independently, albeit not in the systematic way it is taught. To do otherwise is treated as if the child is touching the hot stove.

Consequently, the paternalistic function of schooling removes children's autonomy about their own development.

Children operating in the role of the student should be granted more control over their ethical, ontological, and epistemic development. Students are granted a degree of autonomy through schooling on a scale. At one end, it is presumed that students need autonomy in this developmental process to catalyze learning motivation (Ryan & Powelson, 1991). At the other end, autonomy as circumstantial or dispositional, either the freedom to or disposition to determine one's actions, is roundly rejected as an aim of education and supplanted by a development of "practical reason" that is "desire-independent" (Hand, 2006). In either case, children's relationship with autonomy is restricted through institutionalized schooling in contrast to self-directed education, which emphasizes student autonomy and resists paternalism. As discussed earlier, the divisions between schooling and education are not clear-cut. Instead, as children navigate what it means to be a student and pedagogues train to become a "tutor," an "upbringer," or a "schoolteacher" (Hamilton & Zufiaurre, 2014, p. 6), each navigates their position in the classroom and adjust according to their circumstances. Both parties appear to understand that schooling engages them in a game of power where the institution is a coercive aggressor in the suspension of student autonomy. This game of power is premised on Dworkin's (2002) third criterion of paternalism—the notion that schools and their agents believe that certain suspensions of autonomy "promote the interests, values, or good of [the student]." However, the a priori belief that adults know what is best for children and teachers know what is best for students is often accepted without question or limitation. This belief in one's coercive power to select a child's life trajectory is justified by more

widespread acceptance of social coercion. Indeed, the adults who are now in these positions of relatively minimal power have gone through the same institutions of schooling and were subject to similarly situated, highly controlled environments and comparable coercive threats in their development. Along these lines, coercive power to determine youth's interests and values is passed down generationally. Youth who might question this assumed power through refusal or resistance often find themselves up against stacked, violent odds.

I also suggest that reform-minded educational leaders who might resist these paternalistic structures are up against stacked odds of another sort. Tyack and Cuban (1995) explore what they call the “grammar of schooling” as static formulations of the school experience to determine why it is so durable and why “even vigorous and imaginative challenges seem to fade, leaving behind few new practices here and there but not fundamentally altering the way schools are organized for instruction” (p. 85). Through an analysis of The Dalton Plan, The Eight Year Study, and the High Schools of Tomorrow initiative, they conclude that the grammar of schooling offers a standardized way to “process” millions of students each year that was “easily replicable” and had a “uniform system of accounting” (p. 107). In addition, two problems persisted in these reform efforts. One was that the reforms were too intramural as reform became an internal district- or campus-based struggle rather than a national, aspirational project. Second, these new routines disrupted the pedagogies that teachers and students had habituated into their everyday routines. This resulted in high rates of burnout and anxiety among community members and school boards. These stacked odds represent a human compulsion to habituation and repetition—to engage what is comfortable and known

rather than take risks to advocate for something new. Even if these forms of schooling are harmful, they are a comprehensible harm and a familiar source of injury.

Along these lines, a society's familiarity with paternalistic control sustains it. Returning to the image of the matryoshka doll, the power to constrain ways of being and knowing is generationally and historically layered to the point where a philosophical investigation into the paternalistic power of schooling appears illogical impractical. Students are aware of these stacked odds—that they are inculcated into an institution where they have little to no say in how it functions or in the general aim of their education. Since children cannot give subsequent consent (Chwang, 2009) to compulsory schooling, there is an implied assumption about future consent being previously controlled. Regarding paternalistic intervention, subsequent consent assumes that a student might be “grateful or thankful that [the intervention] occurred” (p. 119). In another case, the student might not mind the interference in the first place, effectively negating Dworkin's first and second criterion or agreeing or remaining neutral concerning the third. Dworkin (1972) makes the following claim about issues of subsequent consent by children, which is broadly accepted:

There is...an important moral limitation on the exercise of such parental power which is provided by the notion of the child eventually coming to see the correctness of his parent's interventions. Parental paternalism may be thought of as a wager by the parent on the child's subsequent recognition of the wisdom of the restrictions. There is an emphasis on what could be called future-oriented consent—on what the child will come to welcome, rather than on what [they] do welcome. (pp. 76-77)

In opposition to the utopian dream of state-supported education, which takes on a pure liberatory form, subsequent consent to paternalistic control is, as he puts it, a wager on their own wisdom and the child's recognition of the parent's and their own wisdom after the fact. This is premised on the notion that children are considered deficient at the moment of intervention. Their wisdom points in two directions. First, a recognition of the parent's wisdom to intervene, and second, a recognition of the child's wisdom, which now corresponds to their parent's wisdom at the time. Here, there is a circular justification for paternalism so long as the child consents to the intervention at some point in the future, which is the expectation. Therefore, paternalism is often justified because the child should eventually vacillate on their consent to the intervention. This circular wager is the foundation of the stacked odds of paternalistic intervention, which students and teachers recognize in their position in institutions of schooling. The odds are stacked against the student to resist the full force of the paternalistic circle. Likewise, the odds are stacked against the teacher to fulfill their obligations outside of justified paternalism. Otherwise, they undermine their wisdom, effectively breaking the justificatory mechanism of their authority. To do otherwise admits that they may not know what is best for each student, and, as a result, paternalism as a foundation for standardized schooling falls apart.

A crucial aspect of the stacked odds of matryoshka schooling is that students appear to be coerced into subsequent consent as their frames of knowing to begin to hew more closely to the frames demanded by society and its institutions. It is difficult to know whether or not this is a justified vacillation on the part of the student, a result of psychological rewards for their continued compliance, a kind of indifferent acceptance

that their reality is unalterable, or some combination of these. Some of the consequences of these stacked odds include a positive acceptance of one's reality, a psychological disposition toward conformity, or an apathetic relationship to the trajectory of their own life. In addition, it is not easy to know what alternatives to these outcomes may exist. For instance, it is not easy to imagine students and teachers wielding the power that puts institutionalized schooling against the same odds. For us, it seems it must always be the other way around. Students are well aware of their lack of power inside institutions. Teachers, likewise, are aware of the relatively limited individual power they have to subvert institutional paternalism. Indeed, it is their job—at least in part—to ensure the maintenance of penalties.

In an ethnographic analysis, Nolan (2011) explores institutional cultures of control, explaining that “institutions of civil society, such as the urban public school, assume explicit roles in the larger societal project of the penal management of marginalized, low-income youth of color” (p. 53). Penal management is often thought of as the organization of student relationships to legal penalty—to legality, authority, and ethics. However, a penalty in the context of schools operates more accurately as a form of pain management. From a social efficiency perspective, the management of pain inside the walls of the classroom—where schooling ideologically reinscribes a certain kind of care for children—seems to be in preparation for an avoidance of future pain by squelching dissent and criminalizing disrespect as early as possible in a child's life. In short, the space of the school tells students, in so many ways, that they are ill-fitted for the classroom, a particular space in a school, by sending them elsewhere under threat of pain and penalty because the school and the society that built it knows better than they

do. In legal scholarship, this is referred to as paternalistic justice (Morris, 1981; Dolinko, 1999), where the offender gains an educative benefit from the penalty and damaged social relationships are restored. Along these lines, the pain of penalty in educational contexts is thought to serve a “therapeutic function” where society “seeks not so much to re-form the offender” by way of force but to “persuade them to reform themselves” by way of often violent coercion (Duff, 1996 as cited in Dolinko, 1999, p. 347). This is not therapeutic, of course; as I will suggest later, it functions more like incarceration. This power struggle results in a series of games on the part of the institution, with teachers as its representatives, which seeks to ensure students’ present compliance and subsequent consent. The first of these games center around maternalism and an ethic of care.

### **Maternalism: A Shell Game of Aporetic Care**

Grumet (1988) points out that “we employ many women, even many mothers, as the very agents who deliver their children to the patriarchy” (p. 32). This is still the case as roughly 77% of the 3.8 million teachers in the U.S. are female—9 out of 10 in primary schools and less than 6 of 10 in high schools (Loewus, 2017). These numbers have remained relatively steady since Grumet wrote *Bitter Milk* in the late 1980s (pp. 43-44). According to this data, viewed alongside Grumet’s critique of the ideal woman as an ideal mother and teacher (p. 43), there is a long-standing gendered component to the underlying education structure. For example, one’s desire to enter the profession, subsequent applicant pools, and social linkages between gender performance and certain types of labor. Grumet (1988) notes

it is possible that the feminization of teaching was initially located at the crossroads of masculine and feminine projects to rectify their own object

relations. Cut off from their mothers by the harsh masculine authority of church and fathers, theorists like Mann sought the reclamation of mother love by promoting women as teachers of the young. Overwhelmed by the presence of their mothers, women entered teaching in order to gain access to the power and prerogatives of their fathers. (p. 54)

I read the feminization of teaching as a palliative shroud for the hegemonic masculine prerogatives that feminist educational theorists point out. This means that the kind of maternal attributes that are deemed desirable among schoolteachers reconstructs a binarized gender performance and corresponding expectations for those involved in the process of schooling. As others have highlighted (Griffiths, 2006), this shift toward feminization does not negate patriarchal effects on educational practice, especially as “hegemonic masculinity crowds out other practices” in its reliance “on valorizing forms of femininity that disempower women” (p. 403).

By contrast, Noddings (1988) argues for a feminine ethic of care that she claims is at the heart of morality and at the root of education. She locates care in the feminine because caring “seems to arise more naturally out of woman’s experience than man’s” (p. 218). This hinges on her maternalistic view that a mother “puts her thinking into the service of three great interests: preserving the life of the child, fostering his [sic] growth, and shaping an acceptable child” (p. 220). The logic is that a model, caring mother crafts a caring child and, therefore, that the model, caring teacher crafts the caring student. In response to criticism of her work as gender essentialist, that it ignores sociopolitical justice, and places an undue burden on those already marginalized to be carers (Held, 1995; Tronto, 1993), Noddings replaced the terms feminine and maternal with relational

and had stopped using them in her more recent work on the ethic of care (Noddings, 2012). She notes that “caring, as a moral orientation, is neither domain nor gender specific, but taking this position does not compel us to deny that the *origins* of care may be domain specific—that they lie in the small group setting that we have come to call the “home” and, probably, in parental love” (Noddings, 2002, p. 1). I suggest Noddings’ initial gendered analysis and change over time to concede that men and women can be both caring and heartless does not detract from the power of her argument. Instead, I suggest that an ethic of care in Noddings’ formulation may allow for the smooth operation of paternalistic control and its concealment as a violence.

Koven and Michel (2013) define maternalism as a set of “ideologies that exalted women's capacity to mother and extended to society as a whole the values of care, nurturance, and morality” (p. 4). They note that

maternalism always operated on two levels: it extolled the private virtues of domesticity while simultaneously legitimating women's public relationships to politics and the state, to community, workplace, and marketplace. In practice, maternalist ideologies often challenged the constructed boundaries between public and private, women and men, state and civil society. (p. 6)

A critique of the profession's feminization and maternal performance expectations lays the groundwork to challenge the gendered structure of schooling. However, under intense masculinist managerialism, the attributes of maternalism appear to be captured by the underlying structure of the school to smooth over and disguise its function. This maternalist overlay in the image of the matryoshka doll provides a sense of security and safety as children are delivered to an “aggressive, ruthless, competitive, and adversarial”

society organized around global capital (Acker, 2004, p. 29). The source of this hostility is notably absent in matryoshka schooling, which parallels the form of the doll. Instead, children are cloaked in the mother's protective shell, swaddled in care. Younger children are likewise enclosed by their siblings who came before them, representing layers of generational care who made it through the schooling process albeit altered under paternalistic coercion. Along these lines, maternalism becomes a valuable tool to camouflage the more harmful aspects of schooling and assuage the ethical, ontological, and epistemic conformity of paternalistic demands. When incorporated into the schooling process, an ethic of care is an aporia that can lead to more complex inquiry around managing student emotions in schools.

This is accomplished, in part, through this ethic of care. In contrast to an ethic of rights or justice (Nunner-Winkler, 1993), which relies on impartiality, an emphasis on individual relationships, recognition of one's experiences, and responsiveness to vulnerability places care as a focal point normative ethical decision-making. Kroeger-Mappes (1994) argues that these two moral frameworks of care and justice are components of a single ethical system that often conflict. She argues this places women in a Spivakian double bind (2012) since women must perform simultaneously within both frames. The managerial demands on teachers' work to conform to rights-oriented disciplinary policies and their additional, assumed duty to perform maternal care has the potential to blur ethical decision-making and produce cognitive dissonance. Since both ethical frames operate as a singular system, teachers do not need to choose one or the other. Instead, in the context of schooling, a feminist ethic of care defends masculinist discipline, fitting in ethical care where possible and disregarding it when necessary.

Along these lines, care can quickly become associated with discipline if the disciplinary actor accepts the institutional paternalism that runs through schools. The kinds of punishment that subvert a faithful ethic of care can be justified through an ethic of care when presented with a double bind. In addition, the maternal characteristics mentioned earlier can assuage the child's pain when a social institution rejects their way of being or knowing. In short, paternalistic punishment can be readily justified as a form of aporetic care.

*Aporia* is a term in philosophy meaning “impasse” or “puzzlement” and is an indicator of doubt and uncertainty. I use the term here, in a Derridean (1993) sense, as “the impossible, the antinomy, or the contradiction” (p. 21). For example, in language: *this sentence is false* or *there is no absolute truth*. Likewise, I suggest that this paternalistic maternalism or maternalistic paternalism is a routine contradiction students encounter in the space of the school—a simultaneous experience of a violence of care, a caring violence, a heartfelt violation. About these encounters, Derrida notes:

Let us ask: what takes place, what comes to pass with the aporia? Is it possible to undergo or to experience the aporia, the aporia as such? Is it then a question of the aporia as such? Of a scandal arising to suspend a certain viability? Does one then pass through this aporia? Or is one immobilized before the threshold, to the point of to turn around and seek out another way, the way without method or outlet of a *Holzwegor* [being on the wrong track] or a turning (*Kehre* [u-turn]) that could turn the aporia—all such possibilities of wandering? (pp. 32-33)

In the space of schooling I have described, Noddings' framework is more palliative. It is an analgesic prescribed to combat the pain of constraint, turned aporetically into a pain of

care, and a suspension of action. Perhaps when students say they hate school this is what they are experiencing. Perhaps when teachers say they did not get into the profession to play these games this is what they mean. As Derrida suggests, there is no obvious action one can take and no clear way out. The carer can sincerely model relational care, engage in empathetic dialogue, emphasize the ethical ideal of students' relational practice, and confirm the value of such acts in an environment of positivity () without ever destabilizing the paternalism that undergirds the structure of schooling. In fact, a brutal paternalism necessitates discussions about Noddings' version of care in the first place. Again, paradoxically, the school would not need such academic frameworks for an ethic of relational care if it were not already enmeshed in an uncaring society.

As students move through the school system, they become increasingly aware of these contradictory features. For example, the oft-repeated mission to instill a drive toward lifelong learning (Field, 2000) but without room for autonomous learning, the valorization of choice shot through with the end goal of rational control (DesJardins & Toutkoushian, 2005), the collective disdain for standardized testing and its apparent unalterable permanence (Phelps, 2005), or the mantra of student-centered learning and an attendant datafication of human life that reduces them to broad, normalizing categories (Jarke & Breiter, 2019). Along these lines, schooling becomes a complex game of survival for a minoritized student's ontoepistemic framework within an institution that seeks to transform it into something acceptable and recognizable to society. This transformation is accomplished under the guise of being cared for with the goal of social and economic efficiency. During substantial change, students may find maternal comfort as their ways of being and knowing are altered to conform to the institution's standards,

often under the threat of violence. Note that the multiplex privileges of economic advantage, whiteness, heteronormativity, neurotypicality, and able-bodiedness result in a lack of awareness about the game minoritized students are forced to play and the daily coercion toward normed transformation these students experience. It is more likely that they read schooling as a more freedom-producing activity and do not notice its contradictions as they are given more autonomy and further empowered in the process.

Sociolegal justifications for child abuse under the guise of care coupled with a punitive society focused on pain and punishment point to an ideological circumstance beyond a culture of manipulation. The routine violations against children of color and other marginalized youth are not therapeutic; instead, systemic brutality serves as a salve for Whiteness and maintains colonial control through institutional power management. Less like pain management and more like electroshock therapy in the institution that teaches students to accept the punishment it doles out, pat children on the back, and tells them it knows what is good for them. In a colonial-capitalist hub like the United States, *de jure* paternalism is justified as a benevolent, caring form of social control, allowing *de facto* paternalism that depends on control and exploitation to generate conformity, dependency, the expectation of rewards, and avoidance of punishment. Its two forms described by Ayca (2006)—benevolent-authoritative and exploitative-authoritarian—often look the same on the surface as they are levied against the child. Therefore, we should resist appearances and declarations of aporetic care that emerge in service to exploitative control of the student's body and mind through games of power. These adversarial contradictions materialize as a shell game of ethical care where a student seeking comfort may find none when they choose what kind of person they wish to

become and what they want to know.

**Figure 5**

*Bosch's The Conjuror, 1502*



*Note.* Hieronymus Bosch. (1502). *The Conjuror*. [Oil on wood]. Musée Municipal, St. Germain-en-Laye, France. From *Wikimedia Commons* (<http://bit.ly/3TclNVi>). In the public domain.

The three-shell game, also known as thimblorig, is a ruse in which a mark is drawn into an increasing set of wagers, betting they can find a pea underneath three shells after they are rapidly mixed up by a grifter behind the table (Maurer, 1947). This confidence trick is made possible by proving that the game can be won by one or more

co-conspirators called inside men who convince marks to join through their ongoing participation. This is a crucial component in legitimizing the game. As the betting increases, marks may win a little, but once their confidence grows either by the grifter giving them a quick peek or a series of successes, they can be taken for all the money they have on them. This is one example of a confidence game in which the grifter can exploit marks, seducing them through the greed and false confidence built into capitalist subjectivation.

Schooling and the guise of aporetic care operate similarly. Like a con, students are coerced into participating in the game of schooling. However, unlike the three-shell con, they are not drawn in of their own accord but forced to participate under the threat of penalty for truancy. They must be at the dinner table, the school desk, and the corporate office. As a critical take on ostensibly positive research, interventions centered around ethical care have been shown to reduce students' desire to drop out (Cassidy & Bates, 2005). Along these lines, students' continued attendance is augmented by inside men—leaders, teachers, and peers—who convince them to keep playing the game and that they can win. In this case, winning comes in grades and their eventual graduation, linked explicitly to their future socioeconomic welfare. I do not ignore that participation in the game of schooling leads to some neoliberal version of success. However, the trade-off is that students must shed some sense of who they were and who they otherwise may have become absent from the ontoepistemic transformation that schooling demands of them. They lose themselves in the process. I suggest we look at this ontological and epistemic death and its replacement by a normed body and mind under paternal threat and maternal care.

Occasionally, students may find comfort and maternal care dependent on their full participation in the game. However, upon opening the matryoshka doll, like the final reveal in the three-shell game, students find it empty and devoid of content, and their ways of being and knowing have been stolen. Along these lines, the game of schooling appears as the content of schooling itself—to play is to learn. Navigating the institution safely and coming out on the other side relatively intact becomes a primary concern. To do so means not only that they play the game but that they also follow its rules. When they find that schooling is hollow and they are repeatedly told that their success in K12 determines their success in the future, what other options exist beyond schooling's years of detention?

## **CHAPTER 4**

### **STATES OF CARCERality**

We go to the schools and they leach the dreams from where our ancestors hid them, in the honeycombs of slushy marrow buried in our bones. And us? Well, we join our ancestors, hoping we left enough dreams behind for the next generation to stumble across.

—Cherie Dimaline, *The Marrow Thieves*

#### **Carceral States of Education**

I think most can agree that we would like to see the numbers of those in prison decline dramatically—whether through the reduction of the commission of a crime, a revision of our views around public safety, an undoing of carceral logic, prison abolition movements, or some combination of these four approaches. My focus here will be on the latter two which places students, and especially students of color, at the center of this carceral reality through their custody in institutions of schooling. Furthermore, I will claim alongside prison abolitionists that a further tightening or reformation of the carceral knot exemplified in the other two options is not a solution. I will suggest that by focusing on students of color as paradigmatic examples of students' carceral relationships to schooling, we can illuminate a broader dehumanizing violence of confinement, conformity, and labor. I conclude this chapter by turning to ways to think about how we might break free from the carceral logics of schooling as an operating system.

At the time of writing, the United States has the second-highest total prison population (1,675,400) and the sixth-highest incarceration rate (505 per 100k) in the world (World Prison Brief, 2023). If individual states are looked at as individual countries, roughly half of U.S. states would have the highest incarceration rates in the

world (Widra & Herring, 2021). In addition, the U.S. has the highest juvenile incarceration rate in the world and each year an estimated 250,000 juveniles are prosecuted in adult criminal courts (“What’s at stake,” 2023). These statistics point to the fact that people living in the U.S. are in a carceral state but, as with any set of data, it does not tell the full story. In this chapter, it is not my intention—even if it were possible—to tell the complete story of the U.S. carceral system. Instead, I focus on the links between carceral logics, criminality, and education. Foundationally, the carceral state focuses on the increasingly militarized local police, systemic racial inequities in the judicial system, and the prison industrial complex that roughly one-third of people in the United States have direct encounters with at varying levels. Beyond this foundation, however, there is a pervasiveness to carcerality, where notions of justice in the hearts and minds of Americans are wrapped up in the punishment of the accused. Instead of thinking solely about mass incarceration, we might consider the elements that motivate this reality through mass criminalization (Hinton & Cook, 2021), mass supervision (Miller & Stuart, 2017), and mass surveillance (Stahl, 2020). Institutions of schooling assist in these efforts, not only to move marginalized populations from schools to prisons (Skiba et al., 2014) but also to normalize social elements of carcerality, rendering them more visible to the state, less visible to society at large, and therefore less able to engage resistance.

Along these lines, schooling is an institutional proxy for the justification of state violence through what De Lissovoy (2014) calls “violation,” in its mechanisms for advancing children into conformity and acceptance of the “punitive texture of cultural life” (p. 57). De Lissovoy (2013) notes that the principle of violation

aims at once to plunder and to injure, to produce and to lay low; it is characteristic of a form of capitalism linked at its birth to slavery, and experimenting in the present with new forms of racial caste and racialized repression. Understanding capitalism in terms of violation means recognizing the surplus that this system seeks in moments of both production and dissolution, and points to the way that racial subjects within it are alternately assimilated and expelled. Within this framework, the penal system can be understood as simultaneously a strategy for surplus management and extraction (i.e., in warehousing a reserve labor army, and in for-profit prisons), and an instrument of social and political repression. (p. 744)

Institutions of schooling are testing grounds for how (un)productive students can be within this regime of extraction for little more than an abstract wage in the form of letter grades and an avoidance of punishment. As stated earlier, institutions of schooling experiment with new forms of confinement and pliability related to authority over labor, bodily discipline, and psychological management of the kind expressed in the previous chapter and further developed here. Schooling accomplishes this by constructing an approximation of the carceral state within the boundaries of its campuses. That is to say, behind every teacher is a police officer and detective, behind every school leader is a prosecutor and judge, behind every peer is a witness, and behind every student is a pro se litigant.

Consider how calls to arm teachers in the light of school shootings make this carceral reality more visible. These policies appear to many Republicans (69%) as a rational next step in the carceral state of education while it garners only 26% support

among Democrats (Horowitz, 2018). Of course, this discrepancy based on political affiliation does not point to one side supporting the carceral state and the other side taking an abolitionist stance. I suggest that both parties generally support the kind of mass supervision and mass surveillance that operate in tandem with carcerality. Instead, the heart of the matter is the extent to which liberals and conservatives want to make the carceral state visible. Along these lines, Republicans may see the violence that seems to be endemic to U.S. society more clearly. Liberals may be more inclined to visually scrub society of these violences. Similarly, they seek to render the class system, racial disparities, sexism, and heteronormativity epistemically invisible—often as a means to deny their own role in these hierarchies (Gilson, 2011). This liberal approach shows up in the simultaneous presence of diversity initiatives and the persistence of racism. This is built on the idea that liberals prefer order to justice and tend to maintain cultural hegemony over a sustained critique of oppression. In perhaps the most concise expression of this idea Martin Luther King, Jr. (1963) wrote:

I must confess that over the past few years I have been gravely disappointed with the white moderate. I have almost reached the regrettable conclusion that the Negro's great stumbling block in his stride toward freedom is not the White Citizen's Councilor or the Ku Klux Klanner, but the white moderate, who is more devoted to "order" than to justice; who prefers a negative peace which is the absence of tension to a positive peace which is the presence of justice...

A negative peace is reflected in institutions of schooling when teachers are not visibly armed, yet, in the maintenance of order, wield the power to inculcate children into a state of carceral surveillance, supervision, and violation. The carceral state is just one element

of unfreedom that is pervasive in U.S. society and its institutions, working hand in glove with neoliberal capitalism and its identitarian hierarchies of value to form a ligature on intersectional liberation and freedom.

In a video posted by YouTube channel *antipodeonline* (2020) discussing the geographies of racial capitalism, Ruth Wilson Gilmore notes that “the relationship between slavery and race, race and unfreedom, unfreedom and labor is one that we constantly try to untangle, and at our peril we try to ignore it, but also at our peril we make it too simplistic” (0:25). If we imagine these linkages as a knot, Gilmore’s claim indicates we have choices as to how we address it. There are those who try to tighten it or double it. There are those who ignore its existence. There are those who view it as easy to untie. Lastly, there are those who try to understand its complexity and undo it. Like *matryoshka* schooling described in the previous chapter, these knots have been historically embedded in the fabric of society, emerging as a series of overlapping restrictions. The ongoing doubling of these tensions is rooted in the intersection of class and race as “capitalism requires inequality and racism enshrines it” (1:36). Who feels these tensions, sees these entanglements, and to what degree depends on how embedded they are within its stratified, multiplicative loops. The six social cords of colonization, class, race, gender, sexuality, and ability intertwine to form a complex historical ligature that binds liberation and freedom. These strands intersect, double back, and cover over. These threads unravel, overlap, and form other knots. Political positions that reduce these complexities to a single cord or intersection—typically, Marxian class reductionism—fail to see the entwined complexity that Gilmore suggests exists between labor, unfreedom, and race. That said, a specific focus on a single portion of the knot is a strategy that might

help to produce a liberatory political horizon. However, when we fail to see the complexity of the knot, which cords connect to others and precisely how they intersect to form an ontoepistemic bind, attempting to loosen one portion may tighten another. For example, a focus on undoing heteronormativity without a critical eye toward white supremacy risks the reproduction of racial hierarchies in queer-inclusive spaces. Likewise, an emphasis on white supremacy without understanding its disabling features risks intensifying ableism in anti-racist spaces. This is the difficult but necessary work of collective liberation.

Institutions of schooling are one location where these complex carceral mechanisms are learned with the goal of children's acquisition and acceptance of this knotted assemblage as an apparently immutable reality. In the same way prison abolitionism, which states clearly that reform is not an answer to mass incarceration, Stovall (2018) asks whether we are prepared to take up similar conversations around school abolition and "seek to end the conditions that sustain and support white supremacy through an endemic system of training rooted in dehumanization and white supremacy" (p. 57). In the next section, I detail two related consequences of carcerality that ripple through institutions of schooling: material confinement and epistemic conformity. These carceral elements of confinement that emerge in schooling which seek to fundamentally alter children's ways of being and knowing to conform to social whims are evidence that we need a "hard re-set of education" (Ladson-Billings in Martin & Mulvihill, 2021). I will suggest these two consequences that emerge in the practice of schooling must be ended. Depending on the context, these expressions of ontoepistemic restriction will be

demonstrated differently. In what follows, I invite the reader to make unique connections to their own conditions inside and outside of the institutions they find themselves in.

### **Material Confinement and Nonontology**

Ethico-onto-epistemology is a portmanteau of ethics, ontology, and epistemology (Geerts & Carstens, 2019). As a rejection of “anthropocentric conceits and haughty Enlightenment-based notions of supposedly all-encompassing progress and linear progression,” the merging of these philosophical terms allows us to “see the potential for new human/non-human symbioses as well as recognize existing partnerships in which we are already enmeshed” (p. 924). This emphasizes the claim that being, knowing, and doing are inseparable components of lived experience and are constitutive of one another. Barad’s (2007) view of onto-ethico-epistemology proposes that “knowing is a material practice of engagement as part of the world in its differential becoming” (p. 89). They expand this notion beyond the human with the understanding that we are only one part of the world, upsetting Cartesian mind-body dualism and presenting what they call agential realism. Agential realism is the position that the world is composed of agents rather than passive objects and that these agents have a certain degree of autonomy or agency. Rosiek and Kinslow (2015) describe it as “part of a constellation of ideas that treats inquiry not as the clarification of an epistemic representation but instead as the establishment of provisional onto-ethical relations between different agents, often between human and non-human agents” (p. xxv). In addition, along these lines, they argue whiteness is agential, functioning as an “ontological agent that presents a specific form of racializing assemblage” they define as “power-laden social orders that concentrate wealth and privilege with lighter skin members of a European diaspora

through material-discursive formations that dehumanize those with darker skin and naturalize Eurocentric settler colonial norms” (p. xxix). Agential realism emphasizes the role of agents in shaping the world and argues that the relationship between agents and the world is one of mutually constitutive intra-action, rather than one in which agents simply respond to the world’s pre-existing properties. This means that students and institutions—the space they inhabit—are never without agency. Put simply, students are not separate from the world and the world is not separate from them; they act on the world as the world acts upon them. At times for clarity, I will take up ontology, ethics, and epistemology separately before connecting these concepts.

It is important to note that Barad’s feminist materialist work on matter is not the first to explore this dynamic, productive relationality between (non)human agents. Indigenous philosophers Deloria and Wildcat (2001) point out that indigenous “knowledge of the natural world, of the human world, and of whatever realities exist beyond our senses has a consistency that far surpasses anything devised by Western civilization” (p. 2). They continue:

The best description of Indian metaphysics was the realization that the world, and all its possible experiences, constituted a social reality, a fabric of life in which everything had the possibility of intimate knowing relationships because, ultimately, everything was related. The world was a unified world, a far cry from the disjointed sterile and emotionless world painted by Western science. (p. 2)

Ironically, this sterile and emotionless disjointedness of Western epistemology becomes a constant in students’ lives and institutional schooling demands a respectful observation of its categorical boundaries. In opposition to this confinement, Deloria and Wildcat take up

metaphysics in a holistic sense rather than reduce knowledge about the world and our existence in it to categorize experimentation upon the world by human beings. By resisting scientific rationalism and empiricism, they reject the “worldview in which humans presume themselves to be the measure of all things” and ask a crucial question: “so what of humankind, what of this unit of measure?” (p. 55). Schooling instantiates these anthropocentric tendencies as institutional monuments to humankind and its supposed collective experience with reality. As Wilson (2001) notes, “our systems of knowledge are built on the relationships that we have, not just with people or objects, but relationships we have with the cosmos, with ideas, concepts, and everything around us” (p. 177). When students are alienated from these forms of relationality, they experience ontoepistemic enclosure through the imposition of hierarchy.

Schooling attempts to impose material confinement on students, teachers, and leaders which emphasizes a human-object hierarchy. This is an attempt because, as agential realism suggests, the possibility of resistance through material-discursive intra-action always exists as a pressure. In addition, because of the inseparability of human beings and the spaces they inhabit, material-discursive agents alter these spaces as they are also altered by it. Still, in the one-to-one conceptualization of an individual teacher impacting an individual student or a single institutional space affecting a full classroom of students, schooling can only aspire to substantially alter the onto-ethico-epistemic character of the student body. It is this aspiration for transformation—which is inspiring to many teachers and leaders in their work—that belies physical reality and promulgates a mechanism for identitarian conformity. Importantly, the socially materially constructed and assumed necessity of mass supervision in these spaces, spurred on by carceral logics,

marks an attempt at the creation of an ontologically binding spatial enclosure in the racial state.

Gilmore and Gilmore (2013) suggest a fundamental structure of what they call the racialized, neoliberal “antistate state” is understood through its “expanded use of cages as catch-all solutions to social and political problems” (p. 142). I suggest institutions of schooling are examples of an expanded cage, an annex for captivity, and an ontoepistemic space of racialized containment. They coexist with prisons as “symptomatic and emblematic of antistate state-building” as “concrete manifestations of a dour future for all insofar as they congeal within both novel and reworked state apparatuses a deadly present for many” (p. 142). This deadly present is grounded in the antistate state’s ability to “naturalize violent domination” (p. 151). When the antistate state demands bare schooling over rich education, it directs funds away from education toward all forms of policing and imprisonment and the violence it naturalizes. One core ingredient in this naturalization of dominance and violence is schooling’s role in children’s’ ontological and epistemic death. This coincides with a subsequent transformative rebirth within the confines of the racial states’ ideal ontoepistemic framework founded on and mediated by white supremacy. In short, schooling attempts to naturalize racialized state dominance over the entirety of the material body and its existence.

The racial state is the way “the institutions comprising the state develop and act, legislatively, juridically, and administratively, through the establishment, regulation, and differentiation of racial formations” (Gilmore & Gilmore, 2013, p. 144). These different racial formations are ontologically binding for humanity. In terms of being, the

assumption that education is humanizing necessitates that it is always possibly dehumanizing (Snaza, 2013) along with “intermediate concepts” of the “less human” and the “less than fully human” (p. 41). For a critique of this well-established dehumanizing tendency in schools, it is important to center Black ontologies as a focal point as the inherent target of anti-Blackness. There are two strands of thought within the radical Black tradition—Afro-pessimism and racial realism—which clarify the ways schooling, on the one hand, refuses to humanize students of color, and never really has, and, on the other, marks attempts at materially confining forms of humanization in a back and forth of expulsion from and incorporation into the category of humanity which composes a problem of Black ontology.

The problem of ontology, as Warren describes it, is a “deadlock” between Black optimism and Afro-pessimism (p. 219). Critics of Afro-pessimism claim its position is “a negation of the agency of black performance, or even a denial of black social life” (Sexton, 2016, p. 23). For some scholars, the ontological register and fixity of Black being premised on the transatlantic slave trade is ahistorical, undermining well-documented lived experiences and resistance, in Afro-pessimism’s insistence on a permanent, exceptional Black victimhood and a denial of the sociopolitical complexity of the African continent (Olaloku-Teriba, 2018; Thomas, 2018). Olaloku-Teriba (2018) notes

Wilderson and Sexton want us to believe both that the myriad forms of exploitation—indentured servitude, ghettoisation, mass incarceration, police brutality et cetera—which followed the formal abolition of slavery constitute a continuation of enslavement (or its ‘afterlife’), and that the position of the slave is

fundamentally different from the position of the ‘white’ or ‘Indian’ indentured servant who often performed similar labour and whose resistance incurred violent repression.

Emeagwali (2010) lists six types of Afro-pessimists: nihilists, haters, and abominable racists, scholars of hopelessness, self-loathers, opportunistic career seekers, and poverty pornographers (see also Thomas, 2018). Also, in a panel discussion video posted by Akademie der Künste (2018) on colonial repercussions, Angela Davis points out that we should be careful about anti-Blackness, suggesting “this is more about freedom than it is about Blackness because there are also Black people who are participating in the oppressive apparatus,” suggesting that the afropessimist position cleaves political solidarity (3:18:10). While I find Wilderson and Saxon’s work on Afro-pessimism helpful for critical liberatory analysis with regard to Eurocentric anthropocentrism, I understand these critiques of their position as Afro-pessimism posits another insistence on material confinement—destabilizing but moving in parallel with the ontological conformity of schooling. That is to say, in agreement with Davis’ comments, that it says little of freedom even as it speaks of the difficulty of liberation.

Schools enact a nonontology when it selects certain groups for the presentation of human existence and academic progress through a hierarchical identitarian rubric. We see evidence of this in history textbooks (Lucy et al., 2020), the English literary canon (Dyches, 2018), advanced mathematics access (Battey, 2013), and science instruction (Morton et al., 2022). Positioned as a rational actor in the advancement of society, the human emerges in these contexts as white, masculine beings while others are relegated to subordinated categories of less than human or other than fully human. The social

constructions of Western history, the literary canon, and so on, attempt to affix a norming matrix of humanity over the dynamics of agential realism, subjecting the category of human to ongoing evaluation through Western intellectual humanism. More precisely, Wynter (2003) describes a chain of living beings divided on the basis of (ir)rationality as an “ontological distinction of a represented nonhomogeneity between divinely created-to-be-rational humans, on the one hand, and divinely created-to-be irrational animals, on the other” (p. 306). She points out that the construction of the Black figure mediates this divide in the Western imagination in a “mode of non-being,” which is to be avoided (p. 325). Afro-pessimism seems to cede this ground to this hegemonic identitarian hierarchy of being—again, suggesting little with regard to freedom but much about liberation. It suggests an airtight material confinement in schooling and a permanently degraded ontological position. An understanding of agential realism and racial realism, taken together as agential racism presents a comparably powerful critique but retains a sense of possibility and solidarity.

### **Epistemic Conformity and Traumatic Loss**

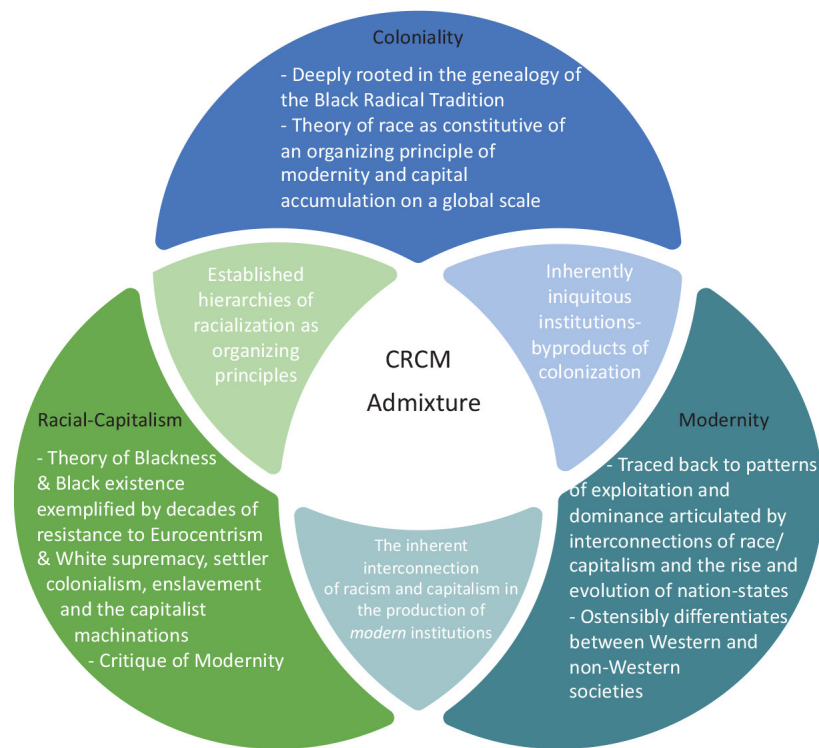
As ways of being are diminished in institutions of schooling, deeply personal, historical, and cultural ways of knowing are curtailed as well. Schooling promotes epistemic conformity among those involved in its institutions. In a global sense, Santos (2014) refers to the global north’s devaluation of knowledges outside its borders of conformity as an epistemicide: a “murder of knowledge” as a “condition of genocide” (p. 92). Regarding local schooling and curriculum, epistemicide can be a broader lens for epistemic conformity to Eurocentrism and white supremacy (Paraskeva, 2016). Oliveira (2017) points out these epistemicides.

are visible not only in the kind of knowledge that has been taught, the way it has been taught, and the way it has been evaluated, but epistemicides are also intimately connected with the metamorphoses involving educational and curriculum policy and reform, teacher education, and accreditation. (p. 6)

Along these lines, the epistemic conformity I take up here extends beyond the curriculum. For example, recent curriculum bans proposed by the white nationalist right wing in the U.S. are evidence of how epistemicide is sanctioned by political leaders through policymaking whether it emerges in a forced ignorance of non-heteronormative sexual orientation and gender identity (Nguyen & Melhado, 2023) or a ban on critical approaches to Black history in the United States (Malewski & Jaramillo, 2013; Spencer & Izaguirre, 2023). Although not explicitly colonial, these contemporary bans operate on similar lines, as queer affirmation and Black liberation are closely aligned with decolonization (Smith, 2010; Wright, 2022). As Figure 6 shows, the confluence of colonization, racial capitalism, and modernity has resulted in the production of hierarchical, iniquitous institutions. I suggest that institutions of schooling are not only one of many institutions of this sort but operate as an ontoepistemic training ground for the ongoing production of future epistemicidal institutions premised on epistemic conformity to whiteness and its tentacle-like extensions of heteronormativity, sexism, ableism, and class privilege.

**Figure 6**

*Coloniality Racial-Capitalism and Modernity (CRCM)*



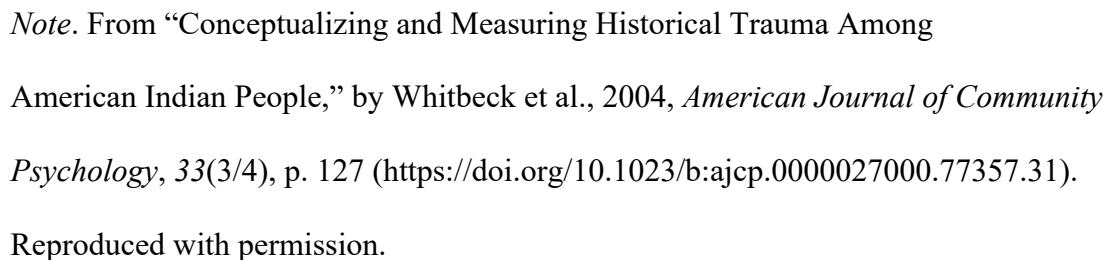
*Note.* From “The Deep Roots of Inequity: Coloniality, Racial Capitalism, Educational Leadership, and Reform,” by J. Wright, 2022, *Educational Administration Quarterly*, 58(5), p. 703 (<https://doi.org/10.1177/0013161X211029>). Reproduced with permission.

Epistemic conformity is the boundary-making pressure to “[yield] to the dominant group consensus” (Klar & Bilewicz, 2017, p. 338). In terms of knowledge, schooling constructs and implements a curriculum that generates a valuable in-group and a marginalized out-group, and it awards student performance based on adherence to in-group epistemes through the standardization of knowledge. Absent a critical analysis through racial realism, it would seem epistemic conformity operates within any given in-group when it obtains dominance in a given space, even if only momentarily. Consider the epistemic conformity imbued in familial groups, especially the pressure for children

to conform to their parent's beliefs. Extend this point outward in a series of concentric circles of influential pressure and you eventually arrive at a substrate of interconnected political institutions that attempt to shape, define, and control these interior circles and inner life itself. To avoid them entirely is yet another form of social death. But an important distinction arises when institutions are the object of critique—namely, the coordinated power that they wield to construct a dominant group consensus and produce normative ways of being and knowing.

In terms of institutional schooling, I want to highlight the connection between coloniality and racial capitalism as a foundational element of epistemic conformity. Colonial Eurocentrism, as a result of a series of defeats beginning with the U.S. revolution, has been supplanted by Western imperialism where dominant internal groups within a given nation have replaced external state authority (Quijano, 2007, p. 168). These groups wield whiteness in an attempt to consolidate sociopolitical power. Along these lines, curriculum makers and school leaders have been tethered to a colonial project from the outset in that “white supremacy and settler colonialism are the foundational material of educational leadership” (Marsh et al., 2022, p. 682). When schooling is the paradigm of learning, these leaders occupy the seat of racialized and colonial epistemic conformity, curriculum makers privilege Western knowledge, and teachers reproduce this partition and dismiss alternative ways of being and knowing.

### *Whitbeck's Structured Equation Model of Historical Trauma*



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in 1871, they did not end when it closed in 1918 (see Figure 7). As Whitbeck et al. (2004) show, the ontoepistemic loss of land, language, familial ways of being, and culture results in depression, anxiety, anger, and avoidance. In addition, it has also been extractive. During these children's time at boarding schools, they were inducted into the "outing system" where they would stay with white families in the area and work for local businesses, "submersed in the dominant white American culture throughout the entire year with the aim that they would acquire the American values of industry and thrift" (White, 2016, p. 108). During this period of time, children would be subjected to child labor in an attempt to train them as "domestic laborers" and "farm laborers" (p. 109).

In this sense, they were not assimilated into the accepted meritocratic labor pool where they might aspire to be lawyers or doctors but a racialized social and economic hierarchy that underpins capitalist labor and political power. As Robinson (1983/2020) argues, capitalism did not originate in Europe and then spread throughout the world on its merits. Instead, it was a specific type of capitalism that resulted from the exploitation of Black and indigenous people through colonial expansion and institutionalized slavery. This ingrained hierarchy parallels the development of schooling and, in particular, what kinds of opportunities are available to students based on their social status through a combination of race, wealth, gender, and ability. Those who are socially positioned toward the bottom of the US caste system are prepared for routine, low-paying work where labor is so divided that they become alienated, resulting in feelings of hopelessness and purposelessness. Schooling's insistence on epistemic conformity and material confinement mirrors this division of labor, ensuring that those with economic capital and political power maintain both through the social reproduction of caste-based learning and

labor. This racialized ontoepistemic enclosure forecloses possibilities for a future beyond this broader carceral system by tracking children into a particular kind of immediate future.

Packer and Goicoechea (2000) describe the ontoepistemic process of learning as a time when the person is constructed in a social context, formed through practical activity, and formed in the relationships of desire and recognition that can split the person, motivating the search for identity (pp. 231-234). In each step in this process, schooling defines, refines, and confines the context, what is or is not practical, and what kind of relationships are acceptable. This is to say that learning is not just an epistemic content-based add-on but always an ontological project that “entails both personal and social transformation” (p. 235). Ideally, the personal and the social are on equal footing, each domain possessing comparable power to transform the other. From these histories of schooling, it is hard to conclude that this power is proportional when a single student confronts the power of state schools as a mechanism for social reproduction. The capacity of the manufactured social space to transform the person in the classroom—managed through state policies, formal curricula, and pedagogical norms—fundamentally negates the kind of education that might otherwise be possible. As the criminal teacher and student move toward unconstrained being in educational spaces, criminality dissipates, and an unforced ontology emerges through creative fugitive literacy. This is the conscious transition out of a space of criminality and into a space of liberatory learning—away from state schooling through fugitive acts of ontoepistemic development.

In the United States, material confinement and epistemic conformity found in carceral schooling, and the abandonment of the future is linked to a culture of narcissism

and presentism. Pinar (2011a) notes that as “the past and future disappear in an individualistic obsession with psychic survival in the present,” deep exploration of historical and cultural realities becomes increasingly arbitrary (p. 3). This self-centered presentism reproduces a cordoned-off space of epistemic conformity wherein the past and the future fade as survival in the precarity of the present takes precedence. Conformation to the present is confirmation of the permanence of the present. Along these lines, epistemic conformity and material confinement amount to much more than curricular standardization in the standardization of the body’s ways of being and knowing. This “enforce[d] mimicry” (p. 6) produces boundaries for what is possible in schools. Enforced mimicry coincides with traumatic material losses of land, community, and self. It forces a colonial order of operations that degrades ways of being and knowing, rendering them irrational in a circumscribed ontoepistemic system.

### **Jailbreaking the Normative State**

The normative state is a political apparatus that establishes standards for its citizens’ relationship to itself. In addition, it manages people’s relationships to one another, themselves, and their ways of being and knowing. Like an operating system, the state and its institutions of schooling attempt to mandate a sandboxed user interface on the world—a carceral state of impossibility. In this section, I discuss three connected components that attempt to norm our daily lives inside and outside institutions: the state operating system, its racialized instrumentalization, and the limits of democratic deliberation. I conclude by drawing on the technological practice of jailbreaking to conceptualize the removal of ontoepistemic restrictions imposed by the state operating system.

The first component of the normative state is the way it functions as a system. Laursen (2021) describes the state as analogous to an operating system like Windows or Mac OS in its totalizing environment, routine updates, and internal logics encoded into its foundation through the legal and social system. The most relevant part of Laursen's explanation of this system is that it operates as a system of cultural hegemony and hierarchy (pp. 112-122) in opposition to any identity that competes with it (pp. 124-125). These characteristics of the state hinge upon what Laursen calls the state's Core Identity Group which he defines as "the ethno-cultural group that the state regards as its primary constituency, critical to its legitimacy and security" (p. 125). With the state's help, this Core Identity Group "seeks to absorb other groups, eliminate them, or else maintain them in a subordinate position" (p. 125).

A connected concept, drawn from Bracey's (2015) critical race theory of the state, is its instrumentalist orientation. Bracey describes the state as "a tool created, maintained, and used by whites to advance their collective racial interests" and "the site of arbitration between competing factions of the dominant group" (p. 558). Schools are a powerful arm of the system that inculcates children into state-supported hierarchical hegemony which privileges the nuclear family, heterosexual reproduction, the ability to labor for capital accumulation, Eurocentric ways of being and knowing, and so on. In addition, the ways we learn and teach outside of the formal space of educational institutions tend to lend themselves to the ways of being and knowing that the state desires. This component of the normative states asks us to reframe the question: what do we want from the state in a purely democratic sense to what does the state want from us in its autocratic organization of human life through its institutions?

Another component of the normative state is the pull toward democratic deliberation instead of creating spaces for agonistic politics. Agonism is an approach to politics that foregrounds counter-hegemonic pluralism and rejects the imperative of democratic consensus (Mouffe, 2013). For Mouffe, the “public space is the space where conflicting points of view are confronted without any possibility of final reconciliation” (p. 92). That is to say that we need not concede political, ethical, and philosophical ground to political opposition in the name of consensus, agreement, and rational argumentation although—and perhaps, especially because—we live in a political system that purports to have democratic elements. The goal of agonistic politics is to maintain a space for genuine democratic alternatives through committed opposition to one’s political opponents. Although schools are places where this opposition can potentially be nurtured, developed, and oriented toward the creation of co-conspirators (Love, 2019) centered around intersectional solidarity (Tormos, 2017), instances of disruption in the operating system of the state are treated as bugs rather than features.

For example, in a recent free speech case at the U.S. Supreme Court, Justice Stephen Breyer noted that “America’s public schools are the nurseries of democracy” (*Mahanoy v. B.L.*, 2021, p. 7) echoing the virtues of individual state autonomy as laboratories of democracy (Wiseman & Owen, 2018). In both cases, given their loyal adherence to state institutions, they have a particular kind of democracy in mind that limits disruption of the state’s operating system. Indeed, the legal test for free speech in schools is ordered around “substantial disruption” adopted under *Tinker* (1969). Given that the public school is a space where genuine opposition is routinely and violently eliminated (Wozolek, 2020), the kind of democracy that schooling nurses is a normative

one premised on a carceral rubric—children are measured in their willingness to be confined and their performance under these constraints.

Taken together, these components of the normative state instruct how one engages politically and negotiates the instrumental operating system. Schooling is the first institution that trains people living in the U.S. in its systemic features and limitations with the specific omission of its historical and contemporary failures. Along these lines, schooling in the normative state functions as a form of internal marketing (Mitchell, 2002) and nation branding (Volcic & Andrejevic, 2011). For example, one might think of a whitewashed history course with nationalist elements as an epistemic product for internal consumption to be bought and sold on the political market. Not only does this advance white racial interests to maintain power but it also reduces opposition through the denial of agonistic politics. Similarly, the predominance of white, male authors in the English language arts canon reflects the ontoepistemic center of the U.S. national brand. These courses can be conceptualized as applications within the operating system. Schooling is direct training in the user interface for the state to coordinate the consumption of its internal products and place parameters around labor. The curriculum of schooling is a sandboxed process wherein access to other files is denied.

Schooling as an attempt at nationalist internal marketing is “the best way to help [students] make a powerful emotional connection to the products and services [schools] sell” (Mitchell, 2002). However, unlike internal marketing in corporations, where “few understand the need to convince employees of the brand’s power,” the kind of coercive national branding that occurs in schooling is its default imposition, where uncritical adherence to the inherent virtues, goodness, and exceptionalism of the United States is

demanding under threat of failure. Along these lines, schooling is a slipstream for the kind of brand loyalty companies attempt to compel in their consumer products. One method of resistance to schooling parallels resistance to brand loyalty through the act of jailbreaking. Jailbreaking is a process by which consumers remove manufacturers' limitations on technology products like cell phones, operating systems, gaming consoles, and so on. One goal of the jailbreaking process is to gain complete control over the system to the extent that other applications unauthorized by the manufacturer can be downloaded and unwanted default applications can be removed. Lee and Soon (2017) describe jailbreaking as a violation of brand loyalty in a desire for the creation of value through customization. They note four relevant motivations: the preference for an enhanced experience, the individual right of self-expression, an orientation toward anti-hegemony, and the hacktivist desire to liberate the masses (pp. 355-358).

Best and Hartman (2005) argue the figure of the formerly enslaved fugitive unsettles the category of freedom and justice under the law through acts that prefigure a reality more free than the one they inhabited. When the enslaved human—now fugitive—and the preservation of their autonomy under threat is centered in an analysis, the contradictions within contemporary political oppressions are revealed. Along these lines, education is a means to unsettle society through the routine interrogation of its operating system to create a more equitable world in an unjust present. Schooling, as a state-supported technology of governmentality and subjectivation, can be jailbroken along similar lines and is animated upon similar desires. The aforementioned material confinement and epistemic conformity embedded in the carceral system of schooling can be undermined through an understanding of precisely how schools, in a given context,

diminish the educational experience, deny self-expression, and reproduce hegemonic norms. Like jailbreaking technology, a consequence of critiquing schooling on these terms is a security risk. Unlike the forms of insecurity that neoliberal education promotes to establish docility, labor production, and market subjectivation (Slater & Crocker, 2019), insecurity along these lines exposes teachers to unemployment, being passed over for promotion, and a reduction in earnings. Perhaps students and community members—as consumers in the neoliberal paradigm—hold the most power under these circumstances. Students and community members can demand an enhanced educational experience, rights of self-expression, and a rejection of hegemony. That said, leaders and teachers can take on a hacktivist role in jailbreaking the carceral state, “acting as guardians for jailbreakers and jailbirds” (Lee & Soon, 2017, p. 358) even if they do so at their own peril.

## **PART II: FUGITIVE EDUCATION**

## **CHAPTER 5**

### **UNCONSTRAINED KNOWING AND BEING**

How does one hate a country, or love one? Tibe talks about it; I lack the trick of it. I know people, I know towns, farms, hills and rivers and rocks, I know how the sun at sunset in autumn falls on the side of a certain plowland in the hills; but what is the sense of giving a boundary to all that, of giving it a name and ceasing to love where the name ceases to apply? What is love of one's country; is it hate of one's uncountryside? Then it's not a good thing. Is it simply self-love? That's a good thing, but one mustn't make a virtue of it, or a profession...Insofar as I love life, I love the hills of the Domain of Estre, but that sort of love does not have a boundary-line of hate. And beyond that, I am ignorant, I hope.

—Ursula K. Le Guin, *The Left Hand of Darkness*

### **The Criminalization of Education**

Massachusetts passed the first law linking a lack of schooling to state punishment in the Thirteen Colonies. *The General School Law of 1642* (Eberling, 1999) was passed by Puritan elders who feared that parents were falling short in their moral obligation to teach their children to be literate so they may read the Christian Bible and understand religious leaders' laws. Concerned that parents were ignoring the 1642 law, *The Old Deluder Satan Law of 1647* dictated that every town with at least 50 households appoint one teacher for the town whom the student's parents would pay. Towns with more than 100 were required to create a grammar school to prepare students for the university. This law foregrounded religious language, justifying its passage, and emphasizing its importance by declaring that Satan wanted their children to be illiterate so they would not

have access to the Bible. This associated a lack of English literacy with evil and goodness with the ability to read and write. The first law fined parents 20 shillings or roughly two weeks' earnings for a skilled laborer at the time. The second law fined the town five times this amount if they did not comply. At this point, schooling became a nexus through which resistance to reproducing ideology would be met with a financial penalty.

During the same period, Puritans in Massachusetts sought to control indigenous groups through the same legal framework they sought to control their society.

Lomawaima (1999) notes that this approach to schooling was centered around “natural education,” or what was self-evident to white colonists about indigenous people (p. 4).

Colonists believed their work on their colonized land was rooted in settlement, civilization, and conversion, which went hand-in-hand with theocratic Christian hierarchy. Not only did these Christians claim indigenous land, but by their narcissistic proselytization, they attempted to claim the ontoepistemology of indigenous groups in their totality under the guise of salvation. The violent ways in which indigenous groups were subjected to the presumption of deficiency resulted in an education that “typically included a military model of mass regimentation, authoritarian discipline, strict gender segregation, an emphasis on manual labor, avoidance of higher academic or professional training, rote memorization, and drill in desired physical and emotional habits” (p. 19). Lomawaima connects these pedagogical approaches to contemporary education, noting that indigenous and other marginalized groups are subject to the displacement of their being in exchange for a colonial, ontological hierarchy. Along these lines, colonial teachers were the wardens of being and knowing. Taking these two historical contexts together, the assumption is that White parents might be derelict in their obligation to

teach their children. It must be compelled to do so, but indigenous groups were naturally deficient and continually violated by their mere existence.

Around the time of the founding of the United States, the association between the law, schooling, and punishment continued but with a more secular influence. The focal point of critique that runs through this second half of the dissertation is the state imposition of ontoepistemic normativity found in U.S. anti-literacy laws. Between 1740 and 1847, the near-century that surrounded the founding of the United States, a rash of anti-literacy laws directed at Black people—free and enslaved alike—criminalized both the teaching and learning of reading and writing (See Appendix A). In my analysis, this confinement and criminalization are at the root of schooling. On the other hand, I hold that the crux of education in opposition to schooling rests in Black fugitive praxis in resistance to the state-sponsored criminalization of teaching and learning. Education, then, is a practice of ontoepistemic freedom in opposition to the limitations of schooling. The state apparatus, founded and maintained by white capitalists, provided a self-legitimizing mechanism for the legal denial of full humanity for specific groups. At this point, religion, whiteness, and racial capitalism became intertwined in an incoherent system of racialized educational hierarchy—a modern extension of what Grosfoguel (2011) calls the four epistemicides/genocides of the long 16th century. Through Eurocentric “uni-versality,” the “uni-versity” reproduced the white man as the “one that defines for the rest” (p. 88).

This required a violent separation between the white male’s full humanity and Blackness, indigeneity, and womanhood, alongside a concomitant denial of being and knowing. Following Dussel, Descartes’ “I think, therefore I am” becomes the mantra of

the colonizer: “I conquer, therefore I am” (p. 77). Grosfoguel explores the link between the two that supports the genocidal and epistemicidal tendencies of the imperial being: “I exterminate, therefore I am,” where “the *ego extermino* is the socio-historical structural condition that makes possible the link of the *ego conquiro* with the *ego cogito*” (p. 77). He concludes:

When in the 17th century Descartes wrote “I think, therefore I am” from Amsterdam, in the “common sense” of the times, this “I” could not be an African, an indigenous person, a Muslim, a Jew nor a woman (Western or non-Western). All of these subjects were already considered “inferior” along the global racial/patriarchal power structure and their knowledge was considered inferior as a result of the four genocides/epistemicides of the 16th century. The only one left as epistemically superior was the Western man. In the hegemonic “common sense” of the times, this “I” was that of a Western male. (p. 86)

White men placed themselves in a controlling position, second only to God himself, so political cruelty and economic exploitation could be justified. This justification mirrors the innocence of the God of the Old Testament, as the control, cruelty, and exploitation of humanity were divinely legitimized. Indeed, this organizing principle of human nature was self-evident, positioning the 18th-century conception of “man” as the natural receptacle for God-given rights and semi-deified power. The founders of the United States were well aware of the term “human” as a broader categorization of our species, as the term appears 67 times in the Federalist Papers (Hamilton et al., 1788/2021). However, it appears exclusively as an adjective modifying “nature,” “affairs,” “heart,” “character,” and so on. This indicates that, for the founders,

the broader notion of the human being has no agency. Instead, “man” and “men”—appearing 259 times—function as the primary agent in these human affairs, passions, and so on. This is to point out that “man” is not merely gendered but a valorization of a specific, limited number of human beings of a particular class and race premised on a self-aggrandizing hierarchy of ability. Conservative attempts to revise this history (Birzer, 2022), suggesting that the six days when delegates argued the “difficult—if not impossible” question of slavery amounted to anything close to a discussion about Black human agency rather than their representative apportionment or whether they should be taxed as imported property, indicates the power of mythologized history.

Power over minoritized groups was made possible by the founders’ uncritical conformity to their narrow conception of human ability, justifications for economic growth through enslavement and exploitation, arguments bound up with federal representation and excise taxes on human beings, and restless desire for a union. As a result of their spineless acquiescence to racism and fear of an abolitionist uprising, anti-literacy laws were eventually inserted in the slave codes of all slaveholding states. One of the first instances of this was in response to the Stono Rebellion in 1739 where a literate man, Jemmy, led a revolt against slaveholders and whites, killing 20 and recruiting upwards of 80 enslaved people on their way to Spanish Florida (Thornton, 1991). In response, South Carolina passed The Negro Act of 1740 that stated:

Whereas, the having of slaves taught to write, or suffering them to be employed in writing, may be attended with great inconveniences; Be it enacted, that all and every person and persons whatsoever, who shall hereafter teach or cause any slave or slaves to be taught to write, or shall use or employ any slave as a scribe in

any manner of writing whatsoever, hereafter taught to write, every such person or persons shall, for every such offense, forfeit the sum of one hundred pounds, current money. (Rasmussen, 2010, p. 201)

Many slaveholding states resisted following South Carolina's lead in mandating anti-literacy laws for enslaved people until 1819 when Virginia passed a similar law in response to a series of uprisings against white enslavers. In 1823, Mississippi followed suit. In 1829, Georgia passed its anti-literacy laws in response to a series of fires in and around Augusta attributed to enslaved people (Tolley, 2016). North Carolina, Louisiana, and Alabama passed anti-literacy laws in 1830 and 1831. These anti-literacy laws were strengthened by these states immediately before and after Nat Turner's rebellion in Virginia (Rasmussen, 2010).

A comprehensive analysis of these laws and their catalysts points to a racialized, capitalist state run by a small cadre of fearful oligarchs, where the maintenance of order partly depended on restrictions on education and the imposition of schooling. As the power to shape schooling came to reside within the federal legislature over the next century, laws about indigenous schooling multiplied. The Indian Civilization Act Fund of 1819 sought to alter the ontoepistemology of indigenous people in the U.S., "stripping them of their traditions and customs and teaching them the ways of the majority culture in missionary schools" to transform them into "Christian farmers or laborers" (Lajimodiere, 2014, p. 256). During this period, small church-run schools were located on the outskirts of indigenous students' land. Once again, religion, education, and the state would be bound up with one another to develop indigenous groups' deference to the state. A series of treaties between the federal government and indigenous tribes

containing compulsory schooling provisions were passed between 1857 and 1868 (Laurence, 1977). In each treaty, parents unable or refused to compel their children's attendance would be subject to a reduction in their federal annuity (p. 395), mimicking the nation's Puritan roots. The full force of the federal government to compel indigenous children into their schools would not become a reality until 1891 with the passage of a compulsory Indian education act granting the Commissioner of Indian Affairs the power to enforce schooling of indigenous children by any reasonable means (Adams, 1995, p. 69). This meant restricting food, clothing, or money if parents did not send their children to the now-secular common schools—due to an 1896 law that ended federal financial support for sectarian education (p. 71).

Throughout the 19th century, forms of learning that supported the whims of those in power—economic, social, and cultural—were criminalized. On the one hand, anti-literacy laws attempted to prevent Black people in the slaveholding south from achieving functional literacy in English. On the other hand, indigenous schooling became compulsory to impose so-called white civilization on indigenous children. In both cases, schooling's ability to simultaneously impose and restrict curriculum opposes educational literacy. It can superimpose white supremacist cultural literacies over students' desires to know otherwise. After those in power realized that the common school could be used to control the industrial labor pool through basic instruction in functional literacy and bodily management, compulsory schooling became a feature of the everyday society we know today. The impetus behind compulsion in common schools should not be forgotten. This political momentum behind the idea grew alongside increased Catholic immigration and the corresponding fear of immigrants' unwillingness to "Americanize" (Olneck, 1989).

By 1918, all 50 states had compulsory education laws. They range from mere access to basic knowledge of reading and writing to the genocidal eradication of ways of being and knowing; compulsory schooling attempts to supplant existing education across various contexts.

### **Otherwise Worlds: Refusing Curricular Hierarchy and Scarcity**

Adkins (2021) points to curriculum theorizing and teacher education as inseparable, even while colonialism attempts to split them apart. As a result, work that makes fugitivity fundamental within-without educational institutions is based on marronage: “the criminal flight of chattel away from its masters enacted by enslaved peoples to rest and read in hiding before returning” (p. 190). It should be noted that the penalty for marronage is contextual—the danger and violence associated with what I have been discussing here through criminalization is different for different groups and distinct from the kind of violence enslaved people experienced. As my skin color gives me some shelter, I take seriously Bettina Love’s (2019) call for a shift from allyship to co-conspiratorship (pp. 117-118), where I wield my privilege as a white man to act rather than ponder my guilt, confess it, and perform an alliance with my words in specific spaces, not in others. Ultimately, this is about community curriculum-making, not programmatic policy. It is about refusal rather than compromise. It is aspirational and utopian rather than objective and pragmatic. This is about an orientation toward the institution centered around refusal and “efforts toward *otherwise worlds*” (Adkins, 2021, p. 190, original emphasis) rather than narrow collaboration with the confines of an institution. This is a space of learning and learning to teach outside the boundary-making curriculum of formalized teacher education programs. Adkins points out that these

otherwise worlds have always been created (p. 189). It is a space where people, all teachers in service to one another and their students, can meet to ask questions like:

What kind of relationship must we build to make these educational spaces less fucked up for all of us? What kind of relationship must we build so the cops in the hallways never again taze or body slam Black students? What kind of relationship must we build to make it impossible for fellow teachers to introduce trigonometry with an anti-Indigenous song and dance? What kind of relationship must we build so an administrator cannot fail to take a side when a Black colleague receives death threats? (p. 195)

Here, an otherwise curriculum and pedagogy can be co-constructed, practiced, and experimented with away from the suffocating tentacles of institutional life, severing their well-funded reach into ways of being and knowing for children and adults alike.

This brings me to the first refusal: radically saying no to pedagogical hierarchy. To make a claim to student-centeredness and nonetheless engage in a banking model of learning, to routinely diminish the contributions of students, to assume their deficits, and to rely on institutional power to stake your claim at the front of the classroom is to merely reproduce pedagogical hierarchy and link it to a tired, old buzzword. As DeLeon (2006) notes, the kind of critical pedagogy I elaborated on in the previous section can be largely eroded—or resuscitated in a new form—by incorporating anarchic principles into our ways of teaching and learning. Through free association that the state or its institutions do not manage, autonomous action catalyzed through organic community-building, mutual aid built on co-conspiratorship, and activism centered around subversive and helpful direct action, teachers can begin to erode the Euromodern hierarchical distinction

between themselves and their students. But not *for* their students. They must do this for themselves first with an understanding that this is only radical if and when it is fugitive and taken up under threat. The reason for this is expressed in Rancière's critique of emancipatory logic. As Biesta (2010) points out, Rancière rejects the revelatory model of liberation—the Marxian idea that we need to merely expose the workings of power, eradicating false consciousness, to be liberated from it. Rancière argues that “instead of bringing about emancipation it introduces a fundamental dependency into the logic of emancipation, since the one to be emancipated remains dependent upon the truth or knowledge revealed to him by the emancipator” (p. 40). Biesta goes further to suggest:

One could even argue that the pedagogy of traditional emancipation is identical to the pedagogy of traditional education, in that education is often conceived as a practice in which those who do not yet know receive knowledge from those who do know (and are thus dependent upon those who know for their trajectory toward equality and emancipation). (p. 53)

Therefore, as I suggest in previous chapters, there is an epistemic conformity bound up in the liberatory promise “traditional emancipation” via “traditional education,” or, what I call schooling. To do otherwise is to engage an act of unconstrained being and knowing—one that is untethered to and fugitive from the strictures of schooling. It is a movement toward self-emancipation and educational possibility with the recognition that the teacher is not the guardian and purveyor of student liberation.

Students already do this. They know the game and schooling's matryoshka form. Youth create an otherwise pedagogy of resistance when they refuse to be managed, share the answer key, take risks on one another's behalf when they feel they have less to lose,

keep and trade secrets, refuse to snitch, talk shit, teach each other how to do all of this, and so on. This refusal to participate in the pedagogical hierarchy makes visible the limited power institutions, administrators, and teachers have over students in the short term until they are caught and subject to state-supported punishment. At the same time, they are learning to navigate the institutionalized spaces that will be a significant part of their lives. There is an anarchic fugitivity at play here, whether in the space of the hallway, in a note passed in class or right in front of a so-called authority's face. In addition, there is a subversion in the joy students derive from bullshit as a form of resistance. Gaztambide-Fernández (2011) distinguishes between the kind of bullshit in “having a ‘laff’” (Willis, 1977/2017) among working-class students and the kinds of bullshit elite students engage in an attempt to undermine their elite status. He notes that “Learning how to bullshit is not just about bluffing your way through a class. It is also about mastering a particular language and about learning to ‘play’ a particular game” and that “bullshit is a way to succeed everywhere; it is about learning to rule” (Gaztambide-Fernández, 2011, p. 583). He concludes: “in light of the gross inequalities that characterize schooling in the United States of America, and in lieu of any reasonable explanation, becoming elite requires a great deal of bullshit” (p. 586).

Indeed, success in school—whether you are a student, teacher, or administrator—demands a particular aptitude and patience for bullshit. However, I should not bullshit myself in the process. Instead, I might engage in the “salvific laughter” that is the “laugh of mischief,” which is influential in its “sonic uncapturability” (Bey, 2019, p. 24). There is something I have not lost in my transition from naïve teenage anarchism to the manufactured decorum of a dissatisfied professional educator: the awareness that my

“‘authority’ is, quite literally, laughable” (p. 24). The primary difference now is that I also apply this awareness to myself to recognize the authoritarian joke—closely linked to a hallucinatory hoax of colonial whiteness, which has very real, material, and violent consequences. In a defiant act of parrhesiastic noise, do we dare laugh in its face?

Anarchic Black fugitivity suggests that teachers can subvert the institution on behalf of their students, colleagues, and themselves when willing to disengage from the pedagogical hierarchy the institution mandates. This means, yes, at times to outwardly comply with the institution’s standards for verticality in syllabi, chain-of-command, grading, advising, and so on, but to always be open to fugitivity when opportunities emerge or when a colleague or student needs shelter. Saying no to pedagogical hierarchy brings a horizontal ontology (Springer, 2014) to life—one conceived in radical notions of care, joy, spontaneity, refusal, and becoming. By declaring that anyone and everyone could be a teacher and a student, conspirators see the institution’s power structure more clearly. They can find means of escape, spaces of safety, or facilitate that educational movement for others. This is a radically inclusive position “wherein things, ideas, and politics are able to link up in non-hierarchical patterns of association” (p. 402) and where self-organization, by its very definition, strips us of our grand titles bestowed upon us by institutions. Imagine an undergraduate student who dares to call out an administrator and checks them to teach them something about their experience. Imagine a 5th-grader who has been harmed in their school and a principal who listens to them from the position of vulnerability rather than a paternalistic authority. That is a radical love cultivated in the spaces students and teachers might run toward, only to return with a sense of creative abolition. In these moments of departure, we might learn how to make more ethical

institutions. Here, we find a pedagogic horizontality. This brings me to the second refusal.

This shifting back and forth from fugitive spaces of cultivation toward spaces of creative destruction indicates that there is something else curricularly present in fugitive spaces. As Pinar (2019) suggests, “the present day is one of scarcity, demanding of us ‘sure-fire methods’, the success of which is measured by standardized examinations, regularly administered” (p. 1). That is, there is an incessant search for the standardized set of interventions that will finally close the so-called educational gaps, which are actually debts (Ladson-Billings, 2006), once and for all. Also, there is a curricular regime of scarcity that signals complexity in its sheer volume but, in practice, impoverishes the curriculum through formalized confinement. For example, there are nine general skills and fifty-five attendant skills that the 9th-grade English teacher is required to teach in Texas. While these requirements seem numerically overwhelming, they are pretty broad. Teachers can engage these outcomes in creative ways. It should go without saying, but they can construct a curriculum with their students to meet these outcomes. These features—the TEKS and what teachers can do with them—are not the regime of scarcity. Instead, what is possible in the curriculum becomes “necessarily bounded in ways that make it possible to control, predict, assess, and monitor their production, distribution, consumption, dispensation, and accumulation” (p. 4). This is the second site of refusal, where teachers and students reject the bordering of their knowledge to subject them to managerial tracking. Instead, they might evoke a more generous curriculum.

Fugitivity flees a space of scarcity toward a place of abundance. Jardine et al. (2006) note that curricular abundance is not purely epistemological but ontologically

centered (pp. 87-88). In other words, it is about something other than the accumulation of more specific concepts to know, which can be codified by the state, tracked by the administration, and measured on standardized tests. Instead, it is about an ontological abundance in the “great array of the ways of traversing a place that students bring to the classroom” (p. 88). This abundance indicates that students are already ready to engage in fugitive content. Classroom teachers see this in their drawings and doodles during lectures. They see this in their writing, often refusing to show us. They see this in their chatter about the world around them. There is a kind of fugitive safety in a whisper. This indicates an inherent desire to escape. These “signs of abundance” (pp. 39-42) go unnoticed, unanswered, or disciplined into nothingness. Schoolteachers may call these gestures off-topic, reduce their being to scarcity, and denigrate their knowledge when it does not comport with the confines of curricular management. However, when educators refuse scarcity and embrace ontoepistemic pluralism, fugitive spaces within-without the school emerge in abundance. This utopian aspiration cannot be accomplished in cynicism and solitude but through collective courage in direct response to political contexts. We can find a primary example of collective work toward unconstrained being and knowing in the Mississippi Freedom Schools that emerged during the mid-1960s.

### **Unforced Ontoepistemology and The Freedom Schools**

Jon N. Hale (2016) points out that the Mississippi Freedom Schools have been overlooked in the academic literature as a powerful grassroots arm of the civil rights movement post-*Brown v. Board*. More often, scholars take up “voter registration and school desegregation” issues and privilege their own sites in higher education as a hub of activism (p. 9). Hale’s work in *The Freedom Schools* helps us understand that K12

institutions were not helpless during this period. Instead, teacher activists used a “unique, politically oriented curriculum through a progressive student-centered pedagogy” to activate student consciousness on the front lines of the Freedom Summer campaign and “finally dismantle Jim Crow” in Mississippi (pp. 12-13). There are contemporary parallels between the motivations behind these teachers’ participation in Freedom Schools and teacher activism today. Throughout the 1960s, “white school officials made the message clear that open public endorsement of the civil rights movement among teachers and administrators would not be tolerated” (p. 31). If caught, Black teachers would be “openly dismissed or suspended...for open affiliation with the NAACP or other ‘subversive’ associations” (p. 31). This contributed to the “endemic unemployment” of Black educators due to full-scale desegregation since their continued employment depended on the decisions of white leadership.

Similarly—but not equivalently—teachers are being fired today for being openly politically involved across various issues. For example, see Florida (Bloch, 2021) and Texas (Elassar, 2020) teachers who were fired for their symbolic support of the Black Lives Matter movement after being asked by the administration to stop. See also teachers being forced out at MacArthur High School over using LGTBQIA+ safe space stickers (Kingcade, 2022). Of course, public school teachers, as state agents, do not have free speech protections when functioning in an official capacity. Currently, tens of thousands of teachers are not being fired for their race or sexuality. However, there is an ostensibly colorblind and queerblind mechanism that finds ways to push these teachers out on account of their politics, primarily through the well-accepted, false notion that the

classroom should be or can ever be politically neutral. As we know, it cannot. Even if this were possible, it should not.

Unlike Black teachers, who found themselves under attack given that their skin color was not something they could hide, white volunteers found some sense of security in participating in the Freedom Schools project. Called the “White Folks Project,” Black school leaders recruited white women, primarily to volunteer in the Freedom Schools with the understanding that this would undermine their intervention in Black leadership development and make political connections across communities that could extend into the future (Hale, 2016, p. 77). Black leaders and white volunteers believed that the Freedom Schools were a safer alternative to civil rights activism than public marches, boycotts, and visible forms of anti-racism (p. 77). The false assurance of safety due to working in a K12 setting was upended when the KKK burned a Black church in Philadelphia, Mississippi, that was to be a Freedom School site, a community center, and a space for a voter registration project (p. 105). After investigating the attack, three men traveled from Philadelphia, Mississippi, to Meridian, Mississippi. They were captured by local law enforcement and turned over to a white mob who beat them, shot them to death, and buried them (p. 105). I focus on this specific violence to emphasize the danger of being involved in an intersectional coalition at the time. One of these men, Andrew Goodman, was a white Freedom Summer volunteer who had only been in Mississippi for one day. The two others were James Chaney, a Black man involved with CORE (The Congress of Racial Equality), and a white man, Mickey Schwerner, a CORE staff member from New York.

While whites, unlike Black activists, often found cover from these attacks due to the color of their skin, the danger of co-conspiratorial alignment with the civil rights movement was, nonetheless, a reality. This is dangerous, co-conspiratorial work. It is important to note that including whites in the civil rights movement was not without pushback. I do not intend to romanticize it here. For instance, Stokely Carmichael's (1966) critique of the notion that white people can grant freedom to Black people. Instead, he argues that "the only thing white people can do is stop denying black people their freedom." See also Malcolm X's (1963/2023) *Message to the Grassroots* that critiques the incorporation of whites into the Black civil rights movement through an analogy:

It's just like when you've got some coffee that's too black, which means it's too strong. What you do? You integrate it with cream; you make it weak. If you pour too much cream in, you won't even know you ever had coffee. It used to be hot, it becomes cool. It used to be strong, it becomes weak. It used to wake you up, now it'll put you to sleep. This is what they did with the march on Washington. They joined it. They didn't integrate it; they infiltrated it. They joined it, became a part of it, took it over. And as they took it over, it lost its militancy. They ceased to be angry. They ceased to be hot. They ceased to be uncompromising. Why, it even ceased to be a march. It became a picnic, a circus. Nothing but a circus, with clowns and all.

This history is not as readily taught, furthering the notion of a two-dimensional, monolithic civil rights movement that makes the flattened conception that Black people were not free in the 1950s and then that they suddenly were in the 1970s readily taken up.

There is little emphasis on struggle, even as violence is emphasized in our textbooks but deemphasized in racialization. Instead, the civil rights movement is taught, like most of our history: white men, at first, doing evil things and then doing the right thing; eventually, due to the sacrifice and martyrdom of people of color engaged in democratic systems—all neat and clean and tidy.

These are the ghosts who do not make an appearance in our curriculum. The haunted sites of the Freedom Schools and their relationship to white supremacist educational structures remain unaddressed. While the KKK looms as a phantom of the past in K12 history courses, their victims and the context surrounding the violences they experienced go unseen and unspoken. The erasure of people like Chaney, Schwerner, and Goodman hides the historical fact that coalition building is the root of progressive political movements, entails a fugitivity and risk, and that others who have come before us have been willing to risk death for social change. Their heroism is effaced to foreground violent organizations like the KKK and a simultaneous declaration that white supremacist ideology is extinct—as we know, it is not. This elimination censors the possibilities and necessity of contemporary teacher and student activism, trading a curriculum that might encourage active political organization for one that says just do not be as bad as the KKK, who, by the way, do not exist anymore. It says to white people; we did the right thing once Black people let us know what was happening—many thanks. Along these lines, the curriculum coddles white consciousness and foregrounds colonial, white supremacist ghosts to negate the potential power of a monstrosly hybrid political coalition. Through this framing, the KKK remains an epistemic victor, haunting the schoolhouse as the most historically relevant content to teach students. Therefore, even

when they serve as a warning, they still speak more loudly than the realities of risk inherent in political change.

Through abundant curriculum and horizontal pedagogy, Mississippi Freedom Schools found ways to exorcize these ghosts and summon other hauntings, inviting figures and events into the classroom to catalyze Black political socialization. Hale (2016) states that “Freedom School students demanded an education that put them squarely in the front lines of the civil rights movement...which resonated with young teachers firmly committed to dismantling structural inequality during their stay in Mississippi” (p. 129). Along these lines, the root of this desire for an activist-oriented education was student-led and teacher-driven. Harney and Moten (2013) note that the curriculum in the Freedom Schools

asked a couple of questions of the people who were involved in it, both the students and the teachers. One question was: What do we not have that we need, what do we want or want to get? But the other question, which is, I think, prior to the first in some absolutely irreducible way, is what do we have that we want to keep? (p. 121)

Students made these educational requests, and teachers responded through their care, expertise, and labor. In an interview, a former Freedom School teacher, Chude Allen, noted, “the atmosphere in class is unbelievable...it is what every teacher dreams about—real, honest enthusiasm and desire to learning anything and everything. [The students] come to class of their own free will...They are excited about learning” (Hale, 2016, p. 128). Much public education today, like the public education system in Mississippi at the time, infantilizes students and teachers and has begun to legislate political silence. There

needed to be a communal self-direction away from the system, abandoning its haunted site, to create space for these educational realities and unconfined ways of being and knowing. This work could not have been done at this scale in the Mississippi public school system as it existed.

The free will of the students that Allen notes are wrapped up in an embodied knowledge of their context, the political issues which affect their lives, and an intrinsic desire to learn more about them and act. This community-oriented self-direction in education provides space for coalition building and a certain kind of political play. It can usurp the kind of individualized democratic engagement that is common among free schoolers, unschoolers, and self-directed education (Tien, 2022). For Freedom School students, developing their political socialization and the political engagement that would flow from it was an urgent matter—an exigency for an escape to safety. For the individual, even one with discreet political intentions, democracy can look like a very personal struggle for power, and play might emerge as psychological escapism. When coalitions have shared political objectives that guide their learning, a communal self-direction oriented toward social justice seems to become possible in the space of the school. Still, this hinges on a system that values what student collectives want from their education and a related willingness by school leaders and teachers to speak back to these desires in supportive and productive ways of social justice. In return to the present, it seems the schooling system no longer cares what individual or collective pockets of students, teachers, or community members want outside of standardized demands. Education, on the other hand, is rooted in care. I argue that the atmosphere Allen noted can be manufactured by force, so it appears as such. However, it cannot be authentically

created in the silent landscape of the contemporary school. Education, on the other hand, is authentic in means and end. There is no need to speak for students as the system has spoken for them already. Systemic policies haunt specific ways for specific objectives. When educators and researchers re-center certain types of data collection, outcomes, and testing in our work, they move further away from what is possible in education when the state, data, and assessment speak for them, through them, in haunting spaces of confinement and conformity.

This history of K12 schools as sites of political struggle, exemplified in Mississippi's Freedom Schools, is ghosted from preservice teacher curricula and is publicly null. In its absence, administrators tether themselves to an educational realism, which dissolves politics into public relations (Fisher, 2009, p. 44) and transforms well-intentioned community leaders into Stalinesque bureaucrats (p. 23). In my discussions, I have found that these leaders precariously cling to—as much as they can—the care and love for children that influenced their decision to join the profession in the first place. They know how they are forced to do both to the best of their ability insofar as it is professionally expedient. Some even use their purported aporetic care for children to justify these curricular and pedagogical limitations. In some ways, I cannot blame them. In other ways, I do. Again, one side tends to win more widely in the public arena. It is important not to characterize school leaders, teachers, and students work to resist and refuse these injunctions as ineffectual or nonexistent. Mississippi's freedom schools are, after all, but one example of anarchic unschooling (Todd, 2012) and a willed curriculum (Ricci, 2011). Indeed, consciousness-raising and political socialization happens daily in classrooms across the country when people who work in the actual space of the school,

students included, find openings to do this emancipatory and freedom-engaging work. This hidden-enacted curriculum flows through our schools daily without the oversight of the state and its administrative agents.

As Hale (2016) notes, young activist students continue to do this work outside the boundaries of traditional public education, which confine educational achievement (p. 223). In these cases, what Hale calls political socialization (pp. 123-124) are taken up as unmeasurable metrics of success that are foregrounded, not relegated to the background through PR-centric mission and vision statements that may read well and come from a place of well-meaning liberalism but still rely on standardized measurements to delimit certain types of educational goals out of existence, rendering them invisible and unselected. There is little distinction between rendering knowledge wrapped up in educational goals invisible and rendering the actual body, the human beings, at the center of that desirable knowledge. Schools are a primary way this is accomplished: a system that denies whole groups of people their humanity—even as they retain it and never lose it—and justifies this ontological diminution via epistemic theft and colonial replacement. It tells them they are succeeding in becoming human when they conform to the colonizing epistemic goals of the institution. In short, if they resist the institution, they become invisible, absent, elsewhere. The goal, it would seem, is to whiten them to make them seen and heard in the school. In contrast to the invisibility and dehumanization at the core of criminalized education, a utopian orientation and collective self-direction illuminate paths of resistance.

## **Collective Self-Direction: Utopia and Homeplace**

Unconstrained knowing and being necessitates both liberation from constraint and freedom to learn. The former constitutes a break from confinement, while the latter involves creating educational space. These elements are an ongoing, generative, aspirational process of liberatory, freedom-producing flight. Levitas (2013) describes the “imaginary reconstitution of society” as a method rather than a goal (p. xi). Therefore, utopia is not a terminal place to be found or a final space to be constructed but a creative, ongoing process in the “quest for wholeness, for being at home in the world” (p. 12).

Levitas describes utopia as architecture as both

less and more than a model or blueprint. Less, in being a provisional hypothesis about how society might be, offered as part of a dialogue, neither intended nor constituting a forecast, recognizing itself as in part a present future. More, in inviting both writer and reader to imagine themselves, as well as the world, otherwise. (p. 198)

As I have suggested in the previous three chapters, schooling has been built on a haunted historical plot, has taken on a matryoshka form, and has worked to confine ontoepistemological possibilities for children in the name of academic discipline, social control, and carcerality. Education, on the other hand, is an ongoing utopian project. It is not a series of measurable tests, outcomes, and activities but a method for deeply personal ontoepistemic development. Education, therefore, is a process of repair rather than a supplement for what was learned through schooling. Education becomes a revolutionary process for wholeness and being at home in the world when students are denied their histories, heroes, and curriculum through schooling—as these have been decided before

them in advance.

This ontoepistemic repair revolves around the fugitive concept of creating spaces of safety and development. hooks (1990) describes this as a “homeplace” which functions as the

construction of a safe place where black people could affirm one another and by so doing heal many of the wounds inflicted by racist domination. We could not learn to love or respect ourselves in the culture of white supremacy, on the outside; it was there on the inside, in that ‘homeplace,’ most often created and kept by black women, that we had the opportunity to grow and develop, to nurture our spirits. (p. 42)

Love (2019) associates this homeplace with a community of support and care, where “Black joy” is directly linked with “finding your homeplace and making homeplaces for others” (p. 120). For Love, being around certain teachers like Mrs. Johnson and Mr. Clayton was a homeplace (p. 65). This indicates that spaces of safety, comfort, and education, as opposed to schooling’s violent confinement, are numerous in our schools and universities. Additionally, this example clarifies the role of the fugitive teacher and student. The student’s only obligation is to become fugitive—to feel the threat of schooling’s violence in their bodies and minds. The teacher must create a space of safety even, especially when the administration forbids it. I suggest that this uncoordinated relational collective, one that is not borne of a district initiative, that does not emerge from an administrator's or an academic’s mind, is at the core of education. Education will always exist at the intersection of direct teacher-student interaction. When this relationship is interrupted by scripted curriculum programs purchased by school districts,

administrative initiatives based on broad interpretations of data, and top-down hierarchical control, the potential for a collective education space to become a lonely, mechanistic space of schooling increases.

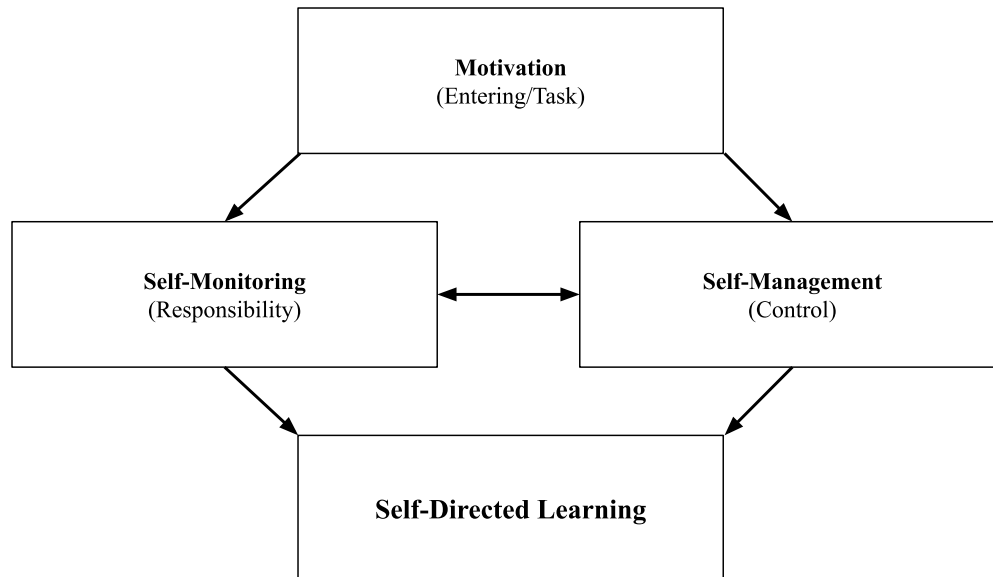
For many students, a particular classroom with a specific teacher is the safest space they will encounter in their daily lives. Queer-identifying students, for example, do not always find a homeplace at home. For Anzaldúa (1987), the idea of returning is complicated by cultural homophobia, culminating in a “fear of going home” (pp. 19-20). Instead, individuals in minoritized groups, like queer people of color, may find joy in the interstices of institutionalized life as they cross into spaces of belonging and knowing. This reality collides with the white comfort laws currently in force across 22 states (See Appendix B), which seek to strengthen the space of the public school as a homeplace for white supremacy under the guise of political neutrality and through post-racial, heteronormative rhetoric. As K12 schools in historical and contemporary anti-literacy states (See Appendix B) make their intentions transparent, it will become increasingly difficult for well-meaning teachers to deny their participation in a harmful institution. In addition, it will become more challenging to engage liberatory educational concepts in the space of restrictive schooling. In short, the creation of these homeplaces will become scarcer as teachers who may otherwise produce them leave these states or the profession entirely, if possible. Those who stay and attempt to do this educational work will do so under intense economic precarity, looming political attacks, and pervasive administrative surveillance. Along these lines and given the constraints around professional development that make it politically controversial to discuss these laws and their implications in any direct sense, teachers are finding alternative spaces to learn about

their role as educators.

For instance, the absence of meaningful relationships in schools has moved teachers to sites like Twitter (Carpenter & Krutka, 2014; Visser et al., 2014) and TikTok (Hartung et al., 2023; Vizcaíno-Verdú & Abidin, 2023) to obtain the professional development, community, and collectivity they seek. Likewise, without classroom discussion around contemporary social problems, students have found these spaces to be freedom-producing platforms to engage in activism (Kellner & Satchel, 2020) and express their frustration and trauma during the COVID-19 pandemic (Literat, 2021). In this context, the actual space of the school becomes a desolate place of pure performance. Teachers' and students' authentic experiences are revealed in mediated environments rather than the existing space of the school. As students perform for teachers, teachers perform for the administration, the administration performs for the district, and the district performs for the state. These alternative online spaces have filled in a gap where self-direction is encouraged but managed through problematic algorithms (Bryant, 2020; Noble, 2018), and genuine speech is not policed via state threat of violence but by corporate demand for circulation through communicative capitalism (Dean, 2005, 2009, 2019). This set of circumstances points to students' desire for personal, self-directed learning and teachers' desire for autonomous, self-directed professionalism that public K12 schools do not often provide.

**Figure 8**

*Garrison's Self-Directed Learning Framework*



*Note.* From “Self-Directed Learning: Toward a Comprehensive Model,” by D. R.

Garrison, 1997, *Adult Education Quarterly*, 48(1), p. 22

(<https://doi.org/10.1177/074171369704800103>). Reproduced with permission.

Self-directed learning is a method in which students—adults or children—set their learning objectives, decide what content is important and worth their time to engage with and monitor their development (Garrison, 1997). This requires space for students to actively seek experiential knowledge to support their educational goals and develop the corresponding motivation, responsibility, and control over their learning (Figure 8). For example, students will choose to read books, watch films, participate in online courses or discussion forums, seek mentorship, and attend conferences, classes, or workshops. Antithetical to the contemporary education system, self-directed learning emphasizes that

“it is more beneficial for learners to achieve a few objectives of importance to them than it is to fulfill all the objectives that are important to the teacher” (Abdullah, 2001, p. 3). This approach is more aligned with the lifelong learning goals proclaimed in mission statements in K12 districts nationwide. Motivation, responsibility, control, and learning become externalized when a hierarchy of adults takes on the roles highlighted in Figure 8. While not applicable in every case, what may appear as an internalization of these aspects functions as a well-practiced performance to navigate expectations under threat. Externalizing motivation through coercion removes not only the building blocks of education but, as I have suggested, the possible ways of being and knowing. Utopia and homeplace point to the need for a contemporary extension of Illich’s (1971/2000) argument for deschooling with a more dedicated analysis of the school system’s permanency and attention to social justice—specifically, that deschooling and unschooling already occur within-without institutions of schooling.

Along these lines, we must address the perennial imposition of Piaget’s (1936/2013) cognitive constructivism, Skinner’s (1938/2019, 1951) operant conditioning, Tyler’s (1949/2013) objective-based design and assessment, and Bloom’s (1956/2020) taxonomy of cognition which have together staked an unwavering claim for essentialism, behaviorism, and perennialism as student-centered schooling. It is as though applications of educational theory ceased to exist at some point in the 1950s when student-centered merely meant that they were acted upon by the unchanging lesson and subsequently measured. Although academia has largely moved on, schooling’s pedagogy operates as a series of modifications revolving around this conservative nucleus. Pushing back against this century-long wave has mainly proved fruitless when schooling rather than education

is foregrounded. In these contexts, existential and critical elements are few and far between. Even when these conservative tendencies toward authoritarian power appear, they readily capture them. For example, the most recent behaviorist buzzword, social-emotional learning, remains pragmatically entrenched in inequitable meritocratic grit (DeMartino et al., 2022) as yet another method of behavioral control (Hoffman, 2017) rather than the freedom-producing potential inherent in SEL frameworks.

This is not to say that the models we are currently using are not of value. However, the centrality of behaviorism, as only one example, ought to be self-selected rather than systematically imposed. Above all, each model must be subject to critique to ensure an ethic of equity. Upon critique, each imposed model collapses. Attempts at hybrid forms of these models—again, so universally imposed—do not meet the needs of students in terms of outcome, much less produce an ethical approach to cultivating lifelong learning. Through self-direction and an attendant commitment to curricular abundance and pedagogic horizontality, we find the core motivation of educational liberation and freedom for social justice exemplified in the Mississippi Freedom Schools. Outside the scrutiny of schooling's managerial class and state threats, teachers and students can explore spaces of unconstrained knowing and being. As such, they are free to negotiate each other's motivation, responsibility, and control to support the self-directed management of their collective educational experience to co-create a homeplace on the utopian horizon.

## **CHAPTER 6**

### **UNCIVIL LITERACIES**

Create dangerously, for people who read dangerously. This is what I've always thought it meant to be a writer. Writing, knowing in part that no matter how trivial your words may seem, someday, somewhere, someone may risk his or her life to read them.

—Edwidge Danticat, *Create Dangerously*

#### **Fugitive Literacies: Implications for New Literacy Studies**

As Patel (2019, 2021) notes, there is a long history linking subversive literacy practices to fugitivity. The Fugitive Slave Acts of 1793 and 1850 made it illegal to impede attempts to capture enslaved Black people and required assistance in this effort by local police, even in the so-called free states (Junior & Davidson, 2022). Predating the legal mechanism for the capture and return of enslaved peoples, southern states prohibited literacy instruction in response to rebellions led by enslaved, literate Black people. As a result, white plantation owners sought to limit communication between Black people and enacted fines for their teachers. Mid- to late-eighteenth-century prohibitions on Black education in South Carolina and Georgia centered around writing but placed no prohibition on reading. By the early nineteenth century, many large-scale rebellions led by literate enslaved people were regularly occurring. Slave states responded in myriad ways by tightening prohibitions on education, closing Black schools, forcing Black teachers to leave the territory, and placing limitations on Black gatherings (Williams, 2009, pp. 179-189). These legislative moves indicate initial support for some limited reception of white knowledge through reading the Christian Bible. For example, John Belton O'Neill wrote in 1853 that:

When we reflect, as Christians, how can we justify it, that a slave is not to be permitted to read the Bible? It is in vain to say there is danger in it. The best slaves in the state are those who can and do read the Scriptures. Again, who is it that teach your slaves to read? It generally is done by the children of the owners. Who would tolerate an indictment against his son or daughter for teaching a favorite slave to read? Such laws look to me as rather cowardly. It seems as if we were afraid of our slaves. Such a feeling is unworthy of a Carolina master.

(Cornelius, 1991, p. 54)

This quote makes clear the fear and suspicion of the construction of knowledge for and by Black people through writing existed at the outset. It was further exacerbated by the circulation of abolitionist literature and white fear of rebellion at the time O’Neill was writing (Miles, 1957). Despite these threats from the white supremacist state, enslaved Black people engaged in “clandestine tactics and strategies...to gain some control over their own lives” (p. 17), including the creation of secret places of learning that were active “before dawn and late into the night” (p. 22). At this point, fugitivity and the act of flight toward knowledge point to an unconstrained ontoepistemology in resistance to threats of state violence.

Considering the history and power of Black fugitivity, literacy practices form the basis of resistance to state violence, catalysts for rebellion, the flight toward liberation, and acts of freedom and refusal. Player et al. (2020) define fugitivity as “an orientation towards liberatory consciousness which propels a radical departure from the enduring failure of a nation (and the nation’s institutions) to protect, affirm, and love racially minoritized peoples” (p. 141). For the Fugitive Literacies Collective, to be fugitive is to

“be both wholly aware of oppression and the myriad ways it manifests and then to use that knowledge as a routine catalyst for departure from the violent manifestations of oppression” (p. 142). As a reminder, McNeill (2021) understands Black fugitivity as “a transgressive refusal of state violence. I think it can often look like not only fleeing domination but also convening our people to collectively create systems that really love us” (p. 117). In both definitions, the flight is from violent, white supremacist state institutions toward a space of healing and love. This fugitivity constitutes a refusal to solely engage in the formal, institution-making process to shift community learning and life circumstances. Drawing on Vanessa Siddle Walker’s (2018) work with Horace Tate, Patel (2019) foregrounds Tate’s advice that we must “be watchful of what is happening to what you have built, and be willing to destroy it if it no longer is serving the purpose of creating knowledge and educating oppressed peoples” (p. 258). Therefore, fugitivity entails the destruction of white supremacist institutions through the act of departure and creating spaces of safety, learning, and love that radically bar oppression even as it maintains its existence under threat. So, I ask an eternal question that we ask about all aspects of our lives: how can we, as human beings (and educators), help students create spaces of safety, learning, and love?

Fugitive literacies are the spoken and written, the read and heard manifestations of a break from whiteness as a verb—“an action upheld by ideological beliefs that underpin processes used to hierarchize humans and justify oppressive disciplining tactics deployed in the maintenance of social stratification” (Ohito, 2020, p. 187). Along these lines, Lyiscott (2020) asks:

What acts of flight—what texts, literacies, cultural practices—must be sustained in the classroom to break free from the pervasiveness of anti-Blackness and white supremacy and move us toward the liberty of centering and owning marginalized ways of knowing that exist beyond the scope of normative schooling? (p. 261)

As Zaino (2021) notes, “we must...acknowledge the fugitive learning that we do not see, as adults; as well, those of us who are white must acknowledge that fugitive learning that may be illegible to us” (p. 77). I suggest that this illegibility makes fugitive learning inherently protective and powerful as the act of fugitive learning, alongside its sociocultural nonrecognition inherently defends it from recuperation. As I enter into this discourse with humility, I explore some answers—not *the* answer—to Lyiscott’s question. Educators must be willing to break from a hierarchy of literacy that centers whiteness as a way of being and knowing across disciplines, as everyone is harmed in this process, even as this linguistic caste system continues to bestow a privilege upon many. To varying degrees, white supremacist forms of literacy operate across the core disciplines of mathematics (Battey & Leyva, 2016; Martin, 2019), science (Hodson, 1999; Le & Matias, 2019), English (Gillborn, 2005; Johnson, 2018), and history (Hawkman, 2020; Hawkman & Shear, 2020). For my purposes here, I will focus on English education as a focal point for formal literacy instruction.

Knoblauch (1990) points out that literacy is “one of those mischievous concepts...that appear to denote capacities but actually convey value judgements” (p. 74). In the context of this project, schooling views literacy as a capacity based on an external value judgment by the state—as a means to some end. On the other hand, education supports the development of these capacities based on internal value judgements

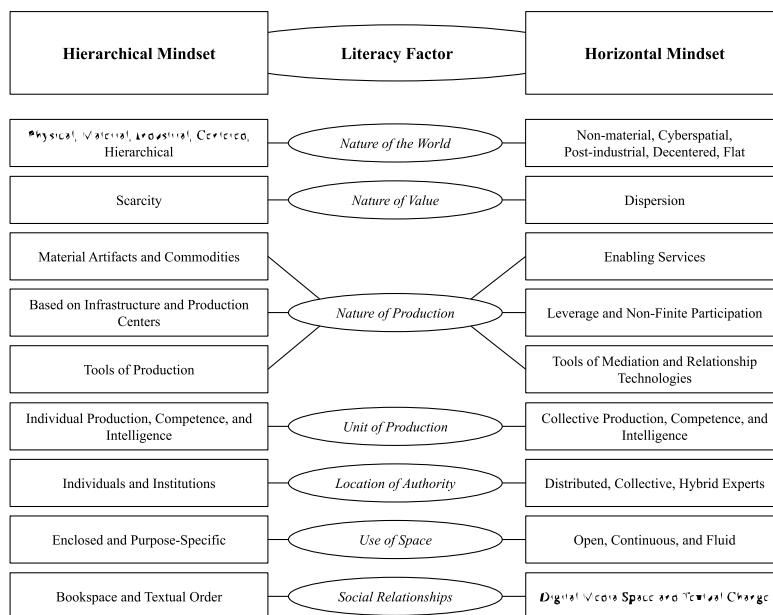
originating in the students and assisted by the educator, where the exploration of literacy is an end in itself. Definitionally, literacy instruction forms a constellation comprised of four popular approaches: functional, cultural, for-personal-growth, and critical (Knoblauch, 1990). The essentialist, perennialist, and behaviorist throughline pulls schooling toward functionalism, as the center of gravity in literacy is assumed to be essential reading and writing skills to access canonized knowledge as an end. This pull toward functionalism betrays the reality of parallel, co-equal development in cultural, and personal growth, and critical literacies that occur alongside functionalist development. Importantly, it neglects the historical link in fugitive learning between functionalism as a cultural, personal, and critical literacy practice. When outcomes and standards are foregrounded, not only is the agency of children and adults removed—negatively affecting motivation for both groups—but the potential for creative, responsive ways of being and knowing through language is eradicated.

Educators may resist a linear notion of literacy development which is often thought to move from a functional to a cultural to a critical emphasis if it ever escapes the functionalist literacy of schooling. Paradoxically, functionalist literacy is pragmatically viewed as both the starting point and the apex of literacy development in schooling due to the epistemic bracketing of the formal curriculum and a misguided desire for systematic vertical alignment across grade levels. Along these lines, cultural and critical literacy is either ignored through the curricular theft of time through scarcity or, as we have recently seen, is eliminated via legislation. Personal decisions around personal-growth literacy are denied at the moment of standardization and outcome selection by schooling authorities. In a break from this confining linearity and gravitational pull toward functionalism, New

Literacy Studies (NLS) emerged in the 1980s and 1990s as, in part, a recognition of literacy as always-already a social practice, that these literacies are multiple, and how power is intertwined with them (Barton & Hamilton, 1998/2012; Cook-Gumperz, 1986/2006; Cope & Kalantzis, 2000; Street, 1984). Much of what is “new” in NLS, according to Lankshear and Knoble (2007), is either “new technical stuff” or “new ethos stuff” (p. 7). The former centers around new ways to apply contemporary literacies across digital and material environments in their continual evolution. For example, using email to communicate and its ongoing development is both old and continuing literacy. “New ethos stuff” centers around how an ever-evolving mindset (Figure 9) guides literacy practice.

**Figure 9**

*Hierarchical Mindset v. Horizontal Mindset*



*Note.* Adapted from “Sampling the ‘New’ in New Literacies,” by C. Lankshear and M. Noble, 2007, in *A New Literacies Sampler*, p. 11. Peter Lang.

In their discussion about NLS as a historical approach to changes in conceptualizations of literacy over time, Lankshear and Noble (2007) note:

The significance of the concept of new literacies is that it invites us to take a long term view, and to develop a sociological imagination (Mills, 1959) with respect to literacy, education, identity, and our contemporary location within a much longer history that stretches into the future as well as grows out of the past. To do this well would constitute a valuable contribution to humanizing our collective condition. (p. 21)

They point to Freire's (1968/2018) notion of epochal units, which "are not closed periods of time, static compartments within which people are confined"; instead, "epochal units interrelate in the dynamics of historical continuity" (p. 101). At this point, I want to highlight the relationship between fugitive learning and this "new" horizontal mindset around literacy. In particular, the aspects of fugitive literacy in resistance to the imposition of hierarchy. The advent of digital space notwithstanding, NLS describes the specific contextualized practices of fugitive learners and teachers that have existed since, at the very least, the 18th century in the United States. Along these lines, NLS constitutes a new way of thinking about old and new literacy practices in academic research. Additionally, centering fugitivity gives researchers an old but ongoing way of thinking about new literacy practices when new threats to an educational agency in literacy emerge.

Fugitivity operates on a flat nature of the social world. To demand and spread knowledge preserved legislatively for the furtherance of racialized power is an act in resistance to ontoepistemic hierarchy. It is an act that values dispersion and distributes

authoritative power among a collective group. Along these lines, it resists the scarcity inherent in individualized and institutionalized power. As Lankshear and Knoble (2007) suggest, Wikipedia is a contemporary example of how collective participation is leveraged to create a reservoir of knowledge more extraordinary than anything we could find in the confines of a fixed text (p. 17). For the fugitive learner, knowledge is taken from a static, purpose-specific place where it is distributed as property—a commodity to be bought and sold. This knowledge is appropriated, liberated, and moved into a space of circulation and fluidity. In resistance to the articulation between acquiring knowledge and capital, knowledge is enabling rather than commodifying. When teachers come together with students to share what we know, fugitive literacy highlights the relational character of education rather than the productive dimensions of schooling. The non-finite nature of fugitive education points more directly to rhetorics of lifelong learning and motivation to know rather than the highly structured center of production we call the school. Lastly, the digital space, although not exclusively, can be a space of fugitivity, where collectives find open spaces to share, distribute, and critique ways of knowing the world. Against this backdrop, when schooling dictates whiteness as order, the classroom feels like a suffocating, apneic enclosure. Fugitive space, on the other hand, is a space of breathing, life, and creation.

### **Creativity and Literacy: A Response to Regression**

In light of recent legislation and executive action (See Appendix B), coupled with the history of schooling in the U.S., few should be surprised at the formidable resurgence of regressive conservative politics and legislative violence. As we have seen in the right wing's new front in their culture war, schooling as a mechanism for deference to the

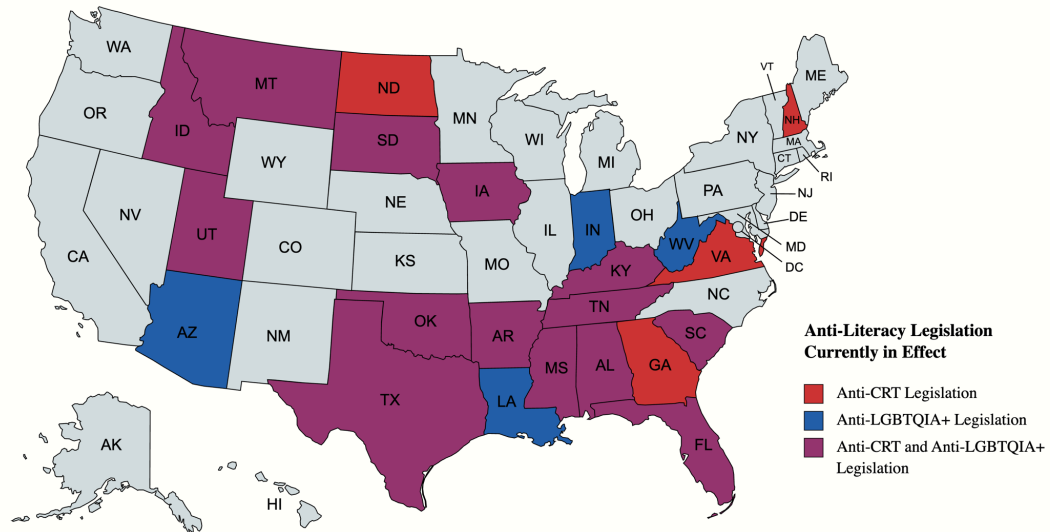
state, opposition to critical literacies, and ontoepistemic genocide echoes loudly today. The aforementioned colonial ghosts coordinate an expulsion of being and knowing as they continue to operate, moving through presidents, governors, and legislators as they did three centuries ago. Similar to the anti-literacy laws of the 18th and 19th centuries, this new slew of laws attempts to produce white comfort in response to racialized fears. These executives and lawmakers are not far removed from curriculum-makers who decide what ways of being and knowing are allowed to exist without penalty who emerged at the establishment of the public school system. As discussed, in a system of schooling built upon paternal narcissism and white hallucinations, schooling's curriculum, coupled with evaluation, provides a context for confinement, conformity, and punishment. As reflected in our contemporary context, these authoritarian moves deny ontogenic possibility and a coalignment with schooling's long-term anti-literacy program. Although these tendencies have ebbed at times throughout the history of the public school, regression to these confining norms is a common recurrence.

The text of these renewed anti-literacy laws reveals that the arguments for the kind of pure, uncritical American nationalism that organizations like the Ku Klux Klan espoused in the early-20th century have once again become legible and reemerged through a renewed formulation of white Christian nationalism (Butler, 2021) supported by the Supreme Court (Corbin, 2020). The manufacture of a grassroots movement, political astroturfing (Howard, 2006; Walker, 2014), against diversity, equity, and inclusion began in 2020. In September, the president signed an executive order prohibiting federal contractors and the use of grants from supporting training in self-defined "divisive concepts," "race or sex stereotyping," and "race or sex scapegoating"

(Executive Order No. 13,950, 2020). Less than two months later, the president commissioned an 18-person advisory committee to combat a “radicalized view of American history” that “lacks perspective, obscures virtues, twists motives, ignores or distorts facts, and magnifies flaws, resulting in the truth being concealed and history disfigured” (Executive Order No. 13,958, 2020). In 2021, The President’s 1776 Commission released a report reacting to Nikole Hannah-Jones’ 1619 Project (2019) published by the New York Times. The president’s report echoes the nativism that bolstered Oregon’s 1922 law by commanding educators to “convey a sense of enlightened patriotism that equips each generation with a knowledge of America’s founding principles, a deep reverence for their liberties, and a profound love of their country” (Arnn et al., 2021, p. 17). Since 2020, 18 states have passed new anti-literacy legislation around schooling, typically framed as “parents’ rights” bills (Figure 10). This is a legislative attempt to map a de facto doctrine of *in loco parentis*, *phantasmata* onto contemporary culture wars. Recently, this momentum has emerged as conservative parent-led book bans in public K12 schools (O’Hara, 2022), attacks on culturally relevant education (Najarro, 2022), and takeovers of local school boards (Carrillo, Sheridan, & Shockman, 2023).

**Figure 10**

*States with Neo-Anti-Literacy Laws in Effect in 2023*



*Note.* Current as of March 14, 2023. Data for Anti-CRT legislation sourced from Schwartz’s (2023) “Map: Where Critical Race Theory is Under Attack.” Data for Anti-LGBTQIA+ legislation sourced from the Movement Advancement Project’s (2023) “LGBTQ Curricular Laws.” See Appendix B for more details about state-specific legislation.

Ultimately, these parents’ rights activists understand the ontoepistemic power historically embedded in the system of schooling established by the state and operate on a historical lineage of white heteronormative Christian privilege and leverage. These expansions of white, heteronormative power are regressive, harmful, and violent but also representative of the mundane banality of life in schools and an unexceptional, monotonous, and predictable political reality. In response, fugitive creativity is required to navigate, disconnect, and (re)create within and away from these contexts. This creative

literacy is not far removed from the fugitive literacy practices of enslaved people in the 18th and 19th centuries who sought a safe learning space but were barred under the violent conservation of a violent tradition. Creativity, regularly mentioned as the most complex form of cognition (Krathwohl, 2001), is at the historical root of fugitivity, as it presupposes the creation of self and space through language. Along these lines, creative, fugitive acts are central to creative sociocultural knowing, being, and doing for those legislated into nonexistence in schools.

Creativity is most often defined as “the capacity to produce things that are original and valuable” (Gaut, 2010, p. 1039). Gaut rejects these criteria as sufficient for a philosophical definition of creativity. Instead, he argues that creativity “is a property of an agent with certain capacities” and an act (p. 1041). In this formulation, when the creative agent acts, they do so teleologically as “they aim at desired states of affairs” (p. 1041). Additionally, borrowing a term from design thinking, creative reasoning flourishes in the co-evolving interplay between “problem spaces” and “solution spaces” (Dorst, 2019; Dorst & Cross, 2001; Maher & Poon, 1996). This is an example of how this function is expressed in children’s continued engagement in literacy practices without the school’s space during the COVID-19 pandemic (Chamberlain et al., 2020). The pandemic created a problem for their learning, and students found solution spaces “away from schooled writing” (p. 249). For the fugitive learner, schooling spaces are already problem spaces that require exploration of a different state of affairs and the co-creation of a solution space. Along these lines, fugitive literacy is a creative reading of society and culture to render oppression legible, design a creative means for departure, and create a space of safety, belonging, and education. Acknowledging schooling as an oppressive,

coercive problem space requires cultural and critical literacy that anti-literacy states are currently criminalizing through legislation. To take flight and create alternative, solution spaces of belonging requires a horizontal mindset: a cognitively complex (re)occurrence for creativity in response to hegemonic hierarchy. These creative processes are not merely possible in schools. Instead, I contend they occur daily as teachers and students co-identify problem-solution spaces and explore means to reject imposed fidelity to curricular authority. Further, these acts of fugitivity are not irrational and destructive to one's education; instead, fugitivity in schools are rational, intelligent, life-sustaining acts of educational power.

At their core, these acts of literacy are socially and culturally ontogenic. When students critically engage with texts and space, they are generative of their being and develop them as individuals and collective beings. At the same time, when students critically create texts and space, they are generative of the world. Various states' anti-literacy agendas—motivated by political astroturfing and white victimhood (Berbrier, 2000; Boehme & Scott, 2020)—seek to deny critical creativity and literacy to students whom these educational outcomes would otherwise empower. Some goals surrounding this form of creative fugitivity, rooted in agency, is a drive toward self-direction, self-selection, and self-creation in community with others. These states and their paternal agents work to bracket what forms of creation are possible, not as a necessary limitation of the institution, but to arrive at a particular political outcome where individual and community agency is denied. Gaut's (2010, 2018) agency view of creativity pushes back against the regressive denial of fugitive creativity—where fugitive learners seek community empowerment to access and undermine the levers of power.

This history of ontogenic literacy under de jure slavery, capture, and return is not taught with great detail in K12. When it is, it is taught in alignment with hegemonic notions around liberation and education—that learning to read and write whiteness by way of English was an act of self-emancipation—often bound up in the teaching of Frederick Douglass’ (1845/2016) *Narrative*, for example. As others have noted, this link between learning and freedom must not be idealized as a mechanism that “led inexorably and inevitably to physical freedom” and to uncritically engage the notion that enslaved Black people “needed an education to achieve or experience existential freedom is surely problematic” (Schiller, 2008, p. 12). I do not valorize the learning of white literacies in this context or suggest we limit activism to attempts to convince the state, districts, curriculum-makers, or teachers to teach these historical complexities. Instead, it is the fugitive act itself to create separate, material spaces of uncivil learning and political resistance that is my focus. These acts, as Patel (2019) suggests, are often undertaken by youth in “authentic and purposeful learning that has been passed from generation to generation” (p. 260) through a kind of learning that has “never yielded fully to this settler project of colonization of the mind” (p. 257). This space, one that has not submitted to colonial knowing and being, refuses silence and embraces uncivil speech to support the ideals of a radically inclusive and equitable democracy.

### **The Uncivil Writes: Black-Queer-Crip Horizons**

Fugitivity is, in the ordinary sense of the word, anti-nationalistic by its very nature. It is an act of ontoepistemic, autopoietic separation that subverts an uncritical tethering of oneself to one’s nation-state and its institutions—democratic or otherwise. It refuses the state’s power to apprehend, restrain, and cage. It critiques this power and, as a

result, is more aligned with definitions of patriotism, which has been captured and definitionally aligned with nationalism post-9/11 (Skitka, 2005). As suggested, there is a renewed push to legislate nationalism—to shift children's forced worship of the state from a somewhat hidden curriculum to one that is formal and enacted to declare its inherent goodness. While these attempts are moderated with a simultaneous love of the country and some degree of criticality about its history, there is still a foundational, uncritical tethering of educational purpose and political power to the nation-state and our submission to it. In this attempt at homogenous national idealism, there is no space for fugitive learning or escape from state control—no space for education, as I define it here. The state demands that the people change it on its hierarchical terms and through its mechanisms of exclusion and enclosure. The state repositions itself as the primary mover, even as it grants limited Western political agency to individuals to change its direction under the guise of a specific form of freedom—so long as one acts civilly. The irony of the so-called small-government state minimalists demanding universal, uncritical allegiance to the same state is apparent. The hypocrisy of a president starting a commission on educating for state devotion when he said in 2016 that the Department of Education “is massive and...can be largely eliminated” (Strauss, 2018) is clear. The hypocrisy of a state that requires democratic change that originates with the people but consistently crafts intersectional racist, classist, and ableist barriers to democratic participation through voter suppression (*Block the vote*, 2021), gerrymandering (Kirschenbaum & Li, 2021), and corporatocratic capture of legislation, legislators, and the government (O’Dell & Penzenstadler, 2019; Kennedy, 2017; Scola, 2012) is evident.

To be fugitive is to be aware of these systems of oppression and to respond via

radical departure rather than through a sustained engagement with them—to take part in an uncivil absence. It is important to emphasize that fugitivity is not only a flight from but a flight toward. As such, it is an absence, a presence, an uncivil civility, a paradox of abstinent participation—writing, erasing, and revising their world. As McClendon and Okello (2021) write: fugitivity “is not running away from, but rather running towards aesthetic spaces and conceptions of self that value the ontological nature of Blackness” (p. 64). Altogether, these acts of anti-state fugitivity and the figure of the free space-producing (Bernard & Agozino, 2012) fugitive as a principal example of anarchic curriculum-making and pedagogical praxis. Anarchism, perhaps like any political philosophy, has a tainted history. I do not claim its perfection. However, anarchism—perhaps unlike other political philosophies—is wrapped up in a permanent critique of hierarchy, whether it emerges from purported anarchism or some other philosophical system. Unlike mainline Marxism, which declares a teleological end, anarchism has historically been in the business of eternal creative destruction that “must suspend the presumption of some end goal” (Bey, 2020, p. 27). Anarchism makes no claim to some specific climax when all will be right in the world and hierarchical violence will be excised from our lives. Instead, the sheer multiplicity of anarchist thought makes room for continual destabilization and community-inspired creation, inviting all critical work to push our thinking forward to create a counter-hierarchical and anti-oppressive space. Along these lines, an anarchic fugitivity imagines a horizon rather than a final resting place. This is especially the case in radical, intersectional forms of anarchism that have emerged, e.g., Black trans anarchisms, queer anarchisms, and postcolonial anarchisms.

As Bey (2020) points out, this is the Black Radical, Black feminist, and trans

activist lesson that a politically engaged conspirator should be “monstrously inclusive” (p. 28). Following Bey, I see a critical permanence in anarchism that dialogues with—but does not reduce—the permanent worth of radical Black feminist efforts to get in the way, disrupt, subvert, and escape in powerful, transformative, and healing ways of knowing and being. My reading of anarchism demands that I honor and respect the intellectual traditions and experiences of minoritized and marginalized peoples, never claiming them as my own and levying a sustained self-critique of my use of their work, academic or otherwise. Anarchism, in many ways, demands that allies and co-conspirators “check yo’ stuff” and avoid “just applauding goodwill while avoiding discomfort” (Scott, 2018, p. 199). This violence of normative whiteness is a “pervasive manner of forcing a fundamental, impenetrably bounded beingness through an oppressive and nonconsensual violation” (Bey, 2019, p. 16). In my life, I have had stuff to check and continue to have stuff to be checked. It has only been the more unruly and unruled—Black feminists, drag queens, trans men and women, anarchists, and those who embody multiple intersections of these identities—who regularly check me, ask me to check myself first, refuse to do the labor of teaching me but comment and push back. To say: I respect you enough to point it out, knowing that you want to do the work, but it is up to you to do the work. It is a recognition of the potential for coalitional, conspiratorial work that critiques ideological whiteness and a necessary refusal to coddle the white body.

Marquis Bey’s (2016, 2019, 2020) concept of fugitivity and anarcho-Blackness allows educators to think through what all this might mean for their practice. I aim to highlight an internally destabilizing combination of my thought and Black feminist, queer, anarcho-Black thought. This is not a recommendation, but an understanding

grounded in my experience thinking with these thinkers. I resist the colonial urges, and mainstream research dictates that value transferability and generalizability. These are “tentative apprehensions” which do not claim an objective theoretical synthesis (Misco, 2007, p. 8). More simply, they are “nascent” and “embryonic” understandings that stop “short of claiming conceptualizations and theory” (pp. 8-9). They ask: “If trans [Blackness and fugitivity] is a mode of seeing and saying and disorienting, might it someday be possible to not be but to be-with trans [Blackness and fugitivity], even despite my purported cisness [and actual whiteness]?” (p. 113). Similarly, I “shudder in quiet boldness imagining the possibilities” (p. 113) about the answer to this question. Bey (2016) tells us that Black fugitivity, Blackness itself, is a “disruptive, iconoclastic pathogenic force perturbing normativity, normative whiteness.” Bey (2019) notes elsewhere that

fugitives are ruled by unruliness, which is no rule at all, but rather a *movement* in which life is garnered, in which the improper thrives due to its obstinacy.

Refusing to sit still, refusing to settle, refusing to commit to being is the fugitive’s lot. (p. 16)

The institution defines what is obstinate, improper, and unruly in Bey’s concept of fugitive refusal. Specifically, in the ways the institution demands conformity, a fit-ness to the boundaries of the space and demands certain kinds of labor. Along these lines, fugitivity announces a misfit between the bodymind of the student and the space they are compelled to be in—a space where they may rewrite the world through their presence.

Feminist disability scholar Rosemarie Garland-Thompson (2011) describes the misfit as an incongruity with the body in space and time. She says fit “suggests a

generally positive way of being and positioning based on an absence of conflict and a state of correct synchronization with one's circumstances" (p. 593). Misfit, by contrast, "reflects the shift in feminist theory from an emphasis on the discursive toward the material by centering its analytical focus on the coconstituting relationship between flesh and environment" (p. 594). Along these lines, the misfit emphasizes context and location where the body is placed, moves, and lives rather than essentialized being. It foregrounds relationality in space and time. This way of looking at fit reverses the critique of the student body in schools, its misfit-ability, and its incongruity— moving power from an institutional position to the misfit student body. In short, this locates the misfit as a source of evaluative critique for the institution rather than the object of critique by the institution. Through this lens, questions about fitness and comments about not being a "fit can be read as onto-epistemic violence in service to the institution, although they are commonly read as a kind of service to the person denied access.

My claim here is not that we should not work to make the space of the school a better ontoepistemic fit for a given student body since this can be a move in the right direction. Instead, we must go further than this, with the understanding that the misfit is a source of powerful critique that allows the school's site to be read as a space of misfitting in its ontoepistemic regulation and the hierarchy of being and knowing it reproduces. To suggest that making school space accessible and inclusive alone will solve this dilemma is an argument from the political center, predicated on legalistic, policy-driven notions of the body, the mind, and the human. One that, in effect, takes the burden off of the school as a space for misfitting and instead renders it a curative place. The *de jure* policies attempt to deal with these essentialized definitions of ability, equality, and access falling

apart under de facto social pressure. This hierarchy demands racial, sexual, and ableist order: a social death, as Patterson (1982/2018) and Wilderson (2013) suggest, and an epidemic of epistemicide, as Paraskeva (2016, 2017) suggests. Both function as an ontological negation located in the phobogenic object, which I identify here as the misfit bodymind.

Bodymind is a term used by Price (2015) in feminist disability studies, by Schalk (2018) in black feminist disability studies, and by Claire (2017) and queer disability studies. These scholars use the term to describe “the enmeshment of body and mind” as they are understood as indistinct (Schalk, 2018, p. 5). As Price suggests, it makes sense to refer to them as a single term “because mental and physical processes not only affect each other but also give rise to each other..., because they tend to act as one, even though they are conventionally understood as two” (2015, p. 269). A bodymind, according to Price, is: “a sociopolitically constituted and material entity that emerges through both structural (power- and violence-laden) contexts and also individual (specific) experience” (p. 271). Schalk notes the term’s power to help us discuss the “toll racism takes on people of color” (p. 5). She states: “As more research reveals the way experiences and histories of oppression impact us mentally, physically, and even on a cellular level, the term bodymind can help highlight the relationship of nonphysical experiences of oppression — psychic stress—and overall well-being” (p. 6). Claire (2017) asks a fundamental question: “How do we witness, name, and resist the injustices that reshape and damage all kinds of body-minds—plant and animal, organic and inorganic, nonhuman and human—while not equating disability with injustice?” (p. 56).

Along these lines, punitive ideologies are embedded in an ontoepistemic

framework, allowing the smooth transition from eradicating unwanted knowledge to eradicating the unwanted material body. What is often seen in schools are more apparent aggressions that deal with the physical. What goes unseen is the ongoing nullification of knowledge and being—physically rooted in the body—that works to construct the school as a space of brutal removal and replacement of misfits. Although this often goes unseen, it does not go unfelt by marginalized youth as the school space normalizes ontoepistemic pain to the point of invisibility. Paternalism is its camouflage, its justification, as it is informed by colonial capitalism's overlapping oppressions of students who are not white, cisgender, heterosexual, and able under a colonizing rubric—one that says we know best in the recognition and expulsion of misfit being and knowledge. This is a silent procedure of schooling: to fix disability, to fix queer bodies, to stabilize gender, to cure blackness, to preserve class homeostasis and social hierarchy. This is a formalization of the body in the formative space of the institution—an unquestioned formality by many in the field. The misfit bodymind is in a unique position not only to resist these forms of exploitative cure through their knowledge and being but also to recognize the disguise of inauthentic benevolence that manages their response to such a fixity. Misfits know the procedure. Through intersecting identities and knowledges, the misfit bodymind experiences schooling as an embodied friction, where and when resistance becomes a possibility. It is crucial that we look to each other in spaces of misfitting, to interrogate how we misfit institutions differently and share the extent to which our institutions label us as such to levy critique not only in these spaces but about these spaces that attempt to coerce fixity among those whose bodyminds' misfit.

When the uncivil writes, they mark upon the institution's space, the bodies of

those who occupy it, and themselves. To take up the role of the unruly or the misfit is to critique schooling's presumed authority, often without saying a word. These ways of being and knowing are checks on curriculum, pedagogy, physical space, and extant hierarchies. Through presence, the uncivil can create a dynamic, unsettling space for institutional conformity, disrupting the smooth functioning of social and hierarchical reproduction in schools and providing escape pathways. These ways of being and knowing point to an educational horizon that centers Black, queer, crip, and other voices marginalized through schooling. Importantly, fugitivity embraces absence in coercive environments as it values uncivil silence and refusal as a form of political literacy.

### **Embracing Uncivil Silence**

A common refrain among a new cadre of authoritarians is that the United States is not a democracy. Halpern (2020) notes they are “pointing out that, from the start, the Founders limited the franchise.” To repeat this refrain is to signal not only that the U.S. government is a constitutional republic—denying the limited democratic elements required by this governmental form—but also to attempt to erase democracy as an ideal. I agree with their statement that it critiques the U.S. governmental structure but rejects this statement as an erasure of the democratic ideal. The latter operates to silence people through an ideal of exclusion. The former points to the history of an exclusionary republic (Leonard & Cornell, 2019) that has emerged through immense corporate control over institutional and governmental policy today (Young et al., 2020). The animus behind the reassertion that the U.S. is not a democracy stems from a recognition—however misguided—that the people do not hold power, are silenced, and are commanded to submit to (white) elites. Their alignment with the ideals of a constitutional republic rather

than the ideal of democracy is an attempt to (re)align themselves with elites and the founders, who established a system of government by and for elite white men. It is a means to simultaneously affirm their subordinate status and elevate themselves above Black, indigenous, Latine, and other marginalized groups as the standard-bearers of civil society. This coincides with a creative approach to civic literacy in response to regressive tendencies. Regarding fugitivity, it means students and teachers resist the demand for silence and embrace uncivil literacy.

Teachers and students experience the mythos of democracy as individuated subjects, tacitly beholden to its undefined, imagined, ideal form. The promise that accompanies ‘bare’ democracy is that “the people rule,” nothing more (Brown, 2015, p. 202). Along these lines, democracy does not “specify arrangements, agreements, or institutions,” nor does it tell us whether to pursue subordinate, privatized, delegated authority as individuated subjects or superordinate, common, direct authority as a sovereign collective (p. 203). For Brown, bare democracy is an “empty form that can be filled with a variety of bad content” (p. 209). Necessarily, what is considered ‘bad’ or ‘good’ is based on an evaluative conception of what democracy is and a normative conception of what it should accomplish in practice. These terminological conceptions circulate in society, often as crude dualisms, in ways that privilege fixity over change, certainty over possibility, tradition over progress, and individualism over collectivism. As a result, for many neoliberal subjects in the U.S., democracy’s emblem manifests as perceptible ideation, outlined in one’s mind as an embodiment of political rationality. For them, democracy has a felt presence, explicit boundaries, and an eternal meaning—

wrapped up in its procedures of obedient civility and respectful silence which are rejected in fugitive spaces.

When democracy is reduced to a series of private procedures like the “electoral ritual” (Gourgouris, 2014, p. 810), and as political consent is manufactured through media (Herman & Chomsky, 1988/2010), and dissensus becomes a spectacle on cable news (Compton, 2004), political engagement becomes an ornamental feature of elite power. In short, It becomes a vapid spectator sport. As Gourgouris (2014) notes

Democracy surely does not consist of a bunch of happily law-abiding citizens; that would be a travesty of citizenship—in fact, a totalitarian nightmare. Nor is it, however, a bunch of freely consensual citizens, devoid of antagonism and political impetus. Contrary to whatever liberalism argues, the cornerstone of democracy is not consensus but dissent. You can have democracy without consensus, but you have no democracy without dissent. (p. 816)

One goal of appeals to republican constitutionalism and a denial of the democratic features present in the U.S. system of government is to deny the necessity of public antagonism as a catalyst for change. With the political goal of conservation of order and regression to a less equal society, the empty signifier of democracy is definitionally bound to a series of quiet, stabilizing procedures. Along these lines, fugitivity is a democratic act made possible by creating a resonant space of safety and dissent.

Following Fraser’s (1990) concept of subaltern counterpublics and the spaces they inhabit, I imagine the public activist potential of fugitive spaces in their ability to encourage “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,” resulting in a “widening of discursive contestation” when these groups multiply (p. 67). Although fugitive spaces can augment public activism because they are not public by definition, they function more like protected counterpublic enclaves. As Mansbridge (1996) notes, counterpublic enclaves engage a need in democracies to

foster and value informal deliberative enclaves of resistance in which those who lose in each coercive move can rework their ideas and their strategies, gathering their forces and deciding in a more protected space in what way or whether to continue the battle. (pp. 46-47)

Along these lines, one function of fugitive learning is to engage in the act of “oscillat[ion] between protected enclaves, in which they can explore their ideas in an environment of mutual encouragement, and more hostile but also broader surroundings in which they can test those ideas against the reigning reality” (p. 57). For Chávez (2011), this behind-the-scenes work is a “necessary part of movement activity regardless of the level of oppression or crisis that groups face” (p. 2). In addition to these activist orientations, fugitivity can be an act of personal growth in the space of ontoepistemic freedom without any obligation to return to the public sphere. These are spaces where demands for civic engagement may fall away and pressure to participate politically can be relieved. These are spaces of collective renewal and political reevaluation against a society of exclusionary civility.

The politics of civility is a form of hierarchical discipline and a mechanism for political exclusion and state-sanctioned violence. When subaltern groups engage in the public debate around issues, they enter an aggressive space of whiteness and power,

submitting themselves to risk. In its most minor violent moments, civility is a form of internal exclusion which keeps voices silent through white supremacist and masculinist terms of discourse (Young, 2002). This form of exclusion hinges on “assumptions some do not share, the interaction privileges specific styles of expression,” and “the participation of some people is dismissed as out of order” (p. 53). This is where more powerful groups “ignore or dismiss or patronize their statements and expressions” (p. 55). Of course, rejecting particular discursive modes is gendered, racialized, and ableist. See, for instance, the nationalistic response to Colin Kaepernick and Megan Rapinoe’s protests during the national anthem to draw attention to Black oppression, racial inequity, and police violence (Schmidt, 2019). At its most violent, the politics of civility influences the right, or lack thereof, to equal protection from the police. Itagaki (2016) notes that the presumption of incivility among groups

justifies the denial of civil, political, and human rights. These frameworks of rights and protections are often withheld from people of color and people who might also be multiply identified as transgender, queer, poor, homeless, immigrant, and disabled. In the courts, in the media, and on the streets, we are told that this denial is due to our own deficiencies, the lack of civility in our behaviors. This excuse of our bad choices masks what I call earlier...*the biologization of civility* or civility as an inheritable trait, which is largely impossible in our very racialized existence. We cannot but be uncivil. (p. 217, original emphasis)

Therefore, the politics of civility has a silencing function, where “societal standards of decorum have often been used to silence groups and keep them in their place” (Lozano-

Reich & Cloud, 2009, p. 223). Even a silent, kneeling protest is thought to cross this arbitrary line when it offends the sensitivities of white spectators. This white discomfort is a social condition, productive of specific affects that maintain white supremacy (Zembylas, 2018). The result of these factors is the promotion of a civil silence that magnifies dominant voices and further marginalizes would-be subaltern counterpublics.

As a means of resistance, the fugitive act creates spaces of freedom where an uncivil tongue (Lozano-Reich & Cloud, 2009) can be practiced. To withdraw to a protected enclave to learn from one another, experience joy, and co-construct community through an absence lends itself to an uncivil silence in public space. We ought to embrace this political silence alongside risk-taking acts of activism. The notion that public engagement in politics is a prerequisite for political development is misguided as it leaves little space for personal, collective development outside the boundaries of the state and its democratic procedures. While a politics of recognition (Taylor, 1994) is important, its most ontologically and epistemically educational context is recognition in fugitive enclaves rather than the violent public space of white, heteronormative civility. This is due to the positive, productive resonance (Gershon, 2016) of these spaces, which starkly contrasts a silent, administered, civil tolerance (López, 2003; Mayo, 2004). To know these spaces, how to navigate them, where to find learning spaces within them, and how to maintain these underground spaces is an uncivil fugitive literacy that educators can support.

## **CHAPTER 7**

### **CONCLUSION: SELF-FASHIONING IN FLIGHT**

And I insist on this a little out of consideration for our friendship : though I, personally, am sure that you will one day see me as safe and happy as any friend of mine could wish, this day will not be tomorrow and work, my friend, is my only means of bringing this day about. Please get over the notion, Sol, that there's some place I'll fit when I've made some 'real peace' with myself : the place in which I'll fit will not exist until I make it.

—James Baldwin, *Letter to Sol Stein*

#### **Fugitive Space / Queer Temporality / Educational Futurity**

The dynamics between institutional schooling and fugitive education indicate an inherent degree of agency among minoritized students and teachers. This is an unconquerable power, despite a historical legacy of attempts to do so. This is a life-giving potentiality rooted in the Black radical tradition, in everyday risk-taking acts of educational freedom, and in the multiplex intersections of Indigenous, Queer, Crip, Feminist, and working-class solidarity. Fugitive education finds time and space in Moten and Harney's conceptualization of the undercommons. For Moten and Harney (2004), entering the undercommons

is to inhabit the ruptural and enraptured disclosure of the commons that fugitive enlightenment enacts, the criminal, matricidal, queer, in the cistern, on the stroll of the stolen life, the life stolen by enlightenment and stolen back, where the commons give refuge, where the refuge gives commons. (p. 103)

Kelley (2018) describes the undercommons as “a fugitive network where a commitment to abolition and collectivity prevails over a university culture bent on creating socially

isolated individuals whose academic skepticism and claims of objectivity leave the world-as-it-is intact” (p. 158). When the undercommons is a place of refuge but also a site of sabotage, this space and the acts it generates is to be “*in* the university but not *of* the university” (p. 167). Away from the liberatory matrix and its institutional promise to liberate students from itself, in contrast to matryoshka schooling as a series of stacked aporias of paternalism, maternalism, violence, and care, and in comparison to the carceral state of education that confines and demands conformity—fugitive space is a place to take back one’s bodymind. It is a fleeting, embodied moment of breath away from the suffocating space of the institution and all its traumatic demands. It is in a momentary, knowing glance of safety. It is everywhere and nowhere, found and unfound, loud and invisible, purposeful and wandering. It is a space of coalitional self-fashioning. It is a space where uncivil literacies are formed, taught, and practiced as an ontoepistemic sharpening. It is preparation to (re)write the world when the world would otherwise leave everyone dull.

In these spaces, “larger temporal schemae” (Freeman, 2010, p. 4) may fall away, opening up time for unregulated leisure. This is a temporal refuge from the chronobiopolitics of the state and its management of economic life (pp. 4-5). It interrupts understandings of life-in-sequence and the imperative of time-as-productive, the “event-centered, goal-oriented, intentional” past that “predicts and becomes material for a future” (p. 5). Along these lines, fugitive spaces may be thought of as spaces of forgetting to catalyze learning. As Halberstam (2011) notes, “learning in fact is part memorization and part forgetting, part accumulation and part erasure” (p. 83). This is a negotiation in the present between past experiences and a future horizon, where “shock and

trauma...engender a form of forgetting, a cocooning of the self in order to allow the self to grow separate from the knowledge that might destroy it” (p. 84). The cyclical iterations of life in schooling bind time against personal growth and critical orientations. From the moment a child wakes up, preparation for the school day begins—to prepare to present oneself as presentable. To catch a bus in time to be present. To the first class and the second and the third. To lunch. To the fourth class and the fifth, and the sixth. To extracurriculars. Back home. How was school today? Each moment is compartmentalized, managed, supervised, monitored, tracked, and assessed. Did you finish your homework? The culmination of days, weeks, and years—a countdown to a future that never comes. You should probably get to bed. 3rd grade. 7th grade. 11th grade. Graduation. A planned get-together. Congrats! Then, more schooling, labor, compartments, departments, a calendar, an agenda, mission statements, goals, deliverables, and management. What are you going to do for a living? Time is up, counting down, and running out. You never make time for me. You are feigning illness to catch a break. It would help if you took time for yourself.

Considering the terrain covered in previous chapters, where do K12 schools, students, and teachers fit into these conceptions of fugitive space and queer time? Might they be *in* the school but not *of* the school? In these brief interstices of time, students and teachers steal life back. They take back time and space in the hallways, filled with joyous laughter of transitory liberation. They linger, loiter, and stroll to their following obligation, seeking an ephemeral closeness, affinity, and friendship. Problematically, they find freedom in the attention economy of digital space, staying up late to create time and space schooling stole from them that day. Read as apathy, dispassion for schooling

indicates how we negotiate the present in the absence of a future. Especially for groups minoritized by U.S. society, the constructed reality of political, cultural, and economic life well-hidden from previous generations is no longer concealable.

Young people know the reality of what Berardi (2011) calls the myth of the future through experience, affect, and being. This is the unnatural idea that the future will be better than the present, rooted in presumptions about human progress and production. He explains,

In the second part of the nineteenth century, and in the first part of the twentieth, the myth of the future reached its peak, becoming something more than an implicit belief: it was a true faith, based on the concept of “progress,” the ideological translation of the reality of economic growth. Political action was reframed in the light of this faith in a progressive future. Liberalism and social democracy, nationalism and communism, and anarchism itself, all the different families of modern political theory share a common certainty: notwithstanding the darkness of the present, the future will be bright. (p. 18)

Along these lines, an unsustainable, mythological future exerts pressure on the present. The co-creation of fugitive space and queer time opens up new possibilities for the co-creation of alternatives beyond the permanence of capitalist growth. It is a creative act of course reversal against the march toward ecological devastation. It is a utopian proxy for being disconnected from the psychology of modern labor that tells us, “either you are strong and smart, or you deserve your misery” (Berardi, 2015, p. 21). It is a dream of self-directed knowing from the exterior, outside cognitive exploitation, and the panic, anxiety, and depression of the “risky narcissistic simulation” of competition (Berardi,

2009, p. 99). It is a desire for rest—to no longer be exhausted by chrononormativity or confined by purpose-centric space. The horizontal distribution of ideas, concepts, readings, and writings that are educational and life-giving in resistance to the circulation of argumentative essays, outcome-driven projects, and games of schooling is useless beyond a hierarchical assessment of humanity. As a refusal to commit to the derivative space of the school, its deracinated curriculum, and its machine-like pedagogy, fugitivity is a brilliant flash of possibility and educational futurity.

### **Self-Fashioning in Flight**

The refusal to commit to schooling's framework of time and space is an escape to safer, more educative futures as an ongoing intercession between refusal and participation. This is based on rejecting "the logic that stages refusal as inactivity, as the absence of a plan and as a mode of stalling real politics" (Harney & Moten, 2013, p. 9). The fugitive recognizes the social imperative that they perform for institutions in ways that render them recognizable and politically present to the state. To do otherwise and to know otherwise is a refusal of refusal. Along these lines, institutional absence is a political presence, and withdrawal is an act of engagement in an otherwise space and time. In terms of Harney and Moten's (2013) paraontology, as an "interplay of blackness and nothingness," it is a "radical being beside itself of blackness, it's off to the side, off on the inside, out from the outside imposition" (p. 96). On an obligation to a politics of participation, they note:

The constant materialisation of planning in such participation is simply the inevitability of crisis, according to the deputised, who prescribe, as a corrective, hope for and hopefulness in correction. They say that participation must be

hopeful, must have vision, must embrace change; that participants must be fashioned, in a general imposition of self-fashioning, as hopeful, visionary, change agents. Celebrating their freedom on lockdown in the enterprise zone, guarding that held contingency where the fashioning and correction of selves and others is always on automatic, the participant is the deputy's mirror image. (p. 82)

Along these lines, the ways we are told to engage in political institutions—the very ethic of participation—centers on planned being, fashioned in the image of the policymaker, permitting ourselves hope, vision, and change, emanating from a state that denies the possibility of the same. This self-fashioning of the political act(or) is imposed upon us. Elsewhere, they note, “the compulsion to tell us how you feel is the compulsion of labor, not citizenship, exploitation not domination, and it is whiteness” (p. 55). The labor of self-fashioning by white, heteronormative institutional space is yet more toil on nonnormative bodies, paid in a fluctuating tolerance and exploitative of the desire for cultural acceptance.

Fugitive education, on the other hand, is an act of self-fashioning without hierarchical imposition—a means to ontoepistemic anarchy. Newman (2016) describes ontological anarchy as “a form of autonomous action, a way of acting and thinking anarchistically in the here and now, seeking to transform the immediate situation and relationships that one finds oneself in” (p. 12). Without a telos, anarchist practice recognizes that liberation and freedom are always ongoing, contingent, and contextual. It is a way of being without a project beyond the reinvention of liberatory thought and action. This framing recognizes the impossibility of complete freedom but works toward it in ways that reject the hopeless melancholia of political nihilism. Beginning with

prefiguration, being and knowing operating in the space of non-power denies any final political archetype. Along these lines, it is a method without an aim beyond denying the power of the *archê* itself with the knowledge that “all forms of power are premised on a certain capture or subjection of life” (p. 18). In non-power, we find an analog between ontological anarchism and Black fugitivity in the flight away from the institutional power of the state and the creation of a space of horizontality, joy, safety, and futurity. For Newman, these spaces render the subject “ungovernable” and “opaque to power” (p. 18). Ultimately, in a performance for power, the political subject is rendered transparent and susceptible to it, reaffirming the state’s sovereign monopoly on violence. This political actor is asked to self-identify with a party, expose themselves, and share their political subjectivity with the public and the state. As mentioned, we are told to protest with civility, speak up and call out injustice, and tell legislators how we feel. We are especially lauded if we show our faces and state our name in the process—mainly viewed as a symbol of courage, honesty, and truth. In addition, we are encouraged to share our private lives online, from what we eat to where we vacation, and invite smart speakers like Amazon Alexa, Google Home, and Apple’s HomePod to listen in (Pinsker, 2018; Shulevitz, 2018), subjecting participants to surveillance capitalism and a “logic of accumulation” where “every actor, event, and transaction can be made visible and calculable” (Cinnamon, 2017, p. 610). The political subject of today is primed for self-exposure and compelled to put themselves on display for any to see. This is a performance for power. Instead, Newman (2016) suggests that “maybe the most radical gesture is to disappear, to become anonymous, imperceptible” (p. 34). The new political

subject, operating with non-power, is not afraid to remain undefined, to take on a fugitive aesthetic in the principle of a refusal of refusal.

In Ibrahim's (2015) discussion of an *anti-racist line of flight*, he proposes that "our absolute challenge...is to experiment with how to humanise and liberate ourselves and our bodies from this socius, this hierarchical order of society where power is distributed vertically" (p. 15). Drawing on Deleuze and Guattari's concept of the Body without Organs (BwO), he notes that these power relations name us upon our arrival (p. 14)—black/white, man/woman, queer/hetero, and so on. However, we can resist this classification and categorization of bodies through the BwO and the lines of flight it makes possible. He defines the BwO as an assemblage without an "end or a beginning," without "structure or restriction," and "as a state of becoming we are always at work to attain" (p. 15). As such, "it is a 'line of flight' or a constant state of possibilities, territorialisation, deterritorialisation and reterritorialisation" (p. 15).

In a parallel reading of BwO and conceptions of race in critical race theory, he claims:

Therefore, if we want to become BwO, the new monster or the organism we need to struggle against is no longer solely the broad category of 'race' but more specifically 'whiteness': its language, norms, values, ways of thinking and becoming; the hierarchical strata it creates; the symbolic and material capital it generates to its own benefit; and its ultimate product: white supremacy. (p. 19)

Ibrahim suggests we accomplish this through the creation of an "agentive," "liberatory," and curricular "rhizome of education" (pp. 23-24). Here, a multidisciplinary queer sociology that centers intersections of "race, class, empire, gender and gender identity, and sexuality" (Moussawi & Vidal-Ortiz, 2015, p. 1273) can open up a rhizomatic fugitivity that clarifies multiplex relations to whiteness and various lines of flight.

Specific to education, the fugitive student and teacher crack the spaces they inhabit, and in doing so, they provide transversal openings for other possibilities of being and knowing. The transverse fugitive cuts through intersections of identity and everyday life inside and outside of schools as they make and take lines of flight and engage in fugitive self-fashioning. As Halberstam notes in the preface to Harney and Moten's, *The Undercommons*:

The mission then for the denizens of the undercommons is to recognize that when you seek to make things better, you are not just doing it for the Other, you must also be doing it for yourself. While men may think they are being "sensitive" by turning to feminism, while white people may think they are being right on by opposing racism, no one will really be able to embrace the mission of tearing "this shit down" until they realize that the structures they oppose are not only bad for some of us, they are bad for all of us. (2013, p. 10)

## **Conclusion**

This project has been part history, part lamentation for what schooling has become, part philosophy, and part aspiration for what education could be. As I wrote this project and as I conducted my research, I was haunted by these feelings. As Gordon (2011) notes:

We're haunted...by the historic alternatives that could have been and by the peculiar temporality of the shadowing of lost and better futures that insinuates itself in the something-to-be-done, sometimes as nostalgia, sometimes as regret, sometimes as a kind of critical urgency. (p. 7)

I come out of this discussion of fugitivity and escape with a sense that there is an

underlying series of complications for the work academics are asked to do in academic institutions—the something-to-be-done. Whether we are called researchers, scholars, teachers, students, administrators, curriculum-makers, or pedagogues—labels that confine us to and identify us by the labor we do—I am critical of the drive to operationalize every single concept, to capture it and use it up on behalf of an institution, to make it visible and therefore subject to the violent machinations of white supremacy, patriarchy, organizational goals, and administrative control. As a researcher, I hesitate to explore existing fugitive spaces out of fear for the safety of the people involved. I am uneasy about the ethics of finding, hunting, investigating, capturing, and reporting on these spaces, thereby rendering them visible to the institution. Institutional research along these lines is akin to policing. I would be its agent. However, future work along these lines may include research about historical experiments in fugitive learning, where flight away from state institutionalization of knowing toward a fugitive space has already been made visible, with the recognition that it is no longer fugitive at this point. It may also include autoethnographic work that explores individual and collective lived experiences, self-fashioning, and fugitivity in spaces of education, broadly defined.

Similarly, I resist common questions around the hegemonic practicality in education: *Ok, yeah, but how do we do fugitivity? What does fugitivity look like in the classroom? How can I engage these fugitive spaces in my educational practice?* It should be evident that fugitivity is no longer fugitive upon capture. The power of fugitive learning is rooted in its uncapturability. It cannot be operationalized by hired goons, programmatic duct tapers, bureaucratic box tickers, or administrative taskmasters to use Graeber's (2018) typology of bullshit jobs. The term is self-authenticating. It never

needed a judge to declare its validity. It never required institutions, and it never needed the state. These are the barrier-creators and boundary-makers of educational possibility. We escape schooling, engage in fugitive learning, and risk an educational flight knowing there is no better actually-existing protection than the protection a community grants itself, the refuge it provides to others, and the coteries of genuine care we find—finding ourselves along the way.

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## **APPENDIX A: ANTI-LITERACY LAWS, 1740-1847**

This appendix contains the text of anti-literacy laws from slaveholding states between 1740-1840 in the United States. Note that these laws prohibit instruction for foundational literacy as a means to curb anti-slavery activism and rebellion. This is by no means an exhaustive list but is representative of the array of literacy prohibitions on enslaved people of color, free people of color, white teachers, and teachers of color.

### **Alabama**

#### **Alabama Slave Code (1833)**

Any person who shall attempt to teach any free person of color, or slave, to spell, read or write, shall upon conviction thereof by indictment, be fined in a sum of not less than two hundred fifty dollars, nor more than five hundred dollars.

Source: Maddox, C. (2022). *Literacy by any means necessary: The history of anti-literacy laws in the U.S.* Oakland Literacy Coalition. <http://bit.ly/3JJ5MTN>

### **Georgia**

#### **Georgia Slave Code (1829)**

And be it further enacted, That if any slave, negro, or free person of colour, or any white person, shall teach any other slave, negro, or free person of colour, to read or write either written or printed characters, the said free person of colour or slave shall be punished by fine and whipping, or fine or whipping at the discretion of the court; and if a white person so offending, he, she, or they shall be punished with a fine, not exceeding five hundred dollars, and imprisonment in the common jail at the discretion of the court before whom said offender is tried.

Source: Maddox, C. (2022). *Literacy by any means necessary: The history of anti-literacy laws in the U.S.* Oakland Literacy Coalition. <http://bit.ly/3JJ5MTN>

### **Mississippi**

#### **Mississippi Slave Code (1822)**

Penalty for teaching a slave to read; imprisonment one year. For using language having a tendency to promote discontent among free colored people, or insubordination among slaves, imprisonment at hard labor, not less than three, nor more than twenty-one years, or death at the discretion of the court.

Source: *Extracts from the American slave code*. (1829). Philadelphia Female Anti-Slavery Society. <https://bit.ly/3FrSwk6>

### **Mississippi Slave Code (1865)**

Section 2. The said court shall be fully satisfied that the person or persons to whom said minor shall be apprenticed shall be a suitable person to have the charge and care of said minor, and fully to protect the interest of said minor. The said court shall require the said master or mistress to execute bond and security, payable to the State of Mississippi, conditioned that he or she shall furnish said minor with sufficient food and clothing; to treat said minor humanely; furnish medical attention in case of sickness; teach, or cause to be taught, him or her to read and write, if under fifteen years old, and will conform to any law that may be hereafter passed for the regulation of the duties and relation of master and apprentice: Provided, that said apprentice shall be bound by indenture, in case of males, until they are twenty-one years old, and in case of females until they are eighteen years old.

Source: *"Black codes" of Mississippi 1865*. (2004). WNET. <http://bit.ly/3TrAUuo>

## **Missouri**

### **Missouri Anti-Literacy Law (1847)**

No person shall keep or teach any school for the instruction of negroes or mulattoes, in reading or writing, in this State.

Source: Maddox, C. (2022). *Literacy by any means necessary: The history of anti-literacy laws in the U.S.* Oakland Literacy Coalition. <http://bit.ly/3JJ5MTN>

## **North Carolina**

### **North Carolina Slave Code (1830)**

Whereas the teaching of slaves to read and write has a tendency to excite dissatisfaction in their minds and to produce insurrection and rebellion to the manifest injury of the citizens of this state: Therefore:

Be it enacted by the General Assembly of the State of North Carolina, and it is hereby enacted by the authority of the same, that any free person who shall hereafter teach or attempt to teach any slave within this State to read or write, the use of figures excepted, Shall be liable to indictment in any court of record in the State having jurisdiction thereof, and upon conviction shall at the discretion of the court if a white man or woman be fined not less than one hundred dollars nor more than two hundred dollars or imprisoned and if a free person of colour shall be whipped at the discretion of the court not exceeding thirty nine lashes nor less than twenty lashes.

Be it further enacted that if any slave shall hereafter teach or attempt to teach any other slave to read or write the use of figures excepted, he or she may be carried before any justice of the peace and on conviction thereof shall be sentenced to receive thirty nine lashes on his or her bare back.

Source: *A bill to prevent all persons from teaching slaves to read or write, the use of figures excepted (1830)*. (2023). Anchor: A North Carolina History Online Resource. <http://bit.ly/3Jl3kl1>

### **South Carolina**

#### **An Act for the Better Ordering and Governing of Negroes and Other Slaves in This Province (1740)**

Whereas, the having of slaves taught to write, or suffering them to be employed in writing, may be attended with great inconveniences; Be it enacted, that all and every person and persons whatsoever, who shall hereafter teach or cause any slave or slaves to be taught to write, or shall use or employ any slave as a scribe in any manner of writing whatsoever, hereafter taught to write, every such person or persons shall, for every such offense, forfeit the sum of one hundred pounds, current money.

Source: Rasmussen, 2010, p. 201

### **Virginia**

#### **An Act Reducing into one the Several Acts Concerning Slaves, Free Negroes and Mulattoes, and for Other Purposes (1832)**

If any person shall hereafter write, print, or cause to be written or printed, any book, pamphlet or other writing, advising persons of colour within this state to make insurrection, or to rebel, or shall knowingly circulate, or cause to be circulated, any book, pamphlet or other writing, written or printed, advising persons of colour in this commonwealth to commit insurrection or rebellion; such person if a slave, free negro or mulatto, shall, on conviction before any justice of the peace, be punished for the first offence with stripes, at the discretion of the said justice, not exceeding thirty-nine lashes; and for the second offence, shall be deemed guilty of felony, and on due conviction, shall be punished with death without benefit of clergy; and if the person so offending be a white person, he or she shall be punished on conviction, in a sum not less than one hundred nor more than one thousand dollars.

Source: Roth, S. N. (2019). *Virginia: Laws Passed, March 15, 1832*. The Nat Turner Project. <http://bit.ly/3lk13i2>

## **APPENDIX B: ANTI-LITERACY LAWS, 2020-2023**

This appendix contains summaries of 51 current anti-literacy laws specifically related to schools enacted across 22 states in the United States from 2020 to the present. Note that these laws prohibit cultural and critical literacy as a means to curb anti-racist pedagogy, queer affirming curriculum, and the development of critical political perspectives. Another objective of these laws is to codify an uncritical nationalism, the myth of meritocracy, a colorblind and queerblind ideology, and legislate white comfort. In addition, a throughline of these pieces of legislation is an attempt to redefine critical race theory and discussions about contemporary structural racism as discriminatory and to render LGBTQIA+ people invisible and/or dangerous.

I have organized this legislation under each state in order of their effective date and labelled them as Anti-CRT or Anti-LGBTQIA+. This is not an exhaustive list of these laws but is representative of each state's desire to impose race, gender, and sexual conformity in schools. This appendix was compiled through legislative compilations by the Movement Advancement Project's "Bans on Transgender Youth Participation in Sports" (2023a), "LGBTQ Curricular Laws" (2023b), and Schwartz's (2013) "Map: Where Critical Race Theory is Under Attack."

### **Alabama (3)**

#### **State Board of Education Resolution Declaring the Preservation of Intellectual Freedom and Non-Discrimination in Alabama's Public Schools (Anti-CRT)**

Effective: August 12, 2021

Full Text: <https://bit.ly/3TgtQAu>

#### **HB 391 (Anti-LGBTQIA+)**

Effective: July 1, 2021

Full Text: <https://bit.ly/3TOnnNG>

**HB 322 (Anti-LGBTQIA+)**

Effective: April 7, 2022

Full Text: <https://bit.ly/3FtB5Q5>

**Arizona (2)**

**HB 2035 (Anti-LGBTQIA+)**

Effective: July 09, 2021

Full Text: <https://bit.ly/3LsqicB>

**SB 1165 (Anti-LGBTQIA+)**

Effective: March 30, 2022

Full Text: <https://bit.ly/3z4IWzO>

**Arkansas (2)**

**HB 1570/SB354 (Anti-LGBTQIA+)**

Effective: March 29, 2021

Full Text: <https://bit.ly/3z5HoWm>

**LEARNs Act (Anti-CRT and Anti-LGBTQIA+)**

Effective: March 14, 2023

Full Text: <http://bit.ly/3ZZ2j90>

**Florida (5)**

**Department of Education - Notice of Change (Anti-CRT)**

Effective: May 5, 2021

Full Text: <https://bit.ly/3n0PXPc>

**S1028 (Anti-LGBTQIA+)**

Effective: June 2, 2021

Full Text: <https://bit.ly/3FNjlPL>

**HB 241 (Anti-LGBTQIA+)**

Effective: July 1, 2021

Full Text: <https://bit.ly/3YRV9Cn>

**HB 7 (Anti-CRT)**

Effective: July 1, 2022

Full Text: <https://bit.ly/405geKE>

**CS/CS/HB 1557 (Anti-LGBTQIA+)**

Effective: July 1, 2022

Full Text: <https://bit.ly/3YRUEYU>

**Georgia (2)**

**A Resolution of the State Board of Education of the State of Georgia (Anti-CRT)**

Effective: June 3, 2021

Full Text: <https://bit.ly/42fj8hI>

**HB 1084 (Anti-CRT)**

Effective: July 1, 2022

Full Text: <https://bit.ly/3JosPBM>

**Idaho (2)**

**HB 500 (Anti-LGBTQIA+)**

**Currently under temporary injunction**

Effective: July 1, 2020

Full Text: <https://bit.ly/3ZdRYFp>

**HB 377 (Anti-CRT)**

Effective: April 28, 2021

Full Text: <https://bit.ly/3YPksVS>

**Indiana (1)**

**HB 1041 (Anti-LGBTQIA+)**

Effective: May 24, 2022

Full Text: <https://bit.ly/3nkvG7L>

**Iowa (2)**

**HF 802 (Anti-CRT)**

Effective: June 8, 2021

Full Text: <https://bit.ly/3mN4RZo>

**HF2416 (Anti-LGBTQIA+)**

Effective: March 3, 2022

Full Text: <https://bit.ly/3JA6DF6>

### **Kentucky (3)**

#### **Senate Bill 1 (Anti-CRT)**

Effective: April 13, 2022

Full Text: <https://bit.ly/42h6tuD>

#### **SB 83 (Anti-LGBTQIA+)**

Effective: April 13, 2022

Full Text: <https://bit.ly/3mUK9qD>

#### **House Bill 44 (Anti-CRT)**

Effective: April 20, 2022

Full Text: <https://bit.ly/42fcA2N>

### **Louisiana (2)**

#### **RS 17 §281. Instruction in Sex Education (Anti-LGBTQ)**

Effective: June 25, 1993

Full Text: <http://bit.ly/3FsyPbO>

#### **SB 44 (Anti-LGBTQIA+)**

Effective: August 1, 2022

Full Text: <https://bit.ly/3lChOz>

### **Mississippi (3)**

#### **House Bill 1304 (Anti-LGBTQIA+)**

Effective: July 1, 1988

Full Text: <http://bit.ly/3lj93ji>

#### **SB 2536 (Anti-LGBTQIA+)**

Effective: July 1, 2021

Full Text: <https://bit.ly/3TisLs6>

#### **Senate Bill 2113 (Anti-CRT)**

Effective: March 14, 2022

Full Text: <https://bit.ly/3JhHX49>

### **Montana (3)**

#### **HB 112 (Anti-LGBTQIA+)**

Effective: May 5, 2021

Full Text: <https://bit.ly/3n0lr8w>

**Attorney General Opinion No. 1 (Anti-CRT)**

Effective: May 27, 2021

Full Text: <https://bit.ly/3JokmP6>

**SB 99 (Anti-LGBTQIA+)**

Effective: July 1, 2021

Full Text: <https://bit.ly/3JK0Pu3>

**New Hampshire (1)**

**HB 2 (Anti-CRT)**

Effective: June 28, 2021

Full Text: <http://bit.ly/3JhIa7r>

**North Dakota (1)**

**HB 1508 (Anti-CRT)**

Effective: November 12, 2021

Full Text: <https://bit.ly/3Jlj1sz>

**Oklahoma (2)**

**HB 1775 (Anti-CRT)**

Effective: May 7, 2021

Full Text: <https://bit.ly/409lay3>

**SB2 (Anti-LGBTQIA+)**

Effective: March 30, 2022

Full Text: <https://bit.ly/3JlmB5U>

**South Carolina (2)**

**H630 (Anti-CRT)**

Effective: July 1, 2021

Full Text: <http://bit.ly/3lgcilE>

**H4608 (Anti-LGBTQIA+)**

Effective: May 16, 2022

Full Text: <http://bit.ly/3laylQM>

## **South Dakota (2)**

### **SB46 (Anti-LGBTQIA+)**

Effective: February 3, 2022

Full Text: <https://bit.ly/3yHlcQZ>

### **Executive Order 2022-02 (Anti-CRT)**

Effective: April 5, 2022

Full Text: <https://bit.ly/3FryWEz>

## **Tennessee (4)**

### **SB46 (Anti-LGBTQIA+)**

Effective: April 6, 2021

Full Text: <https://bit.ly/3yIBNoU>

### **SB228/HB3 (Anti-LGBTQIA+)**

Effective: May 3, 2021

Full Text: <https://bit.ly/3glNqP>

### **SB0623 (Anti-CRT)**

Effective: June 1, 2021

Full Text: <http://bit.ly/3LA6Qum>

### **SB2153/HB2316 (Anti-LGBTQIA+)**

Effective: July 1, 2022

Full Text: <https://bit.ly/3yJcVx8>

## **Texas (5)**

### **Educational Materials for Minors, Sec. 85.007.b.2 (Anti-LGBTQIA+)**

Effective: September 1, 1991

Full Text: <http://bit.ly/3lm9Vnh>

### **Instructional Elements, Sec. 163.002.8 (Anti-LGBTQIA+)**

Effective: September 1, 1991

Full Text: <http://bit.ly/3YLJEwo>

### **HB 3979 (Anti-CRT)**

Effective: September 1, 2021

Full Text: <https://bit.ly/3LrBKFl>

**SB 03 (Anti-CRT)**

Effective: November 18, 2021 (Updated HB 3979)

Full Text: <https://bit.ly/3TjwBRz>

**HB25 (Anti-LGBTQIA+)**

Effective: January 18, 2022

Full Text: <https://bit.ly/3LsQ2FL>

**Utah (2)**

**R277-328 (Anti-CRT)**

Effective: August 9, 2021

Full Text: <https://bit.ly/3LvLePV>

**HB11 (Anti-LGBTQIA+)**

**Currently under temporary injunction**

Effective: July 1, 2022

Full Text: <https://bit.ly/3FuDERL>

**Virginia (1)**

**Executive Order No. 1 (Anti-CRT)**

Effective: January 15, 2022

Full Text: <https://bit.ly/3TrNhXd>

**West Virginia (1)**

**HB3293 (Anti-LGBTQIA+)**

**Currently under temporary injunction**

Effective: July 8, 2021

Full Text: <https://bit.ly/3LxyFDX>

## **VITA**

**JONATHAN W. CROCKER**

### **EDUCATION**

**Doctor of Philosophy, Educational Studies: Curriculum Studies**, May 2023

Texas Christian University, Fort Worth, TX

**Master of Arts, English: Public Engagement**, May 2019

University of Nevada, Reno; Reno, NV

**Bachelor of Arts, English**, May 2012

Texas Christian University, Fort Worth, TX

### **GRADUATE CERTIFICATES**

**Comparative Race and Ethnic Studies Graduate Certificate**

School of Interdisciplinary Studies, Texas Christian University

**Women and Gender Studies Graduate Certificate**

School of Interdisciplinary Studies, Texas Christian University

### **PROFESSIONAL EXPERIENCE**

**Affiliate Graduate Instructor**, Spring 2021-Present

Loyola University Maryland, Baltimore, MD

**Graduate Teaching and Research Assistant**, Fall 2019-Present

Texas Christian University, Fort Worth, TX

**Graduate Teaching Assistant**, Fall 2017-Spring 2019

University of Nevada, Reno; Reno, NV

**Classroom English Teacher**, Fall 2012- Spring 2017

Carrollton-Farmers Branch ISD, Carrollton, TX

### **SCHOLARSHIPS**

**Dr. Sherrie Reynolds Graduate Scholarship**, College of Education, 2022-2023, TCU

**Graduate Teaching/Research Assistantship**, College of Education, 2019-2023, TCU

**STARS Scholarship**, College of Education, 2019-2022, TCU

**Graduate Teaching Assistantship**, Department of English, 2017-2019, TCU