The Racial State: The School-to-Prison Pipeline and American Education in the Age of Color-Blindness

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Abstract: **Studies in Critical Race Theory (CRT), especially in the United States, have vastly explored the multiplex roles that the state has in creating racial categories and meanings, and in producing policies that enforce racial exclusion. This state-sanctioned and institutionally sustained racism has led to the emergence of what David Theo Goldberg poignantly termed the "racial state" (1997). This study aims at exploring the complex ways in which schools have been implicated in and incorporated by the racial state in the context of historically marginalized identities, mainly African American, Latino and West Indian communities in the United States. Using critical insights from CRT, this study will document the development of diversity-related educational policies in the United States to illustrate how schools have become locations for reinforcing racial assumptions and for reproducing the racial hierarchies that structure the larger American society. I will argue that, contrary the American narrative of multicultural education, race has constantly interplayed with schooling, excluding communities of color from access to critical resources and increasing the likelihood of marginalized juveniles to enter the criminal justice system. The racial disparities experienced by minority students inside the walls of American schools which take the form of expulsions, differential achievement, curricular inequities, and underrepresentation in talented courses can be synchronized with the socio-economic, political and systemic discrepancies in the wider American society.**

Keywords: **Critical Race Theory, racial state, multicultural education, color-blindness, the school-to-prison pipeline.**

1. INTRODUCTION

In a shocking footage that went viral on the social media, a school resource officer (SRO) at Roselville high school in North Carolina viciously body-slammed Jasmin Darwin, a 15-year-old African American student onto the floor during a class session. The unnecessary brutality by the uniformed officer caused Jasmine a serious brain injury (Yan, 2017). In September 2016, an image of underage Ahmed Mohamed in handcuffs escorted by uniformed police went viral on the social media. Ahmed, a 14 year old Muslim American boy, was arrested and suspended for bringing a homemade clock to his school in Dallas, Texas. Though the police dropped the charge that Ahmed's little invention was a hoax bomb, the case became a rallying point for a wide public debate that revived longstanding racial assumptions about Muslim settlement as a source of terror. Ahmed's small family has recently had to relocate to Qatar for fear of racist threats (Muskal, 2015; Fernandez, 2016).

Such instances of overly violent police intervention have become something of second nature to children of color both inside and outside the American educational institutions. They vividly capture the overlap between the American educational system and the criminal justice system as a disturbing and distinctively American trend. Over the last three decades, a substantial number of American school children, mostly from poor and minority backgrounds, have been exposed to violent policing and frequent contact with the juvenile criminal justice system. Law enforcement or the so-called "school resource officers" have been called upon by many public schools to handle trivial misdemeanors and minor discipline problems normally tackled by the school staff, often through "broken window" and "zero tolerance policies." Thousands of juveniles have been driven into correctional facilities as a result, making public schools an integral part of the phenomenal American trend known as "mass incarceration."

While host to only 5 percent of the world's population, the United States has 25 percent of the world's prison population, with over 2,000,000 prison inmates, the largest worldwide. According to the criminal Justice Fact Sheet, the US inmate population has quadrupled since 1980 (Wilson, 2014). Another 5 million is subject to other forms of correctional supervision, such as probation or parole (Heitzeg, 2014). An even more disturbing fact is that the vast majority of those crammed into the US federal and state prisons or those under some sort of correctional surveillance are disproportionately young African-Americans and Hispanic men. A 1990 study published by the Washington-based Sentencing Project on prison populations as well as those on parole or probation revealed that one of every four black men between the ages of 20 and 29 were among these. Another study published 5 years later revealed that percentage escalated to 1 in 3 (32.2 %). Overall, according to the Bureau of Justice statistics, African Americans now represent the majority of state and federal prison population, with a total of 803.400 black inmates—180.600 more than the total number of white inmates (Davis, 2003).

Another striking feature of this racialized process of wholesale criminalization is the increased role of public schools in the production of prisoners. American educational institutions have been wired into the criminal justice system through a lengthy process that involves arrest, detention and legal prosecution in juvenile and later on adult prisons, made possible by the increased presence of uniformed and militarized police and other law and order agencies. These forces of social control have been deployed to subdue disruptive behavior inside schools, often in disregard to the intensity of the infractions or the age category of the perpetrators. A study by the Civil Rights Project at the University of California-Los Angeles found that urban schools tend to suspend more than one third of their black male students (Sneed, 2015).This systemic process of funneling youths from schools to the penal system, often along the fault lines of race and class, is commonly referred to as the *school-to-prison pipeline*. It can be backdated to the political and social shifts that attended the transition of the US into a neoliberal economy and a law-and-order society. However, the carceral imperative driving it has deeper origins in the US history, especially the racial economies of slavery and the convict labor of the post-Emancipation era. An essential hallmark of this transition from a welfare state into a punitive state, what Michel Foucault called the "carceral state" (1979), is the transformation of correctional facilities and other criminal justice institutions into profit-generating corporate citadels where prisoners are equated with profit.

In what follows I want to dissect the interconnections between school and the carceral system in the United States in light of mainstream conservative and liberal claims to a color-blind and multicultural education. Through the analytical prism of race, I want to investigate how mass incarceration and the school-to-prison pipelining provide glaring manifestations of the racial state today and the contemporary equivalent of past forms of racial terror such as slavery and Jim Crow. From an educational perspective, this paper argues that where dismantling the school-to-prison pipeline undoubtedly requires considering the nexus between schooling and the prison industry as they form a fundamental unity, altering present educational and pedagogical practices and policies of schools that turn classmates to potential inmates must be a top priority for educators both because it is usually a more immediate, feasible and practical venue for transformative action, but also because school settings provide the beginning of this destructive cycle. Altering (by de-racializing) existing educational structures, I suggest, is crucial to stemming the flow of youths into the criminal justice system. By looking into discipline policies presently used in the US schools, the first part of this paper looks into the processes by which schools have become preparatory settings for the creation of disposable youths and for turning youths into potential prison inmates. In the second part, I explore the role of the corporatization of punishment, or what has been poignantly termed the "prison industrial complex" in perpetuating the school-to-prison pipeline. In light of the data provided in the first two parts, the last part of this article will suggest some concrete areas for change and provide some pointers for dismantling the school-to-prison pipeline.

2. MANUFACTURING INMATES: SCHOOLS AS PREPS FOR PRISON

Neoconservative reconceptualization of the public space in the course of the 1980s and 1990s, also known as the Reagan-Bush era, according to a profit-oriented logic has extended to schools. Public education has ever since become a key target for a heated conservative political campaign to dismantle and disintegrate the practices, ideologies and institutions deemed incompatible with the free market ideology with emphasis on individualism, choice and competition. This market place logic that often abstracts freedom from equality finds its ideological articulation in the emergence of a new host of conservative intellectuals backed by conservative think tanks such as the Madison Group, Heritage foundation and the Hoover Institute as well as a spectacular financial support from corporate organizations as diverse as Olin, Scaife, and Smith Richardson foundations. Some of the most controversial names associated with this conservative cultural revolution

that have shaped the general discourse on public democratic life and precisely the public discourse over educational reform are Dinish D'souza, Thomas Sowell, Diane Ravitch, and Chester Finn Jr (Giroux, 1995) .

The resultant conception of education as a sphere for relentless competition and privatization, often in disregard to how class and race profoundly define who might compete, has been coupled with a revision of the pedagogical role of schools as settings for instilling discipline and conformity with the dominant cultural norms. Failure to conform to the mores of school discipline, no matter how small the "infractions," is faced through differentially enforced zero tolerance policies that involve expulsion, suspension, detention, arrest, violent police intervention, and criminal justice processing. Thus, what was previously viewed as minor infractions to be dealt with by the educational staff are now dubbed "crimes" to be handled by school resource police through zero tolerance policies (Heitzeg, 2014).

Although there is no official definition of zero tolerance, it generally involves the application of harsh retributive measures for misbehaviors, regardless of their seriousness or contextual aspects. Infractions punishable by zero-tolerance policy include disorderly conduct, possession of weapons, alcohol and drugs, and fighting on school premises. Logistically, zero tolerance policies are enforced through the presence of policing, frisks, sudden searches of lockers. Policing schools began with a number of projects and school-police partnerships that include the Safe School Act of 1994 and a 1998 amendment to Omnibus Crime Control and the Safe Street Act of 1968. According to a 2013 Congressional Research Service report, the number of full-time school resource officers increased nationwide between 1997 and 2003 (Sneed, 2015).These partnerships assigned uniformed police staff equipped with all the accoutrements of formal legal control, such as guns, metal detectors, tasers, and security cameras to monitor halls (Heitzeg 2014; Cerrone, 1999).

Zero tolerance policies systematically target youths from historically marginalized groups, mainly black and Latino pre-school and younger elementary school students, and involve punishment stunningly incommensurate with the age of the so-called "perpetrators". Ironically zero tolerance policies were largely inspired by the school shootings in predominately white suburban schools, but they have been most readily adopted and enforced in urban schools mostly attended by colored children, with a low student-to teacher ratio and lower test scores. Nearly 70 percent of these schools report a police presence (Justice Police Institute, 2008; Skiba, 2001). Studies show that black youths are twice as likely as their white peers to drop out of school (compared to two times and a half amongst Hispanic youths). In a study of discriminatory discipline, Tim Servoss found that black students are twice as likely as their white peers to be suspended (1.5 for Hispanics). Schools attended by black students also tend to receive more policing and rank in the highest third in terms of security level (as cited in Sneed, 2015). These numbers are suggestive, first, for the disproportion between black and Hispanic dropout rates and the actual number these two ethnic groups account for in the overall US population. Second, if we take into consideration that more than 50 percent of the US inmates lack a high school diploma, these numbers highlight the decisive role that racial inequalities in education have in perpetuating the pipeline. Youths coming from historically marginalized communities are mostly overrepresented in these staggering incarceration rates. They also have the lowest graduation rates, making them disproportionately the primary victims of this trend (Wilson 2014; Messinger, 2016). The following examples vividly capture the striking disjunction between these punitive school measures, the actual intensity of the so-called criminal behaviors, and the social and age categories of the so-called "perpetrators":

- A special needs student was arrested in Texas in 2012 by am SRO, booked in jail, and charged with disorderly conduct and resisting arrest after an incident that started with a teacher ordering the student to stop talking.

- Of 3.500 student arrests in 11 Texas school districts in 2006-2007, only 20 % involved violence or a weapon, which usually meant a fist was used.

- A Latino student who was trying to break up a fight was tasered by an SRO. The student was placed in a medical coma for 52 days (Sneed, 2014).

- Two 10-year old boys from Arlington, Virginia, who had put soapy water in a teacher's drink, were suspended for three days, charged with a felony that carried a maximum sentence of 20 years and were formally processed through the juvenile justice system before the case was dismissed months later.

- A Pennsylvania kindergartener was suspended for two days for telling her classmates she's going to shoot them with a Hello Kitty toy that makes soap bubbles. The incident was reclassified as "threat to harm others."

- A 5 year old boy in Queens, NY was arrested, handcuffed and taken to a psychiatric hospital for having a tantrum and knocking papers off the principle's desk.

- An 11 year old girl in Orlando, Florida was tasered by a police officer, arrested and faced charges of battery on a SRO, violently resisting arrest and disrupting a school function.

- An honors student in Houston Texas was locked up for a night in jail because she skipped class to go to work to support her family.

- A thirteen year old from New York was handcuffed and removed from school for writing the word "okay" on her desk (Hietzeg, 2009: 16).

In their fundamental propensity to involve exclusionary discipline and overlap with the criminal justice system, American schools have effectively emulated the properties of "the carceral" as poignantly captured by Michel Foucault in a groundbreaking study of punishment (1979). Foucault's description of the carceral system in Mettray can be curiously brought to bear on the zero-tolerance policies applied in American public schools today. In Quoting E. Duceptiaux, Foucault writes:

The least act of disobedience is punished and the best way of avoiding serious offences is to punish the most minor offences very severely […] Isolation is the best means of acting on the moral nature of children[…] The chiefs and their deputies at Mettray had to be not exactly judges, or teachers, or foremen, or noncommissioned offices, or "parents," but something of *all* these things in a quite specific mode of intervention. They were in a sense technicians of behavior, engineers of conduct, orthopedists of individuality (p. 235).

The phenomenal surge in school-to-prison pipelining is couched in a misguided belief that placing youths in the correctional process increases public safety, where it does just the opposite. Exposing students to the criminal justice system is shown to only have negative impact on students' school performance and hardly decreases recidivism after release. A study by the Council of State Governments Justice Center reveals that suspensions and expulsions only increased students' likelihood to come into contact with the juvenile criminal justice within the next year. Relocation of students outside school settings increased the likelihood that they are found in places they are supposed not to be in and hence the probability that they will be picked up by police and processed by the criminal justice system (Sneed, 2015). It promotes recidivism rather than rehabilitation. Additionally, it allows the cycle of racial discrimination and systemic social injustice to continue. Upon release from the juvenile punitive system, a large number of students lose track of academic progress, face constant monitoring and bear labels of "delinquents" and are even more likely to get racially profiled by school police. For those who manage to regain track, the prospects of getting a job or higher education scholarship, or their families benefiting from social housing, are thwarted by the criminal records they have to bear forever (Alexander, 2010; Hietzeg; 2014; Sneed, 2014). Thus, as Advancement Project concludes: "In this era of zero-tolerance, the consequences of child or adolescent behaviors may long outlive students' teenage years" (as cited in Heitzeg, 2014:17).

That the school-to-prison pipeline remarkably emerged in the context of soaring media coverage of urban crime and a fundamental federal tendency toward prison-building and mass incarceration begs exploring the links relating the school-to-prison pipeline to these larger developments. This tendency toward criminalizing school children (crime is generally, to use nineteenth century anti-slavery visionary Frederick Douglass, is imputed to color) turned them into black holes draining youths into the juvenile and later adult criminal justice system.

3. PRIVATIZED DISCIPLINE: THE POLITICAL ECONOMY OF MASS INCARCERATION

The structural, economic, political and social shifts under deindustrialization, which reached its peak in the 1980s, provide the backdrop against which the phenomenal rise in youths' exposure to the criminal justice system can be approached. What marks off this period is a skyrocketing media obsession with crime and an unswerving corporate drive for the erection and management of prisons and for the incarceration of large masses of disenfranchised communities. To be sure, the US's shift into a mass-incarceration society may be said to begin with "the War on Drugs" and the rise of lengthy mandatory minimum prison sentences for drug crimes and other felonies that disproportionately affected people of color (Alexander, 2010; Heitzeg, 2014). A political consensus emerged that held that "tough on crime" policies and laws, including imprisonment and longer sentences, would keep communities immune to crime (Davis, 2003). However, the

proliferation of these policies was not coterminous with any actual rise in crime; nor did it come as an effective response to it. It only came as a response to a heightened media dramatization of urban crime and a stereotyped image of the "criminal" and "moral panic" refracted through the prism of racial and cultural difference.

Media reports on the rise of imagined "folks devils" and teen "super-predators" in this period emphasized black and Latino young males whose gang membership was exaggerated (Heitzeg, 2014). Due to limited white contact with minorities, mainly due to segregational urban policies in housing, employment, whites resort to media reports, mainly TV, to form attitudes about minorities. Popular perceptions of crime and the criminal by the same token depend on media reports which are overly written from a heteronormative, white middle class perspective (Dijk, 1988). Where most black perpetrated violence is black-on-black), largely due to systemic ethnic concentration effect and expanding racial gap in social domains such as housing and education, the media reverses these facts, over-representing blacks and Latinos as perpetrators and underrepresenting them as victims while also overreporting crimes involving white victims (Goldberg, 1997).

Douglass's aformentioned observation that crime is imputed to color explains to a great degree the public discourse around criminality and the stereotyped criteria of criminals in present day United States. The constant "racial profiling" in schools and public places is explained by the tendency to see public threats in terms of ascribed cultural differences most readily identifiable through biological properties, mainly skin color. Many police departments in major cities have admitted the existence of formal procedures aimed at maximizing the numbers of Africa-Americans and Latinos arrested—even in the absence of probable cause (Davis, 2003).

 Besides media hyperobsession with crime, the Reagan-Bush era was marked by an unrelenting federal drive to build prisons which began to mushroom in the landscape of many states. In California alone, where only nine prison institutions were built between 1852 and 1955, a massive project of prison construction was launched under Reagan's administration. [1] By the end of the 1980s, the number of prisons in California was twice the number of prisons between 1852 and 1955. In other words, the number of prisons built over one decade in California was the same number of prisons erected over a whole century in that state. Over the 1980s and 1990s, prisons became a striking feature colonizing California—what Davis termed the "prisonization of the California landscape" (Davis, 2003)

This fundamental propensity toward prison-building would not abate. In the 1990s, twelve new prisons were erected in the same state, including two more for women. Today, California is home to over 33 prisons, 38 camps, 16 community correctional facilities and 5 tiny prisoner mother facilities. As of 2002 there were 157,979 people incarcerated in these prisons. The racial composition of this prison population is particularly revealing. Statistics reveal stark racial disparities built into this system: Latinos make the majority, accounting for 35.2 percent, African Americans 30 percent, and white prisoners 29.9 percent. California, additionally, has the largest number of women prisoners in the whole world, mainly in Valley State Prison for Women (Davis, 2003).

The political economy of prisons is straightforward. It entails that they necessarily fill (Goldberg, 1997). With their increasing expansion, federal prisons have witnessed an increasing growth of capital involvement in managing them, from construction and the provision of goods, health care, food and services, to the exploitative use of prison labor (Alexander, 2010; Davis, 2003). Today, corporate bodies such as Corrections Corporation of America (CCA) are paid per prisoner. In the words of historian Mary Ann Curtin "if the supply dries up, or too many are released too early, their profits are affected […] Longer prison terms means greater profits, but the larger point is that the profit motives promotes the expansion of prisons" (2000). Because of this capitalist drive to build and operate prisons, which recalls the emergence of the military industrial complex of the modern period, we began to refer to the prison industrial complex (Goldberg, 1997).

The association of prison building with urban regeneration and upward mobility has been central to the political rationalizations of why these institutions should be erected. In California, for instance, where prisons have been erected on devalued rural and formerly irrigated agricultural lands the state purchased from big owners, according to Geographer Ruth Gilmore, "the state assured the small, depressed towns now shadowed by prisons that the new, recession-proof, non-polluting industry would jump-start local development" (as cited in Davis, 2003).This tale of economic revitalization as a

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[1] The first state prison in California was San Quentin, opening in 1852. In 1880, Folsom, another institution was built. Between 1880 and 1933, not a single prison was built. Overall, nine prisons were built between 1852 and 1955. In the 1980s alone, that number of prisons doubled. See Angela Davis, *Are Prisons Obsolete?* (2003).

result of prison building was necessary to win the California public vote to approve the prison-building legislature. As Davis concludes: "People wanted to believe that prisons would not only reduce crime, they would also provide jobs and stimulate economic development in out-of-the-way places" (2003).

The erection of prisons also inhaled its aura of legitimacy in part from the popular failure to imagine life without prisons. In the public imaginary prisons limit criminality and relieve society of the moral responsibility toward those segments viewed to threaten it. Imprisonment is furthermore equated with rehabilitation and discipline. However, studies have shown that security-oriented and social control policies had little or no impact on the actual crime rates. In fact, prison populations only soared to higher rates, spawning yet more prisons. In light of an eroding urban landscape and emigrating corporations, the economic base of entire communities, especially those by virtue of their unequal access to academic and professional training unable to compete in the new economy of high skilled labor, have been undermined, which extends to other more arterial social venues including education and social services. This profit-oriented process ensures increasingly disposable youths and turns whole communities into perfect candidates for prisons (Alexander, 2010; Davis, 2003).

Though generally backdated to the Reagan-Bush era, mass imprisonment is a residual presence and can be traced back to the more formative moments of the American nation-state. The racial configurations of the American state which play themselves out in American public schools and the criminal justice system invite a keen comparison with older systems of racialization. The restructuring of the criminal justice system along lines of race reinvents the injustices under older forms of the racial state, mainly of slavery and Jim Crow. This has pushed scholars to acknowledge the re-inscription of racial caste system in the United States, a contemporary form of racial segregation, a new Jim Crow (Alexander, 2010). Race and racial terror, central to the conceptual, philosophical and material emergence of the modern nation state, persist in its current management. Historian Adam Jay Hirsh ingeniously dissects how the prison industrial complex perfectly fits as a postmodern equivalent of 19th century southern plantations:

One may perceive in the penitentiary many reflections of chattel slavery as it was practiced in the South. Both institutions subordinated their subjects to the will of others. Like southern slaves, prison inmate followed a daily routine specified by the superiors. Both institutions reduced their subjects to dependence on others for the supply of basic human services, such as food and shelter. Both isolated their subjects from the general population by confining them to a fixed habitat. And both frequently coerced their subjects to work, often for longer hours and for less compensation than free laborers (1992).

Similarly, Historian Mary Curtin invites us to think "the uncanny parallels between the convict lease system in the nineteenth century and prison privatization in the twenty-first century" (2000). With the passage of the Thirteenth Amendment which abolished involuntary servitude, a set of laws were passed by former slave states to regulate the behavior of freed slaves. The Black Codes replaced the Slave Codes back in slavery. The new codes set a number of infractions criminalized only when the perpetrators were black. However, involuntary servitude according to the Amendment was still possible "as punishment for crime whereof the party shall have been duly convicted." According to Black Codes there were state laws convicting crimes perceived as felonies only when committed by blacks, which usually involved petty infractions forced by the conditions of grinding poverty to which the newly freed slaves were forced. These new laws made penal servitude applicable to blacks in the post-slavery era. Thus, ironically, the very amendment banning involuntary servitude in the American Constitution, reinstitutes it under a penal form, to be dispensed in the legal sphere of the courtrooms rather than plantations (Davis, 2003). Even as it abolished bondage, it provided the constitutional imprimatur for convict lease systems of the post-slavery era which ensured a steady supply of free labor to the southern ex- (or new!) slave masters.

 The resultant black convict labor was heavily deployed into the Souths' mining and railway industries in the 19th century and 20th century. Mining Companies such as Tennessee Coal and Iron Company TCI and Sloss Iron and Steel Company leased or rented prison laborers for their coal mines (Curtin 2000, Davis 2003). As Alex Lichtenstein aptly puts it, black convict labor was the flipside of the South's "first tentative, ambivalent, steps toward modernity" (1996). These aspects of the modern state's racial economy whose primary feature is a fundamental drive toward mass incarceration supply the overarching structure for understanding the contemporary institutionalized tendency toward imprisoning youths discussed above as the school-to-prison pipeline. In the rest of this article I want to suggest some pointers toward what I view as an integrated approach to de-carcerating schools and dismantling the school-to-prison pipeline.

4.   WHERE TO GO FROM HERE: BREAKING THE SCHOOL-TO-PRISON PIPELINE

Because the school-to-prison pipeline begins in the formal venues of schooling, of paramount importance is to reexamine the role of school policies that reinforce this relentless routing of school children to the criminal justice system. First, since a vast majority of the youths affected by the school-to-prison pipeline come from historically marginalized groups, there is a need to understand how race and racial differentiation play out in educational environments. A deep knowledge of the different cultural communities increasingly affected by the school-to-prison pipeline and the forms of historical marginalization that fuel and deepen these differences is a prerequisite to conceiving of a more integrative education.

This may begin with understanding the difference between what Ogbu (1992) calls "voluntary" and "involuntary" minority groups. Following Ogbu's taxonomy of cultural differences, African Americans fit into an involuntary minority. Unlike the former group, whose presence in the US is often a matter of independent choice and whose cultural differences are often not a source of systemic forms of racialization and discrimination, involuntary minorities are "people who were originally brought to the United States or any other society against their will. For example, through slavery, conquest, colonization or forced labor." These minorities were often relegated to stigmatized job positions and denied substantive assimilation to the social mainstream. Involuntary minorities are further characterized by what Ogbu calls "secondary cultural differences," that is to say, differences that "arose after two populations came into contact or after members of a given population began to participate in an institution controlled by members of another population, such as the schools controlled by the dominant group." The secondary differences exhibited by African Americans helps understand their disproportionate learning rates as well as why they are considered more vulnerable to the pipeline than members of other ethnic groups. These secondary cultural differences make it difficult for this minority to cross cultural boundaries in school and hence unable to meet learning goals as easily as voluntary minorities (1992).

Secondary cultural differences may also provide valuable insight into the persistent failures of black students to relate to the mores of school discipline—schools being viewed by many involuntary minority students as controlled by white people. This may take the form of frequent incompliance with school culture and discipline, which minority students see as exclusionary and associate with the systems of racial supremacy and domination that underpin the American society at large. Thus, black students' cultural and language frames of reference may not merely be different but in fact are probably oppositional to those of school and mainstream society.

The failure of historically disenfranchised youths to relate to mainstream educational institutions and to conceive of schooling as a means to future professional attainment must be explored beyond pathological explanations of black and other minority cultures as inherently disruptive that pervade public discourses around crime. The "histories and cultural adaptations" informing involuntary minority students' stance towards schools and usually negative school orientations must be recognized by educators and interventionists. These observations particularly explain why decontextualized zero-tolerance policies described above fail to solve discipline problems. These cultural and social identity dynamics, I believe, must be incorporated into discipline related policies. Minority students should also be trained to separate attitudes and behaviors enhancing school success from those that result in linear assimilation and acculturation or "acting white." Schooling becomes more meaningful once students from historically marginalized groups cease to perceive it as a threat to their sense of security and social identity. This strategy involves getting students to recognize and accept the fact that they can share in other cultural or language frames of reference for different purposes without losing their own or jeopardizing their minority community affiliations (Ogbu, 1992).

In this light, the pervasive policing of schools through the presence of the punitive state agencies inside schools, mainly through the assignment of school resource officers, only deepens minority youths' perceptions of schools as locations for reinforcing white supremacy, connecting discrimination in schools to the histories of racial disadvantage. Thus, undoing the links that now connect the criminal justice system to schools, by decolonizing schools and handling behavior problems through more restorative and integrative pedagogical means, is a precondition to dismantling the pipeline. Policing problems normally handled by educators and school staffers undermines the educational role of schools. A critical understanding of how race plays out in schooling and how the racial identity dynamics of black youths inflect their schooling experience may therefore provide sufficient answers as to why they are less likely to comply with mores of school discipline, hence their contact with law enforcement. In curricular planning, one way of dealing with these attitudinal complexities of black learners may involve applying more culturally inclusive rubrics, integrating involuntary minority history and cultural frames into the curriculum, and ensuring fairness and equity in instructional practice (Lachat, 1999).

Beyond educational circles, however, it may be crucial to reexamine how the recent talk on mass incarceration has been hijacked by concerns over reforming prisons and producing a "better prison system". More critical questions of decarceration and putting an end to the prison crisis have been dismissed from public debate altogether. Received techniques of handling crime must be altered by piercing into the social and economic conditions that track poor children, and especially from communities of color, into the juvenile system, and then on to prison. This entails contesting the conservative neoliberal metaphysics of the social that cast prisons as absolute and matter-of-fact components of social life. Dismantling the prison-to-school pipeline should begin from questioning the philosophical rationalizations that reify imprisonment and render prisons normal in the public mind. As Davis suggests, the most difficult and urgent challenge today is that of creatively exploring new terrains of justice, "where the prison no linger serves as our major anchor" (2003). Another concrete area for change is addressing the persisting failures of moral and political leadership that gears tax payer money toward waging wars abroad and bailing out corrupt bankers while slashing federal state funds on dynamic social domains such as education (school lunch programs), health care, urban poverty and state attacks and violent policing of public institutions, mainly public schools attended by students from historically disadvantaged and excluded minorities. In light of the uncertainties looming on present-day America, namely an extreme right president who strives to cast a stalwart ideological quality to prisons and intensive policing as the solution to urban crime, this is certainly a crucial, albeit a daunting task.

5. CONCLUSION

The last three decades hosted an increasing convergence between the American public school and the criminal justice system. An overwhelming number of students, the vast majority of whom come from historically marginalized and oppressed groups, are being funneled from schools into the criminal justice system. This disturbing, typically American trend that turns schools into sewage or pipeline systems routing an overwhelmingly increasing number of youths, often disproportionately along lines of race, to prisons is commonly known as the school-to-prison pipeline. A number of trends in the American society facilitate the draining of youths into prisons, but more direct factors include the increasing proliferation of zero policies enforced by the disquieting presence of militarized policing and other forces of social control inside schools. Aimed supposedly at increasing safety inside schools, these zero tolerance policies have only increased suspension, expulsion and drop-out rates among youths, creating the very conditions for recidivism and relapse into the abysmal world of criminality they profess to eradicate. As I have attempted to illustrate in this article, this one-way drainage system disproportionately shuttling youths of color into the dungeons of a corporatized penal system, which NAACP (the National Association for the Advancement of Colored People) in a recent declaration called, "one of the most urgent challenges in education today," must be analyzed in the light of the larger institutional shifts the US society has undergone since at least the 1980s, mainly the social and ideological shifts that attended deindustrialization, the US's transition into a neoliberal economy and the rise of the prison industrial complex. However, numerous parallels link this trend to the forms of racial supremacy and terror that proliferated in the modern period, namely slavery, convict labor, and the racial policies under Jim Crow. The racial injustices in schools and prisons have become cyclical issues so much so that addressing them needs to encompass the breadth and totality of these structures.

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